



**Prince Edward County Planning Commission  
Meeting Minutes  
May 17, 2022  
7:00 pm**

Members Present:     John Prengaman, Chair                             John “Jack” W. Peery, Jr., Vice Chairman  
                              Brad Fuller   Preston L. Hunt  
                              Clifford Jack Leatherwood                             Whitfield M. Paige  
                              Cannon Watson   Henry Womack  
Absent:                 Robert “Bobby” Jones                             Teresa Sandlin  
Staff Present:         Robert Love, Planning/Zoning Director             Douglas P. Stanley, County Administrator

Also present: Chair Odessa Pride; Vice-Chair Llew W. Gilliam, Jr.; Supervisor Beverly M. Booth; Supervisor Pattie Cooper-Jones; Supervisor J. David Emert; Supervisor Jerry R. Townsend; and Terri Atkins Wilson, County Attorney.

Due to the COVID-19 Emergency, the Prince Edward County Planning Commission and Board of Supervisors are 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.

Public Participation and Public Hearing comments for Planning Commission meetings will be subject to the “Citizen Guide for Providing Input During Public Participation and Public Hearings For Prince Edward County Government Meetings” effective August 1, 2021.

Chairman Prengaman called the April 18, 2022 meeting to order at 7:00 p.m.

Chair Pride called the Board of Supervisors meeting to order, in connection with the Planning Commission meeting. She stated a quorum is present.

Chair Pride offered requested a moment of silence, and offered a statement to honor Robert M. Jones:

*The Board of Supervisors and County staff are deeply saddened by the great loss we have experienced in Prince Edward County. Supervisor Bobby Jones spent much of his adult life in service to the citizens of Prince Edward County. He will be missed by many for many reasons. The loss of his unwavering love and support of the County of Prince Edward, his district, and his constituents will be deeply felt. Robert M. Jones will be remembered in Prince Edward County for over 21 years of service on the Prince Edward County Board of Supervisors and 36 years of service on the Prince Edward County Planning Commission. Mr. Jones was the longest serving current member of the Board of Supervisors, having represented the*

*Lockett District since January 2000. He was subsequently re-elected five times to the Board, and served one term as Chairman.*

Supervisor Townsend offered the invocation in honor of Bobby Jones.

Planning Commissioner Chairman Pregelman led the Pledge of Allegiance.

**In Re: Public Hearing – Zoning Ordinance Amendment**

Chairman Pregelman announced this was the date and time scheduled to receive citizen input prior to considering an ordinance amendment 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 requirement for flagpoles to limit the height to 20' and allow for a taller flagpole in the A-1, A-2, C-1, I-1, and CR Zoning Districts upon the issuance of a Special Use Permit. Notice of this hearing was advertised according to law in the Wednesday, May 4, 2022 and Wednesday, May 11, 2022 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Love stated the Prince Edward County Zoning Ordinance currently does not have a maximum size stipulated for flags. In addition, in one section the ordinance exempts flagpoles from height requirements (Sec. 4-400.5), while in another section it states that they must conform to the location and height requirements of the district in which they are located. To clarify this, Staff has drafted an ordinance to place a limit on the size of flags at 40 square feet (5'x8') and to limit the maximum height of flagpoles in all districts to 20' but allow for an exception in the A-1, A-2, C-1, I-1, and CR zoning districts upon the issuance of a special use permit. This would permit an applicant to request a taller pole if the warrants dictated. Staff have left the option for taller flagpoles out of the residential zoning districts.

The proposed maximum height was identified by looking at what is commercially available on the market.

Mr. Love said Section 15.2-1427 of the *Code of Virginia* outlines the procedures for adoption of an emergency ordinance. The emergency ordinance may be adopted without prior notice; however, no such ordinance shall be enforced for more than 60 days unless readopted in conformity with the provisions of the code. The Board of Supervisors adopted the Emergency Ordinance at its April 12, 2022 meeting.

As a zoning ordinance amendment, it requires that the ordinance be sent to the Planning Commission for a hearing and recommendation. To comply with the time requirement, the Board of Supervisors directed staff to advertise a joint public hearing with the Planning Commission.

Mr. Love stated staff has received one email which is the only public comment on this matter. Mr. Love stated that this public hearing is to consider only the flag pole height and flag size, and not the content of the flag.

Chairman Pregelman explained the public hearing process.

Planning Commission Chairman Pregelman opened the public hearing.

Board Chair Pride opened the public hearing.

