

August 8, 2023

At the regular meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday, the 8th day of August, at 7:00 p.m., there were present:

Pattie Cooper-Jones
J. David Emert
Llew W. Gilliam, Jr.
Victor "Bill" Jenkins
E. Harrison Jones
Odessa H. Pride
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; and Terri Atkins Wilson, County Attorney.

Chairman Gilliam called the August meeting to order.

Supervisor Townsend offered the invocation and led the Pledge of Allegiance.

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.

The Board recognizes the following individuals for their achievements:

1. Vaccinate Prince Edward Scholarships:
 - Kolorado Webb, a 2022 graduate of Prince Edward County High School, was one of the ten students awarded a \$2,000 Vaccinate Prince Edward Scholarship in 2021. After graduation, Kolorado entered the United States Marine Corps Reserves. This fall he will begin attending Longwood University.
 - Earlier this year, the County awarded a Vaccinate Prince Edward Scholarship to Izaiah Harrison, a 2023 graduate of Prince Edward County High School, who will also be attending Longwood University this fall. Izaiah was recognized and his scholarship was presented at the High School's Senior Recognition Day in May.

2. Employee of the Month
 - The Board has the opportunity to recognize Rodney Scott as the County's Employee of the Month for August. Of note, he is the first employee to be nominated by both citizens and an employee. Rodney has worked at the Prince Edward Cannery for the last 24 years. Just recently, Rodney has been asked to step into a much larger role as Interim Cannery Manager, which he has done and has excelled.

3. Employee Retirements

- The Board has the opportunity to recognize Patty Gulick, Cannery Manager for the Prince Edward Cannery for the past nine years. Patty has helped the cannery grow its user base, has coordinated with Virginia Food Works, the County's commercial-user partners and participated on the team that managed the recent AFID grant upgrades of the infrastructure at the cannery, to include a new boiler and steam pipes. Patty's retirement was effective July 14, 2023.
- The Board has the opportunity to recognize Stephen Mercer, a Prince Edward County Sheriff's Deputy and a Resource Officer at the Prince Edward County Public Schools since August of 2006. For the past seventeen years, Deputy Mercer has helped ensure the safety of Prince Edward County students and has mentored many students along the way.

4. Employee Achievement

The Board of Supervisors encourages County employees to increase their technical and professional skills so they may perform their duties and serve our residents to the best of their abilities. Earlier this year, Daniel Townsend, Refuse Driver with the County's Solid Waste Department, spent six weeks attending the Southside Virginia Community College Truck Driver Training Program. He graduated with a 4.0 grade point average and received his Class A CDL with Tanker Endorsement. With this training, Daniel is now qualified to operate every commercial vehicle the county owns.

Mr. Stanley stated the Prince Edward County Cannery has been in use in the community for canning since 1975 for area residents to make shelf-stable food products for personal consumption. Public canneries began to disappear in the latter part of the 20th century due in part to the lack of government funding and support. Today there are far fewer, and at last count, about 11 community canneries remain operating in the state of Virginia, most of which are located in rural, central and southwest Virginia. Despite the difficulties plaguing community canneries across Virginia, the Prince Edward County Cannery has continued to thrive due to the County's commitment to innovation. The success of the Cannery has largely been due to the collaboration between local governments and the non-profit entity, Virginia Food Works, which operates a commercial contract packing service out of the Cannery, food businesses creating products for retail sales across the Commonwealth and across the United States. This partnership was formed in 2010 and has allowed for a unique and creative solution for preserving local produce by serving both home canners, local farmers and entrepreneurs, creating additional value to support the Cannery. The Board of Supervisors has always thought the Cannery an important part of the fabric for both the local residents who enjoy the canning and it's support of our community's agricultural heritage. Using funds from the Virginia Tobacco Commission in 2010, the County upgraded the Cannery to make it a commercial kitchen. This enabled farmers and food entrepreneurs to have a place to make food for resale and create a resource on a small scale of value-added manufacturing businesses. The County's collaboration with Virginia Food Works provides farmers and food

businesses access to Virginia Department of Agriculture and Consumer Services Certified Commercial Kitchen in Prince Edward County. Virginia Food Works staff provides hands-on assistance to take food product ideas from recipe to retail. Staff recruit and work individually with each commercial client to help navigate both food production and food loss. The Cannery functions as a shared use facility during the months of June through December, with the busy harvest season, when home canners utilize the facility three days per week, and commercial productions take place two to three days a week. During the off-season of January through May, Virginia Food Works has exclusive use of the facility for production. From January of 2017 to date, Virginia Food Works processed 222,835 units of product with a retail value of \$1.95 million. During this time, Virginia Food Works served over 70 unique clients, 85% of which are Virginia based clients. In 2022 alone, Virginia Food Works served 29 clients, six of which were new, and 25 Virginia based. Also of note, Virginia Food Works also helps clients get their various projects into various retailers, farmers markets and small businesses to national chains like Whole Foods, Food Lion, and Amazon.

Jeremy Bennett, Director of Intergovernmental Affairs, VACo, said that in 2003, VACo established their achievement award program to recognize counties that have adopted innovative approaches providing public services, identifying programs that can serve as models for other counties. He then presented Prince Edward County with its first ever Achievement Award. He said this year, 135 entries were received and 33 winners were selected from 20 counties. Mr. Bennett added that Prince Edward County will be featured on the VACo website.

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.

Sue Yeatts, Nottoway County, expressed her concerns regarding the First Amendment right to flying the American flag. She stated she applauds Ms. Bowman and said she encourages “all God-loving patriots who love America to come together and fight this before the woke mob infiltrates our small towns. Do not let the woke left silence us.”

