

April 12, 2022

At the regular meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday, the 12th day of April, 2022; at 7:00 p.m., there were present:

Beverly M. Booth
Pattie Cooper-Jones
J. David Emert
Llew W. Gilliam, Jr.
Robert M. Jones
Odessa H. Pride
Jerry R. Townsend
James R. Wilck

Also present: Douglas P. Stanley, County Administrator; Sarah Elam Puckett, Assistant County Administrator; Robert Love, Director of Planning & Community Development; Chelsey White, Director of Economic Development & Tourism; Cheryl Stimpson, Director of Finance; W. Taylor Reveley, IV, President of Longwood University; and Terri Atkins Wilson, County Attorney.

Chairman Pride called the April meeting to order.

Chairman Pride stated:

*Due to the COVID-19 Emergency, the Prince Edward County Board of Supervisors is operating pursuant to and in compliance with its "EMERGENCY CONTINUITY OF OPERATIONS ORDINANCE." Effective August 1, 2021, the Board has re-opened meetings to in-person participation by the public; however, there could still be limited available seating. Citizens are strongly encouraged to participate in meetings through in-person participation, written comments, and/or remote participation by calling: **1-844-890-7777, Access Code: 390313** (If busy, please call again.) Additionally, citizens may view the Board meeting live in its entirety at the County's YouTube Channel, the link to which is provided on the County's website.*

The Prince Edward County Board of Supervisors strongly encourages citizen input and engagement in our County government. Due to COVID-19, the Board of Supervisors, Planning Commission, and other County committees, boards, etc. are operating pursuant to the following protocols for public input and public participation.

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Public Participation and Public Hearing comments and information regarding the limited number of seats for in-person participation at County meetings are coordinated through Karin Everhart, Deputy Clerk to the Board of Supervisors, as follows:

- 1. In-Person Participation:** While county meetings have re-opened to the public, there could still be limited seating, if social distancing is needed. To enter the Prince Edward County Courthouse, unvaccinated and vaccinated individuals are required to wear a mask at all times and socially distance. Based on the uncertainty of social distancing requirements, the exact number of seats available in the Board/Planning Commission meeting room is uncertain. The

County appreciates the public's patience as staff continues to adapt to the public safety recommendations and guidelines of the Virginia Department of Health and the CDC.

2. **Written Comments:** Please limit word count to no more than 500 words. Comments must be received by 2:00 p.m. the day of the meeting.
  - a. **Mailed:** Board of Supervisors (or Planning Commission)  
P.O. Box 382, Farmville, VA 23901.
  - b. **E-Mailed:** Board of Supervisors: [board@co.prince-edward.va.us](mailto:board@co.prince-edward.va.us)  
Planning Commission: [info@co.prince-edward.va.us](mailto:info@co.prince-edward.va.us)
3. **Remote Participation:** Citizens may participate remotely during the meeting. To call in to the meeting, please dial: **1-844-890-7777**. When prompted for an Access Number: **390313**. Citizens may provide comments during Public Participation and/or for a specific Public Hearing on the agenda. Citizens are encouraged to pre-register with the County Administrator's Office at 434-392-8837 by 2:00 p.m. the day of the meeting. Callers must be on the line and ready to speak when called upon by the Chair. Please state your name and district of residence. Based upon the # of speakers, the Chair will determine the time allotted to each speaker.
4. **County YouTube Channel:** Citizen may also view the monthly Board of Supervisors meeting live at the County's YouTube Channel: (link is also on County website under Meetings & Public Notices.)  
<https://www.youtube.com/channel/UCyfpsa5HEjIWejBSc5XwplA/featured> .

Chair Pride offered the invocation and led the Pledge of Allegiance.

In Re: Conflict of Interest Act  
(None)

In Re: Public Participation

*Public Participation is a time set aside for citizens to share their thoughts, ideas and concerns. An official record is made of each person's contribution tonight and will be directed to the County Administrator for follow-up; any necessary follow-up will be noted and tracked. Follow-up may consist of an immediate response, or planned action by the County Administrator or Board, or by placement on a future Board agenda. Tonight's agenda cannot be changed, because the public needs advance knowledge of and the opportunity to review related materials regarding items addressed by the Board. To further assist public information, the Board requests the Administrator, Attorney or county staff to immediately correct any factual error that might occur.*

Robert Loveless stated he had a number of questions regarding Mr. Love's one-year report on the Hampden-Sydney shooting range. He asked if Mr. Love noted the number of participants, recorded the length of the practice, and asked if there is there any sort of log maintained showing either of these for each session.

In Re: One Year Review Report – Hampden-Sydney Shooting Range SUP

Mr. Love stated the County approved an application from Scott Schmolesky on behalf of Hampden Sydney College for a Special Use permit to operate an outdoor shooting range on Tax Map Parcel 064-A-45, with an address of 7128 Farmville, Road, Farmville, VA at the March 9, 2021 regular meeting. A condition of approval was that "A review of this activity will take place one (1) year from the date of approval."

On March 29, 2022, two County staff members, Mr. Love and Trey Pyle, visited the site and were present for a shooting exercise. Mr. Love said six students were there during the 90-minute session that was attended and another 90-minute session was scheduled on that day. Mr. Love stated that Charles Horton, Shooting Range Officer, gave a classroom-lesson to the students on technique and procedures, and the students were then stationed and would shoot the clays one at a time. Only shotguns were used with bird shot during the practice. There was supervision and instruction by a qualified Range Safety Officer and all individuals who participated were Hampden Sydney sporting clay team members.

Staff used iPhones with a decibel meter application to record levels during the shooting practice. Staff observed levels in the upper 70 decibel range when standing within 50 feet of the shooting stations. At the property gate closest to the [shooting] range, a decibel level of 45-52 was observed. At the driveway entrance at Route 15 and the Worsham Baptist Church the shot was inaudible and did not register on the decibel meter app. He said a percussion could be heard; the normal traffic of Route 15 registered in the upper 60 to mid-70 range.

Mr. Love said that there were no maximum limits placed on the number of students there at one time; it was specified that only Hampden-Sydney professors or Safety Range Officers and students enrolled in the program and on the team could participate.

Staff noted the overall site conditions; the shared driveway has been nicely graded, with proper drainage and sufficient gravel. The property has "No Trespassing" signage installed near the roadway entrance to the property and the range location itself was clearly marked. The shooting stations were oriented as they were discussed and shown on their site plan.

Mr. Love described the stands and said all is secured in a shed when not in use. He said the shot was birdshot and shotgun shells, just as the conditions specified.

Based on the findings from the practice shoot, County staff is of the opinion the Shooting Range Facility is in full compliance with the original Conditions of approval. The use is generally compatible with the zoning district and has minimal impact on surrounding properties such as noise and traffic.

Mr. Loveless thanked Mr. Love for his report. He said when he was in the area last year, there were about 20 participants. Mr. Loveless asked if a log is maintained of the participants and the length of the session.

Scott Schmolesky, Hampden-Sydney, stated there is a log kept of the students that attend the range, normally 9 to 10 students. He said they meet twice a week, two hours per session, with about one hour of actual shooting with a half-hour of prep and a half-hour of clean-up afterwards.

Chair Pride asked the date that the shooting practice started. Mr. Schmolesky said they began in September, in early fall.

In Re: Board Comments

The Board members welcomed all in attendance, and thanked all for their input.

In Re: Consent Agenda

On motion of Supervisor Wilck, seconded by Supervisor Townsend, and carried:

|      |                      |      |      |
|------|----------------------|------|------|
| Aye: | Beverly M. Booth     | Nay: | None |
|      | Pattie Cooper-Jones  |      |      |
|      | J. David Emert       |      |      |
|      | Llew W. Gilliam, Jr. |      |      |
|      | Robert M. Jones      |      |      |
|      | Odessa H. Pride      |      |      |
|      | Jerry R. Townsend    |      |      |
|      | James R. Wilck       |      |      |

the Board accepted the February 2022 Treasurer's Report; the minutes of the meetings held March 8, 2022 at 5:30 p.m., March 8, 2022 at 7:00 p.m.; March 15, 2022; March 22, 2022; and March 29, 2022; Accounts and Claims, Board Mileage Sheets; and Salaries.

**Prince Edward Treasurer's Report - February 2022**

| <b>Name of Bank</b>           | <b>Bank Balance</b> | <b>Available Balance</b> |
|-------------------------------|---------------------|--------------------------|
| Benchmark Pooled Fund Account | \$22,371,915.11     | \$22,371,915.11          |
| Benchmark Social Services     | \$255,441.59        | \$255,441.59             |
| Benchmark School Fund         | \$1,960,194.18      | \$1,960,194.18           |
| Benchmark Food Service        | \$347,403.74        | \$347,403.74             |
| TOTAL                         |                     | \$24,934,954.62          |

**Certificates of Deposit**

|                                    |  |                               |
|------------------------------------|--|-------------------------------|
| Benchmark                          |  | \$628,007.42                  |
| Farmers Bank                       |  | \$4,471,598.38                |
| Benchmark 5 Yr CD-letter of credit |  | \$656,524.41                  |
| TOTAL                              |  | <u>\$5,756,130.21</u>         |
| GRAND TOTAL                        |  | <u><u>\$30,691,084.83</u></u> |

In Re: Longwood University

W. Taylor Reveley, IV, President of Longwood University, expressed his thanks to the Board of Supervisors and Mr. Stanley, who started with Prince Edward County in this difficult time. He said the difficult times knit us all together – Longwood, Hampden-Sydney, Prince Edward County and the Town of Farmville are all depending on each other and getting stronger. He said the success of the basketball teams struck a chord with everyone, as a joyful note to focus on. Mr. Reveley reported the convocation center is coming to fruition; the steel structure will seat 3,000 people for basketball games, and 4,500 for concerts. He said the people got a sense of momentum at the summit last fall. He then reported graduation this year will be as normal, in-person, and will be held the weekend of May 20 and 21. He said that during the summer, they will have a more regular slate of conferences and events.

Supervisor Wilck expressed his congratulations on the designation of the Moton Museum; President Reveley stated that is a significant step for the Museum and it was just passed by Congress a few days ago and is an alliance with the Federal Park System.

Chair Pride asked about the upcoming enrollment. President Reveley stated it is holding steady. He said the undergraduate enrollment was soft during COVID-19, but the graduate enrollment has grown a

significant amount. He said being able to have students on campus is what makes Longwood University great; he said enrollment is at 4,700 and he anticipates the same in the coming year.

President Reveley stated the university is working on increasing several areas of study, including the nursing program, which offers a complication in that student nurses must be placed in clinical settings and the right classroom space is required. He said business majors are popular; teachers are increasingly in need, and there are an increasing number of places around the country that know the skilled trades such as carpentry, masonry, plaster work and iron work. These do take a lot of apprenticeship to get to a place where you can do them well; he said some places are weaving them into the curriculum and Longwood is looking at doing that.

In Re: Event Permit, Alpha Sigma Phi Pig Roast

Mrs. Puckett stated the County has received an event permit from application Alpha Sigma Phi Fraternity at Longwood University for a Pig Roast event scheduled for Saturday, April 30, 2022 from 11:00 a.m. to 4:00 p.m. The event location is private property with a 911 address of 873 Vaughan Road, Prospect.

Since receiving the application, Mrs. Puckett reached out to the Sheriff, the Prince Edward Volunteer Rescue Squad, Virginia ABC, Virginia Department of Transportation, Virginia Department of Health, the Prospect Volunteer Fire Department and Virginia State Police. She also had a conversation with VACORP, the County's insurance provider about county risk management in the issuance of a permit for such an event.

Mrs. Puckett stated she also had a conversation with Dustyn Hall, one of the advisors for the fraternity. She said that Nicholas Moore, representing Alpha Sigma Phi Fraternity planned to be present at the meeting.

Mrs. Puckett then reviewed items for the Board's deliberation:

1. ATTENDANCE: The event has been scaled back from 700 tickets to 500 tickets, which would place the estimated attendance at 550 participants. (Per Dustyn Hall, Longwood University);
2. SANITATION: The Virginia Department of Health regulations require one port-o-john per 100 people and they recommend one handwashing station per five port-o-johns.

3. TRASH: The Fraternity indicates that its members will clean the property and surrounding area after the event and the following day.
4. FOOD/WATER: The catering to be provided by The Fishin' Pig and Bojangles and is not yet confirmed.
5. MEDICAL: The plan for adequate medical facilities required by the ordinance is inadequate as outlined on the application. Mrs. Puckett spoke with the Executive Director at PEVRS this morning and PEVRS has the ability to contract with the fraternity for an on-scene/ stand-by unit from 11 :00 a.m. to 5:00 p.m. at a cost of \$450. Staff recommends to the Board as a condition of the permit, as PEVRS will have two staffed crews in the County during this event and at minimum, the response time to the event site could be 20 minutes.
6. PARKING: All parking must be on private property, not along Vaughan Road. VDOT has noted and as required by Section 46.2-1209 of the Code of Virginia, "No person shall leave any motor vehicle, trailer, semitrailer, or part or combination thereof immobilized or unattended on or adjacent to any roadway if it constitutes a hazard in the use of the highway."
7. SECURITY /SAFETY: The "Event and Logistics Brief" indicates the fraternity will hire two private security officers for event management and crowd enforcement. Staff recommends this to the Board as a permit condition.
8. PRESENCE OF ALCOHOL: Mrs. Puckett has spoken with the local ABC Officer. No ABC permit is required, as the event is on private property. Please note the paragraph in the Event and Logistics Brief concerning alcohol. Underage possession by consumption and driving under the influence are two of the most significant risk factors of the event.

