

April 9, 2024

At the regular meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday, the 9th day of April, 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: Sarah Elam Puckett, Assistant County Administrator; Robert Love, Director of Planning & Community Development; Trey Pyle, Deputy Emergency Management Coordinator; Terri Atkins Wilson, County Attorney; C. Scott Davis, LP.D., Farmville Town Manager; Barbara A. Johnson, Ed.D., Superintendent; Lynette H. Wright, VREO, Director of Elections & General Registrar; and William L. King, Jr., Assistant Residency Administrator, VDOT.

Chair Cooper-Jones called the April meeting to order.

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

In Re: Conflict of Interest Disclosures

(None)

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 would like to recognize our April 2024 employee of the month, Deputy Peter Carter. “Deputy Carter is always willing to help out, even when it is not within his job description. He volunteers to cover additional shifts and his “paperwork is always done to perfection” and on time. A positive attitude and his devotion to fellow deputies make Peter an incredible asset to Prince Edward County Sheriff’s Office! Thank you for all you do, Carter!”

The Board would like to take this opportunity to congratulate Steve Lee on his retirement. His hard work and dedication over the last 30+ years is appreciated and he will be deeply missed. Congratulations, Steve!

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.

Connor Eickelman, Hampden District, stated he is a senior at Hampden-Sydney College and a volunteer firefighter with the Hampden-Sydney Volunteer Fire & Rescue for the past three and a half years and serving with the Prince Edward Rescue for the past two and a half years, and an employee of Meherrin Volunteer Fire & Rescue for the past year and a half. He said the Public Safety Director position would be a great opportunity for the County to move forward and standardize. He expressed his concern regarding the Farmville Herald's reporting of comments made during a previous Board meeting regarding volunteerism being down and the youth of today not having a drive to work and "sitting on the phone all day." Mr. Eickelman said he has spent a tremendous amount of his time, energy and health over the past four years in order to protect this community. He said instead of finger-pointing, he encouraged the Board to do things to increase volunteerism.

Carter Spawn, Hampden District, stated he is a junior at Hampden-Sydney College and a volunteer with the Hampden-Sydney Fire Department for about three years as well as a paid provider for fire and rescue. He said he is very involved in the public health and public safety in Prince Edward County. He was recently elected as Assistant Chief of the Hampden-Sydney Fire Department; he is interested in seeing the County standardize in the Public Health and Safety. Mr. Spawn said he spends a lot of time recruiting at the college; he stated there needs to be more active discussion and working together to solve this.

In Re: Board of Supervisors Comments

Supervisor Emert thanked all for attending; he stated he feels his comments were taken out of context. He said he appreciates all those that volunteer and those that are paid.

Supervisor Townsend thanked all for coming.

Supervisor Jones thanked all for holding the Board members accountable, for voicing their concerns, and thanked the volunteers, adding that it can't be done without their stepping up.

Supervisor Jenkins thanked all for attending.

Supervisor Watson thanked all for attending; he said the Hampden-Sydney Fire year-end celebration was wonderful, and said that so many are unwilling to do what successful people and [public] servants are willing to do, and expressed his appreciation.

Supervisor Pride thanked all for attending and thanked the young men for their service to the County. She then congratulated Steve Lee on his retirement and Deputy Carter for his service.

Supervisor Gilliam expressed his congratulations to Deputy Carter and Steve Lee.

Chair Cooper-Jones thanked everyone in attendance and stated Prince Edward County is pleased with the Court's ruling earlier in the day.

In Re: Consent Agenda

Supervisor Townsend stated a correction was needed in the March 19, 2024 meeting minutes regarding the request for tar and gravel on "all unpaved sections of Mountain Creek Road, all the way to Leigh Mountain Road."

On motion of Supervisor Emert, seconded by Supervisor Jones, 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

the Board accepted the February 2024 Treasurer's Report; the minutes of the meeting held March 12, 2024 at 5:30 p.m., March 12, 2024 at 7:00 p.m., March 19, 2024 at 2:00 p.m. with amendments, and March 26, 2024 at 5:30 p.m.; Accounts and Claims, Board Mileage Sheets; and Salaries.

Prince Edward Treasurer's Report - February 2024

Name of Bank	Ref #	Int. Rate	Int. Paid	Bank Balance
Benchmark Pooled Fund Account	7654	3.50	\$60,311.34	\$21,807,521.44
Benchmark Social Services	9746			\$173,614.24
Benchmark School Fund	3352			\$4,132,530.83
Benchmark Food Service	3742			\$377,347.24
TOTAL				\$26,491,013.75

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

Certificates of Deposit

	Ref #	Int. Rate	Bank Balance	Available Balance
Benchmark	0994	1.00	\$123,814.39	
	0995	1.00	\$123,814.39	
Recreation Fund	0998	3.55	\$17,617.51	
Benchmark 5 Yr CD-letter of credit	0632	1.00	\$669,770.22	\$935,016.51
Benchmark Investment Acct	L796	3.09	\$2,495,000.06	\$2,495,000.06
Farmers Bank	2465	0.50	\$110,453.31	
	2466	0.50	\$110,453.31	
Underground Storage	2478	0.60	\$23,111.81	
	3494	4.66	\$2,628,923.64	
	3454	4.65	\$2,587,121.33	
	3475	4.64	\$5,176,532.48	\$10,636,595.88
TOTAL				\$14,066,612.45
GRAND TOTAL				<u>\$40,557,626.20</u>

In Re: Community Partner Update – Town of Farmville

C. Scott Davis, LP.D., Farmville Town Manager, reported Town paving projects will be done by June 30 at a cost of \$1.1 million.