Jesse Yeatts, Lockett District, expressed his concern that this flag issue has gone too far. He said a lot of money has been spent on the new dump (convenience) site and there is going to be an accident happen. He said if

you design another one, get someone else in to design [it]. He said someone will get hurt going up and down the steps.

Julia Maserjian, Lockett District, expressed her thanks to the Board for their efforts in getting the speed reduced in her area (Monroe Church Road) and for taking the concerns seriously. She commended the Board for their compromise on the flag ordinance which shows good governance. She added patriotism isn't determined by pole height or the flag width.

Bemeché Hicks, Lockett District, expressed his concerns regarding the schools and the increasing tax rates, and asked how much of the taxes are going to the schools. He then stated Samuel Dabney is still missing, and George Simmons, Sr., was beaten and burned and there has been no closure to those cases, adding there are additional public safety concerns. Mr. Hicks then reported issues with drugs in his community which has been ongoing, and believes there is a link between that and the increased danger. He asked that the Board build infrastructure and provide opportunity for good jobs here.

Hilton Lee, Lockett District, questioned the strange things happening with the property line. He said he has lived in the same home for 76 years, and it always has been in Prince Edward County. He said in 1959, when Prince Edward County schools were closed, his parents tried to get him into the schools at Nottoway County, but he wasn't allowed to live with his grandmother in Nottoway. He said he is now told he has to vote in Nottoway, but he never paid taxes in Nottoway, went to Prince Edward's school when it was reopened, and he still pays taxes in Prince Edward County. He asked for an explanation.

Kenneth Jackson, Lockett District, expressed his concerns about the most recent design work by VDOT at the intersection of Routes 460 and 307. He said the sign needs moved back, and the flashing light is not helping. Mr. Jackson then stated the crime in his neighborhood is increasing, that his neighbor was killed; he said Sammy Dabney has been missing since last June. He then stated that if the Confederate flag is educational, put some context to it. He said the Confederacy is part of this country's history. He said he hopes that God comes in to "put us back together as a County, because we're just falling apart."

In Re: Public Hearing – Zoning Ordinance Amendment

Chairman Gilliam announced that this was the date and time scheduled for a public hearing to receive citizen input prior to considering an ordinance amendment to amend Appendix B of the PRINCE EDWARD County Code (Zoning) to Amend Section 3-104.1 to amend the language for temporary signs to provide for a maximum area for

flags of 120 square feet and to Section 6-100 to add definitions for signs, flagpoles, temporary signs, and structures. Notice of this hearing was advertised according to law in the Wednesday, July 26, 2023, and Wednesday, August 2, 2023 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

The Prince Edward County Board of Supervisors requested that staff review the existing Zoning Ordinance as it related to flags in the Spring of 2022 after numerous calls and emails to members of the Board and Planning Commission from County residents. After researching how other localities in the region regulate flags, an emergency ordinance was drafted. The ordinance placed a maximum limit on the size of flags at 40 square feet (5'x8') and a maximum height of flagpoles in all districts of 20 feet. There is an allowance for the issuance of a special use permit for a taller pole in the A1, A2, C1, I1 and CR zoning districts but excluded all residential zoning districts from the option for a taller pole.

Several speakers spoke out during public participation at the May 9, 2023 regular meeting concerning the maximum allowed size of flags and asked the Board to consider exempting the American flag. Since the County can only regulate the size of flags, but not flag content, it cannot exempt any particular flag regardless of what it may signify. To do so has been seen by the courts as a violation of constitutional rights.

The Board of Supervisors adopted an Emergency Ordinance at its June 13, 2023 meeting that reflected the standards as outlined in Option 4. This allows for a larger individual flag but also specifies an overall site square footage maximum of 120 square feet, much like what is required for signs in zoning districts. 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. As a zoning ordinance amendment, it required that the ordinance be sent to the Planning Commission for a public hearing and recommendation.

The Planning Commission held a public hearing on July 18, 2023, where several citizens spoke in both support and opposition of the proposed new language. The Planning Commission discussed the matter after hearing comments and made recommended modifications to the proposed Ordinance Amendment, referring the matter to the Board of Supervisors. The changes they considered were less intensive than the Draft Zoning Ordinance. These included an exception for cemeteries and the allowance for a Special Use Permit for flags larger than 120 square feet in size much like Option 3 that was not considered by the Board in July, and potentially remove the three-flag

limitation per site. Staff has incorporated all recommendations by the Planning Commission into the Zoning Ordinance Amendment with changes shown in red for consideration by the Board.

Mr. Love said there is no permit or fee required for a flag, but there is a requirement for the structure which is the flag pole. He added that the County cannot exempt or regulate the content of a flag, and this ordinance is content-neutral.

Chairman Gilliam opened the public hearing.

Brenda Puryear, District 1, stated the Board is trusted to protect and help the interest of the public, and asked why restrictions benefit the public; she asked the Board to reconsider their decision. Mrs. Puryear said she could understand if there was a safety issue, and asked for the justification of this ordinance.

Frank Puryear, District 1, expressed his concern that the Board has no business telling citizens what they can do with an American flag on their own property.

Dr. Peter Gur, District 1, expressed his support for Option 3; he said Prince Edward County has a colorful historical history, in April 1865, General Lee retreated from Farmville. In April 1951, Barbara Johns, and in 1954, Brown vs. Board of Education, the Supreme Court said separation isn't legal. Now we are here regarding the American glad and to unite races, genders and allegiance so the County can move in the correct direction.