Aleana McClellan, Lockett District, stated she works at Crossroads Community Services Board, and expressed her concern regarding the controversy of the flag. Chairman Pregelman interrupted to clarify that the discussion must be on topic, which is the height of the flagpole and the size of the flag. Ms. McClellan continued by asking to have that flag lowered or removed from its current location as it appears that Crossroads has put it there due to its height.

Rhett Weiss, Farmville District, expressed his support for the ordinance amendment for residential and businesses. He said he is aware of the flag issue and that it is close to what could be an entrance to the Heartland Innovative Technology (HIT) Park. He said with his background in the data center industry, he knows that little things matter. They can make or break economic development projects, some things that some people may think of eyesores or

something that is disproportionately big, little or misplaced. This could sway a decision. Mr. Weiss encouraged the County government to take a holistic approach. He asked the Planning Commission and Board to consider several further amendments to the ordinance and presented several suggestions. He offered his expertise in assisting with potential amendments.

Justin Pope, Farmville District, expressed his support for the proposed amendments to make this a more attractive and welcoming community. He said he supports the sensible, modest proposal which would be a positive step forward. Mr. Pope said we have an attractive town and County, and we shouldn't be afraid to have some sensible regulations. He said these sorts of things matter and the message we send with this proposed ordinance would be a positive one.

Michele Bright stated she works at Crossroads and supports the amendments because this flag is so close to a publicly funded agency and facility; she said she frequently has to explain its presence to clients and other staff as this appears to be part of the Crossroads agency. It creates discomfort, confusion and embarrassment.

Bemeché Hicks, Lockett District, expressed his support of the amendments; he said he is in agreement with the previous speaker and his critique of the amendment so there is no need to come back again. He supports the lower height and size requirement so that it is not infringing on Crossroads or others.

Kenneth Jackson, Lockett District, expressed his support for the ordinance revisions so there is no confusion. He said he saw the flagpole go up and asked if this has a grandfather clause. Chairman Pregarman said he is not aware of a grandfather clause.

Katie Register, Lockett District, expressed her support for the proposed ordinance; she added that she appreciates the other speakers' suggestions.

Kimberly Smith expressed support for the proposed ordinance; she said the size and height of the flagpole [on Rt. 460] is a distraction.

Supervisor Wilck entered the meeting at this time.

There being no one further wishing to speak, Planning Commission Chairman Pregarman closed the public hearing.

Board of Supervisors Chair Pride closed the public hearing.

Mr. Stanley discussed the suggested changes to the proposed ordinance. He said the ordinance could be adopted tonight as advertised, and return to "tweak" it, adding definitions at this point may require re-advertisement. He said the staff is in the process of reviewing all ordinances.

Commissioner Fuller asked to clarify that this would not apply within the corporate limits of Farmville. Chairman Pregarman answered to the affirmative.

Commissioner Fuller asked if the Social Security Office and the County Schools are in one of these districts or are they classified as exempt. Mr. Stanley said that anything existing, as long as it is legal, would be grandfathered in. He said there are a handful of sites that have site plans and this is talking about here moving forward. There is an appeal on a zoning Notice of Violation the other flag that was discussed earlier which is a separate issue. Mr. Stanley said any other legally standing flagpole would be grandfathered under the ordinances and we would address those. Mr. Stanley said there could be taller flagpoles, but it would have to be applied for with the Planning Commission and Board of Supervisors to do so.

Chairman Pregarman stated if the proposed ordinance is not voted upon this evening, the Emergency Ordinance would expire before further action could be taken.

Commissioner Fuller asked if this is for either the size of the flagpole or the flag size, or both. Chairman Prengaman stated the maximum pole height would be 20' and the maximum flag size would be 40 square feet or a typical flag of five (5) feet by eight (8) feet.

Commissioner Peery made a motion, seconded by Commissioner Paige, to recommend approval to the Board of Supervisors the Ordinance Amendment to amend and re-ordain Appendix B of the Prince Edward County Code (Zoning) 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 requirement for flagpoles to limit the height to 20' and allow for a taller flagpole in the A-1, A-2, C-1, I-1, and CR Zoning Districts upon the issuance of a Special Use Permit; the motion carried:

Aye: Brad Fuller  
Preston Hunt  
Clifford Jack Leatherwood  
Whitfield M. Paige  
John "Jack" W. Peery, Jr.  
John Prengaman  
Cannon Watson  
Henry Womack  
Nay: (None)  
Absent: Robert M. Jones, Teresa Sandlin

Supervisor Wilck questioned if this will apply to private property; Mr. Stanley said it would; on private property in those five districts a flagpole could be 20' and in those five districts, someone could come and apply for anything higher would require a Special Use Permit application with the Planning Commission and Board of Supervisors.