Mr. Davis then reported the SplashPad is not yet complete but expect completion around May. He said restroom facilities will be installed in 2024-2025. He then said the work at Grove Street Park should be complete by the end of June.

Mr. Davis said Council will meet on April 10 for the public hearing on the Town FY24-25 budget, of approximately \$25.4 million. He then stated one additional full-time firefighter position and a part-time recreation position will be added.

Mr. Davis then stated salary increases would consist of a \$3,000 across the board raise for full-time Town employees; part-time employees would receive a \$1.00 per hour increase. He said new 911 call-handling equipment will be added to the Communications Center, the Fire Department will get a new EMS vehicle and will begin phasing renovations, such as Town Hall opened in 2007 and will be receiving fresh paint, and the Train Station, will be rented on a regular basis, and the Public Works building is in need of some renovations.

Mr. Davis then reported a Conditional Use Permit is pending and will be heard by the Town Planning Commission for a 12MW solar project off of Cedar Lane. Discussion continues on planning a development ordinance

for the Town. He added that the Town is supportive of the Radio System upgrades and is partnering with Prince Edward County to have a better system for all public safety individuals.

Supervisor Jones asked for paving to be done on Randolph Street, off Third Street, next to the Presbyterian Church. Discussion followed regarding paving in that area.

Supervisor Gilliam questioned the schedule for the round-about. Mr. Davis said it will go to bid in 2026 with construction to begin in 2027.

In Re: Community Partner Update – Prince Edward County Public Schools

Dr. Barbara A. Johnson, Ed.D., Superintendent of Prince Edward County Public Schools, reported construction is moving along with Moseley Architects. She said they will have mobile classrooms positioned on the blacktop behind the Elementary School in July for Grades 3-4 for the 2024-2025 school year. She said Moseley will provide a full presentation at the School Board meeting on April 10.

Dr. Johnson discussed the issue of chronic absenteeism, which means the students are absent more than 10% of the school year. She said the Elementary is at 21%, the Middle School is at 18%, and the High School is at 23%. She added that 10% is expected. She stated the Support Specialist specifically works with chronic absenteeism and assists any family that is in need. She said they have incentivized attendance, providing prize giveaways and larger incentives such as trips.

Dr. Johnson stated the SOL testing will begin in two weeks and will be held throughout May. She said graduation is May 18th; other activities and information can be found on the school's website or the app.

Supervisor Jones stated the absenteeism is an issue outside of your control, and asked what the #1 area of challenge that is within the school's control. Dr. Johnson said that is teaching and literacy. She said corrective action plan is in place and they are changing some practices to ensure all students are literate.

Supervisor Pride asked what they are planning to do with the high school students on the SOLs, with 23% absenteeism, and what other steps are being taken at the High School. Dr. Johnson said there are incentives, to include day trips and dances. She said attendance is compulsory; the other part of what the Support Specialist does is to contact families and files the necessary paperwork with the courts.

Supervisor Pride then suggested taking the student's driving privileges and work closely with parents. Dr. Johnson stated some parents work with the school and some do not.

Supervisor Gilliam said he sat in on some of the classes; he said the instructors would put the assignments on the board and then sat down. Supervisor Gilliam said he told the instructors that they need to engage the students and show that they care about what the students are doing. Dr. Johnson said sometimes the material being taught is not engaging.

In Re: Community Partner Update – Elections & General Registrar

Lynette H. Wright, VREO, Director of Elections & General Registrar, presented information on the procedures taken during the election cycles. She said early voting is held every election, providing 45 days to vote in person or by mail, and there is permanent absentee voting availability. She stated elections in 2024 include an election on January 9, March 5, and upcoming elections will be held June 18 and November 5.

Discussion followed regarding election workers and how votes are tabulated. Mrs. Wright stated there is one full-time position in her office; she stated no totals may be tabulated until the election is complete. She said the ballots stay in the machine, and mail-in ballots are checked to make sure they are complete and then are checked in.

In Re: Highway Matters

William A. King, Jr., Assistant Residency Administrator, reported crews are working on brush cutting, pothole repair, and work orders. He said they are closing out the end of [winter] season and are getting ready for next season. Other activities include pipe repair, pavement, and gravel road maintenance.

Mr. King said repair work at the Dollar General in Prospect has been completed, as requested by Supervisor Emert; pipe repair has been completed as requested by Supervisor Townsend, and tree work is being done on Twenty Two Road and [Route] 650.

Mr. King thanked the Board for working with him on the Six-Year Plan; he added Mr. Frederick may be back in late May.

Supervisor Emert asked to clarify that nothing is taken into the state [road] system once a road has a certain number of residences; Mr. King said a road may not be added to the state system unless [the residents] bring the road up to state standards.

Supervisor Townsend reported the need to pull the ditch line on Oak Grove Road.

Supervisor Gilliam reported Singleton Road, over the past year, work was done and water is coming down the ditch line and coming to the edge of the road again; he said it needs pulled back.

Supervisor Townsend asked if VDOT has hired a contractor. Mr. King said VDOT has hired a mowing contractor and they have been working on “early litter removal” prior to cutting. Supervisor Townsend reported some of the trash bags have been missed. Mr. King then said proposed trash removal will cost \$230,000 residency-wide, with a cost of \$70,000 for Prince Edward County.

Due to the availability of the draft Six-Year Plan and the public hearing advertising requirements, the Public Hearing on the draft VDOT Six-Year Plan will be held Tuesday, May 14, 2024 at 7:30 p.m.

