

November 10, 2022

At the regular meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Thursday, the 10th day of November, 2022; at 7:00 p.m., there were present:

Pattie Cooper-Jones

J. David Emert

Llew W. Gilliam, Jr.

Peter Y. Gur

Odessa H. Pride

Carol R. Stiff

Jerry R. Townsend

Cannon Watson

Also present: Douglas P. Stanley, County Administrator; Sarah Elam Puckett, Assistant County Administrator; Robert Love, Director of Planning & Community Development; Trey Pyle, Deputy Emergency Management Coordinator; Cheryl Stimpson, Director of Finance; Crystal Baker, Human Resources; and Terri Atkins Wilson, County Attorney.

Chairman Pride called the November meeting to order.

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

In Re: Conflict of Interest Act

(None)

Chair Pride made the following statement:

“Before we move on to our next agenda item, which is Recognitions, I have a few brief comments to make. 2022 has been a year of extraordinary change in the membership of the Prince Edward County Board of Supervisors. I wish to provide you, our citizens, with an explanation and an understanding of how the transition from our appointed members to our elective members will take place.

At this point, we are all awaiting the certification of the local election results by the County Electoral Board which, we understand, is expected to occur on Monday. Once the winners are certified, they will take their oaths of office and assume their elective seats on the Board.

We are joined tonight by our presumed newly elected Board members: Mr. Bill Jenkins, Mr. Harrison Jones, and Mr. Cannon Watson. At this time, would those newly elected members please stand and we'll give them a round of applause.

We most certainly look forward to working with you. On behalf of the Board of Supervisors, the citizens, the County Administrator and his staff, I also wish to express sincere and heartfelt appreciation to our three interim members: Dr. Peter Gur, Mrs. Carol Stiff, and Mr. Cannon Watson. It was truly unprecedented to have vacancies occur three times in a span of just a couple of months. Please join me in giving them a round of applause. Your participation, deliberation and leadership is commendable, and Prince Edward County is blessed to have citizens who are so willing to step forward and serve. We do thank you.”

In Re: Recognitions

"Recognitions" is an opportunity for the Board of Supervisors to recognize achievements in our community, with a focus on the accomplishments of students, employees and our citizen volunteers who serve the County of Prince Edward.

Mrs. Cheryl Stimpson stated the November Employee of the Month is Connie Stimpson.

“The Board would like to recognize Prince Edward County's November Employee of the Month, Connie Stimpson. Mrs. Stimpson has been with the County for 20 years and plays an important role as Office Manager of Piedmont Court Services. Donald Williamson, Piedmont Court Services Director, stated that "Next" is a word Connie often uses. It speaks to her strong work ethic and initiative as she continually strives to complete the next task to help the agency meet its goals. She works very, very well with clients, staff, outside contacts, vendors and courthouse officials. She is usually the first person people see and interact with when entering our office. She always maintains a professional demeanor and goes the extra mile to assist in any way possible."

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.

Jeanne Hayden expressed her concerns regarding the delay in Personal Property and Real Estate tax bills being sent to citizens. She presented a few comments and requests to the Board for consideration; she stated most [citizens] resent the bills coming due at the holidays and requested if the bills could be due semi-annually. She requested that in light of the late mailing of the bills, while the deadlines for the tax bills cannot be delayed, that the late penalties and interest can be extended and reduced. She stated there is a 14-day window prior to the deadline to the payment. She encouraged the County to switch to a semi-annual payment, make the due date earlier in the year, and encourage the responsible parties to get the bills out in a timely fashion. She thanked the Board for their consideration.

Mr. Stanley stated that later in the meeting, the Board would discuss and consider the Emergency Ordinance regarding the tax deadline. He said that what Staff is proposing is to grant an additional 30-day relief as far as no penalty and no interest until December 5th and January 5th. He said they are a few weeks behind but if the Board approves it, it will grant an additional 30 days.

Supervisor Watson said that unfortunately, while Prince Edward County uses the lowest of the accepted value rates, the values have gone up and it will be a higher bill for most people. He said the Board has granted more tax relief this year.

In Re: Board Comments

The Chair and Supervisors welcomed all in attendance, congratulated the Supervisor-elects and asked for citizen input.

Chair Pride, Supervisor Emert, Supervisor Cooper-Jones, and Supervisor Gilliam thanked interim Supervisor Gur and Supervisor Stiff for their service to the County.

In Re: Consent Agenda

On motion of Supervisor Townsend, seconded by Supervisor Cooper-Jones, and carried:

Aye: Pattie Cooper-Jones
 J. David Emert
 Llew W. Gilliam, Jr.
 Peter Y. Gur
 Odessa H. Pride
 Carol R. Stiff
 Jerry R. Townsend
 Cannon Watson

Nay: None

the Board accepted the September 2022 Treasurer’s Report; the minutes of the meeting held October 11, 2022 and October 25, 2022; Accounts and Claims, Board Mileage Sheets; and Salaries.

Prince Edward Treasurer's Report - September 2022

Name of Bank	Bank Balance	Available Balance
Benchmark Pooled Fund Account	\$17,587,690.01	\$16,411,285.19
Benchmark Social Services	\$244,400.13	\$225,057.04
Benchmark School Fund	\$1,409,603.38	\$862,288.43
Benchmark Food Service	\$452,822.62	\$316,817.67
TOTAL		\$17,815,448.33

Certificates of Deposit

Benchmark	\$2,681,210.30
Farmer’s Bank	\$2,467,758.69
Benchmark 5 Yr CD-letter of credit	\$659,784.09
TOTAL	\$5,808,753.08
GRAND TOTAL	\$23,624,201.41

In Re: Community Partner Update – Piedmont Area Veterans Council

Quincy Handy, President of the Piedmont Area Veterans Council, stated Sarah Maddox, CEO, was unable to attend; he thanked the Board for its support which allows the Piedmont Area Veterans Council (PAVC) to provide services and to meet the needs of the local veterans. He reported on services provided to the veterans, widows and families, and stated there are several upcoming events. On “Kickin’ Country” radio, there will be a drawing for a gift card; he said there were 83 participating fifth graders. He said the current Hometown Heroes banners are being retired, and they are currently accepting applications for new banners to show honor to those who served. He stated established a Memorandum of Understanding with the Division of Primary Services; they come to assist veterans and their families every Wednesday, to discuss VA benefits that they may need. He said the American Legion and the Richmond Vet Center are among the

organizations that also provide services several days a week. Their Building Committee will meet Monday to begin final plans to build a facility which will include a “Wall of Honor” to honor veterans and will include firefighters, nurses, and other First Responders who serve our communities. Mr. Handy said PAVC has been able to establish relationships with several large non-profit agencies provide various services and to screen to see which programs the families are eligible for. He again thanked the Board for their financial support, stating none of this would be possible without the support.

