



**BOARD OF SUPERVISORS
BUSINESS MEETING
Tuesday, March 17, 2020 – 7:00 PM**

**Pittsylvania County General District Courtroom
Edwin R. Shields Courthouse Addition, 11 Bank Street
Chatham, Virginia 24531**

AGENDA

- 1. CALL TO ORDER (7:00 PM)**
- 2. ROLL CALL**
- 3. MOMENT OF SILENCE**
- 4. PLEDGE OF ALLEGIANCE**
- 5. AGENDA ITEMS TO BE ADDED**
- 6. APPROVAL OF AGENDA**
- 7. CONSENT AGENDA**
 - a. Minutes Approval (Staff Contact: Kaylyn M. McCluster)
 - b. County Government Month Proclamation (Staff Contact: Kaylyn M. McCluster)
 - c. VDOT Road Funding Project May Public Hearing Authorization (Staff Contact: Kaylyn M. McCluster)
 - d. Resolution # 2020-03-01: Creek Week 2020 (Staff Contact: Kaylyn M. McCluster)
 - e. Resolution # 2020-03-02: Kentuck Volunteer Fire Department Tax Exempt Usage Approval (Staff Contact: Christopher C. Slemph)
 - f. SCS Cell Tower Lease Approval (Staff Contact: Kimberly G. Van Der Hyde)
 - g. BOS By-law Revisions Adoption (Staff Contact: J. Vaden Hunt, Esq.)
 - h. Appointment of Acting Building Official (Staff Contact: Richard N. Hicks)
 - i. Waiver of Solid Waste Tipping Fees (Staff Contact: Richard N. Hicks)
 - j. Coles' Hill Pet Center Benefit Trail Ride Contract Approval (Staff Contact: James P. McLaughlin)

- k. Purchase of Service Weapon (Contact: Sheriff Taylor)

8. PRESENTATIONS

- a. Isaiah Griffin Recognition Presentation (Contact: Supervisor Farmer)
- b. Elijah Moshenek Recognition Presentation (Contact: Supervisor Davis)
- c. Arlene Davis Recognition Presentation (Contact: Supervisor Dudley)

9. HEARING OF THE CITIZENS

Each person addressing the Board under Hearing of the Citizens shall be a resident or land owner of the County, or the registered agent of such resident or land owner. Each person shall step up, give his/her name and district in an audible tone of voice for the record, and unless further time is granted by the Chairman, shall limit his/her address to three (3) minutes. No person shall be permitted to address the Board more than once during Hearing of the Citizens. All remarks shall be addressed to the Board as a body and not to any individual member thereof. Hearing of the Citizens shall last for a maximum of forty-five (45) minutes. Any individual that is signed up to speak during said section who does not get the opportunity to do so because of the aforementioned time limit, shall be given speaking priority at the next Board meeting. Absent Chairman's approval, no person shall be able to speak who has not signed up.

10. PUBLIC HEARINGS

A. Rezoning Public Hearings

Pursuant to Article V, Division 6, of the Pittsylvania County Zoning Ordinance, the Board of Supervisors have been empowered to hear and decide specific zoning issues and zoning map changes in support of said Ordinance. In accomplishing this important task, the Board is responsible for promoting the health, safety, and general public welfare of the citizens of Pittsylvania County. The Board must ensure that all of its decisions and regulations be directed to these goals and that each be consistent with the environment, the comprehensive plan, and in the best interest of Pittsylvania County, its citizens, and its posterity.

Case 1: Public Hearing: Rezoning Case R-20-003; Julie M. Owen; Dan River Election District; R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Contact: Supervisor Davis)

Case 2: Public Hearing: Rezoning Case R-20-004; Derek T. Maddox; Staunton River Election District, RC-1, Residential Combined Subdivision District, to A-1, Agricultural District (Contact: Supervisor Dudley)

B. Other Public Hearings

Each person addressing the Board under a Public Hearing shall step up, give his/her name and district, and/or his/her place of residency for non-County citizens, in an audible tone of voice for the record, and unless further time is granted by the Chairman, shall limit his/her address to three (3) minutes; speakers for a group shall be

limited to ten (10) minutes. Speakers shall conclude their remarks at that time, unless the consent of the Board is affirmatively given to extend the speakers allotted time. Absent Chairman's approval, no person shall be able to speak who has not signed up.