In Re: Public Hearing – Amendments to Appendix B-Zoning, Signs

Chair Cooper-Jones announced that this was the date and time scheduled for a public hearing to receive citizen input prior to considering amendments to Appendix B – Zoning of the Prince Edward County Code in order to allow for additional signage on corner and double-frontage lots. Notice of this hearing was advertised according to law in the Wednesday, March 27, 2024 and Wednesday, April 3, 2024 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Robert Love, Director of Planning & Community Development, stated the County received a request by Blackwood Capital, LLC to amend the Zoning Ordinance to allow for the installation of additional signage at a convenience store & fuel station on a parcel of land denoted as Tax Map Parcel 051-A-33, located on the west side of Farmville Road (State Route 15), at its intersection with Commerce Road (State Route 628). This parcel is in the Commercial zoning district and is within the Highway Corridor Overlay District.

Current sign regulations limit signage to one sign per sign type in the various zoning districts. At the February Planning Commission meeting, staff presented a Draft Ordinance Amendment with new language, which was reviewed and authorized for advertisement for a public hearing at their next meeting. The Planning Commission held the public hearing on March 19, 2024, where no one spoke in either support or opposition of the proposed new language. The Planning Commission unanimously recommended approval of the proposed Ordinance Amendment, referring the matter to the Board of Supervisors.

Chair Cooper-Jones opened the public hearing.

There being no one wishing to speak, Chair Cooper-Jones closed the public hearing.

Supervisor Emert questioned the language specifying the number of the different types of signs permitted.

Mr. Love said there is a maximum allowance of four signs with up to two of the same type. Discussion followed.

Supervisor Emert made a motion, seconded by Supervisor Townsend, to approve the Ordinance Amendment to amend Appendix B of the Prince Edward County Code (Zoning) in order to allow for additional signage on corner and double frontage lots with the amendment specifying a maximum of 30 square feet on each face, and two signs of the same type with a maximum number of four signs; 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	

AN ORDINANCE TO AMEND APPENDIX B OF THE PRINCE EDWARD COUNTY CODE (ZONING) TO AMEND SECTION 2-1300.5 AND SECTIONS 3-104.5, 3-104.7, 3-104.9, & 3-104.11 TO INCREASE THE NUMBER OF ALLOWABLE SIGN TYPES ON CORNER AND DOUBLE FRONTAGE LOTS.

Sec. 2-1300.5. Design standards.

H. *Signs.*

1. In addition to the general sign requirements of this ordinance, any commercial development having more than one business in a single building or in connected buildings must erect a single monument-style shared sign for all businesses, though each business may also have one building-mounted sign.
2. Each parcel of property occupied by a building shall be permitted one freestanding sign, **except on corner and double frontage lots which shall be permitted up to two freestanding signs. Such signs shall have a maximum of 30 square feet on each face.**
 - (a) Automobile service stations shall be permitted an additional 20 square feet on each face to advertise the price of fuel.
 - (b) In instances where more than one business is located in the same building or connected buildings, the businesses must share one common ground mounted sign. Each business may still have an individual building-mounted sign.
3. Freestanding signs shall be mounted on bases a maximum of three feet high. If the specific location of a sign requires a base of more than three feet to provide adequate visibility the zoning administrator or planning commission may approve a taller base. No freestanding sign shall exceed 12 feet from grade.
4. Freestanding signs for shopping centers shall be allowed ten square feet of area per business establishment. An additional 25 square feet shall be allowed to identify the shopping center as a whole. For the purposes of the corridor overlay district, a shopping center shall be defined as:
 - (a) Groups of two or more stores, personal service shops or restaurants connected by party walls, partitions, canopies or similar features;
 - (b) Some or all of the stores, personal service shops or restaurants located in separate buildings designed as a single commercial group sharing common parking areas, vehicular travel-ways, and walkways designed to encourage customer interchange between the buildings and presenting the appearance of a continuous commercial area.

5. In addition, each business within the shopping center shall be permitted one monument identification sign with the name and/or logo of the business, **except on corner and double frontage lots which shall be permitted up to two monument signs.** Such signs shall be a maximum of 16 square feet in size and a maximum height of four feet.
6. If the nearest point of a freestanding sign is located within five feet of the street right-of-way, its location must be approved by VDOT or designee, who will evaluate the location for sight line and other traffic safety considerations.
7. Signs shall be appropriately scaled to the building or portion of the building served and should be coordinated with the architecture and building materials.
8. Types of signs: The following sign types shall be permitted in the corridor overlay district:
 - (a) Externally illuminated signs provided the light source is directed downward;
 - (b) Internally illuminated channel letters; and
 - (c) Internally illuminated cabinet sign if the background of the cabinet sign is opaque and appears black at night.
 - (d) Additional sign types fitting within the recommended materials may be considered. Animated or neon signs may be considered subject to a special use permit.
9. No wall sign shall project beyond the surface of the building or above the roofline.
10. Inflatable figures or signs are not permitted in the corridor overlay district.
11. Banner signs may be permitted for temporary use only, but shall be displayed for a maximum of 30 days within any 90-day period.

I. *Lighting.*

1. Exterior lighting shall be limited to that necessary for safety, security, and to complement architectural character.
2. No light shall spill onto an adjacent property or interfere with the character of the surrounding area.
3. All light sources must be down-shielded, and no light pylon shall be more than 24 feet high in height.
4. All lighting fixtures installed on any site shall be of the same type and height.