Mr. Handy then introduced Sgt. Major, Retired, Douglas Randolph; he was recently honored in the Bob Woodruff Foundation as a stand-up hero. Thousands were recommended, but very few were selected.

In Re: Public Hearing – Special Use Permit, Rhetson Companies, Inc. – Retail Store

Chair Pride announced that this was the date and time scheduled for a public hearing on a request by Rhetson Companies, Inc. for a Special Use Permit to operate a retail store on Tax Map Parcels 050-5-D and 050-5-F, located on the east side of Farmville Road (Route 15), 0.15 miles north of its intersection with Kingsville Road (Route 133). Notice of this hearing was advertised according to law in the Wednesday, October 26, 2022, and Wednesday, November 2, 2022 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Love stated the County has received an application request by Rhetson Companies, Inc. for a Special Use permit to operate a retail store on Tax Map Parcel 050-5-D and 050-5-F, located on the east side of Farmville Road (Route 15), 0.15 miles north of its intersection with Kingsville Road (Route 133). This parcel is in an A-2, Agricultural Residential zoning district and requires a Special Use Permit to locate and operate a retail store.

This development site is within the Highway Corridor Overlay District with specific design standards requiring the provision of shared entrances with an inter-parcel connection, upgraded architectural details visible from the public right-of-way, landscaped parking islands, full cutoff fixture site lighting, and monument signage not exceeding 30 square feet on each face. The site conceptual plan was reviewed and discussed with the Joint Town of Farmville/Prince Edward County Development Review Committee on September 22, 2022 which included representatives from Virginia Department of Transportation, Virginia

Department of Health, County and Town of Farmville Staff as well as local utility providers. VDOT has recommended a northbound turn-lane entering the site; the upper part of the entrance will also be an exit.

The Planning Commission held a public hearing on October 18, 2022; no one spoke in opposition of the application and the County has received no correspondence opposing the request. The Planning Commission recommended approval with conditions, forwarding the request to the Board of Supervisors for Public Hearing, along with a list of updated Potential Conditions as recommended by the Planning Commission.

County staff is of the opinion that the use is generally compatible with the zoning district and will have minimal impact on surrounding properties.

Matt Taggart, Rhetson Company, Inc., Project Manager, reviewed a presentation, highlighting traffic impact and safety. He said it is expected to have 12-16 trips per hour and is intended to support the surrounding community. He then described the lighting, landscaping, buffer and the design, full brick façade with shutters, which was chosen to fit the community at Hampden-Sydney College.

Chair Pride opened the public hearing.

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

Supervisor Watson made a motion, seconded by Supervisor Townsend, to approve the Special Use Permit request by Rhetson Companies, Inc. for a Special Use Permit to operate a retail store with the conditions as recommended by the Planning Commission; the motion carried:

Aye:	Pattie Cooper-Jones	Nay:	None
	J. David Emert		
	Llew W. Gilliam, Jr.		
	Peter Y. Gur		
	Odessa H. Pride		
	Carol R. Stiff		
	Jerry R. Townsend		
	Cannon Watson		

**Special Use Permit – Rhetson Companies, Inc.
Tax Map Parcels #050-5-D and 050-5-F
POTENTIAL CONDITIONS**

SITE PLAN

1. Development activities on the site shall be limited to those as specified in the Special Use Permit Application and Site Plan. The final locations of incidental facilities may be adjusted provided no such

adjustment violates any buffers, setbacks, or other statutory requirement. The concepts reflected in the filed special use permit dated 8/26/2022 are hereby made part of these development conditions.

2. Final site plan approval for the Retail Store shall be submitted to the Prince Edward County Community Development Department for final review and approval pursuant to Appendix B of the Prince Edward County Code (Zoning Ordinance).
3. Any proposed expansion of the operation, change of activities or additional facilities or activities shall be submitted to the Prince Edward County Planning *Commission* for review *and approval* prior to implementation. Any changes may be subject to Permit amendment procedures, including Public Hearings.
4. All buildings within the property shall be developed pursuant to Section 2-1300, Highway Corridor Overlay District, as a cohesive entity ensuring that building placement, architectural treatment, parking lot lighting, landscaping, trash disposal, vehicular and pedestrian circulation and other development elements work together functionally and aesthetically.
5. All landscaping shall be mulched and maintained to the reasonable satisfaction of the Prince Edward County Planning and Community Development Director. Any vegetation found to be of poor condition shall be replaced and/ or improved at the reasonable direction of the Planning and Community Development Director or his designee.

ENVIRONMENTAL

6. All pollution control measures, erosion and sediment control measures, storm water control facilities, and all construction activities shall comply with the requirements of the appropriate federal, state, and local regulations and ordinances.
7. All facilities for the provision of potable water and sanitation and wastewater disposal systems shall be approved by the appropriate local, state, or federal agency including but not limited to Virginia Department of Health, Virginia Departments of Environmental Quality, Environmental Protection Agency, etc.
8. Any development activities of a structural or land disturbing nature not specifically addressed by these Conditions shall be in conformance with applicable provisions of federal, state, and local statutes and regulations.

TRANSPORTATION

9. All entrance permits must be authorized by the Virginia Department of Transportation.
10. All internal roads used for public access shall be of compacted earth or have a minimum of a four (4) inch stone base and shall be paved with concrete, asphalt, or durable pervious paving material.
11. Adequate area shall be provided on site to accommodate parking of all employees and patrons. It shall be the responsibility of the Permittee to assure that employees and patrons park only on site and not on any highway right-of-way, or on adjoining or adjacent parcels unless written consent is provided by the owner or owners thereof.

GENERAL

12. Hours of operation shall be limited to 8 a.m. to 10 p.m.

13. All exterior lighting shall be designed and installed so as to minimize glare onto adjoining properties or any public access road. All lighting shall be full cut-off type fixtures.
14. Outdoor storage of trash containers shall be appropriately screened in materials matching the building façade.
15. The Permittee is responsible for the appearance of the site including litter pick-up and other orderly site appearance.
16. This Permit is non-transferable, except and unless written notice from the Permittee regarding the transfer, and a signed document from the proposed new Permittee is received by the Planning and Community Development Office which states that the new Permittee agrees to comply with all terms and Conditions imposed with the original Permit Issuance. If the proposed new Permittee desires to amend the original Permit Conditions, amendments must be addressed by the Prince Edward County Planning Commission and Board of Supervisors through the Special Use Permit process.
17. Failure of Permittee to full conform to all terms and conditions may result in revocation of this Special Use Permit if said failure or failures are not corrected or addressed to the satisfaction, not to be unreasonably withheld, of the County within thirty (30) days of written notice from the County.