1. Public Hearing: Land Use Forms Due Date Changes; PCC Chapter 6 Revisions
(Staff Contact: J. Vaden Hunt, Esq.)

- 11. UNFINISHED BUSINESS**
- 12. NEW BUSINESS**
- 13. APPOINTMENTS**
- 14. MATTERS FROM WORK SESSION (IF ANY)**
 - a. Matters from Closed Session
- 15. BOARD MEMBER REPORTS**
- 16. COUNTY ADMINISTRATOR REPORTS**
- 17. ADJOURNMENT**



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Minutes Approval (Staff Contact: Kaylyn M. McCluster)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	March 17, 2020	Item Number:	7.a
Attachment(s):	02-18-2020 Joint Meeting - DRAFT 02-18-2020 Work Session - DRAFT 02-18-2020 Business Meeting - DRAFT		
Reviewed By:	<i>VM</i>		

Joint Meeting
February 18, 2020

**Joint Meeting of the
Pittsylvania County Board of Supervisors
and the
Pittsylvania County School Board
Tuesday, February 18, 2020**

VIRGINIA: The Joint Meeting of the Pittsylvania County Board of Supervisors and the Pittsylvania County School Board was held on Tuesday, February 18, 2020, in the Main Conference Room of the County Administration Building in Chatham, Virginia 24531. Robert W. Warren, Chairman, called the Meeting to Order at 3:30 p.m. The following Board Members were present:

Joe B. Davis
Timothy W. Dudley
Ben L. Farmer
William "Vic" Ingram
Charles H. Miller, Jr.
Ronald S. Scarce
Robert W. Warren

The following School Board Members were present:

J. Samuel Burton
Calvin D. Doss
George V. Henderson
Don C. Moon
Cassandra F. Crump
Raymond C. Ramsey
Kevin W. Mills

Approval of Agenda

Motion by Dr. Miller, seconded by Mr. Scarce, to approve Agenda, which was unanimously approved by Board Members present.

New Business

(a) Review of School Division's Budget Requests

Dr. Mark Jones, Superintendent of Pittsylvania County Schools, presented to the Board the School's Budget Requests for the upcoming year. Dr. Jones highlighted some information about the School Division. There are twenty (20) schools with approximately 9,000 students. There are 1,537 part-time and full-time employees and 200 buses that travel approximately 2 million miles annually. The County Schools have eighteen (18) of eighteen (18) schools meeting full accreditation requirements, which gives them 100% compared to the State average of 92%. He also highlighted the Nationally Recognized Schools of Mt. Airy Elementary, Tunstall High, and Union Hall Elementary as being Blue Ribbon Schools. There were eight (8) divisions and 175 schools who earned the Board of Education Distinguished Achievement Award and three (3) were in the County's School Division. They were John L. Hurt Elementary, Tunstall High, and Union Hall Elementary.

Attachment: 02-18-2020 Joint Meeting - DRAFT (1948 : Minutes Approval (Staff Contact: Kaylyn M. McCluster))

Joint Meeting
February 18, 2020

Mt. Airy Elementary and Union Hall Elementary also earned the 2019 Board of Education Continuous Improvement Award. Dr. Jones also spoke on their STAR Program that is located inside of Chatham Elementary and Chatham Middle Schools. There was a total CSA savings of \$1,183,747 in 2019-2020 due to this Program. Their Ready for Success Program has two (2) teachers, two (2) aides, two (2) child specific assistants, and one (1) therapeutic counselor. This Program has had a CSA funding savings of \$3,010,000.

Ms. Worley presented the School's Budget information and stated the additional anticipated State revenues from the Governor's proposed FY20 - 21 Budget is \$3,485,14.02. The Schools total proposed operating Budget for FY20-20 is \$94,637,567.84. The desired priorities for the FY20 - 21 Budget are the final phase implementation of the Compensation Study and a step for June 20, 2019 and 2020, two (2) licensed clinical social workers, two (2) attendance clerks, non-SOL tutoring, two (2) teaching positions, one (1) PCTC teaching position, replace computers in School Administrative Offices, upgrade and replace security cameras throughout the division, maintenance operating expenses, school security administration fee increase (10.5%), and PCTC clerical assistance. These priorities total \$4,080,584.02. The additional local funds needed to meet the School Board priorities is \$1,337,500. Ms. Worley also stated HB 395 and SB 7 propose an increase to the minimum wage to \$10 per hour effective July 1, 2020, with a phase-in to \$15 per hour by July 1, 2025. This could cause a potential cost to PCS in FY20-21 of \$337,800 that is not included in the priorities.