Mrs. Puckett stated there is concern about speed and driver impairment and a history of motor vehicle accidents on the secondary roads (Hixburg and Olive Branch) and U.S. 460 related to this event. The fraternity has hired three designated drivers for the crowd at-large, and it is Mrs. Puckett's understanding that each participating Greek organization will have designated drivers for their own members.

Mrs. Puckett reported she spoke with the Virginia State Police who have noted the date of the event and plan to saturate the area with directed patrols and will work closely with the county, local law enforcement and the university to ensure the safety of the participants and the public.

9. NOISE: There is no band, but music will be played by personal vehicles/speakers. Mrs. Puckett reminded Mr. Hall that the county has a Noise Ordinance which states the music should not be plainly audible at a distance of 50 feet from its source.
10. NEIGHBORS: The closest neighbor is approximately 900-1,000 feet from the estimated location on the 28-acre parcel that is hosting the event. There are six 911 addresses on Vaughan Road, including the event location.
11. UNIVERSITY INVOLVEMENT: It is noted in the Event and Logistics Brief that the Office of Fraternity and Sorority Life, the Vice President for Student Affairs and the Longwood University Chief of Police are all aware of the date, location and details of the event.
12. RIGHT OF ENTRY: The County Ordinance states: No permit shall be issued under this article unless the applicant (and in this case the owner of the property) shall furnish to the board written permission for the board, its lawful agents, or duly constituted law enforcement officers to go upon the property at any reasonable time for the purpose of determining compliance with the provisions of this article. The board shall have the right to revoke any permit issued under this article upon noncompliance with any of its provisions and conditions.

Chair Pride questioned the choice of location. A student from Longwood stated this site has been used in the past, and they are trying to improve the reputation of the event. He said there was an issue with the parking on the side of the road three years ago.

Supervisor Emert stated there had also been an issue with trash. The student stated there are plans in place to take care of litter control.

Supervisor Gilliam asked if the event wouldn't be better held on campus. The student stated they would be required to go through Aramark for the food as Aramark holds the contract for on-campus events; he added there are not many locations that would permit playing music.

Supervisor Gilliam stated that not many people know about Darlington Heights Fire Department fundraisers which sometimes had 4,000 people in attendance; they have never sold or provided alcohol but some people brought it, and it ruined the fundraisers. He said the ABC Board showed up to the fundraisers;



he expressed concerns about alcohol being present at this proposed event. Mrs. Puckett said she was in touch with ABC Law Enforcement, who indicated a permit was not required.

Supervisor Townsend questioned the security at the event. Mr. Hall stated the private security service recommended contacting local bars for certified bouncers. The Longwood student stated they work at the Press Club; he said the 550 people attending are in Greek Life and some previous freedoms are now restricted. He added that every Frat will have three designated drivers on stand-by.

Following some further discussion, Supervisor Townsend made a motion, seconded by Supervisor Cooper-Jones, to approve the permit application contingent upon evidence provided to and to the satisfaction of the County Administrator and County Attorney of the following conditions:

- a. Cap the event at 550 participants;
- b. The event shall cease at 4:00 p.m.;
- c. A contract and payment for five port-o-johns and one handwashing stations;
- d. The University will help ensure the fraternity members follow through on the trash pick-up of the event site, Vaughan Road, Olive Branch Road and Hixburg Road;
- e. An agreement for the catering services;
- f. An agreement for the on-scene/stand-by EMS unit from 11:00 a.m. – 5:00 p.m. the day of the event;
- g. All parking will be contained on private property;
- h. A contract for the hiring of two security officers for the entirety of the event;
- i. Notarized authorization by the applicant and the landowner providing right of entry, as stipulated in the County Ordinance.

The motion carried:

|      |                                                                                                                      |      |                      |          |                |
|------|----------------------------------------------------------------------------------------------------------------------|------|----------------------|----------|----------------|
| Aye: | Beverly M. Booth<br>Pattie Cooper-Jones<br>Robert M. Jones<br>Odessa H. Pride<br>Jerry R. Townsend<br>James R. Wilck | Nay: | Llew W. Gilliam, Jr. | Abstain: | J. David Emert |
|------|----------------------------------------------------------------------------------------------------------------------|------|----------------------|----------|----------------|

In Re: Public Hearing – Subdivision Ordinance

Chair Pride announced that this was the date and time scheduled for a public hearing to receive public comment and input regarding an Ordinance Amendment to amend Appendix A – Subdivisions of the Prince Edward County Code, to provide for an agricultural/forestal exception, further define a family subdivision, and allow the Board of Supervisors to set the fee schedule by resolution. Notice of this hearing

was advertised according to law in the Wednesday, March 30, 2022 and Wednesday, April 6, 2022 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Robert Love, Director of Planning and Community Development, said that the Prince Edward County Subdivision Ordinance does not provide any agricultural exemption for perking a site for septic and drain field that is solely intended for Agricultural use. While the Comprehensive Plan encourages agriculture and forestry as an industry in the County, the Ordinance does not directly support the goals and objectives in order to preserve farmland for active farming activities as it pertains to large tract subdivisions. An exemption to perking a new lot meant for agricultural use not only reduces the cost to the owner but also the time it takes in order to obtain soil work and obtain Health Department approval prior to recordation. The suggested new language accomplishes this goal while preserving the intent of the Subdivision Ordinance.

At the February 15, 2022 meeting, the Commission held a Public Hearing on the amended new language and description of development standards for consideration that will clearly allow for agricultural and forestal uses, more clearly define a Family Subdivision and other language to better clarify the standards in the Ordinance. After public comments were heard, it was decided that the matter be re-advertised with a revised lower threshold of 25 acres instead of the proposed 50-acre minimum. At the March 14, 2022 meeting, the Commission held a Public Hearing on the revised new language with a 25-acre minimum and description of development standards for consideration that will clearly allow for agricultural and forestal uses, more clearly define a Family Subdivision and other language to better clarify the standards in the Ordinance. After comments were heard, the Commission unanimously recommended approval, forwarding the matter to the Board of Supervisors for Public Hearing.

Mr. Love stated that in review of what other Counties require as far as a minimum acreage for an exemption, we have found the following:

- Charlotte County - 20 acres
- Appomattox County - 20 acres
- Nottoway-No ag exemption

Mr. Love stated the current proposed minimum threshold of 25 acres is comparable to what is being utilized in the surrounding areas and would provide immediate relief to owners wanting to subdivide a lot for agricultural purposes without the added expense of perking.

Mr. Love this public hearing is for subdivisions to create a lot off of a larger tract. He said currently, the ordinance states that any new tract of land that is surveyed off of a larger tract [of land] be perked and approved by the Health Department and the Virginia Department of Transportation. The purpose of this, the way it is written in the Ordinance, is not to site a home but to certify that the soil is suitable for a well and septic and what type. He said in some areas of the County, an extensive alternate system is required, sometimes costing \$20,000-\$30,000 with annual maintenance of several thousand dollars a year. He said the traditional systems are more economical in the \$10,000-\$15,000 range. He said a new subdivided lot, which is what this public hearing addresses, is taking a smaller piece off of a larger piece of land, creating a new tract of land, which must be checked to make sure it has legal ingress and egress to a state highway, that it is perkable, and that the lot itself meets the lot size standards and geometry meets County standards. Mr. Love said that last year, there was a subdivision of a lot, of a 100-acre stand-alone lot, brand new tract of land, separated from a lot of 192 acres. It was not dissolved into another tract, it was a stand-alone lot, and it was required to be perked. After that, the landowner questioned that expense to that deal, and he recommended this go to the Planning Commission for study. Mr. Love said the Planning Commission held a public hearing in February, and with a minimum of 50 acres as a minimum threshold. After taking public comment and holding another hearing in March reducing that threshold to 25 acres. He said this public hearing would permit a new lot of 25 acres or more for agricultural production or forestry not to require a perk test. He said this is not for the buying or selling of existing lots, but is for creating a new lot off of a bigger lot, and is to provide an exemption from the need to perk. Discussion followed.

Chair Pride opened the public hearing.

Jesse Yeatts stated it doesn't make sense why people would want 25 acres to perk. He said if you are purchasing a four- or five-acre lot, it sounds as though they intend to build a house on it and it needs a perk test.

Doug Farley, Lockett District, stated this ordinance has not been enforced and questioned why it is being enforced now. He said the last two years have been trying and stressful. He said in looking for positives, more regulation is not needed and this will impact the people who can least afford it, and not those buying two acres. He said to do something positive, the Town Council should send the funds from the Meals Tax to Ukraine for three months, and use funding from COVID to replenish the stockpile here. Mr. Farley

said he is confused about the ordinance but the Board should be cautious about what is done and they should do something positive and help the people of Prince Edward County.

Sam Coleman, Leigh District, expressed his concerns regarding the choice of setting it at 25 acres; he said the amount of productive land that can be farmed has been decreased, and should be set at four or five acres.

Allan Fowlkes, Lockett District, said 25 acres is too much; he said there are not many 25-acre parcels as farmland. He then asked what would happen if a piece of land doesn't perk, would he be able to buy it. Mr. Stanley said that currently, an alternative system would have to be identified if a building parcel didn't perk; he said the owner wouldn't have to build it, but just identify it.

Mr. Fowlkes said this should be between the buyer and seller. He said if it is a small building lot, there should be an ordinance, but 25 acres is too much.

James Tarlton, Prospect District, stated he intends to give his land to his son, which consists of 13 acres. He asked if his son will have to do this when the land is passed to him. Mr. Stanley said in that case, it is an existing parcel and will remain as-is.

Jeannette Tarlton, Prospect District, said even if they would transfer a portion of their land, most require 2.5 to 3 acres to build upon. She said it should be dependent upon the intent of the property [use] and it needs to include the intent of the buyer and the cost needs to be upon the buyer of the property.

Patrick Murphy, Prospect District, said he is a forester and cattleman. He said in 2021, according to USDA statistics, Virginia reported a loss of 800 farms and 100,000 acres of agricultural production land. He said he applauds Supervisors Jones and Townsend for their insight and vision in speaking of five-acre lot size. He said in his line of work, they see a lot of agricultural production and forestry production [on lots the size of] 10-25 acres. He said a perk test is not needed to plant trees or water cows. He requested the Board to reduce the level to five acres to minimize the expense of acquisition of land.

Derek Coblenz asked at what time the perk test is contingent upon purchase of land. Mr. Stanley stated it is to occur at the time the land is created [by subdivision].

Mr. Coblenz stated he felt that it should be determined when the owner decides to build and get the perk at that time; he requested the limit be reduced to five acres.

Chair Pride reminded the Board and citizens that the Planning Commission unanimously recommended the 25-acre limit, which is comparable with the County's regional neighbors. She said this would provide immediate relief to owners wanting to subdivide a lot for agricultural purposes without the added expense of perking.

There being no one wishing to speak, Chair Pride closed the public hearing.

Supervisor Townsend recommended setting the limit at five acres; Supervisor Jones concurred.

Mr. Stanley said that would require a new public hearing to be held.

Mr. Love stated that since the start of this review with 50 acres as the limit, he has had one citizen that had two parcels coming off a larger tract of land, and they needed to be perked. His son had an adjoining property so he was able to do an easement to an existing well and septic. He added that if there is an existing well and septic, that meets the Health Department regulation; in practicality this is being looked at in all aspects when someone comes to create a new lot. If there is well and septic on it, that well and septic gets recertified.

Supervisor Emert asked if a lot could still be sold if it doesn't perk; Mr. Love said that is correct.

Supervisor Townsend made a motion, seconded by Supervisor Emert, to re-advertise for a public hearing on an Ordinance Amendment to amend Appendix A – Subdivision of the Prince Edward County Code, to provide for an agricultural/forestal exception with a minimum lot size of five acres, further define a family subdivision and allow the Board of Supervisors to set the fee schedule by resolution; the motion carried:

|      |                      |      |                     |
|------|----------------------|------|---------------------|
| Aye: | Beverly M. Booth     | Nay: | Pattie Cooper-Jones |
|      | J. David Emert       |      |                     |
|      | Llew W. Gilliam, Jr. |      |                     |
|      | Robert M. Jones      |      |                     |
|      | Odessa H. Pride      |      |                     |
|      | Jerry R. Townsend    |      |                     |
|      | James R. Wilck       |      |                     |

In Re: Highway Matters

Supervisor Gilliam reported that on Route 460 Eastbound, there is a deep hole in the lane, just over the Appomattox County line.

Supervisor Emert asked crews to check Chinquapin Road.

Supervisor Townsend stated the pavement is still broken from logging trucks on Mt. Pleasant Road between the church and Faulkland [Road].

In Re: Old Business

Mr. Stanley reported the application for the Meat Processing Facility has been withdrawn by the applicant. He stated the IDA has made an offer to the Abdus-Sabur family and they are considering that location.

In Re: Redistricting/Amendment to Chapter 42 of County Code

Mrs. Puckett stated that at its February 8, 2022 meeting, the Board of Supervisors approved the following schedule for the completion of the County's redistricting process. Included in this process is the comprehensive update of and amendments to Chapter 42. Elections. of the Prince Edward County Code.