(Ord. of 12-10-13; Ord. of 12-14-21)

Sec. 3-104.5. Signs—Agricultural conservation district.

The agricultural conservation district encourages agriculture, forestry, very low density residential development, and related uses. It is not desirable to erect numerous signs in the pastoral setting provided in the agricultural conservation district.

For any commercial or civic-use activity by right or by special-use permit in the agricultural conservation district, sign uses are as in section 3-104.1 above and as follows:

Permitted: No more than two of the following may be used for a single business location, **except on corner and double frontage lots which shall be permitted up to two of each sign type, with a maximum allowance of four signs total.**

1. Monument signs not exceeding four feet in height and 24 square feet in size, not more than one per business operation.
2. Storefront signs not exceeding four feet in height and 16 feet in width, not more than one per business operation.
3. Projecting signs not exceeding 24 square feet, not more than one per business operation.
4. Pole signs not exceeding 40 square feet placed with the bottom no more than six feet from the ground, not more than one per business operation.

Special use:

1. Illuminated signs.
2. Banner signs.
3. Animated, electronic, or air-filled signs.
4. Outdoor neon signs.
5. Pole signs with a maximum height exceeding 12 feet. No pole sign may have a maximum height more than six feet higher than the business building to which it relates.

(Ord. of 7-8-14)

Sec. 3-104.7. Signs—Agricultural residential district.

This district is intended to be the location of most new residential development in the county. Agriculture, forestry and related uses are also allowed within A2 districts.

For any commercial or civic-use activity by right or by special-use permit in the agricultural residential district, sign uses are:

Permitted: No more than two of the following may be used for a single business location, **except on corner and double frontage lots which shall be permitted up to two of each sign type, with a maximum allowance of four signs total.**

1. Monument signs not exceeding four feet in height and 32 square feet in area, not more than one per business operation. Monument signs which are integrated into a brick, stone, or wood architectural feature or an earthen berm, all of which shall be permanently landscaped, may exceed four feet in height to a maximum of seven feet.
2. Storefront signs not exceeding four feet in height and 16 feet in width, not more than one per business operation.
3. Projecting signs not exceeding 24 square feet, not more than one per business operation.

Special use:

1. Illuminated signs.
2. Banner signs.
3. Pole signs. No pole sign may have a maximum height more than six feet higher than the business building to which it relates.

(Ord. of 7-8-14)

Sec. 3-104.9. Signs—Other residential districts (R1, R2, R3).

No commercial uses are permitted in these districts (gasoline station and convenience store by special use permit (SUP) only); accordingly, no commercial signs are allowed except by SUP and will be reviewed as part of the site plan for construction. However, civic-use signs such as those for community organizations, schools, or churches may be placed under the same conditions as those for the agricultural residential district in section 3-103.2.

Large residential signs may be permitted at the main entrances to a subdivision, planned unit or multi-family development. One sign may be permitted on either side of the entrance if such sign is on private property. Signs shall not exceed 50 square feet in area. Sign should be an identification sign only, limited to the name of development on site.

(Ord. of 7-8-14)

Sec. 3-104.11. Signs—General commercial district.

For any commercial or civic-use activity by right or by special-use permit in the general commercial district, sign uses are as permitted in section 3-104.1 above and as follows:

Permitted: No more than two of the following may be used for a single business location, **except on corner and double frontage lots which shall be permitted up to two of each sign type, with a maximum allowance of four signs total.**

1. Monument signs not exceeding four feet in height and 32 square feet in area, not more than one per business operation. Monument signs which are integrated into an attractive brick, stone, or wood architectural feature or an earthen berm, all of which shall be permanently landscaped, may exceed four feet in height to a maximum of seven feet;
2. Storefront signs not exceeding six feet in height and 24 feet in width, not more than one per business operation.
3. Projecting signs not exceeding 40 square feet, not more than one per business operation.
4. Pole signs not exceeding 40 square feet placed with the sign's bottom no more than eight feet from the ground, not more than one per business operation. Signs exceeding 16 feet in height or the height of the building, whichever is less, require a special use permit.
5. Directory signs may be utilized by a commercial complex subject to the same size requirements as monument or pole signs with each occupant being entitled to one directory panel.
6. Illuminated signs.

Special use:

1. Banner signs.
2. Animated or electronic signs.
3. Outdoor neon signs.
4. Pole signs with a maximum height exceeding 16 feet or the height of the building, whichever is less. No pole sign may have a maximum height more than six feet higher than the business building to which it relates.

(Ord. of 7-8-14; Ord. of 9-8-15)

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

In Re: Public Hearing Withdrawal – New Leaf Energy SUP

Mr. Love stated the New Leaf Energy Special Use Permit application has been withdrawn by the applicant. This was for the solar project on Old Ridge Road.

In Re: New Energy Equity, LLC, Request for Extension of Special Use Permit

Mr. Love stated the county has received a request from New Energy Equity, LLC on behalf of Impact Power Solutions, LLC for an extension of the Special Use Permit (SUP) 2022-05-01, which was approved on May 10, 2022.

The SUP was to allow the applicant to construct and operate a 5MWac solar energy facility on Tax Map Parcel 043-A-36, containing a total of 33.6 +/- acres on Llama Road, Pamplin, VA.

Section 15.2-2209.1.2 of the Code of Virginia allows that any land use approvals for solar photovoltaic projects outstanding as of July 1, 2023, the deadline may be extended by resolution of the governing body until July 1, 2026. Staff has reviewed the matter and has no issues or objections to the request which is being made in order to allow the developer time to complete the project.