Dr. Jones also stated that Kentuck Elementary School has mobile units and many students receive their daily instruction there. Some students are not able to use Chromebooks to do a varied number of activities like their other peers inside the building, because there is currently no Wifi in those units. Dr. Jones also stated the High School ball fields need new upgraded lighting and poles to meet the current recommended standards and this would come at a cost of \$1,436,000. Mr. Warren asked if the Schools had reached out to DRF to see if they would be willing to help fund this project. Dr. Jones stated they had not, but they would reach out to see what the possibilities are. There was consensus of both Boards for Mr. Smitherman and Dr. Jones to get together and investigate those possibilities.

Adjournment

Mr. Warren adjourned the Meeting at 4:17 PM.

February 18, 2020
Work Session

**Pittsylvania County Board of Supervisors
Work Session
February 18, 2020**

VIRGINIA: The Work Session of the Pittsylvania County Board of Supervisors was held on February 18, 2020, in the Main Conference Room, County Administration Building, Chatham, Virginia 24531. Chairman - Chatham Blairs District, Robert W. "Bob" Warren, called the Meeting to Order at 4:30 PM. The following Members were present:

CALL TO ORDER (4:30 PM)

Attendee Name	Title	Status	Arrived
Robert W. "Bob" Warren	Chairman - Chatham Blairs District	Present	4:21 PM
Ronald S. Searce	Vice-Chairman - Westover District	Present	4:28 PM
Joe B. Davis	Supervisor - Dan River District	Present	4:25 PM
Timothy W. Dudley	Supervisor - Staunton River District	Present	3:26 PM
Ben L. Farmer	Supervisor - Callands-Gretna District	Present	4:21 PM
William "Vic" Ingram	Supervisor - Tunstall District	Present	4:29 PM
Charles H. Miller	Supervisor - Banister District	Present	4:23 PM

AGENDA ITEMS TO BE ADDED

APPROVAL OF AGENDA

Motion to approve Agenda.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Charles H. Miller, Supervisor - Banister District
SECONDER:	Timothy W. Dudley, Supervisor - Staunton River District
AYES:	Warren, Searce, Davis, Dudley, Farmer, Ingram, Miller

PRESENTATIONS

STAFF, COMMITTEE, AND/OR CONSTITUTIONAL OFFICER REPORTS

a. Monthly Department Spotlight (IT); (Staff Contact: Scott Budd); (15 minutes)

Mr. Budd gave an overview of his Department and everything it does for the County. Information Technology provides and supports all network equipment such as switches, firewalls and servers, network access, and remote access via VPN. IT also provides support for phone and email access to all County Departments and Constitutional Offices, as well as support the County issued cell phones and iPad's and supports end user workstations and provide software support.

b. Smart Scale Applications Submission Discussion (Staff Contact: Richard N. Hicks); (15 minutes)

Mr. Hicks reviewed Smart Scale Projects with the Board. The Board decided to choose Project No. 1, Route 40 and McBride Lane - Primary System; Project No. 5, US 29 at Lawless Creek Road Long Term; Project No. 6, US 29 at Malmaison Road Long Term; and Project No. 7, US

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Work Session

29 at Tightsqueeze Road, to submit for consideration.

Motion to submit Project 1, 5, 6, and 7 for consideration.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ronald S. Scearce, Vice-Chairman - Westover District
SECONDER:	Ben L. Farmer, Supervisor - Callands-Gretna District
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

BUSINESS MEETING DISCUSSION ITEMS

CLOSED SESSION

- a. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. (Staff Contact: J. Vaden Hunt, Esq.)

- (1) Legal Authority: Virginia Code Section 2.2-3711(A)(8)
 Subject Matter: County/Sheriff Cooperative Agreement
 Purpose: Consultation with Legal Counsel Regarding County/Sheriff Cooperative Agreement

Motion to enter Closed Session.

The Board entered Closed Session at 5:05 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ronald S. Scearce, Vice-Chairman - Westover District
SECONDER:	William "Vic" Ingram, Supervisor - Tunstall District
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

RETURN TO OPEN SESSION & CLOSED SESSION CERTIFICATION

- a. Closed Session Certification

The Board returned to Open Session at 6:34 PM and the following Certification was recorded.