- ✓ February 8, 2022-Authorize advertising draft plan.
- ✓ Ad Dates: - February 16 and February 23, 2022.
- ✓ Public Comment Period (1\finim.um of 30 days) -February 16, 2022 - April 8, 2022
- ✓ Public Hearing -March 8, 2022 at 7 :30 p.m.
- ✓ Public Hearing -March 29, 2022 at 5:30 p.m.
- ✓ Public Comment Period Ends -April 8, 2022 at 4:30 p.m.
- ✓ Board Action on Ordinance and Plan - April 12, 2022
- ✓ If there are amendments: Additional public comment period of 15 days.
- ✓ If no changes, authorize Notice that Redistricting Plan will take effect in 30 days (Friday, May 20, 2022) with publication Ad Dates: April 20 and April 27, 2022.

As the Board is aware, the proposed redistricting plan is the same plan that has been unanimously recommended to the Board by our Citizen Advisory Committee for Redistricting - Ben Gano, Democratic Party; Liz Garrison, Republican Party; and Cam Patterson, NAACP, who chaired the Committee.

The Board of Supervisors charged the Citizen Advisory Committee with creating a draft redistricting plan for Prince Edward County that was guided by adherence to the legal requirements of redistricting, and also the directives outlined by the Board of Supervisors. These included:

- 1) Equal Population - The County has 8 Districts amongst which the population is "substantially equal" with an overall deviation of less than 10%.
- 2) Compactness and Contiguity - Local election districts are largely contiguous and compact territory.

- 3) Clearly Defined and Observable Boundaries - The boundaries of the districts were drawn using roads, rivers, or other natural, constructed or erected permanent structures or visible boundaries on the Tiger Census Block Map.
- 4) Equal Protection Clause - The Constitution of Virginia requires every electoral district be drawn in accordance with the requirements of federal and state laws that address racial and ethnic fairness, including the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States and provisions of the Voting Rights Act of 1965, as amended, and judicial decisions interpreting such laws. Districts shall provide, where practicable, opportunities for racial and ethnic communities to elect candidates of their choice.

Additionally, the directives of the Board of Supervisors included:

- 1) Maintaining 8 districts.
- 2) Consideration for communities of interest.
- 3) Consideration for existing voting precinct boundaries and incumbent representation on local public bodies.
- 4) Consideration of the existing geographical and political boundaries, to include, but not limited to town boundaries.

There were also two actions by the General Assembly that impacted local redistricting:

- 1) Incarcerated Populations - Any person incarcerated in a federal, state or local correctional facility was counted as a resident of the locality where his/her address at the time of incarceration. County Census data was re-allocated by the Virginia Division of Legislative Services before it could be used by localities. This impacted Prince Edward County by reducing our 2020 Census Population of 21,849 to a Redistricting Population of 21,727, a loss of 122 people, most likely the result of the re-allocation of the Piedmont Regional Jail population.
- 2) Split Precincts - This requires that local precincts to be wholly contained within a single congressional district, state senate district and house of delegates district, in addition to local election districts.
  - o This significantly impacted Prince Edward County because the state has split Prince Edward County between two House of Delegates Districts (50 and 56) and two State Senate districts (9 and 10).

- o Local District 2 is the only part of Prince Edward County in House District 56.
- o Local Districts 1, 6, 7, 8 and Precinct 502 are in Senate District 10.
- o What did this mean for the County? We were limited in how we could move census blocks because we could not cross the House of Delegates and State Senate District lines. (reference map showing House and Senate boundaries).

The draft plan before the Board this evening represents the Committee's unanimous recommendation to change eleven (11) census blocks.

- 1) Districts 2, 3, 4 are completely unchanged.
- 2) Districts 1, 6, 7, and 8 have changes.
- 3) District 5 only has changes to Precinct 502.

The specific eleven census block changes are as follows:

- 1) Two blocks were moved from District 5 (Precinct 502) to District 6
  - a. Block 4004 = 17 people -- (map notation # 1)
  - b. Block 4007 = 20 people -- (map notation #2)
- 2) Two blocks were moved from District 5 (Precinct 502) to District 7
  - a. Block 1024 = 0 -- (map notation #3)
  - b. Block 1023 = 12 people -- (map notation #4)
- 3) One block was moved from District 7 to District 8
  - a. Block 202 = 308 people -- (map notation # 5)
- 4) One block was moved from District 8 to District 7
  - a. Block 1035 = 30 people -- (map notation #6)
- 5) Four blocks were moved from District 1 to District 8
  - a. Block 1004 = 1 person -- (map notation #7)
  - b. Block 1003 = 0 -- (map notation #8)
  - c. Block 1002 = 7 people -- (map notation #9)
  - d. Block 1001 = 21 people -- (map notation #10)
- 6) One block was moved from District 8 to District 1
  - a. Block 1027 = 0 -- (map notation #11)



In addition to the information provided to Board and available to the public through the Board's webpage, the County launched a dedicated redistricting webpage to further facilitate and encourage citizen input and engagement. All information available to the Board and the Committee is available to the public. Citizen input was sought through the Board's two advertised and in-person public hearings and the public input methods outlined on each Board agenda (phone, email and traditional mail).

The County has received one telephone question; (2) there have been zero written citizen comments or in-person comments; and (3) the County has received no alternate redistricting proposals. The public comment period ended Friday, April 8, 2022 at 4:30 p.m.

The Board may now consider action on the proposed redistricting plan and the overall amendments to *Chapter 42. Elections.* of the Prince Edward County Code. Following Board action, the next step, in accordance with Section 24.2-129 (C) of the Code of Virginia, is to publish the final plan, to include a plain English description and the text of our ordinance, maps of the proposed boundary changes and notice that the plan will take effect in 30 days. During this 30-day waiting period, any person who will be subject to or affected may challenge the plan in the circuit court of the locality.

Chair Pride made a motion, seconded by Supervisor Cooper-Jones, to approve the redistricting plan and amendments to the Chapter 42. Elections of the Prince Edward County Code as proposed; and to authorize the advertisement of the redistricting plan 30-day notice, as required by Section 24.2-129 (C) of the Code of Virginia; the motion carried:

|      |                      |      |      |
|------|----------------------|------|------|
| Aye: | Beverly M. Booth     | Nay: | None |
|      | Pattie Cooper-Jones  |      |      |
|      | J. David Emert       |      |      |
|      | Llew W. Gilliam, Jr. |      |      |
|      | Robert M. Jones      |      |      |
|      | Odessa H. Pride      |      |      |
|      | Jerry R. Townsend    |      |      |
|      | James R. Wilck       |      |      |

Mrs. Puckett added Prince Edward County's changes will take effect longer than the 30 days from this approval because the public notice cannot be advertised until the following Wednesday, which will be the benchmark of the 30-day requirement, and so no one cannot question they were not aware of the 30-day notice period.

Lynette Wright, Registrar, stated no one will get new Voter Registration cards until after the June election and until the State gives her permission to do so; she said the State is assigning the counties numbers to input the redistricting data because it is taxing on the system.

**Chapter 42. ELECTIONS.**

**ARTICLE I. IN GENERAL**

**Secs. 42-1—42-30. Reserved.**

**ARTICLE II. ELECTION DISTRICTS; PRECINCTS; POLLING PLACES**

**DIVISION 1. GENERALLY**

**Sec. 42-31. Precincts and polling places – Established.**

Pursuant to the mandate of Article 7, Section 5 of the Constitution of Virginia, and the authority contained in §15.2-1211, and Title 24.2. Elections. of the *Code of Virginia*, as amended, the election districts of the County of Prince Edward, Virginia, are hereby created and established as set forth in this division.

**Sec. 42-32. Districts, precincts, and polling places - Enumerated**

(1) The County of Prince Edward is hereby divided into eight election districts. Each of the county election districts has one precinct, with the exceptions of District 3 and District 5, which each has two precincts.

(2) The precincts for each election district and the polling place for each precinct shall be as set forth below:

| District Number | District Name | Precinct Number and Name | Polling Place Location                                                        |
|-----------------|---------------|--------------------------|-------------------------------------------------------------------------------|
| 1               | Farmville     | 101-Farmville            | Farmville Area Bus Shop, 502 Doswell Street, Farmville, VA                    |
| 2               | Lockett       | 201-Lockett              | Rice Volunteer Fire Dept., 948 Rices Depot Road, Rice, VA                     |
| 3               | Leigh         | 301-Leigh                | Mt. Zion Second Baptist Church, 3753 Green Bay Road, Green Bay, VA            |
|                 |               | 302-Mt. Pleasant         | Mt. Pleasant Methodist Church, 5083 Mt. Pleasant Road, Meherrin, VA           |
| 4               | Hampden       | 401-Hampden              | Hampden-Sydney Volunteer Fire Department, 159 S. Boundary Road, Farmville, VA |

|   |          |                        |                                                                                         |
|---|----------|------------------------|-----------------------------------------------------------------------------------------|
| 5 | Buffalo  | 501-Darlington Heights | Darlington Heights Volunteer Fire Department, 2673 Darlington Heights Road, Pamplin, VA |
|   |          | 502-Buffalo Heights    | County Department of Social Services Building, 56-B SMI Way, Farmville, VA              |
| 6 | Prospect | 601-Prospect           | Prospect Volunteer Fire Department, 45 Campbell Hill Road, Prospect, VA                 |
| 7 | West End | 701-West End           | Farmville Volunteer Fire Department, 1000 West Third Street, Farmville, VA              |
| 8 | Center   | 801-Center             | Prince Edward Elks Lodge #269, 636 S. Main Street, Farmville, VA                        |

**Sec. 42-33. Districts and precincts – Boundaries.**

The boundaries of the respective districts and precincts are as set forth below. References to all roads, easement, railroads and watercourses are to their center lines, unless otherwise noted

- (1) ***Election District #1. Precinct #101.*** All of that territory within the following boundaries:
- Commencing at a point on Virginia Highway 45 (North Main Street) where the corporate limits of the Town of Farmville, Prince Edward County, Cumberland County and the Appomattox River intersect on the northerly side of the Town of Farmville;
  - thence in a southwesterly direction along Virginia Highway 45 (North Main Street) to the intersection of said North Main Street with U.S. Business Route 460 (Third Street);
  - thence southeasterly along said U.S. Business Route 460 (East Third Street) until it intersects with Vaughan Street; thence southwesterly along said Vaughan Street until said Vaughan Street intersects with Longwood Avenue;
  - thence southeasterly along said Longwood Avenue until said Longwood Avenue intersects with Catlin Street; thence southerly along said Catlin street until said Catlin Street ends and intersects an unnamed creek;
  - thence in a southwesterly direction along said unnamed creek until its source intersects with Milnwood Road; thence southwesterly and westerly along said Milnwood Road until said Milnwood Road intersects with U. S. Business Route 15 (South Main Street);
  - thence southerly along U.S. Business Route 15 (South Main Street) and continuing past the southern corporate limits of the Town of Farmville; thence southwesterly along U.S. Highway 15 (Farmville Road) until it intersects U.S. Route 460 West (Prince Edward Highway);
  - thence westerly along U.S. Route 460 West (Prince Edward Highway) until it intersects Secondary Highway 628 (Germantown Road); thence southwesterly along Secondary Highway 628 (Germantown Road) until it intersects with Secondary Highway 642 (Germantown Road) and Secondary Highway 628 (Commerce Road);
  - thence westerly along Secondary Highway 642 (Germantown Road) until it intersects with Secondary Highway 643 (Back Hampden-Sydney Road);
  - thence along said Secondary Highway 643 (Back Hampden-Sydney Road) in a southwesterly direction until it intersects with Secondary Highway 648 (Hard Times Road);
  - thence in an easterly direction along the boundary line between the Farmville and Hampden Magisterial Districts to U.S. Highway 15 (Farmville Road) where it intersects with Old Dairy Lane;
  - thence in a southerly direction along U.S. Highway 15 (Farmville Road) until it intersects with Secondary Highway 665 (Worsham Road);
  - thence in an easterly direction along Secondary Highway 665 (Worsham Road) until it intersects with Secondary Highway 691 (Green Town Road);
  - thence in a northeasterly direction along Secondary Highway 691 (Green Town Road) until it ends at a Private Drive (Pickett's Spring Lane); thence in a northeasterly direction along

the Private Drive (Pickett's Spring Lane) until it intersects with the Tanyard Branch at Farmville Lake;

- thence in an east southeasterly direction along Tanyard Branch until its confluence with Briery Creek; thence in a northeasterly direction along said Briery Creek until it intersects with U.S. Route 460 West (Prince Edward Highway);
- thence in an easterly direction along U.S. Route 460 West (Prince Edward Highway) until it intersects with U.S. Business Route 460 (East Third Street);
- thence westerly along U.S. Business Route 460 (East Third Street) until it intersects with Bush River along said U.S. Business Route 460 (East Third Street);
- thence northeasterly along Bush River until it intersects the corporate limits of the Town of Farmville; thence northwesterly along said corporate limits until said corporate limits intersect the Appomattox River and Cumberland County; and
- thence in a westerly direction along the Appomattox River until the point of beginning, including all the territory encompassed within said lines.