In Re: Highway Matters

Staff recorded Board concerns to report to Scott D. Frederick, P.E., VDOT Resident Engineer, as follows:

Chair Pride complimented VDOT on their mowing work.

Supervisor Townsend complemented VDOT on Bolden-Flournoy Road. He then stated the residents on Rainbow Estates would like to request the millings as they could be used to assist maintenance of their road. Mr. Stanley stated the millings generally belong to the company that is doing the work, but he will ask and report back to Supervisor Townsend.

Supervisor Stiff said there are still issues and accidents at the intersection of Route 307 and Route 460, running up on the pavement and knocking stop signs into the grass. She asked if VDOT is still planning to install lane delineators.

Mr. Stanley stated traffic engineering is close to submitting a recommendation regarding Route 307. The Sheriff and the Board requested they look into reducing the speed in the Route 307 area and hopefully within the next 30-45 days we will hear back from VDOT.

Sheriff Epps stated speed is the cause, and if that is not addressed, accidents will continue to occur. He said he requested the speed be decreased to 45 MPH, but drivers continue to travel at 60 mph because 45 mph is “suggested” and not required. He said until it is enforceable, he cannot do much.

Chair Pride stated the constituents on Whispering Woods Road and School House Road look nice.

Supervisor Townsend stated the offenders picked up the trash along the roads, but the bags were left to sit for a few days and animals got into some of the bags. He said he sends the road list every Monday, and asked that they expedite the trash pick-up.

Supervisor Gilliam reported two small trees leaning over the intersection at Five Forks Road and Twenty-Two Road.

Supervisor Emert reported that at the railroad crossing at the end of Spring Creek Road where it joins County Line [Road], it has a tremendous amount of traffic and is too steep, and trucks are getting stuck. He said anything with over a 24-foot trailer gets hung up.

Supervisor Townsend reported that there are holes again at Herzig Road at the bridge.

In Re: Solar Siting Agreement for IPS Development Virginia, LLC

Mr. Love stated the County has been in negotiations with IPS Development Virginia, LLC for a siting agreement related to construction and operation of a SMWac solar energy facility on Tax Map Parcel 043-A-36, containing a total of 33.6 +/- acres, which is zoned A-1, Agricultural Conservation, on Llama Road, Pamplin, VA.

This site was previously approved for a Special Use Permit at the May 10, 2022 regular meeting but still requires a siting agreement be approved in order to move forward to construction.

Pursuant to §15.2-2316.S(B) of the Code of Virginia, the host locality shall schedule a public hearing, pursuant to subsection A of § 15.2-2204, for the purpose of consideration of such siting agreement. If a majority of a quorum of the members of the governing body present at such public hearing approve of such siting agreement, the siting agreement shall be executed by the signatures of (i) the chief executive officer of the host locality and (ii) the applicant or the applicant's authorized agent. The siting agreement shall continue in effect until it is amended, revoked, or suspended.

The siting agreement includes a one-time upfront voluntary payment of \$30,000 (\$6,000 per MWac) plus an annual payment of \$1,400 per MWac.

Supervisor Emert made a motion, seconded by Supervisor Townsend, to authorize a public hearing for the consideration of a siting agreement with IPS Development Virginia, LLC at the December Board of Supervisors meeting; the motion carried:

Aye:	Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Peter Y. Gur Odessa H. Pride Carol R. Stiff Jerry R. Townsend Cannon Watson	Nay: None
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In Re: Relocation of District 7 Polling Place

Currently, the District 7 (West End) polling place is located at the Farmville Volunteer Fire Department. Following the November 8, 2022 Election, the space at the Fire Department will no longer be available. The Town of Farmville has offered and approved moving the polling place to the Farmville Train Station.

The first step in moving a polling place requires an amendment to the *Chapter 42 - Elections of the County Code* and a public hearing. Following the public hearing and board action in December, the County will request a certificate of no objection from the Office of the Attorney General, Office of Civil Rights, as required under the *Virginia Rights of Voters Act*.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Townsend, to authorize a public hearing for the December 13, 2022 meeting to receive public input on the proposed amendment to *Chapter 42 – Elections of the County Code* to move the District 7 polling place from the Farmville Volunteer Fire Department to the Farmville Train Station; the motion carried:

Aye:	Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Peter Y. Gur Odessa H. Pride Carol R. Stiff Jerry R. Townsend Cannon Watson	Nay: None
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In Re: Access Road Project – Scope and Fee Proposal for CEI and Environmental Compliance

The Timmons Group submitted a proposal for the necessary construction phase services for the Prince Edward Business Park Access Road Project, including Construction Engineering & Inspection (CEI), and Testing and Environmental Permitting Compliance. Given Hurt and Proffitt's experience on the site and our previous LAP projects, the Timmons Group plans to include them as sub-contractors to help complete the inspection/ testing process. Timmons will oversee the entire construction phase services on the County's behalf and ensure compliance with VDOT including the VDOT funding reimbursement process. This proposal also covers environmental monitoring, reporting, and compliance through project completion.

Timmons proposes to complete this work for a lump sum fixed fee, as follows:

Inspection & Testing Services (CEI)	\$75,600
Coordination, Quality Control, Support	\$3,750
Environmental Compliance & VSMP/SWPPP	\$9,000
Direct Expenses (printing, mileage, etc.) <i>budget</i>	\$500
TOTAL FEE:	\$89,750

The project budget included \$75,000 for Construction Engineering and Inspection and the estimate is over that amount; however, the 6% (\$123,827) can cover the estimated difference.

Supervisor Emert made a motion, seconded by Supervisor Stiff, to approve the \$89,750 scope and fee proposal from the Timmons Group to fund the construction phase services for the Prince Edward Business Park Access Road Project and authorize the County to sign all necessary documents as required; the motion carried:

Aye: Pattie Cooper-Jones
J. David Emert
Llew W. Gilliam, Jr.
Peter Y. Gur
Odessa H. Pride
Carol R. Stiff
Jerry R. Townsend
Cannon Watson

Nay: None

In Re: Engagement of Lobbyist for Sales Tax Bill

Mr. Stanley said that during the FY 2021-2022 budget discussions, Supervisor Jones requested that staff look at alternative revenue options for the County including the potential for having Prince Edward County added to the qualified list of counties that are allowed to collect up to 1% in additional sales tax revenue for the construction or renovation of schools within the locality. Currently the list of qualifying localities listed under §58.1-602 includes Charlotte County, Gloucester County, Halifax County, Henry County, Mecklenburg County, Northampton County, Patrick County, Pittsylvania County, or the City of Danville.