CLOSED MEETING CERTIFICATION

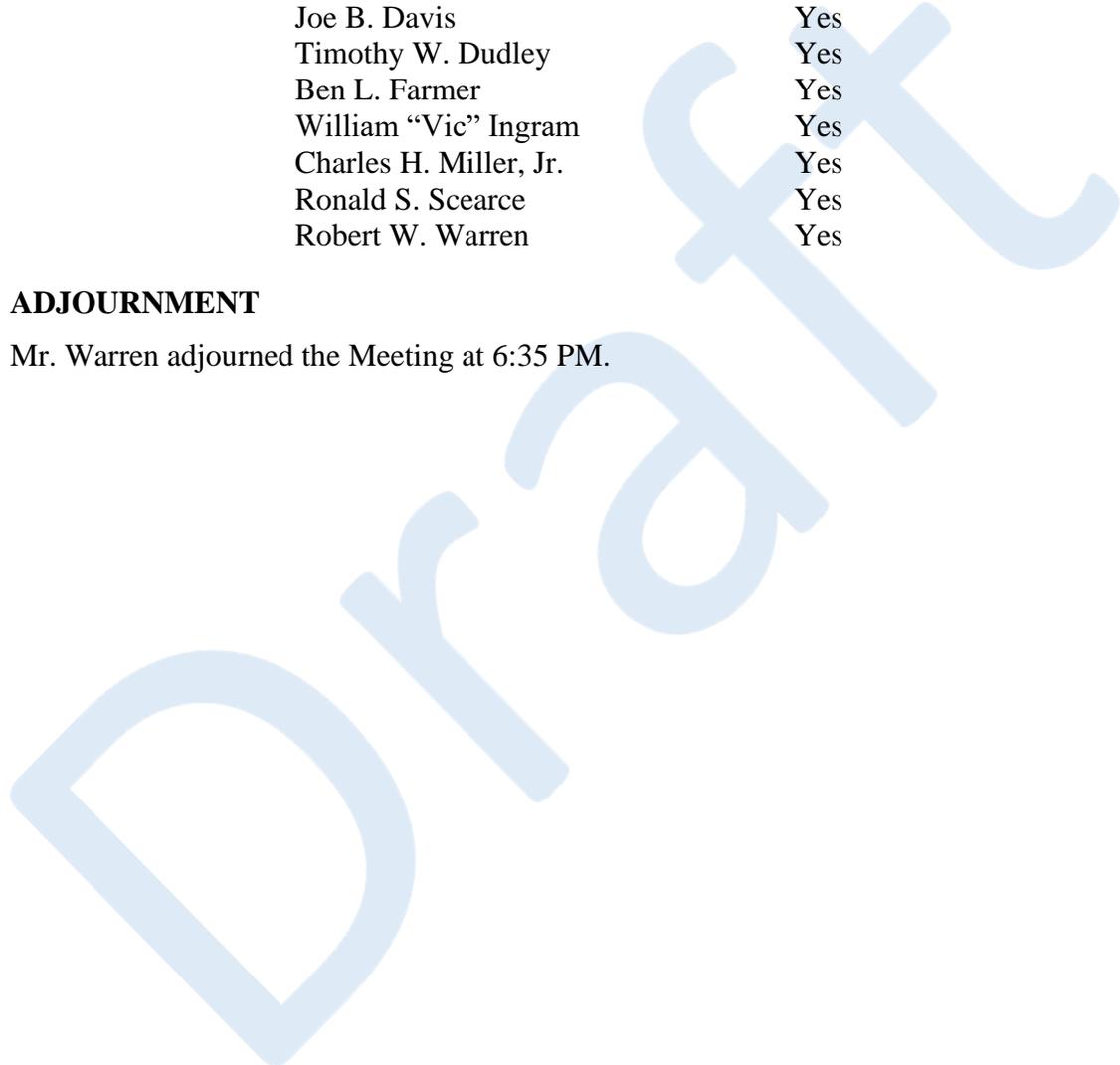
BE IT RESOLVED that at the Meeting of the Pittsylvania County Board of Supervisors on February 18, 2020, the Board hereby certifies by a recorded vote that to the best of each Board Member's knowledge only public business matters lawfully exempted from the Open Meeting requirements of the Virginia Freedom of Information Act (the "Act") and identified in the Motion authorizing the Closed Meeting were heard, discussed, or considered in the Closed Meeting. If any Member believes that there was a departure from the requirements of the Act, he shall so state prior to the vote indicating the substance of the departure. The Statement shall be recorded in the Board's Minutes.