(2) **Election District #2. Precinct #201.** All of that territory located within the following boundaries:

- Commencing at a point where Secondary Highway 621 (Burke's Tavern Road) intersects the Nottoway County line;
- thence proceeding in a westerly direction along said Secondary Highway 607 (Orchard Road) until it intersects with Secondary Highway 621 (Grape Lawn Road);
- thence proceeding in a southwesterly direction along Secondary Highway 621 (Grape Lawn Road) until it intersects with Secondary Highway 641 (Williams Road);
- thence in a northwesterly direction along said Secondary Highway 641 (Williams Road) until it intersects Secondary Highway 612 (Sandy River Road);
- thence in a westerly direction along said Secondary Highway 612 (Sandy River Road) until it intersects with Secondary Highway 696 (Green Bay Road); thence in a northwesterly direction along said Secondary Highway 696 (Green Bay Road) until it intersects with Secondary Highway 636 (Poorhouse Road);
- thence in a northwesterly direction along said Secondary Highway 636 (Poorhouse Road) until it intersects with Secondary Highway 637 (Worsham Road);
- thence in a westerly direction along said Secondary Highway 637 (Worsham Road) until it intersects with Secondary Highway 630 (Old Ridge Road); thence in a northerly direction along said Secondary Highway 630 (Old Ridge Road) until it intersects Secondary Highway 628 (Zion Hill Road);
- thence in a westerly direction along said Secondary Highway 628 (Zion Hill Road) until it intersects Briery Creek; thence northerly and northeasterly along said Briery Creek until it intersects with U.S. Highway 460 West (Prince Edward Highway);
- thence easterly along said U.S. Highway 460 West (Prince Edward Highway) until it intersects the Bush River;
- thence northerly along said Bush River until it intersects with the corporate limits of the Town of Farmville; thence in a northwesterly and northerly direction along said corporate limits until said corporate limits intersect the Appomattox River and Cumberland County;
- thence in a general easterly and northeasterly direction along said Appomattox River until said river intersects with the Amelia County line; and
- thence in a southerly direction along said Amelia County line and the Nottoway County line until its intersection with Secondary Highway 621 (Burke's Tavern Road), the point of beginning, including all of the territory encompassed within said lines.

(3) **Election District #3. Precinct #301.** All of that territory located within the following boundaries:

- Commencing at a point where Secondary Highway 621 (Burke's Tavern Road) intersects the Nottoway County line;
- thence proceeding in a southwesterly direction along said Secondary Highway 607 (Orchard Road) until it intersects with Secondary Highway 621 (Grape Lawn Road);

- thence proceeding in a westerly direction along Secondary Highway 621 (Grape Lawn Road) until it intersects with Secondary Highway 641 (Williams Road);
- thence in a northwesterly direction along said Secondary Highway 641 (Williams Road) until it intersects Secondary Highway 612 (Sandy River Road);
- thence in a westerly direction along said Secondary Highway 612 (Sandy River Road) until it intersects with Secondary Highway 696 (Green Bay Road);
- thence in a northwesterly direction along said Secondary Highway 696 (Green Bay Road) until it intersects with Secondary Highway 636 (Poorhouse Road);
- thence in a northwesterly direction along said Secondary Highway 636 (Poorhouse Road) until it intersects with Secondary Highway 637 (Worsham Road);
- thence in a westerly direction along said Secondary Highway 637 (Worsham Road) until it intersects with Secondary Highway 630 (Old Ridge Road);
- thence in a northerly direction along said Secondary Highway 630 (Old Ridge Road) until it intersects Secondary Highway 628 (Zion Hill Road);
- thence in a westerly direction along said Secondary Highway 628 (Zion Hill Road) until it intersects Briery Creek; thence up Briery Creek in a southwesterly direction until it intersects with U.S. Highway 15 (Farmville Road);
- thence in a southeasterly and southerly direction along U.S. Highway 15 (Farmville Road) until it intersects with Secondary Highway 630 (Meherrin Road) at New Witt Church;
- thence along said Secondary Highway 630 (Meherrin Road) until it intersects with Rice Creek;
- thence in a northeasterly direction along Rice Creek until its confluence with Bush River;
- thence in a southerly direction along Bush River to its branch with Camp Creek;
- thence in a southeasterly direction along Camp Creek and the eastern border of Census Tract 9303, Block 5048 to the intersection of Secondary Highway 632 (Schultz Mill Road) and Secondary Highway 630 (Meherrin Road);
- thence in a southeasterly direction along Meherrin Road to the Lunenburg County line;
- thence generally easterly along the Lunenburg County line until the Lunenburg County line intersects with the Nottoway County line; and
- thence in a northerly direction along said Nottoway County line until it intersects with Secondary Highway 621 (Burke's Tavern Road), the point of beginning, including all of the territory encompassed within said lines.

(4) **Election District #3. Precinct #302.** All of that territory located within the following boundaries.

- Commencing at a point where Secondary Highway 630 (Meherrin Road) intersects with Rice Creek;
- thence in a northeasterly direction along Rice Creek until its confluence with Bush River;
- thence in a southerly direction along Bush River to its branch with Camp Creek;
- thence in a southeasterly direction along Camp Creek to the intersection of Secondary Highway 632 (Schultz Mill Road) and Secondary Highway 630 (Meherrin Road);
- thence in a southeasterly direction along Meherrin Road to the Lunenburg County line;
- thence generally westerly along the Lunenburg County and then Charlotte County lines to its intersection with U.S. Highway 15 (Farmville Road);
- thence in a northerly direction along U.S. Highway 15 (Farmville Road) to its intersection with Secondary Highway 647 (Loman Road);
- thence in an easterly direction along Secondary Highway 647 (Loman Road) to its intersection with Secondary Highway 630 (Meherrin Road); and
- thence in a northerly direction along Secondary Highway 630 (Meherrin Road) to the point of beginning, including all of the territory encompassed within said lines.

(5) **Election District #4. Precinct #401.** All of that territory encompassed within the following boundaries:

- Commencing at a point where U.S. Highway 15 (Farmville Road) intersects the Charlotte County line; thence in a north northeasterly direction along said U.S. Highway 15 (Farmville Road) until it intersects with Secondary Highway 647 (Loman Road);
- thence in an east northeasterly direction along said Secondary Highway 647 (Loman Road) until it intersects with Secondary Highway 630 (Meherrin Road);
- thence in a northwesterly direction along said Secondary Highway 630 (Meherrin Road) until it intersects with U.S. Highway 15 (Farmville Road);
- thence in a northerly and northwesterly direction along said U.S. Highway 15 (Farmville Road) until it intersects with Briery Creek;
- thence in a northeasterly direction along said Briery Creek until it intersects with Tanyard Branch;
- thence in a west northwesterly direction along Tanyard Branch until it intersects with a Private Drive (Pickett's Spring Lane) at Farmville Lake;
- thence in a southwesterly direction along the Private Drive (Pickett's Spring Lane) until it intersects with Secondary Highway 691 (Green Town Road);
- thence in a southwesterly direction along Secondary Highway 691 (Green Town Road) until it intersects with Secondary Highway 665 (Worsham Road);
- thence in a westerly direction along Secondary Highway 665 (Worsham Road) until it intersects with U.S. Highway 15 (Farmville Road);
- thence in a northerly direction along U.S. Highway 15 (Farmville Road) until its intersection with Old Dairy Lane and the Magisterial District boundary between Farmville and Hampden Districts;
- thence continuing northwest along said Magisterial District Boundary until said boundary intersects with Secondary Highway 643 (Back Hampden-Sydney Road) at its intersection with Secondary Highway 648 (Hard Times Road);
- thence in a southerly direction along said Secondary Highway 643 (Back Hampden-Sydney Road) until it intersects with Secondary Highway 658 (Five Forks Road);
- thence in a westerly direction along said Secondary Highway 658 (Five Forks Road) until it intersects Buffalo Creek;
- thence in a southwesterly direction along said Buffalo Creek until it intersects with Carey Creek;
- thence in a southerly direction along said Carey Creek until it intersects with Secondary Highway 699 (Carter Road);
- thence in a westerly direction along said Secondary Highway 699 (Carter Road) until it intersects with Secondary Highway 667 (Bloomfield Road);
- thence in a southerly direction along said Secondary Highway 667 (Bloomfield Road) until it intersects with Secondary Highway 671 (County Line Road) at the Charlotte County line; and
- thence in a southeasterly direction along said Charlotte County line until said line intersects with U.S. Highway 15 (Farmville Road) at the point of beginning and including all the territory encompassed within said lines.

(6) ***Election District #5. Precinct #501.*** All of that territory located within the following boundaries.

- Commencing at a point where Secondary Highway 667 (Bloomfield Road) intersects Secondary Highway 671 (County Line Road) at the Charlotte County line;
- thence in a northerly direction along said Secondary Highway 667 (Bloomfield Road) until it intersects Secondary Highway 699 (Carter Road);
- thence in an easterly direction along said Secondary Highway 699 (Carter Road) until it intersects with Carey Creek;
- thence in a northerly direction down said Carey Creek until it intersects with Buffalo Creek;
- thence in a northeasterly direction along said Buffalo Creek until it intersects Secondary Highway 648 (Hard Times Road) at Lockett Creek's confluence with Buffalo Creek;

- thence in a westerly and southwesterly direction along said Locket Creek until said creek's point of beginning at the intersection of Secondary Highway 658 (Five Forks Road) and Secondary Highway 664 (Singleton Road);
- thence in a westerly and northwesterly direction along said Secondary Highway 658 (Five Forks Road) until it intersects U.S. Highway 460 West (Prince Edward Highway) until it intersects Secondary Highway 627 (Hixburg Road);
- thence in a southwesterly direction along the Appomattox County and Charlotte County line until said line intersects with Secondary Highway 671 (County Line Road); and
- thence in an easterly and southeasterly direction along said Secondary Highway 671 (County Line Road) at the point of beginning, including all territory encompassed within said lines.

(7) ***Election District #5. Precinct #502.*** All of that territory located within the following boundaries.

- Commencing at a point where Buffalo Creek intersects Secondary Highway 658 (Five Forks Road);
- thence in an easterly direction along said Secondary Highway 658 (Five Forks Road) until it intersects with Secondary Highway 643 (Back Hampden-Sydney Road);
- thence in a northerly direction along said Secondary Highway 643 (Back Hampden-Sydney Road) until it intersects with Secondary Highway 642 (Germantown Road);
- thence in an easterly direction along Secondary Highway 642 (Germantown Road) until its intersection with Secondary Highway 628 (Germantown Road);
- thence in a northerly direction along Secondary Highway 628 (Germantown Road) until it intersects with the corporate limits of the Town of Farmville;
- thence in a westerly, northerly, northwesterly, and easterly direction along said corporate limits of the Town of Farmville until said corporate limits intersect with High Bridge Trail State Park (formerly Norfolk-Southern railroad tracks);
- thence in an easterly direction along High Bridge Trail State Park (formerly Norfolk-Southern railroad tracks) until it intersects with Buffalo Creek at the corporate limits of the town of Farmville;
- thence in a northeasterly direction along said Buffalo Creek and corporate limits until said corporate limits intersect the Appomattox River;
- thence in a westerly and northwesterly direction along said Appomattox River until it intersects the Dominion Energy Transmission Line Easement;
- thence in a westerly direction along said Dominion Energy Transmission Line Easement until it intersects with Tuscan Lane;
- thence in a southerly direction along said Tuscan Lane until it intersects with Lakeside Drive;
- thence in a southerly direction along Lakeside Drive until it intersects with the U.S. Highway 15-460 Business (West Third Street);
- thence in a westerly direction along said U.S. Highway 15-460 (West Third Street) until it intersects with the U.S. Highway 15 (Sheppards Road);
- thence in a southerly direction along U.S. Highway 15 (Sheppards Road) until it intersects with the U.S. Highway 15-460 Bypass (Prince Edward Highway);
- thence in a southwesterly direction along said U.S. Highway 15-460 Bypass (Prince Edward Highway) until it intersects with the High Bridge Trail State Park (formerly the Norfolk-Southern railroad tracks);
- thence in a westerly direction along said High Bridge Trail State Park (formerly Norfolk-Southern railroad tracks) until said Park intersections with Secondary Highway 648 (Hard Times Road);
- thence in a southerly direction along Secondary Highway 648 (Hard Times Road) until it intersects Locket Creek at Locket Creek's confluence with Buffalo Creek; and
- thence in a southerly direction along Buffalo Creek to the point of beginning, including all territory encompassed within said lines.

(8) ***Election District #6. Precinct #601.*** All of that territory encompassed within the following boundaries:

- Commencing at a point where Secondary Highway 627 (Hixburg Road) intersects Vaughans Creek at the Appomattox County line;
- thence in a southeasterly direction along said Secondary Highway 627 (Hixburg Road) until it intersects with U.S. Highway 460 West (Prince Edward Highway);
- thence in a southwesterly direction along said U.S. Highway 460 West (Prince Edward Highway) until it intersects with Secondary Highway 658 (Five Forks Road);
- thence in an easterly direction along said Secondary Highway 658 (Five Forks Road) to the beginning of the main branch of Lockett Creek at the intersection of said Secondary Highway 658 (Five Forks Road) and Secondary Highway 664 (Singleton Road);
- thence down said Lockett Creek in an easterly and northeasterly direction until it intersects with Secondary Highway 648 (Hard Times Road);
- thence in a northerly direction along said Secondary Highway 648 (Hard Times Road) until it intersects with the High Bridge Trail State Park (formerly Norfolk-Southern railroad tracks);
- thence in an easterly direction along said High Bridge Trail State Park (formerly Norfolk-Southern railroad tracks) until said Park intersect U.S. Highway 15-460 Bypass (Prince Edward Highway);
- thence in a northwesterly direction along said U.S. Highway 15-460 Bypass (Prince Edward Highway) until it intersects with U.S. Highway 15 (Sheppards Road);
- thence in a northerly direction along said U.S. Highway 15 (Sheppards Road) until it intersects with U.S. Highway 15-460 Business (West Third Street);
- thence in an easterly direction along U.S. Highway 15-460 Business (West Third Street) until it intersects with Lakeside Drive;
- thence in a northerly direction along said Lakeside Drive until it intersects with Tuscan Lane;
- thence in a northerly direction along said Tuscan Lane until it intersects with the Dominion Energy Transmission Line Easement;
- thence in a northeasterly direction along the Dominion Energy Transmission Line Easement until it intersects the Appomattox River; thence westerly and northwesterly along the Appomattox River until it intersects with the Appomattox County line; and
- thence in a southwesterly direction along the Appomattox County line until said line intersects with Secondary Highway 627 (Hixburg Road), the point of beginning, including all of the territory encompassed within said lines.