The Code of Virginia does not require a Public Hearing to be held prior to the adoption of a resolution for extending the deadline, but the Board has that option if desired.

Supervisor Emert asked if the agreements remain in force and they are still liable with the new name.

Terri Atkins Wilson, County Attorney, stated the name has been changed; Mr. Love added that New Energy Equity, LLC has executed a new siting agreement which covers the County.

Supervisor Watson made a motion, seconded by Supervisor Gilliam, to approve the resolution to extend the SUP deadline for the construction and commencement of operation of the proposed solar facility by Impact Power Solutions, LLC identified in SUP #2022-05-01 until July 1, 2026; 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		

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

**SPECIAL USE PERMIT EXTENSION REQUEST
IMPACT POWER SOLUTIONS, LLC (REEVE SHARED SOLAR PROJECT)**

WHEREAS, the Prince Edward County Board of Supervisors approved a Special Use Permit (SUP) #2022-05-01 for a 5MW solar facility located on Tax Map 043-A36 containing 33.6 +/- acres; and

WHEREAS, the Condition #23 of the SUP stipulated that the project "shall be constructed and operational within two (2) years of approval. The Zoning Administrator may approve an extension of up to one year upon written request from the Applicant detailing the need for an extension; and

WHEREAS, the applicant requested the one-year extension and such extension was approved by the County on March 8, 2024 through May 10, 2025 and the applicant has formally requested that permit be extended until July 1, 2026; and

WHEREAS, Section 15.2-2209.1.2 of the Code of Virginia allows for the extension of land use approvals for photovoltaic projects approved prior to July 1, 2023 may be extended by a resolution of the governing body until July 1, 2026, and

WHEREAS, the applicant, New Energy Equity, has indicated that the additional time is needed to get the project permitted and constructed, and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Prince Edward, Virginia, does hereby extend the deadline for the construction and commencement of operation of the proposed solar facility identified in SUP #2022-05-01 until July 1, 2026.

Certification

I hereby certify that the foregoing resolution was duly considered by the Board of Supervisors of the County of Prince Edward, Virginia at a regular board meeting in Prince Edward, Virginia at a regular board meeting in Prince Edward County, Virginia, at which a quorum was present and that same was passed this 9th day of April, 2024.

In Re: Public Safety Radio System - Financing

Trey Pyle, Deputy Emergency Management Coordinator, stated that in March 2022, the Board of Supervisors authorized the County Administrator to enter in to a contract with CTA Consultants, LLC to review the current public safety radio systems in Prince Edward County. This study was completed and the final report presented to staff in December of 2022 and Public Safety Committee in January 2023. CTA's report found there were currently seven independent radio systems in operation within Prince Edward County. These systems had several issues noted, such as, lack of redundancy, lack of coverage, lack of operability and interoperability, and equipment at end of life. The recommendation was to combine all systems into one Countywide UHF Phase 2 Trunked Radio System. This approach would provide complete countywide coverage, be cost effective, provide operability and interoperability, and flexibility for future growth.

In April 2023, the Board of Supervisors authorized the County Administrator to start Phase Two of the radio system project. This phase developed the Procurement Document, Evaluation of the Proposal, and Contract Analysis. At the end of this phase a contractual price for the system with details on system specifications would be available.

In November 2023, CTA met with Motorola and County Staff to review and discuss the proposal and system price. It has been determined that the proposed Motorola Countywide P25 UHF Phase 2 Trunked Radio System has been designed for the needs of public safety currently and future growth within Prince Edward County. The proposal brought all public safety partners, Farmville Police Department, Prince Edward Sherrif's Department, Longwood Police Department, Hampden Sydney Police Department, and all Fire/Rescue, together seamlessly on one robust, dependable, unified radio system. County Public Works and Solid Waste will be included in the system also with space available to incorporate Public Schools in the future.

At its meeting on December 12, 2023, the Board approved the purchase of Countywide P25 UHF Phase 2 Trunked Radio System from Motorola as outlined. Such approval was subject to the approval by the Town of

Farmville, Longwood University, and Hampden-Sydney College for their portions of the project. The Board further authorized the County Administrator to sign all necessary contracts with Motorola and directed the County Administrator to work with VML/VACO to secure financing for the project.

VML/VACO solicited proposals from dozens of banks including, local, regional, and national financial institutions. They received four proposals. Webster Bank proposed a fixed rate of 4.24% for a 12-Year Term and 4.36% for a 15-Year Term loan. The proposal includes an early redemption provision during the initial three years of the loan up to \$4 million which would encompass the grants that we have identified. This will allow the County to move forward with the loan at this time, apply for the grants, and receive notification of award and potentially reduce the size of the borrowing.

Similar projects have been financed for a period of 5-15 years through a lease-purchase program. Motorola can provide financing, though it is typically at a higher interest rate than we can obtain through tax-exempt financing. Staff asked VML/VACO for financing alternatives at 12/15 terms. Mr. Pyle said he has also asked them to push the date of the first payment past July 1, 2024 (FY25 budget) which would give additional time to build finance payments into the budget. In the current budget (FY24), we have \$100,000 included in the budget and the Board has included \$250,000 in the draft FY25 budget. In addition to the annual cost of debt service, the County and other partners will be responsible for annual maintenance costs beginning with year #2 of the project.