If the State Code is amended to include Prince Edward County, then the Board of Supervisors would have to request that a referendum be held to ask the question if the County should be "authorized to levy an additional local general retail sales tax at a rate not to exceed one percent (1%) provided the revenues from the sales tax shall be used solely for capital projects for the construction or renovation of schools in the County, including bond and loan financing costs related to such construction or renovation." The tax would only be allowed to be levied for a period of 20 to 30 years until the debt is paid off for the school construction.

Staff have estimated that a 1% increase in sales tax would generate an estimated \$3,000,000 - \$3,500,000 in annual revenue based on collections over the past five years. This is based on the County's share of 50% of local collections and our proportionate split of the remaining 50% with the Town of Farmville based on school age population. Based on the audited sales tax collection number for Prince Edward and Farmville, Davenport has put together estimates. This would provide enough revenue to support significant improvements to the elementary school as well as middle and high schools.

Delegate Edmunds carried HB 63 during the 2021 General Assembly Session that would have included Prince Edward. Unfortunately, it was laid on the table by a House Finance Subcommittee. Delegate Edmunds has indicated his willingness to resubmit the bill.

To support this effort, staff is recommending that the Board consider engaging a lobbyist to aid in garnering support for the bill. The Piedmont Regional Jail is currently using Commonwealth Strategy Group (CSG) to lobby for additional paid positions at the jail. Supervisor Townsend and Mr. Stanley serve as the primary points of contact for that effort. CSG has proven very capable in their efforts and Mr. Stanley requested a proposal for them to help Prince Edward County on the sales tax bill. They have provided a

proposal indicating a fee of \$5,000/month to represent Prince Edward through the session. Mrs. Puckett has indicated that the County last employed such an approach when lobbying successfully for the creation of High Bridge Trail. Due to the potential of the Sales Tax bill, we feel that this would be a wise investment to keep this issue at the forefront.

Legal Services are exempt from our Procurement Policy.

Supervisor Watson stated it is absurd that the County does not have the ability to levy a 1% sales tax in the County without the General Assembly providing consent; the General Assembly has granted this ability to some and denied others.

Supervisor Townsend made a motion, seconded by Supervisor Gur, to approve the request to engage the Commonwealth Strategy Group to assist the County in advocating for support of the 1% sales tax option for Prince Edward County; the motion carried:

Aye:	Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Peter Y. Gur Odessa H. Pride Carol R. Stiff Jerry R. Townsend Cannon Watson	Nay: None
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In Re: Emergency Management Update – LEMPG

Trey Pyle, Deputy Emergency Management Coordinator, stated that annually, the County receives a Local Emergency Management Program Grant (LEMPG) in the amount \$9,436 from the Virginia Department of Emergency Management. The grant requires a dollar-for-dollar match. The county matches the grant with the local funding for the on-call supplement for the Emergency Management Coordinator and Deputy Coordinator to compensate these office holders for their 24/7 on-call duty status. Staff is proposing that the \$9,436 grant funds be used to purchase a drone with thermal imaging for \$6,157.00. This could be used for search and rescue operations, code enforcement, public information and other uses in the county. Staff also suggests the purchase of a smart board system for the Board of Supervisors Conference Room (which is also the County Emergency Operations Center). The smart board would be similar to the one in the County Administrator's Office, which would give staff and the Board of Supervisors direct access from the

EOC/Conference Room to group zoom calls, viewing capability of weather updates, GIS, outage maps, etc., and emergency-related briefings necessary to respond to an incident or weather event. The cost is \$5,262.26. The total of both items is \$11,419.26. This exceeds the grant amount by \$1,983.26, which, if approved by the Board, could come from Contingency.

Supervisor Townsend made a motion, seconded by Supervisor Gilliam, to approve the grant project for the purchase of the drone and smart board system, authorize the County Administrator to sign and submit all necessary documentation to VDEM to request the grant funds, and authorize and appropriate \$1,983.26 from the Contingency line item in the County budget to provide the additional funds needed for the grant project; the motion carried:

Aye:	Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Peter Y. Gur Odessa H. Pride Carol R. Stiff Jerry R. Townsend Cannon Watson	Nay: None
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In Re: State Homeland Security Program Grant (SHSP)

In June 2022, the County applied for the State Homeland Security Program Grant (SHSP) to help offset the cost of radio system consultants, CTA, who is assisting the County with the development of a P25 compliant public safety radio system. This grant is a 100% federally funded reimbursement grant that requires no local match from the county. On November 1, the county was awarded an \$88,500 grant.

While the contract with CTA for the next phases of the project has not been executed, the grant funds are available for up to two years. We anticipate presenting a full report of CTA's recommendations to the board in December.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Gilliam, to approve the acceptance of the SHSP grant, authorize the County Administrator to execute all necessary grant documents and appropriate the grant funds as follows:

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	33010	0018	Homeland Security Grant		\$88,500.00
4 (Exp)	100	94000	0302	Countywide Comm System	\$88,500.00	

The motion carried:

Aye: Pattie Cooper-Jones Nay: None
J. David Emert
Llew W. Gilliam, Jr.
Peter Y. Gur
Odessa H. Pride
Carol R. Stiff
Jerry R. Townsend
Cannon Watson

In Re: FEMA Public Assistance – Distribution of Ice Storm Funds

Mr. Pyle reported that at the September 13, 2022 Board of Supervisors meeting, it was reported that FEMA had approved the County's Public Assistance Grant Application for the February 2021 Ice Storm and that the County was just awaiting the distribution of the funds by the state.

As the Board will recall, most of the recoverable costs were incurred by the volunteer fire departments. The eligible costs included apparatus hours, equipment hours, and generator hours.