(9) ***Election District #7. Precinct #701.*** All of that territory encompassed within the following boundaries:

- Commencing at a point on Virginia Highway 45 (North Main Street) where the corporate limits of the Town of Farmville, Prince Edward County, Cumberland County and the Appomattox River intersect on the northerly side of the Town of Farmville;
- thence in a southwesterly direction along Virginia Highway 45 (North Main Street) to the intersection of said North Main Street with High Street;
- thence in a westerly direction along High Street until its intersection with Griffin Boulevard; thence in a southerly direction along Griffin Boulevard until its intersection with Redford Street;
- thence in a westerly direction along Redford Street until its intersection with Hill Street;
- thence in a westerly direction along Hill Street until said Hill Street intersects School Street;
- thence in a westerly direction along School Street until said School Street intersects First Avenue;
- thence in a southeasterly direction along First Avenue until its intersection with Hurd Street;
- thence along Hurd Street one block in an easterly direction until its intersection with Hill Street;



- thence along Hill Street in a southerly direction one block until its intersection with Barrow Street;
- thence along Barrow Street in an easterly direction one block until its intersection with Griffin Boulevard;
- thence along Griffin Boulevard in a southerly direction one block until its intersection with South Main Street;
- thence southerly along U.S. Business Route 15 (South Main Street) and continuing past the southern corporate limits of the Town of Farmville;
- thence southwesterly along U.S. Highway 15 (Farmville Road) until it intersects U.S. Route 460 West (Prince Edward Highway);
- thence in a westerly direction along U.S. Highway 460-15 Bypass (Prince Edward Highway) until its intersection with Secondary Road 628 (Germantown Road);
- thence in a northerly direction along Secondary Road 628 (Germantown Road) until it intersects with the corporate limits of the Town of Farmville;
- thence in a westerly, northerly, northwesterly, and easterly direction along said corporate limits of the Town of Farmville until said corporate limits intersect with High Bridge Trail State Park (formerly Norfolk-Southern Railroad tracks);
- thence in an easterly direction along said High Bridge Trail State Park (formerly Norfolk-Southern Railroad tracks) until it intersects with Buffalo Creek at the corporate limits of the Town of Farmville;
- thence in a northeasterly direction along said Buffalo Creek and corporate limits until said corporate limits intersect the Appomattox River; and
- thence in an easterly direction along the Appomattox River to a point on Virginia Highway 45 (North Main Street) where the corporate limits of the Town of Farmville, Prince Edward County, Cumberland County and the Appomattox River intersect, the point of beginning, including all of the territory encompassed within said lines.

(10) **Election district #8. Precinct 801.** All of that territory encompassed within the following boundaries:

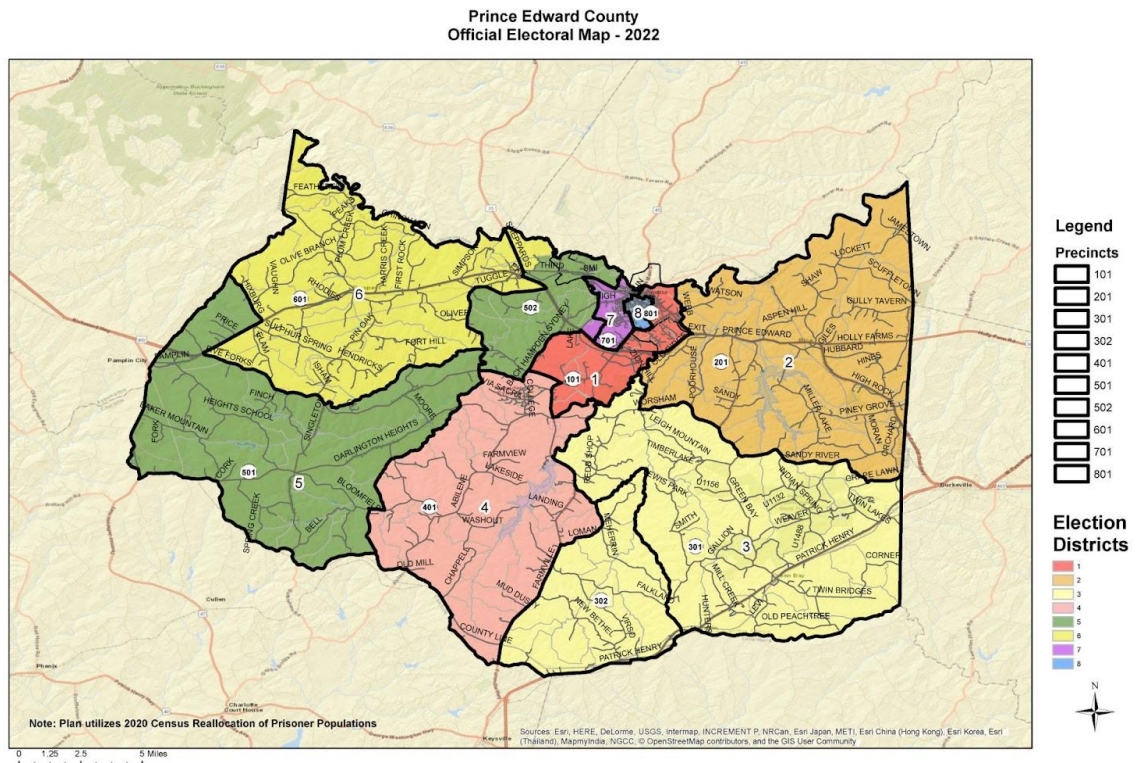
- Commencing at a point where U.S. Business Route 15 (South Main Street) intersects with Milnwood Road;
- thence in a northerly direction along U.S. Business Route 15 (South Main Street) until said U.S. Business Route 15 (South Main Street) intersects with Griffin Boulevard;
- thence in a northerly direction along Griffin Boulevard until said Griffin Boulevard intersects with Barrow Street;
- thence westerly one block along said Barrow Street until said Barrow Street intersects with Hill Street;
- thence in a northerly direction one block along said Hill Street until said Hill Street intersects with Hurd Street;
- thence in a westerly direction along said Hurd Street until said Hurd Street intersects with First Avenue;
- thence in a northerly direction along said First Avenue until said First Avenue intersects with School Street;
- thence easterly along said School Street until said School Street intersects with Hill Street;
- thence northeasterly along said Hill Street until said Hill Street intersects Redford Street;
- thence easterly along Redford Street until said Redford Street intersects Griffin Boulevard;
- thence in a northerly direction one block along said Griffin Boulevard until said Griffin Boulevard intersects High Street;
- thence in an easterly direction along said High Street until said High Street intersects with U.S. Business Route 15 (North Main Street);
- thence in a northly direction along said U.S. Business Route 15 (North Main Street) until said U.S. Business Route 15 (North Main Street) intersects with U.S. Business Route 460 (East Third Street);

- thence southeasterly along said U.S. Business Route 460 (East Third Street) until said U.S. Business Route 460 (East Third Street) intersects with Vaughan Street;
- thence in a southwesterly direction along said Vaughan Street until said Vaughan Street intersects Longwood Avenue;
- thence easterly along said Longwood Avenue until said Longwood Avenue intersects with Catlin Street;
- thence in a southerly direction along Catlin Street until said Catlin Street ends and intersects an unnamed creek;
- thence in a southeasterly direction along said unnamed creek until its source intersects Milnwood Road; and
- thence in a southwesterly direction along Milnwood Road to U.S. Business Route 15 (South Main Street), the point of beginning, including all of the territory encompassed within said lines.

(11) **Central absentee election precinct.** In addition to the foregoing precincts, there is hereby established a permanent central absentee voter precinct to be used for all elections held in Prince Edward County and any incorporated town therein. The polling place for such precinct shall be located in the “Registrar’s Office Annex” of Prince Edward County, Virginia, the address for which is Prince Edward County Courthouse, 111 N. South Street, Farmville, Virginia 23901. Such central absentee precinct shall be operated as provided for in *Code of Virginia*, §24.2-712, as amended.

**Sec. 42-34. Maps.**

The map of the election districts and precincts, which follows, shall control in those instances where there is a discrepancy between the map and the description in Section 42-33 above. The county administrator is directed to prepare enlarged detailed copies of the election map and to provide two (2) copies of such to the registrar.



**Sec. 42-35. Board of supervisors members.**

- a. Election. One supervisor shall be elected from each election district created by this division.
- b. Terms. The members of the board of supervisors shall be elected for four-year terms which are staggered at two-year intervals.

**Sec. 42-36. Repeal of prior ordinances.**

All ordinances contrary to the provisions of this article are hereby repealed effective May 20, 2022.

**Sec. 42-37. Severability.**

If any portion or provision of this ordinance be declared invalid or unconstitutional, such division shall not affect the validity or constitutionality of any other portion of this ordinance.

In Re: Public Dancehall Ordinance

Mrs. Puckett stated as part of the comprehensive review of the Code of Prince Edward County requested by the Board of Supervisors, a draft update of the Public Dancehall Ordinance (Chapter 6, Article IV) was presented for the Board's consideration and review, along with the current county ordinance for reference.

County staff, working closely with the County Attorney and the Sheriff, researched and reviewed similar ordinances from multiple other Virginia counties.

The proposed revisions provide for several major changes:

- a. As proposed, the permit authority would be moved to the County Administrator from the Board of Supervisors. Most jurisdictions issue permits administratively, not by action of the Board. As the timeline for issuing the permit is 30 days, it could be challenging to conduct the required inspections and background checks and meet the timeline for placing an application on a monthly board agenda.
- b. The amendments expand the information that is required from the applicant about the business and his/her partners.
- c. The amendments require significant additional information from the applicant or security contractor regarding private security that will be used.
- d. The permit fee has been increased in an attempt to cover the costs to the county for staff time and inspections.
- e. This ordinance does not apply to dances held for benevolent or charitable purposes or conducted under the auspices of religious, educational, civic or military organizations.

Mrs. Puckett said the amendments will expand the information required from the applicant or the security contractor regarding private security that will be used; and the permit fee will increase from \$100 to \$500 to cover the cost to the County for staff time and inspections. She reiterated that this does not apply to dances held for benevolent or charitable purposes, or conducted by religious, educational, civic or military organizations, but only applies to private, for-profit entities.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Townsend, to authorize the advertisement of a public hearing at the May 10, 2022 meeting for the proposed amendments to Chapter 6, Article IV. Public Dancehalls. of the Prince Edward County Code; the motion carried:

|      |                                                                                                                                                                |      |      |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------|
| Aye: | Beverly M. Booth<br>Pattie Cooper-Jones<br>J. David Emert<br>Llew W. Gilliam, Jr.<br>Robert M. Jones<br>Odessa H. Pride<br>Jerry R. Townsend<br>James R. Wilck | Nay: | None |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------|

In Re: Request from Industrial Development Authority – Hampden-Sydney College Bonds

Mr. Stanley stated the Prince Edward County IDA conducted a public hearing on March 25, 2022 on the application of Hampden-Sydney College requesting the IDA of Prince Edward County to issue up to \$35 million of revenue bonds or notes for dorm renovations. No one spoke against the bond issue and the IDA unanimously approved the inducement resolution agreeing to assist Hampden-Sydney College on the issuance of the bonds and recommending the Board of Supervisors approve the IDA's issuance of the bonds for the renovation of various resident halls on the Hampden-Sydney College campus. Mr. Stanley directed the Board's attention to the packet, pointing out Section 8 of the IDA resolution which specifically states that if for any reason the Bonds are not issued, it is understood that all such fees and expenses shall be paid by the Borrower and that the Authority and the County shall have no responsibility therefor. Mr. Stanley said also included in the packet is the affidavit of publication of public notice for the March 25, 2022 IDA public hearing.

To cover a locality's lack of liability for bonds that an IDA might issue for Hampden-Sydney College or any other not-for-profit, Section 15.2-4909 of the Industrial Development and Revenue Bond Act

of the Code of Virginia provides that any bond issued by an IDA must specifically state that neither the Commonwealth nor any political subdivision thereof (Prince Edward County) nor the IDA shall be obligated to pay the bond except from revenues pledged therefor (in this case debt service payments specifically to be made by Hampden-Sydney College). That section likewise provides that the directors of the IDA won't be personally liable on the bond. This language is put into the Code of Virginia to make it clear that the local government and IDA that assists a 501 (c)(3) has no legal responsibility on the debt. Thus, there would be no obligation for either the IDA or the County. "The IDA does not receive any notices of payment or any other Bond management activities except for the annual administrative fee of the IDA on each anniversary date of bond issuance. The Fiscal Impact Statement as it affects Prince Edward County is required by State law.

Mr. Stanley stated that as required by Section 147(f) of the Internal Revenue Code of 1986, as amended, and Section 15.2-4906 of the IDA Act, to proceed with the issuance of the Bonds, the Board of Supervisors must approve a resolution approving the issuance of the Bonds.