Supervisor Townsend made a motion, seconded by Supervisor Emert, to approve the financing resolution and Equipment Lease Purchase Agreement to finance the purchase of Countywide P25 UHF Phase 2 Trunked Radio System from Motorola and the Memorandums of Agreement (MOA) with the Town of Farmville, Longwood University, and Hampden-Sydney College as outlined. Such approval is subject to the approval by the Town of Farmville, Longwood University, and Hampden-Sydney College of their respective MOAs for the project, and to further move that the Board authorize the Chairman, County Administrator, and Finance Director to sign all necessary financing documents with VML/VACO for the project; 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	

A RESOLUTION OF THE BOARD OF SUPERVISORS, THE GOVERNING BODY OF THE COUNTY OF PRINCE EDWARD, VIRGINIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE PURCHASE AGREEMENT WITH RESPECT TO THE ACQUISITION, FINANCING AND LEASING OF CERTAIN EQUIPMENT FOR THE PUBLIC BENEFIT WITHIN THE TERMS PROVIDED HEREIN; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION.

WHEREAS, the County of Prince Edward, Virginia (the "Lessee"), a duly organized and existing political subdivision of the Commonwealth of Virginia is authorized by the laws of the Commonwealth of Virginia to acquire, finance and lease personal property for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto; and

WHEREAS, the Lessee desires to acquire, finance and lease certain equipment, namely a countywide public safety communications system, with a cost not to exceed \$4,984,000 constituting personal property necessary for the Lessee to perform essential governmental functions (the "Equipment"); and

WHEREAS, in order to acquire such Equipment, the Lessee proposes to enter into that certain Equipment Lease Purchase Agreement, including a proposed Rental Payment Schedule, (the "Agreement") with Webster Bank, National Association (or one of its affiliates), as lessor, (the "Lessor"), the form of which has been presented to the governing body of the Lessee at this meeting; and

WHEREAS, the Board of Supervisors of Lessee, the governing body of the Lessee, deems it for the benefit of the Lessee and for the efficient and effective administration thereof to enter into the Agreement and the other documentation relating to the acquisition, financing and leasing of the Equipment to be therein described on the terms and conditions therein and herein provided;

Now, THEREFORE, BE IT AND IT Is HEREBY RESOLVED by the Board of Supervisors of the County of Prince Edward, Virginia, as Lessee, as follows:

Section 1. Findings and Determinations. It is hereby found and determined that the terms of the Agreement, in the form presented to the governing body of Lessee at this meeting, are in the best interests of the Lessee for the acquisition, financing and leasing of the Equipment.

Section 2. Approval of Documents. The form, terms and provisions of the Agreement, including Exhibits thereto, are hereby approved in substantially the forms presented at this meeting, with such insertions, omissions and changes as shall be approved by the Chair of the Board of Supervisors of the Lessee and the County Administrator (each an "Authorized Signatory") of the Lessee or other members of the governing body of the Lessee executing the same, the execution of such documents being conclusive evidence of such approval; and the Board Clerk of the Lessee is hereby authorized to affix the seal of the Lessee to such documents.

Section 3. Tax Provisions. Lessee intends the Rental Payments to be tax-exempt and covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bond to be an "arbitrage bond" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations issued pursuant thereto (the "Code"), or otherwise cause interest on the Rental Payments or other payment obligations under the Agreement to be includable in the gross income of the registered owner thereof under existing law. Without limiting the generality of the foregoing, Lessee shall comply with any provision of law that may require Lessee at any time to rebate to the United States any part of the earnings derived from the investment of gross proceeds as a result of the Agreement, unless Lessee receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest payable under the Agreement from being included in the gross income for federal income tax purposes of the registered owners thereof under existing law. Lessee shall pay any such required rebate from legally available funds. Further, Lessee covenants that it shall at all times conduct or cause to be conducted the use of, or the expenditure of, the proceeds under the Agreement so as not to permit more than the five percent (5%) for Nonexempt Uses, as that term is used in the Section 141 of the Code. Each of the Authorized Signatories is authorized

and directed to execute and deliver an IRS Form 8038-G in a form approved by such officers and the Lessee's bond counsel.

Section 4. Other Actions Authorized. The officers and employees of the Lessee shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement.

Section 5. No General Liability. Nothing contained in this Resolution, the Agreement, nor any other instrument shall be construed with respect to the Lessee as incurring a pecuniary liability or charge upon the general credit of the Lessee or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreement, or any other instrument or document executed in connection therewith impose any pecuniary liability upon the Lessee or any charge upon its general credit or against its taxing power, except to the extent that the Rental Payments payable under the Agreement are limited obligations of the Lessee, subject to annual appropriation, as provided in the Agreement.

Section 6. Appointment of Authorized Lessee Representatives. The County Administrator and Director of Finance of the Lessee are each hereby designated to act as authorized representatives of the Lessee for purposes of the Agreement and any account or disbursement agreement until such time as the governing body of the Lessee shall designate any other or different authorized representative for purposes of the Agreement.

Section 7. Severability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 8. Repealer. All bylaws, orders and resolutions or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency with respect to this Resolution. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance or part thereof.

Section 9. Effective Date. This Resolution shall be effective immediately upon its approval and adoption.

In Re: Public Safety Radio System – Consultant Agreement

Mr. Pyle stated that as the board is aware, in December 2023 the County entered into a contract with Motorola Solutions to construct a Countywide UHF P25 Trunked Radio System. This emergency communications radio system will provide the vital link in public safety for years to come.

For the past two years, the county has used the services of CTA to assist with radio needs assessment, design review, and procurement. The final phase of the project will have several implementation steps, along with coverage testing and final acceptance of the system.

In this final phase, CTA would be responsible for assisting the county in design review, tower site construction, radio equipment installation, subscriber installation, system testing, system cutover, and final system acceptance.