The Treasurer is in receipt of the funds and staff is asking for the Board to authorize disbursement to the volunteer fire departments, as follows:

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	33010	0061	FEMA PA		\$41,248.42
4 (Exp)	100	32200	7001	Farmville VFD	\$2,574.84	
4 (Exp)	100	32200	7005	Hampden Sydney VFD	\$8,470.58	
4 (Exp)	100	32200	7006	Pamplin VFD	\$2,582.56	
4 (Exp)	100	32200	7003	Prospect VFD	\$2,125.15	
4 (Exp)	100	32200	7007	Meherrin VFD	\$13,170.20	
4 (Exp)	100	32200	7004	Darlington Heights VFD	6,747.20	
4 (Exp)	100	32200	7002	Rice VFD	\$4,577.89	

Supervisor Gilliam made a motion, seconded by Supervisor Townsend, to approve the appropriation of the FEMA Public Assistance funds to the volunteer fire departments as presented:

Aye: Pattie Cooper-Jones Nay: None
J. David Emert
Llew W. Gilliam, Jr.
Peter Y. Gur
Odessa H. Pride
Carol R. Stiff
Jerry R. Townsend
Cannon Watson

In Re: Building Inspector's Vehicle

There are concerns regarding the long-term reliability of the 2004 Ford Explorer currently being used by our Building Inspector. While the vehicle has 140,000 + miles, the maintenance costs are higher than average and the vehicle has broken down and been towed in the past. Currently, the vacuum hoses and transmission are in need of replacement and the window is taped to remain closed. After discussion, it has been found that the costs involved in replacing the transmission outweigh the long-term benefit as a Building Inspection vehicle. In order to keep with the busy inspection schedule, Mr. Moore will need a dependable vehicle. The Explorer can be utilized as a Buildings and Grounds back-up vehicle to travel within town, as needed.

The Board budgeted \$15,000 this year with the intention of a lease purchase; however, given the limited availability of vehicles, Staff proposed the outright purchase of a new 2022 Chevrolet Colorado through State Contract.

The Board is asked to transfer \$21,620.00 from Contingency to the Building Department's motor vehicle line and approve the purchase of the 2022 Chevrolet Colorado 4x4 in the amount of \$36,620.00, as follows:

FY23 BUDGET TRANSFER

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
4 (Exp)	100	91000	5807	Contingency		\$21,620.00
4 (Exp)	100	34100	8205	Motor Vehicle	\$21,620.00	

Supervisor Cooper-Jones made a motion, seconded by Supervisor Townsend, to approve the purchase of the 2022 Chevrolet Colorado 4x4 for the Building Department and appropriate the funds as presented; the motion carried:

Aye: Pattie Cooper-Jones
J. David Emert
Llew W. Gilliam, Jr.
Peter Y. Gur
Odessa H. Pride
Carol R. Stiff
Jerry R. Townsend
Cannon Watson

Nay: None

In Re: Buildings & Grounds Dump Body Truck

Buildings & Grounds is requesting the replacement of a 2001 GMC Diesel pick-up with snow plow package. The snow plow's motor and controls proved to be a struggle last winter and the bed is rusting out. Mr. Cook received a quote for a 2023 Chevrolet Silverado 3500 dump body/snow plow in the amount of \$66,583.00 through eVA. Uses for this vehicle include hauling furniture, trash, gravel, top soil, brush, recycling, mulch, moving generators, plowing snow, etc.

The Board budgeted \$33,000 this year with the intention of a vehicle purchase and \$22,000 is currently in the General Properties vehicles committed fund from FY22. Given the limited availability of vehicles, Staff proposes the purchase of a new 2023 Chevrolet Silverado through State Contract.

The Board is asked to transfer \$11,583.00 from Contingency and \$22,000 from GP vehicle committed funds to the General Properties motor vehicle line and approve the purchase of the 2023 Chevrolet Silverado 3500 dump body snow plow in the amount of \$66,583.00, as follows:

FY23 BUDGET TRANSFER

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	41050	0202	SP Committed – GP		\$22,000.00
3 (Rev)	100	41050	0202	From SP Fund Balance		\$22,000.00
4 (Exp)	202	93000	0200	Transfer to General Fund	\$22,000.00	
4 (Exp)	100	91000	5807	Contingency		\$11,583.00
4 (Exp)	100	43200	8205	Motor Vehicle	\$33,583.00	

Following some discussion, Supervisor Cooper-Jones made a motion, seconded by Supervisor Townsend, to approve the purchase of the 2023 Chevrolet Silverado for the Building & Grounds Department and appropriate the funds as presented; the motion carried:

Aye: Pattie Cooper-Jones
J. David Emert
Llew W. Gilliam, Jr.
Peter Y. Gur
Odessa H. Pride
Carol R. Stiff
Jerry R. Townsend
Cannon Watson

Nay: None

In Re: Employee Service Awards Program

There is no established program to recognize long-term employees for their contributions to the County and its citizens. A draft Employee Service Award Program document outlines the program to

recognize County employees that have made a long-term commitment in the performance of their duties with the County. There are approximately 20 employees who have worked for the County for over 20 years and have not received recognition for their dedicated service to the County. This program is an opportunity to show the County’s appreciation for their hard work and dedication.

The FY23 cost to implement the Employee Service Award Program will be approximately \$5,060.00.

Supervisor Townsend made a motion, seconded by Supervisor Cooper-Jones, to approve the Employee Service Awards Program and the transfer of \$5,060.00 from the Contingency line to the Service Award Program to implement the program, as follows:

FY23 BUDGET TRANSFER

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
4 (Exp)	100	91000	5807	Contingency		\$5,060.00
4 (Exp)	100			Service Award Program	\$5,060.00	

The motion carried:

<p>Aye:</p> <ul style="list-style-type: none"> Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Peter Y. Gur Odessa H. Pride Carol R. Stiff Jerry R. Townsend Cannon Watson 	<p>Nay: None</p>
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SERVICE AWARDS PROGRAM

PURPOSE

- To commend faithful and proficient service performed by County employees
- To acknowledge that each individual plays an important role in the County's progress
- To recognize that an employee's contribution grows with each year of service
- To encourage career employment with Prince Edward County.

BASIS FOR AWARDS

- Service awards will be based on continuous and proficient service by eligible employees
- Continuous service will be destroyed by any service break longer than thirty (30) or more consecutive calendar days. However, any authorized leave, including but not limited to, annual leave, education leave, military leave and sick leave shall not destroy continuity of service
- Employees must receive a "meets standard" evaluation on their most recent evaluation

- Any employee who is dismissed/terminated by the County and later re-employed shall not receive any credit for previous employment with the County.

AWARDS

Service awards will be presented at the Annual Holiday luncheon for those who have met the following years of service during the current calendar year:

- Five
- Ten
- Fifteen
- Twenty
- Twenty-five
- Thirty
- Thirty-five
- Forty
- Forty-five
- Retirement

The Department Heads shall present Service awards of Five (5) years. The County Administrator shall present Service awards of Ten (10) or more years.