Supervisor Townsend made a motion, seconded by Supervisor Cooper-Jones, approve of the Ordinance Amendment to amend and re-ordain Appendix B of the Prince Edward County Code (Zoning) 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 requirement for flagpoles to limit the height to 20' and allow for a taller flagpole in the A-1, A-2, C-1, I-1, and CR Zoning Districts upon the issuance of a Special Use Permit; the motion carried:

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

Chairman Prengaman thanked the Board of Supervisors and everyone in attendance for their participation in the meeting.

On motion of Supervisor Emert, seconded by Supervisor Townsend, and adopted by the following vote:

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

the Board of Supervisors meeting was adjourned at 7:39 p.m.

Following a five-minute recess, Chairman Prengaman then turned to Planning Commission business.

**In Re: Approval of Minutes**

Commissioner Fuller made a motion, seconded by Commissioner Hunt, to approve the meeting minutes from April 18, 2022 as presented; the motion carried:

Aye:	Brad Fuller	Nay:	(None)
	Preston Hunt		
	Clifford Jack Leatherwood		
	Whitfield M. Paige		
	John “Jack” W. Peery, Jr.		
	John Prengaman		
	Cannon Watson		
	Henry Womack		
Absent:	Robert M. Jones, Teresa Sandlin		

**In Re: Board of Supervisors Actions**

Mr. Love stated that at their last meeting, the Board of Supervisors approved the IPS Solar site, with the recommended conditions. The Board of Supervisors also approved the Israel Yoder sawmill site; the only thing that was changed with that was the condition on the hours of operation, which was amended to 7:00 a.m. to 6:00 p.m.

**In Re: New Business - Draft Ordinance Amendment – Supplemental Regulations for Meat Processing Facilities**

Mr. Love said the Prince Edward County Zoning Ordinance does not provide any development standards as it relates to Meat packing and related industries. A most recent Special Use Permit, which was ultimately withdrawn by the applicant for a Meat Processing Facility, drew a large amount of public comment and requests for standards of development to be added to Zoning Code.

Therefore, staff researched what other Counties require for such facilities and have prepared a Draft with new language and description of development standards for consideration for such uses. The next step will be a public hearing to be held on the proposed Ordinance Amendments before making a formal recommendation to the Board of Supervisors.

Mr. Love said the draft ordinance will include new sections to include size; distances to residences or schools; minimum square feet and minimum 50’ from property lines; operations must be under roof and screened from view and no open outdoor holding pens; noise, vibration and odor; internal roads must be paved or a stone base; dumpster regulations; buffer standards; engineering reports and waste management plan; and an alarm on the septic. Mr. Love requested the Commissioners review the draft, but if the Commissioners would like, he can advertise for a public hearing.

Commissioner Peery asked about the outdoor holding pens; discussion followed. Mr. Stanley said he and Mr. Love have visited an operation in Cumberland [County] that has a bump-out, similar to a wing on the building that has a couple stocks. It has stockade fencing and is part of the structure. Mr. Stanley said the animals are taken in very quickly. Mr. Love said it would be an outdoor pen. Discussion followed.

Commissioner Watson asked if the new location will be in Prince Edward County; Mr. Stanley said the proposed location is in the Industrial Park. Mr. Love added that nothing in the proposed amendment would hinder that operation.

The Planning Commissioners concurred to direct staff to advertise a Public Hearing for an Ordinance Amendment to amend and re-ordain Appendix B of the Prince Edward County Code (Zoning) Section 3-100.11 to be held at the June 21, 2022 Regular Meeting of the Planning Commission.

On motion of Commissioner Peery, seconded by Commissioner Leatherwood, and adopted by the following vote:

Aye: Brad Fuller  
Preston Hunt  
Clifford Jack Leatherwood  
Whitfield M. Paige  
John "Jack" W. Peery, Jr.  
John Prengaman  
Teresa Sandlin  
Henry Womack

Nay: (None)

Absent: Robert M. Jones, Cannon Watson  
the Planning Commission meeting was adjourned at 7:56 p.m.

**Next Meeting: Tuesday, June 21, 2022 at 7:00 p.m.**