Cindy Koether, Lockett District, stated [citizen] rights come from the Creator and are in the Bill of Rights and Constitution. She questioned the arbitrary size of the flag and why the government gets to decide how much freedom of speech a citizen may have. She said citizens do not want more taxpayer money wasted to take away their rights.

Mary Prevo, District 1, stated that the flag is too big, too tall, and it's all you see. The placement of this flag welcomes people to Farmville in a big way. She said with the coming commercial projects, it is a good time to think about height restrictions of signs on private property. She said given how that flag makes many people feel, then she would like it to not be there at all. Mrs. Prevo said this is home and was the easiest place she had ever moved to, but the flag says she is not welcome here. She said that if the presentations given at the beginning of this meeting didn't prove to us what a wonderful, broad, equitable, charming, positive place Prince Edward County is, then she doesn't know what would. She thanked the Board for listening, and she is sorry that she disagrees with some of her friends that have already spoken.

Tim Dotson, Lockett District, said he is opposed to anything with the flag. He said it is taking the taxpayer's money and throwing it away. He said a lot of flags will go up. He said all this with the flag needs to be audited and investigated.

Brandon Whitehead, Heights, asked if anyone asked Mrs. Bowman to replace the Confederate flag with an American flag. He said we are fighting over something that doesn't make a difference. He said we could have saved a lot if we'd have just asked questions.

Supervisor Watson stated that he knows she was asked several times to take it down, that he knows several people that have asked her. He said he doesn't think any of the Board members have shown her any disrespect.

Mr. Whitehead said "Prince Edward County is the 57th ranked school from the bottom and we're fighting over a flag." He added that the Sheriff has asked for a raise several times. He said he doesn't know what the salary is people are going to other counties because the County doesn't pay enough.

Bemeché Hicks, Lockett District, said the flag issue has gotten out of hand. He said we saw what happened on January 6th and make sure that doesn't happen in Prince Edward County. He said that in the 1960s, when we went 14 years without a school, his grandfather had to "put up his property to sign a petition to say "Separate but equal," to get schools built for us, while Prince Edward County had a meeting and went and took their money out of the bank for Prince Edward County for the building of the Prince Edward Academy. We better make sure that that flag doesn't represent a movement in this County and beyond."

Jan Magruder, Buffalo District, stated that it has been said the data center would be deterred by certain flags in our County. She asked if they would be more deterred after seeing the news articles about what has happened when someone gets a permit, jumps through all the hoops required, and if the Board doesn't like some aspect, it will go into emergency meetings and change the law, and spend taxpayer money to fight in the courts. She said that prospective business would be more upset with that fact. She said there is tremendous growth in other counties but this is not the case in Prince Edward County "because certain members on this Board are trying to crucify the rights of its citizens." She questioned why, if a landowner has obtained permits and had it inspected, the County has disregarded their rights.

Robin Simpson, Prospect District, stated she does not find the Confederate flag offensive, it represents southern history. She spoke highly of Carolyn Bowman and said she was not asked to replace her flag. She said the Board doesn't have the right to limit the number or the size of flags.

Sue Yeatts, Nottoway County, said she was glad that this Board allows the citizens to speak their mind, and criticized Supervisor Watson for his comments.

Supervisor Cooper-Jones interjected that first of all, Ms. Yeatts is not a Prince Edward County resident, and she will not be allowed to sanction the Prince Edward County Board members. Supervisor Cooper-Jones said that Ms. Yeatts may speak on her behalf, but will not tolerate direct comments to the Board members.

Ms. Yeatts then said this is a First Amendment rights issue. She said people need to stand up for the Constitution, don't need to have feelings hurt all the time, and then added that people need to take a deep breath and to treat each other with kindness.

There being no one further wishing to speak, Chairman Gilliam closed the public hearing.

Chairman Gilliam stated he has considered this issue at length. He said he is proud of all veterans, that they followed this flag when someone was trying to oppress someone else, the veterans went to help. The Civil War was fought and lives were lost. At the end of the Civil War, Federal troops respected Southern troops and lined up and saluted them. He said the Civil War was settled in 1865 and everyone went home. Chairman Gilliam said all are citizens and all in the same boat together. He said he would like to see [the American] flag flown everywhere. The dilemma that we have been set upon is that when someone pushes the limit that offends or hurts someone, and it doesn't matter if it's the County, or churches, or the workplace, that if everybody does the right thing up front, everyone will say thank you. Chairman Gilliam said that is the end goal at the end of the day, that he doesn't want anybody to be oppressed, hurt, pushed aside, ignored – that's not why we are here on this Earth. He said he is thankful for his family and he is blessed. He said the Board is working to get everything smooth, to not hurt anyone, and asked everyone to think about what he has said. He closed by saying the exemption for the cemetery is a fine thing.