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Work Session**

	<u>Vote</u>
Joe B. Davis	Yes
Timothy W. Dudley	Yes
Ben L. Farmer	Yes
William "Vic" Ingram	Yes
Charles H. Miller, Jr.	Yes
Ronald S. Scarce	Yes
Robert W. Warren	Yes

ADJOURNMENT

Mr. Warren adjourned the Meeting at 6:35 PM.



February 18, 2020
Business Meeting

**Pittsylvania County Board of Supervisors
Business Meeting
February 18, 2020**

VIRGINIA: The Business Meeting of the Pittsylvania County Board of Supervisors was held on February 18, 2020, in the Pittsylvania County General District Courtroom, Edwin R. Shields Courthouse Addition, Chatham, Virginia 24531. Chairman, Chatham-Blairs District, Robert W. Warren, called the Meeting to Order at 7:00 PM. The following Members were present:

CALL TO ORDER (7:00 PM)

Attendee Name	Title	Status	Arrived
Robert W. "Bob" Warren	Chairman - Chatham Blairs District	Present	6:15 PM
Ronald S. Searce	Vice-Chairman - Westover District	Present	6:20 PM
Joe B. Davis	Supervisor - Dan River District	Present	6:17 PM
Timothy W. Dudley	Supervisor - Staunton River District	Present	6:20 PM
Ben L. Farmer	Supervisor - Callands-Gretna District	Present	6:24 PM
William "Vic" Ingram	Supervisor - Tunstall District	Present	6:23 PM
Charles H. Miller	Supervisor - Banister District	Present	6:17 PM

AGENDA ITEMS TO BE ADDED

Motion to move presentation 8a to the March Agenda.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ben L. Farmer, Supervisor - Callands-Gretna District
SECONDER:	Ronald S. Searce, Vice-Chairman - Westover District
AYES:	Warren, Searce, Davis, Dudley, Farmer, Ingram, Miller

APPROVAL OF AGENDA

Motion to approve Agenda.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe B. Davis, Supervisor - Dan River District
SECONDER:	William "Vic" Ingram, Supervisor - Tunstall District
AYES:	Warren, Searce, Davis, Dudley, Farmer, Ingram, Miller

CONSENT AGENDA

Motion to approve Consent Agenda.

Attachment: 02-18-2020 Business Meeting - DRAFT (1948 : Minutes Approval (Staff Contact: Kaylyn M. McCluster))

**Board of Supervisors
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RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald S. Scearce, Vice-Chairman - Westover District
SECONDER:	Joe B. Davis, Supervisor - Dan River District
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

- a. Minutes Approval (Staff Contact: Kaylyn M. McCluster)
- b. Grant Appropriations: School Board and Pet Center (Staff Contact: Kimberly G. Van Der Hyde)
- c. Bays Hauling Out-of-County Trash Extension Approval (Staff Contact: Richard N. Hicks)
- d. Rescue Squad Assistance Fund (Staff Contact: Christopher C. Slemp)
- e. County Broadband Position Adoption (Staff Contact: David M. Smitherman)
- f. Resolution # 2020-02-01: Greta Fire and Rescue Tax Exempt Usage Approval (Staff Contact: Christopher C. Slemp)
- g. Resolution # 2020-02-03: Dr. Miller (Contact: Supervisor Warren)
- h. Resolution # 2020-02-04: 2020 - 2021 Board Strategic Planning Priorities Adoption (Staff Contact: David M. Smitherman)
- i. Resolution # 2020-02-05: Early Voting (Staff Contact: David M. Smitherman)
- j. 2019 Community Development Annual Report Approval (Staff Contact: Karen N. Hayes)
- k. CEDS List Approval (Staff Contact: Matthew D. Rowe)
- l. Spectrum Group Consulting Agreement Execution Approval (Staff Contact: David M. Smitherman)

PRESENTATIONS

- a. Fire Hero Presentation (Isaiah Griffin); (Contact: Supervisor Farmer)**

Item moved to the March Agenda.

- b. Dr. Miller Planning Commission Service Appreciation Presentation (Contact: Supervisor Warren)**

Dr. Miller was presented with Resolution # 2020-02-03 in appreciation of his twenty-three (23) years of service on the Planning Commission.