The county is actively working to apply for State Homeland Security Program Grant - SHSP to provide funding for the services of CTA. This 100% federally funded grant will be opening in the coming months and require no match from the county.

The knowledge of CTA's staff thus far in the project has proven invaluable. Their history of public safety radio systems will ensure our system is designed, installed, and implemented properly.

Supervisor Jones made a motion, seconded by Supervisor Townsend, to approve CTA's Change Order #2 - Implementation Services, for the duration of the final phase of the radio system project; 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: Agreement with Cumberland County for Board of Building Code Appeals

Sarah Elam Puckett, Assistant County Administrator, stated Prince Edward County's Board of Building Code Appeals currently serves as the Local Appeals Board for the Town of Farmville. Cumberland County has reached out to Prince Edward to inquire if we would be amenable for allowing our Board to serve as the Appeals Board for Cumberland. These Boards typically meet once or twice a year or less which makes it difficult to maintain adequate training. In addition, varied professions are needed, including contractors and architects represented on the Board which is hard to find in smaller localities. In review of the request with Building Official Phillip Moore, staff feel that it would be good for our Board and keep their skills sharp.

Mrs. Puckett stated the expenses for the Board of Building Code Appeals will be borne by the locality for which the Board would be serving.

Supervisor Townsend made a motion, seconded by Supervisor Watson, to approve the attached Memorandum Of Agreement with Cumberland County to allow the Prince Edward County Board of Building Code Appeals to serve as the Cumberland County Local Board of Building Code Appeals and to authorize the County Administrator to sign the MOA as outlined; 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

THIS AGREEMENT is made this 9th day of April, 2024, by and between **CUMBERLAND COUNTY, VIRGINIA** (hereinafter "Cumberland") and **PRINCE EDWARD COUNTY, VIRGINIA**, (hereinafter "Prince Edward"):

WHEREAS, Cumberland from time to time receives an appeal of a decision rendered by its Building Official; and

WHEREAS, Virginia Code Section 36-105 requires that all appeals of decisions rendered by a Building Official be heard by a Local Board of Building Code Appeals; and

WHEREAS, at the present time, Cumberland does not have an active Local Board of Building Code Appeals; and

WHEREAS, Virginia Code Section 36-105 permits a locality without a Local Board of Building Code Appeals to enter into an agreement with another Virginia locality to have its appeal heard by the locality's Board; and

WHEREAS, Prince Edward has an active Local Board of Building Code Appeals and has confirmed that it is willing to provide assistance to Cumberland.

NOW, THEREFORE, in consideration of the mutual benefits, promises, and undertakings, the sufficiency and receipt of which are acknowledged, the following terms and conditions are agreed to by the parties to this agreement:

1. Any appeals of decisions rendered by the Cumberland County Building Official will be heard by the Prince Edward County Local Board of Building Code Appeals.
2. Any fees for the appeal will be paid directly to Prince Edward by the appellant.
3. Any expenses incurred by Prince Edward for the appeal that are not covered by the appeal fee shall be reimbursed by Cumberland.
4. Cumberland will provide its own legal counsel to represent Cumberland's interest.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day first written above.

CUMBERLAND COUNTY, VIRGINIA

Derek Stamey County Administrator

PRINCE EDWARD COUNTY, VIRGINIA

Douglas Stanley County Administrator

In Re: FY 24 School Appropriation, State Grant Funds

The Board of Supervisors has received two requests from the Prince Edward County School Board to appropriate the state funds described below for a total of \$19,800.00 for the 2023-2024 school year. There is no local match required for this appropriation.

FY24 BUDGET SUPPLEMENTS

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	250	024020	0105	Teacher Leadership in Action		\$16,200.00
3 (Rev)	250	024020	0130	Principal Ldr Network Award		\$3,600.00
4 (Exp)	250	061000	0001	Instruction	\$19,800.00	

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
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In Re: Appropriation – PECPS Committed Funds

The County received an invoice in the amount of \$576,787.46 from Moseley Architects for the Renovations to Prince Edward County Elementary School. The PECPS Capital Improvement Committed Fund available balance is currently \$3,049,263.41. The Board is asked to transfer \$576,787.46 from the PECPS Capital Improvement committed funds to the School CIP line within the General Fund to cover this expense.

FY24 BUDGET SUPPLEMENT

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	41050	0202	Transfer from SP Fund		\$576,787.46
4 (Exp)	100	94000	0250	School CIP	\$576,787.46	
3 (Rev)	202	41050	0202	From SP Fund Balance		\$576,787.46
4 (Exp)	202	93000	0100	Transfer to General Fund	\$576,787.46	

TRANSFER

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	41050	0202	Transfer from SP Fund		\$576,787.46
0	100	100	0001	Cash with Treasurer	\$576,787.46	
0	202	100	0001	Cash with Treasurer		\$576,787.46
4 (Exp)	202	93000	0100	Transfer to General Fund	\$576,787.46	
0	999	300	0100	General Fund		\$576,787.46
0	999	300	0202	Special Projects Fund	\$576,787.46	
0	202	300	0001	SP Fund Balance		\$576,787.46
0	202	300	0310	SP – PECPS Cap Imp	\$576,787.46	

Supervisor Emert made a motion, seconded by Supervisor Townsend, to approve the FY24 County Budget supplement and appropriate the same funds; the motion carried:

<p>Aye:</p> <p>Pattie Cooper-Jones J. David Emert Llew W. Gilliam, Jr. Victor “Bill” Jenkins E. Harrison Jones Odessa H. Pride Jerry R. Townsend Cannon Watson</p>	<p>Nay: None</p>
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In Re: Appropriation – Four-for-Life

The County has received a check in the amount of \$18,945.68 on June 28, 2023 from the Virginia Department of Health from the 2022 Four-For-Life program calendar year. These funds, pursuant to Section 46.2-694, Code of Virginia, shall be used only for emergency medical services.