Supervisor Jones thanked everyone for coming and congratulated those that received recognition for their accomplishments and service. He said there is a full room for the third time this summer, but most don't get involved in government when they are happy. He expressed concerns about the 120 square foot limitations as they are derived from other flags as an arbitrary measure, exposing the County to lawsuits. He then said the American flag represents the Constitution of the United States, and the First Amendment was created to protect free speech. He said this law was enacted in response to one particular flag and he cannot support the ordinance that, in some people's eyes, tramples on the rights of American people. He entreated the other Board members to vote against limiting free speech.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Townsend, to approve the Ordinance Amendment (as advertised) to amend and re-ordain Appendix B of the Prince Edward County Code (Zoning) Section 3-104.1 to amend the language for temporary signs to provide for a maximum area for flags of 120 square feet, Section 3-104.1.9(d), to include the Planning Commission recommendation for the exemption: “Temporary flags located at a cemetery of no more than one (1) square foot shall be exempted from these requirements,” and to Section 6-100 to add definitions for signs, flagpoles, temporary signs, and structures; the motion carried:

Aye:	Pattie Cooper-Jones	Nay:	J. David Emert
	Llew W. Gilliam, Jr.		E. Harrison Jones
	Victor “Bill” Jenkins		
	Odessa H. Pride		
	Jerry R. Townsend		
	Cannon Watson		

In Re: Board of Supervisors Comments

Supervisor Emert thanked the citizens for their input, and thanked the Veterans for their service. He said sometimes the issues do not go the way we want. He congratulated everyone that received recognition, and to Melody Foster with the Commonwealth Regional Council for receiving the Gordon N. Dixon Achievement Award.

Supervisor Townsend thanked all for being in attendance and congratulated the recipients of the awards.

Supervisor Jones said that we have the representative system, and if they don’t like how he votes on an issue, November is coming. He encouraged citizens to get involved with the system through the coming elections.

Supervisor Cooper-Jones said she does hear the citizens’ concerns, regarding of which side the constituents are on. She then congratulated the recipients of the awards and said there are great things happening in Prince Edward County.

Supervisor Watson congratulated those that received recognition, adding they are richly deserved. He said that with respect to the flag issue, he was not [on the Board] when the changes were made, but because of the public’s participation, everyone that came up said they were proud of their neighbor’s American flags. He said all are in compliance under this restriction which is larger than any of the surrounding counties that have restrictions on them, and most of them do. He said the tax rate was restored from \$0.47 back to \$0.51; he said [the County] has to get into the water business, and build school buildings, and put our best foot forward to attract good career jobs. He said the County has assets to make it work, without making meaningful tax increases.

Supervisor Pride reminded everyone that school has started and to please look out for the students and educators. She then thanked Supervisor Cooper-Jones for hosting the “Friday Night Out” adding that the people there likely had differering views but that all need to come together as a district, as a community, as a county.

Supervisor Jenkins stated he agreed with all said previously.

Chairman Gilliam said the Board listens to what they say and try to come to a good conclusion asked all to try to come together.

Chairman Gilliam called a five-minute recess.

Chairman Gilliam called the meeting back to order at 8:51 p.m.

In Re: Consent Agenda

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

Aye:	Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Victor “Bill” Jenkins E. Harrison Jones Odessa H. Pride Jerry R. Townsend Cannon Watson	Nay: None
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the Board accepted the June 2023 Treasurer’s Report; the minutes of the meeting held July 11, 2023; Accounts and Claims, Board Mileage Sheets; and Salaries.

Prince Edward Treasurer's Report - June 2023

Name of Bank	Ref #	Int. Rate	Bank Balance	Available Balance
Benchmark Pooled Fund Account	7654		\$9,484,090.63	\$9,484,090.63
Benchmark Social Services	9746		\$115,819.78	\$115,819.78
Benchmark School Fund	3352		\$1,548,139.05	\$1,548,139.05
Benchmark Food Service	3742		\$504,042.42	\$504,042.42
TOTAL				\$11,652,091.88

*Note: School Fund and Cafeteria Fund balances shown above are estimated balances due to end of the fiscal year.

Certificates of Deposit

Benchmark	0994	1.00	\$122,886.34	
	0995	1.00	\$122,886.34	
Recreation Fund	0998	0.50	\$17,551.09	
Benchmark 5 Yr CD-letter of credit	0632	1.00	\$664,749.40	\$928,073.17
Benchmark Investment Acct	L796	3.35	\$2,476,835.41	\$2,476,835.41
Farmers Bank	2465	0.50	\$110,178.70	

	2466	0.50	\$110,178.70	
Underground Storage	2478	0.60	\$23,007.64	
	2501	2.09	\$2,260,087.68	
	3465	4.15	\$2,546,004.17	
	3438	4.95	\$2,520,827.78	
	3454	4.65	\$2,500,000.00	
	3457	4.75	\$5,000,000.00	\$15,070,284.67
TOTAL				\$18,475,193.25
GRAND TOTAL				<u>\$30,127,285.13</u>

In Re: Intern Reports

During the summer of 2023, the Prince Edward County Administrator's Office, and the Community Development Office each hosted one student intern. The internship program, under the direction of the County Administrator, is designed to provide an excellent opportunity for undergraduate students to learn more about careers in public administration.

County Administration Intern - Luis Fernando Velho Dos Reis - Luis is a Brazilian native currently attending Longwood University and majoring in Economics. Luis is a tutor at the QR Tutor Center at LU and a member of the LU Men's Tennis Team.

Mr. Reis thanked Mr. Stanley and the Board of Supervisors for the opportunity, and reviewed the projects worked on, including researching the history of the Board of Supervisors and County Administrators of Prince Edward County. He also reviewed the county's website to find errors to be corrected, worked on the GIS system, scanned files to put into the new document system, and an annual calendar for the County across all departments. In addition, he did a comparative analysis on expenditures for Prince Edward County and other counties, including Amelia, Appomattox, Charlotte, Cumberland, Lunenburg and Nottoway. Some sectors that were analyzed were public safety, education and health. He said he was able to provide suggestions. Mr. Reis said he learned a lot about the County; prior to this experience, he stayed within Farmville. He was able to go to various sites throughout the County. He said he learned several terms while scanning the documents, such as "whereas" and "hereinafter." He said he was glad to learn about the projects and the reasoning for the projects, and to attend meetings with Mr. Stanley. He thanked the County Administration for the opportunity.