HEARING OF THE CITIZENS

Gary Long, Chatham-Blairs District, suggested a militia within the County. Wayne Robertson, Chatham-Blairs District, voiced his opposition on the Solid Waste Fee. He suggested the Board cut the Solid Waste Fee out of the Budget. Joshua Jennings, Chatham-Blairs District, also voiced his opinion and suggested a Volunteer Militia.

PUBLIC HEARINGS

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Rezoning Public Hearings

Case 1: Public Hearing: Rezoning Case R-20-001: SuzyQ Etc., LLC; Banister Election District, R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Contact: Supervisor Miller)

Mr. Warren opened the Public Hearing at 7:19 PM. Susan Brown was present to represent the Petition. No one signed up to speak and Mr. Warren closed the Public Hearing at 7:20 PM.

Motion to rezone 18.14 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (*for agricultural uses -horses*).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Charles H. Miller, Supervisor - Banister District
SECONDER:	Timothy W. Dudley, Supervisor - Staunton River District
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

Case 2: Public Hearing: Rezoning Case R-20-002: Jeffrey D. Compton; Banister Election District, M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry (Contact: Supervisor Miller)

Mr. Warren opened the Public Hearing at 7:22 PM. Jeffrey Compton was present to represent the Petition. Zachary Compton was present to answer any questions. No one signed up to speak and Mr. Warren closed the Public Hearing at 7:24 PM.

Motion to rezone a total of 56.42 acres, two (2) parcels of land, from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry (*for a concrete plant*).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Charles H. Miller, Supervisor - Banister District
SECONDER:	Joe B. Davis, Supervisor - Dan River District
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

Other Public Hearings

1. Public Hearing: SR RIFA Changes (Staff Contact: David M. Smitherman)

The Staunton River Regional Industrial Facility Authority (“SR RIFA”) was created to regionally work together to market the Southern Virginia Multimodal Park in Hurt, Virginia. Recently, SR RIFA was informed that member locale Altavista wished to terminate its SR RIFA membership by approved Resolution. After said notification, SR RIFA met and accepted Altavista’s withdrawal via a formal vote and Resolution. Based upon Altavista’s withdrawal, following a legally noticed and advertised Public Hearing, SR RIFA’s By-Laws, the associated County Ordinance, and SR RIFA’s Cost-Revenue Agreement must be revised. Proposed revised SR RIFA cost-revenue percentages would be Pittsylvania County 61%, City of Danville 35%, and Town of Hurt 4%.

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Mr. Warren opened the Public Hearing at 7:28 PM. No one signed up to speak and Mr. Warren closed the Public Hearing at 7:28 PM.

Motion to approve the revised SR RIFA cost-revenue percentage, associated SR RIFA By-Law revisions, and associated County Ordinance revisions as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ben L. Farmer, Supervisor - Callands-Gretna District
SECONDER:	Charles H. Miller, Supervisor - Banister District
AYES:	Warren, Scarce, Davis, Dudley, Farmer, Ingram, Miller

2. Public Hearing: Tax Due Date, License Fee, and Solid Waste Disposal Fee Due Date Changes (Staff Contact: J. Vaden Hunt, Esq.)

At a recent Meeting, the Board's Legislative Committee unanimously recommended to the full Board, following a legally advertised and held Public Hearing, potential revisions to the Pittsylvania County Code ("PCC"): (1) PCC § 6-12 (relating to changing the annual tax due date in the County from June 20th and December 20th to June 10th and December 10th); (2) PCC § 9-48, 9-49, 9-53, 9-54, and 9-55 (related to changing various vehicle, trailer, and semitrailer annual license fees and their payment due dates); and (3) PCC § 17-15 (relating to changing Solid Waste Disposal Fee annual payment due date and penalty application dates).

Mr. Warren opened the Public Hearing at 7:31 PM. No one signed up to speak and Mr. Warren closed the Public Hearing at 7:31 PM.

Motion to adopt the proposed revisions to Pittsylvania County Code Chapters 6, 9, and 17 as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ronald S. Scarce, Vice-Chairman - Westover District
SECONDER:	Joe B. Davis, Supervisor - Dan River District
AYES:	Warren, Scarce, Davis, Dudley, Farmer, Ingram, Miller

3. Public Hearing: Solid Waste Fine Escalation System (Staff Contact: Richard N. Hicks)

At the last Legislative Committee Meeting, County Staff presented proposed revisions to Pittsylvania County Code ("PCC") § 17-21(E) to provide for a fine escalation system for solid waste violations by violators that have more than one (1) solid waste violation within a twelve (12)-month period. The Legislative Committee unanimously recommended proposed revisions to the full Board, and the full Board authorized County Staff to conduct a Public Hearing on the same.