Awards are as follows:

- Five years - Framed Certificate of Appreciation
- Ten Years - Anniversary Gift not to exceed \$50.00
- Fifteen Years - Community Gift Certificate - \$75.00
- Twenty Years - Community Gift Certificate - \$100.00
- Twenty-Five Years - Cash Award - \$250.00
- Thirty Years - Cash Award \$300 and plaque
- Thirty-Five Years - Cash Award \$350 and plaque
- Forty Years - Cash Award \$400 and plaque
- Retirement (Twenty years and beyond) - Cash Award \$500 and plaque

In Re: FY23 Appropriations - Sheriff

The Sheriff’s Department received payments from Virginia Farm Bureau Insurance totaling \$1,436.37. The Board is asked to appropriate the \$1,436.37 to the Sheriff’s Department vehicle repair line item to cover repair costs, as follows:

FY22 BUDGET AMENDMENTS

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	19020	0006	Insurance Recoveries		\$1,436.37
4 (Exp)	100	31200	3311	Motor Vehicle Repair	\$1,436.37	

Supervisor Townsend made a motion, seconded by Supervisor Emert, to approve the FY23 Budget Supplement presented and appropriate the same funds; the motion carried:

Aye: Pattie Cooper-Jones
 J. David Emert
 Lew W. Gilliam, Jr.
 Peter Y. Gur
 Odessa H. Pride
 Carol R. Stiff
 Jerry R. Townsend
 Cannon Watson

Nay: None

In Re: Pamplin Volunteer Fire Department Request

Pamplin Volunteer Fire Department has requested a check in the amount of \$325,000 to assist with the purchase of a Pierce Saber Pumper Fire Engine. Pamplin has \$260,610.17 available from FY22 and \$74,800 was appropriated in FY23 for a total of \$335,410.17, as follows:

FY23 BUDGET SUPPLEMENT

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	41050	0100	General Fund Balance		\$260,610.17
4 (Exp)	100	32200	7006	Pamplin VFD	\$260,610.17	

Supervisor Townsend made a motion, seconded by Supervisor Emert, to approve and appropriate the FY22 carry-forward amount of \$260,610.17, which will enable the County to release a check in the amount of \$325,000 to Pamplin Volunteer Fire Department; the motion carried:

Aye: Pattie Cooper-Jones
 J. David Emert
 Lew W. Gilliam, Jr.
 Peter Y. Gur
 Odessa H. Pride
 Carol R. Stiff
 Jerry R. Townsend
 Cannon Watson

Nay: None

In Re: National Opioid Settlement

Prince Edward County has received funds totaling \$46,776.65 from the Opioid Settlement Fund Trust. The County is scheduled to receive additional funds for a total of \$63,928.00 in Fiscal Year 2023 and is required to use these funds for opioid remediation.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Gur, to approve and appropriate \$63,928.00 for opioid remediation as presented:

FY23 BUDGET SUPPLEMENT

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	24050	0003	National Opioid Settlement		\$63,928.00
4 (Exp)	100	52400	5601	Opioid Remediation	\$63,928.00	

The motion carried:

Aye: Pattie Cooper-Jones
 J. David Emert
 Llew W. Gilliam, Jr.
 Peter Y. Gur
 Odessa H. Pride
 Carol R. Stiff
 Jerry R. Townsend
 Cannon Watson

Nay: None

In Re: County Attorney Update

Mrs. Terri Atkins Wilson, County Attorney, reported work continues on the review and revision of County ordinances, and updates on the purchase of the SCOPE building. The buyer wished to close within a 90-day window, and may occur the end of December to the beginning of January.

In Re: County Administrator Update

Mr. Stanley congratulated the newly elected Board members and stated that he looks forward to working together in the coming years. He then expressed his thanks and appreciation to Mrs. Stiff and Dr. Gur. He thanked the Electoral Board, the Registrar and her staff for all their hard work.

Mr. Stanley presented his report:

- Election – I wanted to extend a thank you to our Electoral Board, Registrar, and Registrar staff for their hard work in ensuring a relatively smooth general election – they had a lot of moving parts and as far as I can tell have handled things flawlessly.
- 2022 Tax Bills – It looks like the Commissioner and Treasurer have everything together to forward to our printer next week to get 2022 tax bills mailed.
- 2022 Annual Report – The Annual Report document was submitted to the printer to go out with the County’s 2022 tax bills.
- VDOT/Kingsville Roundabout – VDOT held a small ribbon cutting ceremony on October 31st. Dr. Pride, Dr. Gur, and I represented the County. Transportation Secretary Miller, Senator Peake, Delegate Wright, and CTB Board Member Bert Dodson were in attendance.

- VDOT/Rural Addition Projects – Bolden-Flournoy Road was tar-and-chipped two weeks ago. That completes our three projects (Whispering Wood, Bolden-Flournoy, and Schoolhouse) for this construction season.
- Courthouse/Lawn Project – Sod went down last which substantially completes the project. The contractor is back this week to complete the planters in the lower courtyards.
- Solid Waste – Jeff Jones and Paul Langlois went to the James River Equipment location in Ashland to look at the Loader that the Board authorized staff to purchase.
- VDOT/Rural Addition Projects – Bolden-Flournoy Road is scheduled to be tar-and-chipped next week if the weather holds. That will complete our 3 projects for this construction season.
- High Bridge Trail State Park – On October 24th at 2:00 pm DCR held a groundbreaking ceremony for the new trail center at High Bridge Trail State Park. The 2,600 SF Trail Center will feature an interpretive area, gift shop, public restrooms, and office space. The project will be completed in the fall of 2023.
- Prince Edward County Industrial Park/Access Road Project – A limited Notice to Proceed (NTP) was issued to JR Caskey, Inc. for the construction of the access road. The NTP is only for the storing/staging of materials and equipment, site investigations, establishment of a laydown/staging area, and for tree clearing operations as necessary. The Full NTP will be issued by the County on or around February 25, 2023. The contractor will have 171 days from the issuance of the Full NTP to complete the project. In addition, the County received the final permit for construction of the project from DEQ to allow the project to move forward.
- Solid Waste – Jeff Jones, the County’s Solid Waste Manager, passed his Licensure Exam this week and is now licensed as a Class III Virginia Waste Management Facility Operator. Along with Paul Langlois that gives the County two licensed operators.
- Delinquent Tax Sale – TACS held a sale of delinquent tax properties on October 25, 2022. A total of 10 properties were sold and one property was denied due to title issues.