Supervisor Wilck made a motion, seconded by Supervisor Jones, to approve the Resolution and to authorize the County Administrator and/or the Chairman to sign all necessary documents required for the issuance of the bonds; the motion carried:

|      |                                                                                                                                                                |           |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Aye: | Beverly M. Booth<br>Pattie Cooper-Jones<br>J. David Emert<br>Llew W. Gilliam, Jr.<br>Robert M. Jones<br>Odessa H. Pride<br>Jerry R. Townsend<br>James R. Wilck | Nay: None |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|

**INDUCEMENT RESOLUTION  
OF THE INDUSTRIAL DEVELOPMENT AUTHORITY  
OF PRINCE EDWARD COUNTY**

**WHEREAS**, there has been described to the Industrial Development Authority of Prince Edward County (the "Authority") the plan of financing of Hampden-Sydney College, a Virginia nonstock, nonprofit corporation (the "Borrower"), whose principal place of business is located at 172 Via Sacra, Hampden Sydney, Virginia 23943, for the issuance by the Authority of its educational facilities revenue bonds (the "Bonds") in an amount not to exceed \$35,000,000 to assist the Borrower in (1) financing the costs of planning, design, permitting, construction, development, renovation, redevelopment and equipping of certain of the Borrower's residence halls, including without limitation the Whitehouse Complex, Alphabets Hall, and the Carpenter Houses and related facilities and appurtenances, all of which are located on the campus of Hampden-Sydney College at College Road, Hampden Sydney, Virginia 23943 (collectively, the "Project"); (2) funding any required reserve funds for debt service on the Bonds; (3) funding capitalized interest on a

portion of the Bonds during construction and/or renovation of the Project and for a period not to exceed one year after the date on which construction and/or renovation of the Project is completed; and ( 4) financing all or a portion of the costs of issuance of the Bonds (collectively, the items referred to in clauses (1) through (4) above are hereinafter referred to as the "Plan of Finance"); and

**WHEREAS**, the Authority is a political subdivision of the Commonwealth of Virginia duly created under the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, of the Code of Virginia of 1950, as amended (the "Act"), and exists and operates as a public body corporate and politic; and

**WHEREAS**, the Borrower has described the benefits to Prince Edward County, Virginia (the "County"), to be derived from the Plan of Finance and has requested the Authority to agree to issue the Bonds pursuant to the Act, in an aggregate principal amount not to exceed \$35,000,000 and to lend the proceeds from the sale of the Bonds to the Borrower, for the purposes described above; and

**WHEREAS**, the Borrower has represented to the Authority that the Borrower is a corporation described in Section 501 (c)(3) of the Code which is exempt from federal income taxation pursuant to Section 501(a) of the Code; and

**WHEREAS**, a public hearing with respect to the Authority's issuance of the Bonds to finance the Plan of Finance through the issuance of up to \$35,000,000 of tax exempt bonds was properly noticed and has been held by the Authority as required by Section 15.24906 of the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), on the date hereof;

**BE IT RESOLVED BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF PRINCE EDWARD COUNTY:**

1. The foregoing recitals are approved by the Authority and are incorporated in, and deemed a part of, this Resolution.
2. It is hereby found and determined that the issuance of the Bonds will promote education in the County and the Commonwealth, benefit the inhabitants of the County and the Commonwealth, increase their commerce, and promote their safety, health, welfare, convenience and prosperity.
3. To assist the Borrower in financing the Plan of Finance, the Authority hereby agrees to undertake the issuance of the Bonds in an amount not to exceed \$35,000,000, and to loan the proceeds thereof to the Borrower upon terms and conditions to be mutually agreed upon between the Authority and the Borrower. The Bonds shall be issued in forms and pursuant to terms, including without limitation one or more series designations, interest rates and any conversion provisions applicable to such rates, put and/or call provisions, principal amounts, maturity dates, all to be set by the Authority in its approving resolution.
4. It having been represented to the Authority that it is necessary to proceed with the acquisition, planning, design, development, redevelopment, construction, renovation and equipping of the Project and the financing of the Plan of Finance, the Authority hereby agrees that the Borrower may proceed with the plans for the design, development and redevelopment for the Project, enter into contracts for acquisition, development, redevelopment, construction, renovation and equipping of the Project and take such other steps as it may deem necessary or appropriate in connection therewith, provided that nothing herein shall be deemed to authorize the Borrower to obligate the Authority without its consent in each instance to the payment of any moneys or the performance of any acts in connection with the Project. In adopting this resolution, the Authority intends to evidence its "official intent" to reimburse expenditures related to the Plan of Finance with proceeds from the issuance of the Bonds within the meaning of Treasury Regulations Section 1.150-2.
5. The Authority hereby recommends and requests that the Board of Supervisors of the County (the "Board") (i) approve the Plan of Finance for the Project by the Bo1Tower as described to the Authority, including without limitation, the issuance of the Bonds; (ii) grant its "public approval" of the issuance

of the proposed Bonds within the meaning of Section 15.2-4906 of the Act and Section 147(f) of the Code, and (iii) directs the Chairman or Vice Chairman of the Authority to transmit to the Board the Fiscal Impact Statement with information provided by the Borrower as required by Section 15.2-4907 of the Act, a copy of this Resolution and a reasonably detailed summary of the Authority's public hearing held this date.

6. The Authority hereby (a) accepts the recommendation of the Borrower that Haneberg Hurlbert PLC, Richmond, Virginia serve as bond counsel for the issuance of the Bonds, (b) appoints such firm to supervise the proceedings and provide its opinion as to the issuance of the Bonds.
7. The Authority hereby accepts the recommendation of the Borrower that Raymond James & Associates, Inc. ("RJA") be selected as the underwriter or placement agent for the Bonds.
8. All costs and expenses in connection with the financing and the acquisition, construction, renovation and equipping of the Project, including the fees and expenses of bond counsel, counsel for the Authority and the agent or underwriter for the sale of the Bonds shall be paid from the proceeds of the Bonds to the extent permitted by law or from funds provided by the Borrower. If for any reason the Bonds are not issued, it is understood that all such fees and expenses shall be paid by the Borrower and that the Authority and the County shall have no responsibility therefor. If the Bonds are issued, the Borrower shall also pay to the Authority on each anniversary date of the issuance of the Bonds an annual administrative fee equal to one-eighth of one percent (1/8 of 1%) of the then-outstanding principal amount of the Bonds.
9. The Bonds shall be payable solely from the revenues, receipts and other funds provided by the Borrower for payment of the Bonds. The Bonds shall not be deemed to constitute a debt or a pledge of the faith or credit of the Commonwealth of Virginia or any political subdivision thereof, including the Authority and the County. Neither the Commonwealth of Virginia nor any political subdivision thereof, including the Authority and the County, shall be obligated to pay the principal of, premium, if any, or interest on the Bonds, or other costs incident thereto, except from the revenues, receipts and other funds provided by the Borrower. Neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof, including the County, will be pledged to the payment of the principal of, premium, if any, or interest on the Bonds or other costs incident thereto. The Authority has no taxing power.
10. No covenant, condition or agreement contained in the Bonds or in any financing instrument executed and delivered in connection with the Bonds shall be deemed to be a covenant, agreement or obligation of any past, present or future director, officer, employee or agent of the Authority in his or her individual capacity, and neither the directors of the Authority nor any officer or employee thereof executing the Bonds or any other financing document or instrument shall be personally liable thereon or subject to any personal liability or accountability by reason of the issuance or execution thereof.
11. No covenant, condition or agreement contained in the Bonds or in any financing instrument executed and delivered in connection with the Bonds shall be deemed to be a covenant, agreement or obligation of any past, present or future director, officer, employee or agent of the Authority in his or her individual capacity, and neither the directors of the Authority nor any officer or employee thereof executing the Bonds or any other financing document or instrument shall be personally liable thereon or subject to any personal liability or accountability by reason of the issuance or execution thereof. The financing documents for the Bonds shall provide that the Borrower shall indemnify and save harmless the Authority, its officers, directors, employees, agents and attorneys from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the Bonds.
12. The Authority's role in issuing the Bonds shall not constitute an endorsement to any prospective owner of the Bonds as to the creditworthiness of the Borrower or an approval by the Authority of the Borrower, its policies or its management.

13. The Authority shall perform such other acts and adopt such further resolutions as may be required to implement its undertakings hereinabove set forth.

14. This Resolution shall take effect immediately upon its adoption.

In Re: FY22 Appropriations – IDA Tax Incentive Payments

Chelsey White, Director of Economic Development and Tourism, stated the Industrial Development Authority received a request for tax incentive payments from Hotel Express, LLC and Hotel Weyanoke for 2021. Incentive payments are directly linked to real estate and personal property taxes collected by the County from these entities. Staff requests the Board appropriate the funds previously collected to reimburse the IDA for tax incentive expenditures, as follows:

| Rev/Exp | Fund | Dept  | Object | Description           | Debit       | Credit      |
|---------|------|-------|--------|-----------------------|-------------|-------------|
| 3 (Rev) | 710  | 41050 | 0100   | From General Fund     |             | \$73,107.82 |
| 4 (Exp) | 710  | 81500 | 3389   | Hotel Express – P.P.  | \$8,104.50  |             |
| 4 (Exp) | 710  | 81500 | 3390   | Hotel Express – R.E.  | \$27,469.15 |             |
| 4 (Exp) | 710  | 81500 | 3392   | Hotel Weyanoke – R.E. | \$23,728.42 |             |
| 4 (Exp) | 710  | 81500 | 3393   | Hotel Weyanoke – P.P. | \$13,805.75 |             |

Supervisor Townsend made a motion, seconded by Supervisor Cooper-Jones, to approve the FY22 Budget Amendment as presented and to appropriate the same funds; the motion carried:

Aye: Beverly M. Booth  
 Pattie Cooper-Jones  
 J. David Emert  
 Llew W. Gilliam, Jr.  
 Robert M. Jones  
 Odessa H. Pride  
 Jerry R. Townsend  
 James R. Wilck

Nay: None

In Re: Economic Development & Tourism Update

Chelsey White, Director of Economic Development and Tourism, provided an update on the following programs and projects:

- The IDA and Prince Edward County were recently awarded a \$25,000 grant from the Virginia Department of Consumer Services Agriculture and Forestry Industries Development Fund to



support the development of Sandy River Distillery. The distillery is an expansion of Sandy River Outdoor Adventures, an agritourism business and the first distillery to be located in the County. The company will create six new jobs and four full-time equivalents at an average annual wage of \$30,000. Additionally, the company will make \$25,325 in the new purchase of Virginia-grown corn, berries, and rye, which equates to 45 percent of all expected purchases. The County welcomed, the Secretary of Agriculture and Forestry for the Commonwealth of Virginia, the Honorable Matthew J. Lohr who presented the grant award at our announcement event last week.

- In several meetings, presented to the VEDP Managing Directors and the VEDP Business Investment Manager, an update on current projects and economic development priorities in Prince Edward County. Also participated in a VEDP site visit to the HIT Park.
- Continued to work with industrial and commercial developer prospects to find sites around Prince Edward County including the Prince Edward Business Park and privately-owned industrial properties. Presented information on the benefits of the Enterprise Zone Program.
- Completed work with the IDA to get all of the IDA-owned lots appraised to better market them to prospects and potential developers.
- Visits to local businesses to coordinate tourism-related projects.
- Continued to participate in economic development programs, collaborations, and educational opportunities through regional and state organizations including VEDP, SOVA RISE, and the Virginia Economic Development Association (VEDA).
- Continued to participate in local, regional, and state organizations including THOYA, Virginia's Crossroads, and the Virginia Tourism Corporation in marketing the County's tourism opportunities.
- Continued participation in County marketing efforts with Letterpress Communications.
- Submitted VTC ARPA Tourism Recovery Program spending plan to receive grant funding for tourism projects.
- Planning for the launch of Facebook and Instagram social media platforms to market tourism opportunities in Prince Edward County.
- The Visitor Center will be closed on Sundays and every other Saturday temporarily due to staffing shortages.

In Re: Prince Edward County Public School Board Appropriations

Cheryl Stimpson, Director of Finance, stated the County received a request from Prince Edward County Public Schools for an appropriation in the amount of \$128,499.00 to the school operating budget. These funds are a combination of state and federal reimbursement grants. There is no local match for this appropriation.