Mr. Warren opened the Public Hearing at 7:34 PM. Joshua Jennings signed up to speak and voiced his opposition on the Solid Waste Fines. Mr. Warren closed the Public Hearing at 7:35

**Board of Supervisors
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PM.

Motion to approve the proposed revisions to Pittsylvania County Code § 17-21(E) as presented.

RESULT:	APPROVED [6 TO 1]
MOVER:	Ronald S. Scearce, Vice-Chairman - Westover District
SECONDER:	Joe B. Davis, Supervisor - Dan River District
AYES:	Warren, Scearce, Davis, Dudley, Ingram, Miller
NAYS:	Farmer

4. Public Hearing: Silver Creek "No Through Trucks Restrictions" (Contact: Supervisor Scearce)

Supervisor Scearce requested the County hold a Public Hearing for potential "No Through Truck Restrictions" on Silver Creek Road.

Mr. Warren opened the Public Hearing at 7:37 PM. Stephanie Adkins signed up to speak and voiced her concerns regarding this designation. She stated her daughter was involved in an accident on this road and is permanently affected by this and she supports the "No Through Truck Restrictions" in this area. No one else signed up to speak and Mr. Warren closed the Public Hearing at 7:41 PM.

Motion to adopt Resolution # 2020-02-02 supporting potential "No Through Truck Restrictions" on Silver Creek Road.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ronald S. Scearce, Vice-Chairman - Westover District
SECONDER:	Joe B. Davis, Supervisor - Dan River District
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

UNFINISHED BUSINESS

a. Walkway of Honor Donation Request (Contact: Supervisor Farmer)

Joyce E. French attended the Board's January Business Meeting and presented a donation request for the Walkway of Honor that recognizes Southside Virginia War Veterans.

Motion that Pittsylvania County make a pledge of \$5,000 using Contingency Funds.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ben L. Farmer, Supervisor - Callands-Gretna District
SECONDER:	William "Vic" Ingram, Supervisor - Tunstall District
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

NEW BUSINESS

Board of Supervisors
February 18, 2020
Business Meeting

APPOINTMENTS

a. CPMT Alternate Appointment (M. Dawson); (Staff Contact: Cheryl J. Boswell)

Donald Motley was Sheriff Taylor's CPMT alternate. Since Mr. Motley retired, Sheriff Taylor desires for First Sergeant Matthew Dawson to be appointed as his CPMT alternate for an unexpired term ending on June 30, 2020.

Motion to appoint First Sergeant Matthew Dawson as Sheriff Taylor's CPMT alternate.

RESULT:	APPROVED [6 TO 1]
MOVER:	Charles H. Miller, Supervisor - Banister District
SECONDER:	Joe B. Davis, Supervisor - Dan River District
AYES:	Warren, Scarce, Davis, Dudley, Farmer, Miller
NAYS:	Ingram

b. Appointment: Westover District Planning Commission (H.F. Haymore, Jr.); (Contact: Supervisor Scarce)

H.F. Haymore, Jr., currently serves as the Westover District Representative on the County's Planning Commission. His term is set to expire on March 23, 2020, and he is eligible for another four (4)-year term.

Motion to re-appoint H.F. Haymore, Jr., as the Westover District Representative for the County's Planning Commission for another four (4)-year term.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ronald S. Scarce, Vice-Chairman - Westover District
SECONDER:	Timothy W. Dudley, Supervisor - Staunton River District
AYES:	Warren, Scarce, Davis, Dudley, Farmer, Ingram, Miller

MATTERS FROM WORK SESSION (IF ANY)

BOARD MEMBER REPORTS

Dr. Miller thanked the Board for the Resolution honoring his service on the Planning Commission. Mr. Davis thanked County Staff and the Board and is looking forward to the future. Mr. Scarce urged everyone to reach out to Representatives and let voices be heard regarding the new legislation that is being proposed. Mr. Dudley thanked everyone for coming out to the Meeting. Mr. Ingram also thanked everyone for coming to the Meeting. Mr. Farmer stated last month the Board requested getting the Board Packets earlier, and he thanked Mrs. McCluster for following through with this request and getting them to the Board early. Mr. Warren thanked Go Virginia and the Danville Regional Foundation for the Cyber program and also thanked the School Division and the County for working together to push this forward and having a vision to look at the next opportunity that will bring Economic Development tour area. He also congratulated Dr. Miller on his twenty-three (23) years of service on the Planning

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Commission and commended Dr. Miller's work.