In Re: Closed Session

Chair Pride made a motion, seconded by Supervisor Townsend, that the Board convene in Closed Session for discussion and consideration of the annual performance reviews of the County Administrator, as directed by his signed contract, and the County Attorney, pursuant to the exemptions provided for in Section 2.2-3711(A)(1) of the *Code of Virginia*; the motion carried:

Aye:	Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Peter Y. Gur Odessa H. Pride Carol R. Stiff Jerry R. Townsend Cannon Watson	Nay: None
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The Board returned to regular session by motion of Chair Pride, seconded by Supervisor Townsend and adopted as follows:

Aye:	Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Peter Y. Gur Odessa H. Pride Carol R. Stiff Jerry R. Townsend Cannon Watson	Nay: None
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On motion of Chair Pride and seconded by Supervisor Cooper-Jones, and carried by the following roll call vote:

Aye:	Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Peter Y. Gur Odessa H. Pride Carol R. Stiff Jerry R. Townsend Cannon Watson	Nay: None
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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.

In Re: Annual Performance Review of County Attorney

Supervisor Emert made a motion, seconded by Supervisor Townsend, to extend the contract of the County Attorney, Terri Atkins Wilson, for one year, effective November 10, 2022; the motion carried:

Aye: Pattie Cooper-Jones
J. David Emert
Llew W. Gilliam, Jr.
Peter Y. Gur
Odessa H. Pride
Carol R. Stiff
Jerry R. Townsend
Cannon Watson

Nay: None

Chair Pride stated that Mr. Stanley has done an excellent job. She said there has not been a time that she called and he hadn't returned her call with sufficient answers, and meet the needs of all constituents in the County. She said the County is very proud to have Mr. Stanley as its County Administrator. Mr. Stanley stated he is proud to be here.

Supervisor Emert said Mr. Stanley is a breath of fresh air and he appreciates it.

Supervisor Townsend agreed and it has been a pleasure working with Mr. Stanley and having the leadership that Mr. Stanley exemplifies, along with the caring and compassion he has for this County. He added that Mr. Stanley "keeps us in fifth gear, because we have to be on our toes but that's what leadership is about, taking people where they haven't gone before. And certainly, the citizens of this County can see the difference that you've made since you've been here." Supervisor Townsend said that Mr. Stanley would take this County to the next level when Mr. Stanley was hired, and he has done that.

Supervisor Gur stated that he worked with Mr. Stanley for only a short time, but Mr. Stanley was willing to bring him to the Industrial area and what is intended in the future, and that he appreciates that Mr. Stanley would let him know those sorts of things.

Supervisor Cooper-Jones said that she feels the County is truly blessed to have Mr. Stanley as its leader; she said he "has kicked us into fifth gear and we are rolling." She said the County has shown some great progress, with the beautification of the Courthouse and all the areas that have been given attention. She said Mr. Stanley's personality is "exactly what it takes to get the job done, and you made us know that we can count on you and we believe in you, and we are very thankful for you."

Mr. Stanley said, "As you all know, nothing gets done without a great staff."

Supervisor Cooper-Jones then said, "I admit, those ladies, the majority of them in the building are ladies, they are doing remarkable work. They are on time, they are proficient, they're kind, they're friendly, and they take the time – if you need to talk to them about something, to get somewhere, they know exactly

where to send them. So, I take my hat off to the full staff, and to the Landfill crew. Nothing but great things going on around here now.”

In Re: Sandy River Reservoir Dam Inspection

Mrs. Puckett stated that as the owner of the Bush River Watershed, Structure #12 (aka Sandy River Reservoir Dam), the County has the responsibility for maintaining inspections and the operations & maintenance certificates with the Virginia Dam Safety. Our certificate has expired and the attached proposal from TRC Engineers will provide the County with the scope of work and professional engineering services necessary to bring the dam back into regulatory compliance.

The total dollar amount for the contract is within the scope of the County Administrator's approval however, funding for the project is not included in the FY 23 budget.

The Board will wish to consider appropriating from Contingency the \$18,400 to complete the engineer inspections and associated scope of work for the Sandy River Reservoir dam, as follows:

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
4 (Exp)	100	91000	5807	Contingency		\$18,400.00
4 (Exp)	100	42610	3160	SRR Professional Services	\$18,400.00	

Supervisor Cooper-Jones made a motion, seconded by Supervisor Gilliam, to appropriate \$18,400 from Contingency to the Sandy River Reservoir Professional Services line item as presented; the motion carried:

<p>Aye:</p> <ul style="list-style-type: none"> Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Peter Y. Gur Odessa H. Pride Carol R. Stiff Jerry R. Townsend Cannon Watson 	<p>Nay: None</p>
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In Re: AFID Grant – Cannery

The Governor's Agriculture and Forestry Industries Development Fund Infrastructure Grant Program (AFID Infrastructure Program) provides grants of up to \$50,000 per grant to political subdivisions for community infrastructure development projects that support local food production and sustainable

agriculture. The grants are awarded competitively, paid out as reimbursements, and require matching funds. Projects receiving funding through the AFID Infrastructure Program must be infrastructure development projects that demonstrate a broad community benefit and directly support local food production and sustainable agriculture. Grant funds should be used primarily for capital expenditures.

As the Board is aware, a new boiler was installed this summer at the County cannery. There are several additional investments that will improve the operational efficiency at the cannery. The grant is primarily for funding capital projects and we are proposing to make a grant request for funding assistance for the following: (1) replacement of deteriorating steam pipes, traps, valves and gauges (\$77,500); (2) replacement of the ½ ton chain hoist (\$4,000); (3) replacement of the pressure/temperature recorders (\$5,000); (4) replacement of steam pot stems (\$1,800); and (5) replacement of the blades on the robot coupe (\$700), for a project total of \$89,000.

The local match would total \$44,500.

If the Board wishes to proceed with this grant application, the deadline is November 15, 2022. The CRC assisted the county last year with a successful grant application and has agreed to assist us again this year.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Emert, to approve proceeding with the AFID grant application, to authorize the local match funds estimated at \$44,500 and to authorize the County Administrator to execute and submit the application to the Department of Agriculture and Consumer Services; the motion carried:

Aye:	Pattie Cooper-Jones	Nay:	None
	J. David Emert		
	Llew W. Gilliam, Jr.		
	Peter Y. Gur		
	Odessa H. Pride		
	Carol R. Stiff		
	Jerry R. Townsend		
	Cannon Watson		

In Re: Emergency Ordinance Regarding Tax Deadline

Mr. Stanley said the Prince Edward County Commissioner of the Revenue requested and received an extension for the filing and delivery of the 2022 personal property and real estate books until November

5, 2022. The tax books were completed and transmitted to the printer on November 7, 2022 and the printer has estimated that County tax bills for real estate, personal property, and machinery and tools taxes and vehicle license fees will be mailed on November 16, 2022.

Prince Edward County annually bills real estate taxes with a due date for payment is December 5th of each year. Payments received after December 5th are subject to a 10% penalty on December 6th and 10% interest starting January 1st.