Community Development Intern - Jenó D. Ball - Jenó is attending J. Sargeant Reynolds Community College. He is currently studying to become a paralegal and plans to pursue law school. He is an alumnus of the MCJROTC program at J.R. Tucker High School.

Mr. Ball said much of his work focused on researching and correcting GIS errors, receiving training from the Commissioner of the Revenue and Chief Deputy Commissioner. He said he has corrected over 600 errors; some issues required the Commissioner's assistance. Mr. Ball said the internship has been an amazing experience, with the opportunity to work in an office with the most caring, compassionate, and friendly people. He encouraged anyone to apply to the internship program; he said it provided him exposure to government administration and civics in general, and thanked Mr. Stanley for the opportunity.

Mr. Stanley said he has been eager to get the Geographic Information System (GIS) up running, which shows all the parcels in the county, and Jenó has helped us get there. He presented Mr. Reis and Mr. Ball with a County tumbler and thanked them for their work this past summer.

In Re: Highway Matters

Staff will report any issues from the Board to Mr. Frederick:

Chairman Gilliam reported that on Five Forks Road near Jack Davis's residence, where they are cutting timber, the culverts are full and the water is running in the road. He added that it also needs mowed and trees trimmed back.

Supervisor Townsend asked that the trees be trimmed back on Green Bay Road, and at the curve on Levi Road in front of Levi Church.

Supervisor Emert reported that Prospect Road has several dead trees along it; one is just after you cross the [High Bridge] Trail on the eastern end. He said on Hard Times Road and Oliver Road, there are several trees that the limbs are falling out of them. A citizen reported that on Peak's Road, the water is standing every time it rains, even though the pulled the ditches several months ago. He said it is approximately one-quarter mile past Holliday Lake [Road].

Supervisor Jenkins asked that Mr. Frederick give him a call regarding Monroe Church Road for a status update. He reported Miller's Lake Road has a couple potholes. He said there are brush and traffic concerns.

In Re: Monroe Church Road - Through Truck Restrictions

At the July Board meeting, the Board discussed with VDOT Resident Engineer, Scott Frederick, PE, the reduction of the speed limit on Monroe Church Road (SR 640). Mr. Frederick also indicated that the Board could make a request to VDOT for through-truck restrictions on the road.

Per Section 46.2-809 of the *Code of Virginia*, which addresses the regulation of truck traffic on primary and secondary highways, states “*The Commonwealth Transportation Board, or its designee, in response to a formal request by a local governing body after such body has held public hearings, may, after due notice and a proper hearing, prohibit or restrict the use by through traffic of any part of a primary or secondary highway if a reasonable alternate route is provided.*”

Also, for the Board's information, staff presented the Board with a copy of Chapter 580 of the Virginia Administrative Code which provides the guidelines by which VDOT will consider requests for restricting through trucks on secondary roads.

Should the Board wish to consider truck restrictions on Monroe Church Road, a public hearing must be held prior to action by the Board.

Supervisor Cooper-Jones made a motion, seconded by Supervisor Watson, to authorize a public hearing for its September 12, 2023 meeting, pursuant to Section 46.2-809 of the *Code of Virginia*, prior to considering making a request to VDOT for through-truck restrictions on State Route 640, Monroe Church Road; the motion carried:

Aye:	Pattie Cooper-Jones	Nay:	None
	J. David Emert		
	Llew W. Gilliam, Jr.		
	Victor “Bill” Jenkins		
	E. Harrison Jones		
	Odessa H. Pride		
	Jerry R. Townsend		
	Cannon Watson		

In Re: Festival Permits – Appomattox Young Farmers Truck & Tractor Pull, and the Five County Fair

Supervisor Watson made a motion, seconded by Supervisor Townsend, to approve event permit applications for the Appomattox Young Farmers Truck & Tractor Pull on September 2, 2013 and the Five County Fair from September 26 – 30, 2023; the motion carried:

Aye: Pattie Cooper-Jones
 J. David Emert
 Llew W. Gilliam, Jr.
 Victor "Bill" Jenkins
 E. Harrison Jones
 Odessa H. Pride
 Jerry R. Townsend
 Cannon Watson

Nay: None

In Re: Appointment – Piedmont Alcohol Safety Action Program (ASAP)

Effective June 21, 2023, the Commission on the Virginia Alcohol Program regulations 24VAC35-80-10 through 24VAC35-80-140, were revised. These revisions included codifying the term of policy board members to three years. Piedmont Alcohol Safety Action Program (ASAP) policy board members previously served as long as appointed by their governing body.

Kimberly Lettner, Director of Piedmont ASAP, has contacted the County Administrator's Office asking if Donna Nunnally could be re-appointed for a three-year term to the Piedmont ASAP Board. Her new term would expire June 30, 2026.

Supervisor Townsend made a motion, seconded by Supervisor Emert, to approve the re-appointment of Donna Nunnally to the Piedmont ASAP Policy Board for a three-year term, expiring June 30, 2026; the motion carried:

Aye: Pattie Cooper-Jones
 J. David Emert
 Llew W. Gilliam, Jr.
 Victor "Bill" Jenkins
 E. Harrison Jones
 Odessa H. Pride
 Jerry R. Townsend
 Cannon Watson

Nay: None

In Re: Insurance Recoveries

The Sheriff's Department received payments from VACORP Claims totaling \$625.00. The Board is asked to appropriate \$625.00 to the Sheriff's Department vehicle repair line item to cover repair costs, as follows:

FY23 BUDGET AMENDMENTS

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	019020	0006	Insurance Recoveries		\$625.00
4 (Exp)	100	031200	3311	Motor Vehicle Repair	\$625.00	

Supervisor Townsend made a motion, seconded by Supervisor Emert, to approve the budget supplement request and appropriate the same funds; the motion carried:

Aye: Pattie Cooper-Jones
 J. David Emert
 Llew W. Gilliam, Jr.
 Victor "Bill" Jenkins
 E. Harrison Jones
 Odessa H. Pride
 Jerry R. Townsend
 Cannon Watson

Nay: None

In Re: VDOT Reimbursement

The County received a disbursement in May totaling \$214,724.90 from VDOT for the Business Park Road Development Project. The Board is asked to approve the appropriation of these funds as follows.