**FY22 BUDGET AMENDMENTS**

| <b>Rev/Exp</b> | <b>Fund</b> | <b>Dept</b> | <b>Object</b> | <b>Description</b>             | <b>Debit</b> | <b>Credit</b> |
|----------------|-------------|-------------|---------------|--------------------------------|--------------|---------------|
| 3 (Rev)        | 250         | 033020      | 0099          | Other Federal Funds            |              | \$100,000.00  |
| 3 (Rev)        | 250         | 033020      | 0023          | Title I, Part D, Neglect & Del |              | \$10,000.00   |
| 3 (Rev)        | 250         | 024020      | 0099          | Other State Funds              |              | \$5,000.00    |
| 3 (Rev)        | 250         | 024020      | 0089          | Mentor Teacher Funds           |              | \$13,499.00   |
| 4 (Exp)        | 250         | 61000       | 0001          | Instruction                    | \$128,499.00 |               |

Supervisor Jones made a motion, seconded by Supervisor Emert, to approve the FY22 Budget Amendment as presented and to appropriate the same funds; the motion carried:

Aye: Beverly M. Booth  
 Pattie Cooper-Jones  
 J. David Emert  
 Llew W. Gilliam, Jr.  
 Robert M. Jones  
 Odessa H. Pride  
 Jerry R. Townsend  
 James R. Wilck

Nay: None

In Re: FY22 Budget Allocation – ATL Funds to VFD Accounts

Mrs. Stimpson reported that in September 2021, the County received ATL Funds from the State. These funds are to be distributed as follows:

**FY22 BUDGET APPROPRIATION**

| <b>Rev/Exp</b> | <b>Fund</b> | <b>Dept</b> | <b>Object</b> | <b>Description</b>         | <b>Debit</b> | <b>Credit</b> |
|----------------|-------------|-------------|---------------|----------------------------|--------------|---------------|
| 3 (Rev)        | 100         | 24040       | 0012          | Fire Programs Funds        |              | \$61,328.00   |
| 4 (Exp)        | 100         | 32000       | 7012          | ATL-Rice VFD               | \$15,332.00  |               |
| 4 (Exp)        | 100         | 32000       | 7013          | ATL-Prospect VFD           | \$15,332.00  |               |
| 4 (Exp)        | 100         | 32000       | 7014          | ATL-Darlington Heights VFD | \$15,332.00  |               |
| 4 (Exp)        | 100         | 32000       | 7015          | ATL-Hampden-Sydney VFD     | \$15,332.00  |               |

Supervisor Cooper-Jones made a motion, seconded by Supervisor Townsend, to approve the FY22 Budget Amendment as presented and to appropriate the same funds; the motion carried:

Aye: Beverly M. Booth  
 Pattie Cooper-Jones  
 J. David Emert  
 Llew W. Gilliam, Jr.  
 Robert M. Jones  
 Odessa H. Pride  
 Jerry R. Townsend  
 James R. Wilck

Nay: None      Abstain: Llew W. Gilliam, Jr.

#### In Re: County Attorney Update

Mrs. Terri Atkins Wilson, County Attorney, stated she has been working on the review of ordinances such as the Dancehall ordinance, redistricting, and IDA issues. She said there are currently no lawsuits pending. She then said she is excited to be attending a conference with the Local Government Attorneys in Harrisonburg for two days next week. She said this is a very active list-serve which offers daily discussion and is an excellent resource.

#### In Re: County Administrator Update

Mr. Stanley presented an update on his activities:

- Board and staff have heard from citizens regarding a large flagpole erected on East Third Street. The flagpole was erected by the Virginia Flaggers on private property. Since the flag's installation, County staff has received calls and emails on how the flagpole was permitted to be erected at such a height and size. Review of the County Codes and ordinances that govern such a land use and discussion with our legal counsel, it was determined that current 60-foot tall flagpole is in violation of the County Zoning Ordinance regulations as both an unauthorized accessory use in a C-1 Commercial district. As a structure exceeding the height limitation, a Notice of Violation was issued to the property owner and they have 30 days to bring the property into conformance with the Ordinance including the removal of the flagpole.
- Appomattox River Debris – On April 3-8, The Friends of the Appomattox River and the US Navy Demolitions Unit from Yorktown cleared debris in the Appomattox [River]; they were very complimentary on our emergency services team.
- Prince Edward County Landfill - Labella engineer performed an inspection of the facility two weeks ago and presented items for the staff to address; he said a meeting was held with landfill staff to address some personnel issues and concerns.
- Roundabout project at Kingsville – Mr. Scott Frederick stated the contractor will be able to postpone work one week to allow for Prince Edward County Public Schools to be completed with the school year before starting their work.
- Smart Scale – Ms. Melody Foster has confirmed that CRC has submitted the Smart Scale applications for Manor House Drive turn lane and the Route 665/Route 619 intersection improvements, with the final application due August 1.
- Sandy River Reservoir – The County has received a draft MOU from the Virginia Department of General Services for the state services in Nottoway; this is being reviewed with legal counsel (AquaLaw). The MOU provides a level of commitment from the State which will allow Prince

Edward County to move forward with the interim agreement with Prince Edward County Infrastructure, LLC on the Sandy River project.

- VRA 2017E Bonds – County staff closed out that bond account, which had \$33,635.59 which is to be transferred back to the County and we will ask that it be put into the Special Projects Capital Improvement Planning account.
- Dancehall Ordinance – On February 22, the Board approved a three-month dancehall permit for Fevers; the approval was subject to the owner addressing four light and safety issues with the building. Building Official Phillip Moore accompanied the State Fire Marshall’s office on an inspection of the facility on April 6; the four items were addressed and the permit was reissued with an expiration date of May 22 [2022].
- The General Assembly still has not reached a budget; it is anticipated next week. He said he spoke with the School Superintendent regarding a revised budget schedule which he presented to the Board. He said both he and Dr. Johnson agreed that even if the State does not have a budget, the County will have to move forward. He said April 26<sup>th</sup> will be the next budget meeting at which time Dr. Johnson will present her proposed budget.

Supervisor Emert made a motion, seconded by Supervisor Cooper-Jones, to approve the revised budget schedule, as presented; the motion carried:

Aye: Beverly M. Booth  
 Pattie Cooper-Jones  
 J. David Emert  
 Llew W. Gilliam, Jr.  
 Robert M. Jones  
 Odessa H. Pride  
 Jerry R. Townsend  
 James R. Wilck

Nay: None

| DATE              | ACTIVITY                                                                              | TIME/LOCATION                    |
|-------------------|---------------------------------------------------------------------------------------|----------------------------------|
| January 21, 2022  | Budget Preparation Guide distributed to County Departments and Constitutional Offices |                                  |
| January 21, 2022  | Donation Request forms distributed                                                    |                                  |
| Feb. 1-25, 2022   | Budget work sessions between Departments and County Administrator                     |                                  |
| February 15, 2022 | Joint Finance Committee Meeting of Board of Supervisors and School Board              | 5:30 p.m.<br>School Board Office |

|                   |                                                                                                              |                                                            |
|-------------------|--------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| February 22, 2022 | Board of Supervisors Budget Planning Meeting (Davenport Presentation)                                        | 5:30 p.m.<br>Board of Supervisors Room                     |
| February 25, 2022 | Budget worksheets submitted to County Administrator                                                          |                                                            |
| March 2, 2022     | Joint Finance Committee Meeting of Board of Supervisors and School Board                                     | 1:00 p.m.<br>School Board Office                           |
| March 11, 2022    | Revenue estimated completed by County Administrator                                                          |                                                            |
| March 15, 2022    | Presentation of County Administrator's proposed budget to Board of Supervisors                               | 5:30 p.m.<br>Board of Supervisors Room                     |
| March 22, 2022    | Board of Supervisors budget work session - presentations by outside agencies                                 | 2:00 p.m.<br>Board of Supervisors Room                     |
| March 29, 2022    | Joint Finance Committee Meeting of Board of Supervisors and School Board                                     | 6:00 p.m.<br>Board of Supervisors Room                     |
| April 26, 2022    | Board of Supervisors Budget Work Session & School Superintendent budget presentation to Board of Supervisors | 5:30 p.m.<br>Prince Edward County Middle School - Room 151 |
| May 3, 2022       | Board of Supervisors Budget Work Session                                                                     | 5:30 p.m.<br>Board of Supervisors Room                     |
| May 10, 2022      | Board of Supervisors authorizes Public Hearing for May 24 <sup>th</sup> (Ad date – May 18 <sup>th</sup> )    | 5:30 p.m.<br>Board of Supervisors Room                     |
| May 31, 2022      | Public Hearing on County & School Budgets & Tax Rates                                                        | 7:00 p.m.<br>Board of Supervisors Room                     |
| June 7, 2022      | Budget Work Session, Adoption of County & School Budgets & Tax Rates                                         | 7:00 p.m.<br>Board of Supervisors Room                     |
| June 14, 2022     | Approval of Appropriations                                                                                   | 7:00 p.m.<br>Board of Supervisors Room                     |

Mr. Stanley said Prince Edward County is looking for options for applying for funding for the Sandy River project. He said the Virginia Department of Health has funds to help with the project to develop Sandy River Reservoir as a back-up drinking water source. The Town of Farmville as a water source and distribution and serves portions of Prince Edward County, plus the Town of Burkeville and three state facilities including Nottoway Correctional Center, Piedmont Geriatric Hospital and the Virginia Center for Behavioral Rehabilitation. Potentially, the County can apply for up to \$1 million from the Drinking Water State Revolving Fund, the bipartisan Infrastructure Law, and ARPA Funds.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Townsend, to authorize the County Administrator to apply for up to \$1 million for the Sandy River Project; the motion carried:

Aye: Beverly M. Booth  
Pattie Cooper-Jones  
J. David Emert  
Llew W. Gilliam, Jr.  
Robert M. Jones  
Odessa H. Pride  
Jerry R. Townsend  
James R. Wilck

Nay: None

Mr. Stanley stated STEPS, Inc has a Homeless Housing Proposal to serve the region; they are looking at a site off West Third Street with public water and sewer. They plan to submit an application to Congresswoman Abigail Spanberger for some federal funding. STEPS is requesting a Letter of Support to Representative Spanberger from Prince Edward County. The Board concurred.

Supervisor Wilck stated he would like to be involved with the projects at the Schools and the Third Street Ramp project; he asked if he will be permitted to keep the iPad he has been using while on the Board.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Townsend, to permit Supervisor Wilck to keep the iPad; the motion carried:

Aye: Beverly M. Booth  
Pattie Cooper-Jones  
J. David Emert  
Llew W. Gilliam, Jr.  
Robert M. Jones  
Odessa H. Pride  
Jerry R. Townsend

Nay: None

Abstain: James R. Wilck

In Re: County Food & Beverage Tax

Mr. Stanley stated that during the 2020 General Assembly Session, HB 785 and SB 588 were passed with the following key provisions:

- Authorizes all Counties to levy a tax on admissions at a rate not to exceed 10 percent, with the exception of Counties in the Historic Triangle where an additional state sales and use tax is imposed.
- Authorizes all Counties to levy transient occupancy taxes at rates exceeding 2 percent. The revenue derived from rates greater than 2 percent would be spent either (1) for purposes previously authorized or (2) for rates between 2 and 5 percent, for tourism promotion (as is currently required for the Counties that secured the authority to impose taxes up to 5 percent under Virginia Code 58.1-3819). Revenue from rates greater than 5 percent could be used for general purposes.
- Authorizes all Counties to impose cigarette taxes at a rate not to exceed 40 cents per pack. This authority would take effect July 1, 2021. In the interim, the Department of Taxation is required to convene a stakeholder workgroup to make recommendations to modernize the process for collection

of cigarette taxes. Cities and Towns with rates higher than 40 cents per pack would be grandfathered at the rates in effect as of January 1, 2020.

- Authorizes all Counties to impose meals taxes at a rate not to exceed 6 percent and eliminates the referendum requirement. A locality in which a meals tax referendum failed prior to July 1, 2020, would have to wait six years after the date of the failed referendum to impose the tax.

During the FY 2020-2021 budget process, the Board asked staff to look at alternative funding sources. Since that time, the County has instituted the transient occupancy tax at 7% and is in discussions on a regional cigarette tax. As you know, Delegate Edmunds carried a bill in the 2022 General Assembly session to have Prince Edward County added to the list of qualified localities under Chapter §58.1-602 that would have allowed the County to collect up to 1% in additional sales tax revenue for the construction or renovation of schools within the locality. Staff will ask him to please try again next year.

Mr. Stanley presented a draft ordinance to enact a county food and beverage tax at a rate of 6%. The County would only collect the tax outside of Town limits. With the largest restaurant, Fishin' Pig, looking to move into Town limits in 2022, Staff does not anticipate collecting a large amount of revenue. Most of it will be generated from prepared food at the various mom and pop convenience stores around the County. None of our surrounding counties currently has a meals tax. We looked at a couple counties similarly situated and offer the following collection comparison:

| <b>County</b>              | <b>FY 2019</b>                 | <b>2018 Population</b> | <b>Per Capita</b> |
|----------------------------|--------------------------------|------------------------|-------------------|
| Amherst                    | \$1,016,301                    | 31,666                 | \$32.09           |
| Dinwiddie                  | \$902,126                      | 28,529                 | \$31.62           |
| Page                       | \$354,730                      | 23,933                 | \$14.82           |
| Middlesex                  | \$401,497                      | 10,769                 | \$37.32           |
| Average                    | \$668,664                      | 23,722                 | \$28.96           |
| Prince Edward<br>Projected | \$321,300 –<br>\$664,632 (est) | 22,950                 | \$14 - \$28 (est) |

Based on the per capital collection amount, Staff would anticipate collecting \$300,000 to \$600,000 per year. The revenue would be a good source to help pay for anticipated school capital improvements in the coming years. Mr. Stanley said the Board would need to advertise for a public hearing in order to enact the ordinance.

Mr. Stanley added this would impact the Commissioner of Revenue's office; if enacted, the Board would need to determine a date on which this ordinance would take effect.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Booth, to authorize advertisement of a public hearing for the May 10, 2022 meeting on the proposed Meals Tax Ordinance; the motion carried:

|      |                      |           |
|------|----------------------|-----------|
| Aye: | Beverly M. Booth     | Nay: None |
|      | Pattie Cooper-Jones  |           |
|      | J. David Emert       |           |
|      | Llew W. Gilliam, Jr. |           |
|      | Robert M. Jones      |           |
|      | Odessa H. Pride      |           |
|      | Jerry R. Townsend    |           |
|      | James R. Wilck       |           |

In Re: Sandy River Reservoir – Water Sampling and Treatability Study Proposal

Mr. Stanley stated that in April 2020, the Board approved an additional engagement for professional engineering services from the Timmons Group to assist the County with the submission of an application to DEQ for the renewal of the County's Intake Permit for Sandy River Reservoir. He said the Board needs to authorize Timmons to move forward with the proposed scope and fee for a water sampling program and treatability study for the Sandy River Reservoir Project.