Mr. Stanley said §58.1-3912 of the *Code of Virginia* reads that the Treasurer of every city and county shall, as soon as reasonably possible in each year, but not later than 14 days prior to the due date of the taxes, send or cause to be sent by United States mail to each taxpayer assessed with taxes and levies for that year a bill or bills setting forth the amounts due. In addition, Section §74-55 of the County Code reads that the license tax provided for in this division shall be due and payable annually on the same date as the county personal property tax, as allowed by the state.

While the anticipated mailing date is more than 14 days prior to the due date of December 5, 2022, due to the timing of the billing it is the recommendation of staff to the Board that the County extend the date on which the County will impose a penalty and interest from December 5th to January 5th to give taxpayers who need additional time to pay that opportunity without incurring a penalty.

Following some discussion, Supervisor Townsend made a motion, seconded by Supervisor Emert, to adopt the resolution and Emergency Ordinance to amend Chapter 70 of the County Code (Taxation) to add Section 70-6 for due date, interest, and collection fee for real estate, personal property, and machinery and tools tax and vehicle license fee payments; and to advertise the ordinance for permanent adoption following a public hearing on December 13, 2022; the motion carried:

Aye:	Pattie Cooper-Jones	Nay:	None
	J. David Emert		
	Llew W. Gilliam, Jr.		
	Peter Y. Gur		
	Odessa H. Pride		
	Carol R. Stiff		
	Jerry R. Townsend		
	Cannon Watson		

**A RESOLUTION OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF PRINCE EDWARD, VIRGINIA**

**AN EMERGENCY ORDINANCE TO AMEND CHAPTER 70 OF THE PRINCE EDWARD
COUNTY CODE (TAXATION) TO ADD SECTION 70-6 FOR DUE DATE, INTEREST, AND
COLLECTION FEE FOR REAL ESTATE, PERSONAL PROPERTY, AND MACHINERY AND
TOOLS TAX AND VEHICLE LICENSE FEE PAYMENTS**

WHEREAS, the Prince Edward County Commissioner of the Revenue requested and received an extension for the filing and delivery of the 2022 personal property and real estate books until November 5, 2022; and

WHEREAS, the tax books were completed and transmitted to printer on November 7, 2022 and the printer has estimated that County tax bills for real estate, personal property, and machinery and tools taxes and vehicle license fees will be mailed on November 16, 2022; and

WHEREAS, Prince Edward County annually bills real estate taxes with the due date for payment December 5th and with payments received after December 5th subject to a 10% penalty on December 6th and 10% interest starting January 1st; and

WHEREAS, Section § 58.1-3912 of the Code of Virginia reads that the Treasurer of every city and county shall, as soon as reasonably possible in each year, but not later than 14 days prior to the due date of the taxes, send or cause to be sent by United States mail to each taxpayer assessed with taxes and levies for that year a bill or bills setting forth the amounts due; and

WHEREAS, Section §74-55 of the County Code states that the license tax provided for in this division shall be due and payable annually on the same date as the county personal property tax, as allowed by the state; and

WHEREAS, Section §58.1-3916 of the Code of Virginia states that the governing body may also by ordinance establish due dates for the payment of local taxes.

WHEREAS, the anticipated mailing date is more than 14 days prior to the due date of December 5, 2022, that due to the timing of the billing it is the recommendation of staff to the Board that the County extend the date on which the County will impose a penalty and interest from December 5, 2022 to January 5, 2023 to give taxpayers who need it the additional time to pay without incurring a penalty; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Prince Edward County wishes to adopt the attached Emergency Ordinance creating a section of the County Code that addresses the tax due date, penalty and interest for failing to pay on time, and for the collection of delinquent taxes and that includes an extension of the date on which the County will impose a penalty and interest for Tax Year 2022.

APPROVED AND ORDERED ENTERED in the official records by vote of the Prince Edward County Board of Supervisors' members assembled on the 10th day of November 2022.

**AN EMERGENCY ORDINANCE TO AMEND CHAPTER 70 OF THE PRINCE EDWARD
COUNTY CODE (TAXATION) TO ADD A SECTION FOR DUE DATE, INTEREST, AND
COLLECTION FEE FOR REAL ESTATE, PERSONAL PROPERTY, AND MACHINERY AND
TOOLS TAX AND VEHICLE LICENSE FEE PAYMENTS**

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

Sec. 70-6 Due date; interest; collection fee.

- A. Tax payments for real estate, personal property, and machinery and tools taxes shall be due and payable to the Treasurer of Prince Edward County on December 5th of each year.
- B. A penalty of 10% of the tax past due or \$10, whichever is the greater, shall be added to any tax not paid by the due date, provided that in no case may the penalty exceed the amount of the tax assessable.
- C. Interest shall be added to any delinquent taxes and penalties at the rate of 10% per year with interest commencing on the first day following the date by which taxes are due to be paid.
- D. The penalty for late payment and interest imposed upon late payment for Tax Year 2022 shall not be imposed until January 6, 2023. On January 6, 2023, a penalty of 10% or \$10.00 or whichever is greater, of the amount of such taxes which have not yet been paid, provided that in no case may the penalty exceed the amount of tax payable and the interest upon late payment shall be 0% until January 6, 2023, after which interest shall accrue upon such taxes and any penalties imposed thereon at a rate of 10% per annum.
- E. The due date for real estate taxes upon principal residences and for personal property taxes on qualifying vehicles {as defined in § 58.1-3523 of the Code of Virginia) of active-duty military personnel who are deployed overseas on the due dates described in subsection A, above, shall be extended without penalty or interest until 90 days after such active-duty military personnel returns to the United States from such overseas deployment.
- F. In the event an attorney (including, but not limited to, the County Attorney) or collection agency is employed by the Treasurer for the collection of delinquent taxes, penalties and interest, an additional fee equal to 20% of the taxes and other charges due and owing shall be imposed and added to cover administrative costs and reasonable attorney's or collection agency's fees actually contracted for.

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

Language proposed to be added is **underlined**.

In Re: Animal Warden's Report

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

In Re: Cannery - Home

Patty Gulick, Cannery Manager, submitted a report for the month of October 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 October 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 October 2022, which was reviewed and ordered to be filed with the Board papers.

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

Aye:	Pattie Cooper-Jones	Nay: None
	J. David Emert	
	Llew W. Gilliam, Jr.	
	Peter Y. Gur	
	Odessa H. Pride	
	Carol R. Stiff	
	Jerry R. Townsend	
	Cannon Watson	

the meeting was adjourned at 9:03 p.m.