FY23 BUDGET AMENDMENTS

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	24040	0021	VDOT Access Road Project		\$214,724.90
4 (Exp)	100	94000	0007	Business Park Road Dev	\$214,724.90	

Supervisor Townsend made a motion, seconded by Supervisor Emert, to approve the budget supplement request and appropriate the same funds; the motion carried:

Aye: Pattie Cooper-Jones
 J. David Emert
 Llew W. Gilliam, Jr.
 Victor "Bill" Jenkins
 E. Harrison Jones
 Odessa H. Pride
 Jerry R. Townsend
 Cannon Watson

Nay: None

In Re: Generator Appropriation

General Properties incurred a cost of \$45,670.25 for the repair of the emergency generator. We ask that the Board approve and appropriate as follows:

FY23 BUDGET AMENDMENTS

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	41050	0100	General Fund Balance		\$45,670.25
4 (Exp)	100	43200	3310	Repairs/Maintenance	\$45,670.25	

Supervisor Cooper-Jones made a motion, seconded by Supervisor Townsend, to approve the budget supplement request and appropriate the same funds; the motion carried:

Aye: Pattie Cooper-Jones
 J. David Emert
 Llew W. Gilliam, Jr.
 Victor "Bill" Jenkins
 E. Harrison Jones
 Odessa H. Pride
 Jerry R. Townsend
 Cannon Watson

Nay: None

In Re: FY24 Appropriation – VFD Carryover Funds

On June 30, 2023, the following fire departments had unexpended or over expended funds to be carried forward into the FY24 budget. The Board is asked to approve and appropriate the carryover funds from FY23 to FY24 as follows:

FY24 BUDGET SUPPLEMENT

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	41050	0100	From General Fund Balance		\$211,047.21
4 (Exp)	100	32200	7001	Farmville Vol Fire Dept	-\$14.49	
4 (Exp)	100	32200	7002	Rice Vol Fire Dept	\$14,956.32	
4 (Exp)	100	32200	7003	Prospect Vol Fire Dept	\$127,416.94	
4 (Exp)	100	32200	7004	Darlington Heights Vol Fire Dept	\$36,335.12	
4 (Exp)	100	32200	7005	Hampden-Sydney Vol Fire Dept	\$1,430.47	
4 (Exp)	100	32200	7006	Pamplin Vol Fire Dept	\$5,073.17	
4 (Exp)	100	32200	7007	Meherrin Vol Fire Dept	\$25,849.68	

Supervisor Townsend made a motion, seconded by Supervisor Cooper-Jones, to approve the budget supplement request and appropriate the same funds; the motion carried:

Aye: Pattie Cooper-Jones
 J. David Emert
 Llew W. Gilliam, Jr.
 Victor "Bill" Jenkins
 E. Harrison Jones
 Odessa H. Pride
 Jerry R. Townsend
 Cannon Watson

Nay: None

In Re: County Attorney Update

Mrs. Terri Atkins Wilson, County Attorney, reported the plat has been recorded from the tax sale; she said work continues on the ordinance review, with a little more complete each month. She said she was present during a Board of Zoning Appeals hearing, and she has done work regarding two unclaimed bodies. Mrs. Atkins Wilson said there was a court hearing with Animal Control, and she met with Chief ACO Mumma; she said the case went well.

The Building Inspector had questions regarding issues that arose; she said she also worked on landfill collection letters in the second round with those that did not respond to the first round.

Mr. Stanley asked for the status of the agreement drafted with the Town [of Farmville] regarding the sewer line under the new access road. Mrs. Atkins Wilson said they had approved the draft; the Board will need to approve it.

In Re: County Administrator Update

Mr. Stanley presented his report:

- ***Congratulations*** to Melody Foster, Executive Director of the Commonwealth Regional Council (CRC). She was awarded **The Gordon N. Dixon Achievement Award**, which recognizes an executive director, a VAPDC commissioner or a PDC commissioner, who has provided leadership and made outstanding contributions to promoting the concept of regionalism in the Commonwealth. Melody was nominated for this award by the seven member governments that comprise the CRC, which cited her for “effective management of the CRC and her positive leadership through any challenge.” They also noted that she distinguishes herself for her work with stakeholders, and has an unwavering commitment to excellence, innovative thinking, and ability to navigate complex challenges. Special thanks to Sarah Puckett for writing the award nomination. Mr. Stanley said he was able to attend the award luncheon on July 27th in Norfolk.
- ***VACO Achievement Awards*** – The County received its first ever VACO Achievement Award for our Prince Edward Cannery Partnership with Virginia Food Works: “Our Recipe for Success.”
- ***FY 2023 Budget/Revenue*** – Through July 31st, total revenue collected for FY 2023 is \$28,399,552 which is \$155,726 (0.55%) greater than the \$28,183,826 estimated in the budget. We will still have some accruals in August to post back to the fiscal year. The important thing is that we met and exceeded budget estimates. This is the second year in a row we have been right on our projection.
- ***FY 2023 Audit*** – The 1st portion of Fieldwork for the FY 2023 Audit is completed. Auditors will be back in October to complete their work. Staff will be working in August to finish work on the FY 2023 closeout.
- ***Prince Edward County Elementary School Renovation*** – The Ad-Hoc Committee held a virtual meeting on July 25th. The purpose of the meeting was to review the designs that had been developed along with cost estimates. Dr. Pride and I attended the meeting. Last year we were looking at a budget of \$30-35 million for the project. Based on the estimate provided by Moseley Architects, the proposed design has escalated to \$43+ million. We anticipate scheduling a meeting with the Board/School Board, Moseley Architects, and Davenport in the next few weeks to review options and get direction from the Board. School staff are working to submit a grant request to the State which should cover 20% of the cost. We are looking at setting up a meeting in the next couple weeks.
- ***IDA Director Position*** – The County will hold interviews for the position next week. We had a deep applicant pool of 20+ applications.
- ***Nottoway Boundary Line Issue*** – We are working to set up a Zoom call with Nottoway and our Chair, Vice-Chair, and Commissioner of the Revenue to discuss the line. We are currently looking at August 15th.
- ***Amelia Boundary Line Issue*** – As of August 8th, we are awaiting a response from Amelia County on their interest in splitting the cost of the proposed boundary survey. The letter was sent July 14, 2023.

- **HIT Park** – As part of the request for information from DEQ and VRA for the Sandy River Permit and financing, we engaged a consultant to prepare an economic analysis of the financial implications of the development of the HIT Park site. I have attached a draft of the Economic and Fiscal Contribution study. As indicated, the initial development is projected to generate \$10+ million based on current tax rates with an initial 500,000 data center. At full build-out, the report is projecting revenue in excess of \$25 million. For comparison, Prince Edward’s current General Fund budget is \$28+ million.
- **Industrial Access Road** – The Access Road is substantially completed. Staff met with the contractor, VDOT, and County engineer (Timmons) last week to develop a punch list of items. The remaining issue that we are still trying to work out is the entrance that we agreed to provide Tri-Boro as part of the land swap to shift the road towards their site. Based on their proposed building location, they do not want us to install the entrance on the new access road, but off Commerce Road (Route 628). Tri-Boro’s engineer provided a design this week matching the design of the Faces Food Pantry entrance that will handle anticipated truck traffic of the site. The plan is to get the contractor back to construct the entrance prior to completing the project.
- **Rice Convenience Site** – The County opened the new Rice Convenience Site on Friday, August 4. We are only using open containers at the present until we set the new compactor (which arrived this week). The slope of the drains in the compactor pads are causing issues and we are looking to modify the pads to “level” up the compactor and bin.
- **Ag Building** – The County held a non-mandatory pre-bid conference on Tuesday, August 1st for improvements at the Ag Building. The improvements have been requested by the USDA to bolster security and accessibility including a new security vestibule, isolation of the server room, and replacement of flooring. They requested parking lot fencing which we are including as an “add alternate” but the Properties Committee is not inclined to approve. Bids were due on August 11th but we have extended deadline until August 25th to provide bidders additional time. USDA has proposed to pay for the bulk of the requested improvements.
- **Car Wash/SUP** – The County has received a special use permit application for a car wash on the site adjacent to the Wawa site. The IDA will hold a meeting on August 11th to consider a contract on the site. The Planning Commission will hold a public hearing on the application at its meeting on August 15th.
- **Economic Development Prospect Updates** – The following are updates on our various economic development projects:
 - Five Pillars Meats – Sales contract from IDA to Sekou signed. Site plan, Stormwater, E&S approved - awaiting final building plans.
 - Wawa – Stormwater and Site Plan approved; Traffic Impact Analysis (TIA) submitted to VDOT.
 - IDA Parcel next to Wawa – IDA to consider contract at special meeting on 8/11
 - Harbor Freight - Site plan, Stormwater, E&S approved - awaiting final building plans and closing on property.
 - Kingsville Dollar General - Site plan, Stormwater, E&S approved - building plans approved and permit issued. Site construction started this week with clearing.

In Re: Review of Accounts & Claims (Addendum)

Supervisor Emert made a motion, seconded by Supervisor Cooper-Jones, to accept the County Attorney invoice submitted June 30, 2023; the motion carried:

Aye: Pattie Cooper-Jones
J. David Emert
Llew W. Gilliam, Jr.
Victor "Bill" Jenkins
E. Harrison Jones
Odessa H. Pride
Jerry R. Townsend
Cannon Watson

Nay: None

In Re: Planning Commission Vacancy

At its meeting on April 11, 2006, the Board of Supervisors passed a resolution to increase the membership of the Prince Edward County Planning Commission to its current 10 members.

Mr. Stanley said that since he has been with the County, there have been comments made by members of the Board of Supervisors, the Planning Commission, and the public of shifting to a District appointment process for membership. In that format, there would be eight appointees and the Board member appointee which would reduce the overall membership from ten to nine members. In June, Preston Hunt resigned from the Commission which presents an opportunity to consider this option. Mr. Stanley said the current membership is distributed among the districts with the Buffalo District having three members, Town – 7 with 2, and Districts, 2, 3 (now vacant), and 8 with no representation.

With the upcoming start of the Comprehensive Plan and the updating of the CIP, Mr. Stanley said he is not advocating asking members of the current Planning Commission to resign because the County needs their background and experience. If the Board wants to move forward with the concept, the current vacancy could be left open and, as each vacancy occurs in the future, the Board can look to restructure the Commission with the goal of a representative of each District.