The Board is asked to approve and appropriate as follows:

FY24 BUDGET SUPPLEMENT

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	41050	0100	General Fund Balance		\$18,945.68
4 (Exp)	100	32300	7014	Four-for-Life	\$18,945.68	
				<i>HS First Responders</i>	\$2,000.00	
				<i>Meherrin Rescue</i>	\$4,236.42	
				<i>PEVRS</i>	\$12,709.26	

Supervisor Townsend made a motion, seconded by Supervisor Gilliam, to approve the FY24 County Budget supplement 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
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In Re: Appropriation – ARPA Law Enforcement Equipment Grant

The Virginia Department of Criminal Justice Services has awarded Prince Edward County Sheriff’s Department an additional \$47,000 for a total of \$461,000 through ARPA Law Enforcement Grant Program for equipment. This is a reimbursement grant to which no local match is required. The Board is asked to appropriate these additional funds as follows:

FY24 BUDGET SUPPLEMENT

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	33010	0102	ARPA Equip Grant – Sheriff		\$47,000
4 (Exp)	100	31200	6026	ARPA Equipment Grant	\$47,000	

Supervisor Townsend made a motion, seconded by Supervisor Jones, to approve the FY24 County Budget supplement 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
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In Re: Appropriation – Sheriff’s Office Grants & Reimbursements

The Sheriff’s Department received State grant and reimbursement funding totaling \$15,049.09. Each grant is designated to a specific purpose as required and reported. The Board is asked to appropriate funds as follows:

FY24 BUDGET AMENDMENTS

Rev/Exp	Fund	Dept	Object	Description	Debit	Credit
3 (Rev)	100	24040	0036	DCJS-TDO/ECO Reimb		\$7,085.00
3 (Rev)	100	24040	0044	DMV Speed Grant		\$4,921.59
3 (Rev)	100	24040	0045	DMV Alcohol Grant		\$806.50
3 (Rev)	100	24040	0033	LOLE Block Grant		\$2,236.00
4 (Exp)	100	31200	1202	Salaries & Wages – OT	\$9,321.00	
4 (Exp)	100	31200	1200	Salaries & Wages – Speed	\$4,921.59	
4 (Exp)	100	31200	1203	Salaries & Wages – Alcohol	\$806.50	

Supervisor Townsend made a motion, seconded by Supervisor Emert, to approve the FY24 County Budget supplement 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 work over the past month included:

- the Harbor Freight real estate contract has closed;
- review of the contract on the dedication of Hampden Lane;
- reviewed and updated the siting agreements on the Miller Lake and Piney Grove solar projects;
- approval of a Regional Drug Court Treatment Docket Consulting Service contract;
- review of the new Community Partners [contract] with the new radio project with Hampden-Sydney College, Longwood University, and the Town of Farmville.

In Re: County Administrator Update

Mrs. Puckett presented the County Administrator’s report:

- Hurt&Proffitt has completed all of the field work, they are processing data and preparing the plat for the Nottoway/Prince Edward Boundary Line. They estimate they are approximately 70% complete.
- The New Leaf Solar Project – the applicant has withdrawn the application; the County expects the property owner to look at logging the remaining property and potentially further subdivision of residential lots.
- The CEP Solar projects – there are public hearings on the Piney Grove and Miller Lake projects coming up at the May 14th Board of Supervisors meeting.

- The Economic Development Strategic Plan – the consultant held an advisory group kick-off meeting last week. In the 2+ hour meeting, they looked at the strengths and weaknesses the community has in attracting and retaining economic development, and where the County should be focusing its efforts. After the meeting, Ms. White and Mr. Stanley gave a tour of the community. The planning process should be completed in the fall.
- Sandy River Project RFP Response – the County responded to Nottoway County resident Chris Page, a member of the Blackstone Town Council, with a partial response on his FOIA request regarding the Sandy River, on March 26. After discussion, the project team, with the advice of outside legal counsel, felt that publicly disclosing the full County RFI response to a potential competitor would clearly harm the County’s efforts to conclude contract negotiations with the Commonwealth in an orderly manner. After our outside legal counsel affirmed with the FOIA Council, we felt the records he requested satisfies each element of the exception of the Code of Virginia 2.2-3705.1.12.
- The Elementary School project – The architect has indicated that they anticipate bidding the project on August 1, with an anticipated award date in early October. Based on that schedule, substantial completion would be March 25, 2027

In Re: Animal Warden’s Report

Mr. Adam Mumma, Chief Animal Control Officer, submitted a report for the month of March 2024, which was reviewed and ordered to be filed with the Board papers.

In Re: Building Official’s Report

Mr. Phillip Moore, Building Inspector, submitted a report for the month of March 2024, which was reviewed and ordered to be filed with the Board papers.

In Re: Commonwealth Regional Council Items of Interest

Ms. Melody Foster, Executive Director, submitted a report for the month of March 2024, which was reviewed and ordered to be filed with the Board papers.

In Re: Tourism and Visitor Center Report

Ms. Chelsey White, Director of Economic Development and Tourism, submitted a report for the month of March 2024, 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 recessed at 8:44 p.m., until Tuesday, April 16, 2024 at 5:30 p.m.