The water sampling program will serve to characterize the water quality of the Sandy River Reservoir (raw water) and identify treatment goals. The treatability study will serve to confirm that the selected treatment processes will meet the treatment goals. This sampling and testing program can be justified alone on the basis of assisting the Engineer in their design. However, the Virginia Department of Health - Office of Drinking Water (VDH-ODW), will likely require this program to successfully permit the Water Treatment Plant.

While the County continues to negotiate with the Department of General Services (DGS) on a Memorandum of Understanding (MOU) to provide water for State facilities, the County needs to continue to advance the project. The testing outlined needs to be performed over the next year. By moving forward at this time, the project will remain on schedule.

Previous water sampling and treatability studies were performed in the 2006 to 2010 timeframe. A new round of sampling and testing is recommended:

- (1) To confirm there have been no changes to the reservoir water quality, and
- (2) To provide additional water sampling specific to the proposed water intake location and depths, and
- (3) To perform a treatability study specific to the Engineer's intended treatment approach.



While the full water sampling program and treatability study will run from April 2022 through March 2023, this scope and fee proposal covers three months of reservoir sampling (April, May, and June) and one month of treatability study (May 2022). The full study will include 10-12 months of reservoir sampling and two months of treatability study. This should provide the County enough time to get the MOU completed with the State and allow the County to enter into an Interim Agreement with Prince Edward County Infrastructure, LLC, to get the PPEA project moving forward.

Mr. Stanley indicated a copy of the scope of work dated April 7, 2022 was provided, and said there is funding in the current and proposed budgets (42610-3160 - Professional Services) to cover the cost of the project scope. He said the cost of the proposal is \$120,000, and there is \$185,000 in the current budget for engineering to include in this project.

Supervisor Emert made a motion, seconded by Supervisor Cooper-Jones, to approve the proposal from Timmons Group dated April 7, 2022 for a Water Sampling Program and Treatability Study for the Sandy River Reservoir and authorize the County Administrator to sign the proposal; the motion carried:

|      |                                                                                                                                                                |           |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Aye: | Beverly M. Booth<br>Pattie Cooper-Jones<br>J. David Emert<br>Llew W. Gilliam, Jr.<br>Robert M. Jones<br>Odessa H. Pride<br>Jerry R. Townsend<br>James R. Wilck | Nay: None |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|

In Re: Closed Session

Chairman Pride made a motion, seconded by Supervisor Townsend, that the Board convene in Closed Session for consultation with legal counsel and briefings by staff members, pertaining to probable litigation, where such consultation and briefing in an open meeting would adversely affect the litigating posture of the county, pursuant to the exemption provided for in Section 2.2-3711(A)(7) of the *Code of Virginia*; and for consultation with legal counsel regarding specific legal matters related to the county zoning ordinance, and requiring the provision of legal advice by such counsel, pursuant to the exemption provided for in Section 2.2-3711(A)(8) of the *Code of Virginia*: the motion carried:

Aye: Beverly M. Booth  
Pattie Cooper-Jones  
J. David Emert  
Llew W. Gilliam, Jr.  
Robert M. Jones  
Odessa H. Pride  
Jerry R. Townsend  
James R. Wilck

Nay: None

The Board returned to regular session by motion of Supervisor Emert, seconded by Supervisor Townsend and adopted as follows:

Aye: Beverly M. Booth  
Pattie Cooper-Jones  
J. David Emert  
Llew W. Gilliam, Jr.  
Robert M. Jones  
Odessa H. Pride  
Jerry R. Townsend  
James R. Wilck

Nay: None

On motion of Chair Pride, and seconded by Supervisor Emert, and carried by the following roll call vote:

Aye: Beverly M. Booth  
Pattie Cooper-Jones  
J. David Emert  
Llew W. Gilliam, Jr.  
Robert M. Jones  
Odessa H. Pride  
Jerry R. Townsend  
James R. Wilck

Nay: None

the following Certification of Closed Meeting was adopted in accordance with the Virginia Freedom of Information Act:

WHEREAS, the Prince Edward County Board of Supervisors convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the *Code of Virginia* requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Prince Edward County Board of Supervisors hereby certifies that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Prince Edward County Board of Supervisors.

Supervisor Townsend made a motion, seconded by Supervisor Emert, to adopt the Emergency Ordinance to Amend Appendix B of the Prince Edward County Code (Zoning) to Amend Sections 2-100, 2-800, 2-900, 2-1000, 3-104.1 and 4-400.5 to Provide a Maximum Size for Flags and to Amend the Height Requirements for Flagpoles to Limit the Height to 20' and Allow for a Taller Flagpole in the A1, A2, C1, I1, and CR Zoning Districts Upon the Issuance of a Special Use Permit, and to refer the amendment to the Planning Commission for formal consideration; the motion carried:

|      |                                                                                                                                                                |           |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Aye: | Beverly M. Booth<br>Pattie Cooper-Jones<br>J. David Emert<br>Llew W. Gilliam, Jr.<br>Robert M. Jones<br>Odessa H. Pride<br>Jerry R. Townsend<br>James R. Wilck | Nay: None |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|

**AN EMERGENCY ORDINANCE TO AMEND APPENDIX B OF THE PRINCE EDWARD COUNTY CODE (ZONING) TO AMEND SECTIONS 2-100, 2-200, 2-800, 2-900, 2-1000, 3-104.1 AND 4-400.5 TO PROVIDE A MAXIMUM SIZE FOR FLAGS AND TO AMEND THE HEIGHT REQUIREMENTS FOR FLAGPOLES TO LIMIT THE HEIGHT TO 20' AND ALLOW FOR A TALLER FLAGPOLE IN THE A1, A2, C1, I1, AND CR ZONING DISTRICTS UPON THE ISSUANCE OF A SPECIAL USE PERMIT**

BE IT ORDAINED BY THE PRINCE EDWARD COUNTY BOARD OF SUPERVISORS that the Prince Edward County Code – Appendix B (Zoning) be amended as follows:

**Sec. 2-100. - A1 agricultural conservation district.**

(B) The following uses are permitted by special use permit in the A1 agricultural conservation district, subject to all other applicable requirements contained in this ordinance. An asterisk (\*) indicates that the use is subject to additional, modified or more stringent standards as listed in article III, Use and Design Standards.

7. Miscellaneous use types:
  - Aviation facilities
  - Outdoor gathering \*
  - Shooting range, outdoor
  - Tower \*
  - Utility services, major
  - Flagpoles exceeding 20' in height**

**Sec. 2-200. - A2 Agricultural residential district.**

(B) The following uses are permitted by special use permit in the A2 agricultural residential district, subject to all other applicable requirements contained in this ordinance. An asterisk (\*) indicates that the use is subject to additional, modified or more stringent standards as listed in article III, Use and Design Standards.

7. Miscellaneous use types  
Aviation facility  
Outdoor gathering \*  
Shooting range, outdoor  
Tower \*  
Utility services, major  
**Flagpoles exceeding 20' in height**

**Sec. 2-800. - C1 general commercial district.**

(B) The following uses are permitted by special use permit in the C1 general commercial district, subject to all other applicable requirements contained in this ordinance. An asterisk (\*) indicates that the use is subject to additional, modified or more stringent standards as listed in article III, Use and Design Standards.

7. Miscellaneous use types:  
Aviation facility  
Outdoor gathering \*  
Parking facility, surface/structure  
Tower \*  
Utility service, major  
**Flagpoles exceeding 20' in height**

**Sec. 2-900. - I1 general industrial district.**

(B) The following uses are permitted by special use permit in the I1 general industrial district, subject to all other applicable requirements contained in this ordinance. An asterisk (\*) indicates that the use is subject to additional, modified or more stringent standards as listed in article III, Use and Design Standards.

7. Miscellaneous use types:  
  
Tower \*  
**Flagpoles exceeding 20' in height**

**Sec. 2-1000. - CR college residential district.**

(B) The following uses are permitted by special use permit in the CR college residential district, subject to all other applicable requirements contained in this ordinance. An asterisk (\*) indicates

that the use is subject to additional, modified or more stringent standards as listed in article III, Use and Design Standards.

7. Miscellaneous use types:  
Tower \*  
**Flagpoles exceeding 20' in height**

**Sec. 3-104.1. - Sign placement and general provisions.**

1. No sign may be placed within the right-of-way of a highway or street, other than duly authorized governmental signs.
2. No sign may be placed off the immediate platted lot of the business or civic use without a special use permit.
3. No sign may be placed so as to impair vision at an intersection or sharp highway curve.
4. All signs shall be maintained in good condition at all times. The pedestal of any sign may not be wood unless it is clad with vinyl or metal, painted, or stained.
5. No sign shall be painted on or attached to any trees, rocks, fence posts, utility poles, or similar structures or objects.
6. The light from any illuminated sign shall be so directed, shaded, or shielded that the light intensity or brightness shall not adversely affect surrounding or facing premises, nor interfere with the safe vision of operators of moving vehicles. Light shall not be permitted to shine or reflect on or into any residential structure.
7. Storefront windows: no more than 25 percent of the glass area may be covered by signs. This is recommended by emergency response personnel to provide sight into building.
8. Temporary signs are permitted in all districts as follows:
  - (a) Temporary signs warning of construction, excavation, or other hazard, for as long as the hazard shall exist;
  - (b) The official flag of a government, governmental agency, public institution, religious body, or other similar entity, or flags flown on a temporary basis for the purpose of honoring holidays. Flags may also be used as part of a permanently maintained entrance or inner design feature of a residential or commercial development, provided that the number off flags is no more than three. **The maximum area for a flag is 40 square feet.** ~~Flagpoles must conform to the location and height requirements of the district in which they are located~~ **shall have a maximum height of 20 feet except in the A1, A2, C1, I1 and CR districts in which a taller flagpole will be allowed with the issuance of a special use permit;**

(c) **Flags attached to a building or other structure shall not project beyond the facade of the building, extend no more than 20 feet from the roofline and in no case exceed the maximum permitted height of the building upon which it is located;**

(d) **Flags or cloth or other flexible material, used to attract attention to a commercial use or activity and attached to a pole shall be included in the definition of and calculation of freestanding signage on the property;**

(ee) Signs in the nature of seasonal decorations, clearly associated with a national, local, or religious holiday;

(~~df~~) Temporary signs ~~such as event signs or political election signs~~ must be removed within 20 days of the event or election.

9. Any business closing operations must remove its signs within 12 months.

**Sec. 4-400.5. - Yard, height and setback requirements.**

(A) The lot area and yards required for any use or structure shall be permanently maintained, and shall not be counted as the required lot area or yards for any other use or structure.

(B) Required yards shall remain free of all uses or structures except for the following:

1. Fences, walls and landscaping shall be allowed in yards provided that sight triangles are maintained per [section 4-400.20](#). Driveways and parking areas shall also be allowed.

2. Patios and stoops shall be allowed within all required setback areas. Decks shall comply with all district setback requirements.

3. Accessory structures shall be allowed in accord with the regulations for such structures.

(C) Height limitations contained in article II of this ordinance shall not apply to barns or silos associated with an agricultural use, church spires, belfries, chimneys, ~~flag poles~~, or television antennae.

Language proposed to be deleted is ~~lined through~~.

Language proposed to be added is underlined.

Following some brief discussion, it was determined the Properties Committee will meet April 26, 2022 at 3:30 p.m.

In Re: Animal Warden's Report

Mr. Chris Riviere, Deputy Animal Control Officer, submitted a report for the month of March 2022, which was reviewed and ordered to be filed with the Board papers.

In Re: Building Official's Report

Mr. Phillip Moore, Building Inspector, submitted a report for the month of March 2022, which was reviewed and ordered to be filed with the Board papers.

In Re: Commonwealth Regional Council Items of Interest

Ms. Melody Foster, Executive Director, submitted a report for the month of March 2022, which was reviewed and ordered to be filed with the Board papers.

In Re: Piedmont Senior Resources Newsletter

Ms. Justine A. Young, CEO, Piedmont Senior Resources, submitted a report for the month of March 2022, which was reviewed and ordered to be filed with the Board papers.

In Re: Tourism and Visitor Center Report

Ms. Chelsey White, Director of Economic Development and Tourism, submitted a report for the month of March 2022, which was reviewed and ordered to be filed with the Board papers.

On motion of Supervisor Emert, seconded by Supervisor Cooper-Jones, and adopted by the following vote:

|      |                      |           |
|------|----------------------|-----------|
| Aye: | Beverly M. Booth     | Nay: None |
|      | Pattie Cooper-Jones  |           |
|      | J. David Emert       |           |
|      | Llew W. Gilliam, Jr. |           |
|      | Robert M. Jones      |           |
|      | Odessa H. Pride      |           |
|      | Jerry R. Townsend    |           |
|      | James R. Wilck       |           |

the meeting was recessed at 9:46 p.m. until Tuesday, April 26, 2022 at 5:30 p.m. at the Prince Edward County Middle School, Room 151, 35 Eagle Drive, Farmville, Virginia.