The other option is to try to refill the current vacancy with another resident of District 3 (Leigh) and readdress the membership when there are vacancies in the future.

Following discussion, the Board concurred to bring the issue before the Board at the September meeting.

In Re: 2024 Big South Men's and Women's Basketball Tournament Sponsorship

Mr. Stanley said the County has received a request for support for Longwood's application to host the 2024 Big South Men's and Women's Basketball Tournament. Longwood has asked by the Town and County to provide a financial contribution to support the endeavor and show community commitment to the effort.

The Tournament, typically held the first week of March, would provide a significant local economic boost the week of the tournament bringing players, coaches, staff, families, and fans of 20 Division I men's and women's basketball teams to the Town. It would have a significant impact on meals, lodging, and sales tax for the community. If the request is approved, staff proposed using lodging tax proceeds to support the effort.

Supervisor Townsend made a motion, seconded by Supervisor Watson, to approve the contribution of \$15,000 to support Longwood University in its bid to host the 2024 Big South Men's and Women's Basketball Tournament; the motion carried:

Aye:	Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Victor "Bill" Jenkins E. Harrison Jones Odessa H. Pride Jerry R. Townsend Cannon Watson	Nay: None
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In Re: Properties Committee Report

The Properties Committee, comprised of Supervisor Emert, Supervisor Jenkins, and Supervisor Townsend, met Tuesday, August 8, 2023 at 5:00 p.m. Mrs. Puckett stated the Committee discussed Cell F at the Landfill; the engineers recommend the County clear timber off the three- to four-acre site prior to construction of the landfill cell. She stated the Committee recommends that the Board advertise for bids to clear the timber.

Supervisor Jones made a motion, seconded by Supervisor Cooper-Jones, to advertise for bids to clear timber on the Cell F site at the landfill; the motion carried:

Aye:	Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Victor "Bill" Jenkins E. Harrison Jones Odessa H. Pride Jerry R. Townsend Cannon Watson	Nay: None
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Mrs. Puckett then stated the County had both the Dam Emergency Spillway and the riser structure and infrastructure at Sandy River Reservoir inspected. She said this was the first time that staff is aware that the riser

structure have been inspected; the company found that there are four projects that need repairs which will require the reservoir to be lowered by six inches in order for the gates to be access safely by the individuals that will go in.

Supervisor Townsend made a motion, seconded by Supervisor Emert, to accept the proposal for four valve repairs at a cost of \$55,400; the motion carried:

Aye:	Pattie Cooper-Jones	Nay: None
	J. David Emert	
	Llew W. Gilliam, Jr.	
	Victor "Bill" Jenkins	
	E. Harrison Jones	
	Odessa H. Pride	
	Jerry R. Townsend	
	Cannon Watson	

Mrs. Puckett the Committee discussed furniture that was stored when the Department of Social Services moved from the Courthouse to their new building; she said that over the years, the furniture has been culled, but several old metal desks and other items need to be removed. The Committee reviewed the items and recommend declaring the items as salvage.

Supervisor Jones made a motion, seconded by Supervisor Emert, to declare the remaining items in storage as salvage for disposition; the motion carried:

Aye:	Pattie Cooper-Jones	Nay: None
	J. David Emert	
	Llew W. Gilliam, Jr.	
	Victor "Bill" Jenkins	
	E. Harrison Jones	
	Odessa H. Pride	
	Jerry R. Townsend	
	Cannon Watson	

In Re: Closed Session

Supervisor Cooper-Jones made a motion, seconded by Supervisor Townsend, that the Board convene in Closed Session for discussion of the performance of the County Attorney and discussion of the terms of a public contract for legal services, pursuant to the exemptions provided for in Section 2.2-3711(A)(1) and (A)(29) of the *Code of Virginia*; the motion carried:

Aye: Pattie Cooper-Jones
J. David Emert
Llew W. Gilliam, Jr.
Victor "Bill" Jenkins
E. Harrison Jones
Odessa H. Pride
Jerry R. Townsend
Cannon Watson

Nay: None

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

Aye: Pattie Cooper-Jones
J. David Emert
Llew W. Gilliam, Jr.
Victor "Bill" Jenkins
E. Harrison Jones
Odessa H. Pride
Jerry R. Townsend
Cannon Watson

Nay: None

On motion of Supervisor Cooper-Jones, seconded by Supervisor Townsend, and carried by the following roll call vote:

Aye: Pattie Cooper-Jones
J. David Emert
Llew W. Gilliam, Jr.
Victor "Bill" Jenkins
E. Harrison Jones
Odessa H. Pride
Jerry R. Townsend
Cannon Watson

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.

In Re: Animal Warden's Report

Mr. Adam Mumma, Chief Animal Control Officer, submitted a report for the month of July 2023, 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 July 2023, 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 June 2023, 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 July 2023, which was reviewed and ordered to be filed with the Board papers.

In Re: Tourism and Visitor Center Report

Ms. Molly Kinahan, Marketing Assistant, Department of Economic Development and Tourism, submitted a report for the month of July 2023, which was reviewed and ordered to be filed with the Board papers.

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

Aye:	Pattie Cooper-Jones	Nay:	None
	J. David Emert		
	Llew W. Gilliam, Jr.		
	Victor "Bill" Jenkins		
	E. Harrison Jones		
	Odessa H. Pride		
	Jerry R. Townsend		
	Cannon Watson		

the meeting was adjourned at 10:15 p.m.