COUNTY ADMINISTRATOR REPORTS

Mr. Smitherman stated that he is glad the Right to Work Status State Bill was defeated, but he is discouraged about revising Solar regulations in Virginia. Currently the County is required to defer about 80% of the taxes on the new utility scale solar installations and unfortunately, the sunseting has been pushed back to 2030. He also stated that another unfunded mandate coming our way is No Excuse Voting, where the County will be required to open the polls forty-five (45) days earlier than usual and this will cost approximately \$90,000. He stated the good news is there was an overwhelming approval of the 1% local sales tax for County School capital needs. He also thanked the Board for the great Strategic Planning Workshop on January 31, 2020.

ADJOURNMENT

Mr. Warren adjourned the Meeting at 7:59 PM.



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	County Government Month Proclamation (Staff Contact: Kaylyn M. McCluster)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	March 17, 2020	Item Number:	7.b
Attachment(s):	03-17-2020 National County Government Month April 2020		
Reviewed By:	VH		

SUMMARY:

The nation's 3,069 counties, serving more than 300 million Americans, provide essential services to create healthy, safe, and vibrant communities. Counties provide health services, administer justice, keep communities safe, foster economic opportunities, and much more. The County, and all counties, take pride in its responsibility to protect and enhance the health, well-being, and safety of its residents in efficient and cost-effective ways. Under National Association of Counties ("NACo") President Mary Ann Borgeson's leadership, NACo is demonstrating how "Counties Matter," especially in supporting older adults, their families and caregivers. The County plans to honor County employees and citizens with a National County Government Month event in April.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends the Board approve the attached Proclamation declaring April 2020, "National County Government Month in Pittsylvania County."

MOTION:

"I make a Motion to approve the attached Proclamation declaring April 2020, "National County Government Month in Pittsylvania County."

Pittsylvania County Board of Supervisors

PROCLAMATION NATIONAL COUNTY GOVERNMENT MONTH; APRIL 2020; “Counties Matter”

WHEREAS, the nation’s 3,069 counties, serving more than 300 million Americans, provide essential services to create healthy, safe, and vibrant communities; and

WHEREAS, counties provide health services, administer justice, keep communities safe, foster economic opportunities, and much more; and

WHEREAS, Pittsylvania County, Virginia (the “County”), and all counties, take pride in its responsibility to protect and enhance the health, well-being, and safety of its residents in efficient and cost-effective ways; and

WHEREAS, under National Association of Counties (“NACo”) President Mary Ann Borgeson’s leadership, NACo is demonstrating how “Counties Matter,” especially in supporting older adults, their families, and caregivers; and

WHEREAS, each year since 1991, NACo has encouraged counties across the country to elevate awareness of county responsibilities, programs, and services; and

WHEREAS, the County plans to honor County employees and citizens with a National County Government Month event in April; and

NOW, THEREFORE, the Board hereby proclaims April 2020, “National County Government Month” and encourages all County officials, employees, schools, and residents to participate in County Government Celebration activities.

BE IT FURTHER PROCLAIMED, that a copy of this Proclamation be forwarded to the local media.

Given under my hand this 17th day of March, 2020.

Robert W. “Bob” Warren, Chairman
Pittsylvania County Board of Supervisors

David M. Smitherman
Clerk, Pittsylvania County Board of Supervisors



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	VDOT Road Funding Project May Public Hearing Authorization (Staff Contact: Kaylyn M. McCluster)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	March 17, 2020	Item Number:	7.c
Attachment(s):	VDOT Road Funding Projects		
Reviewed By:	VH		

SUMMARY:

At the May 5, 2020, VDOT Road Funding Workshop, Jay Craddock, VDOT, presented to the Board the attached Road Funding Projects and requested a Public Hearing be authorized for the Board's May Business Meeting to hear Public input on this matter.

FINANCIAL IMPACT AND FUNDING SOURCE:

Cost of advertisement.

RECOMMENDATION:

County Staff recommends the Board authorize holding a Public Hearing on the attached VDOT Road Funding Projects at the Board's May Business Meeting.

MOTION:

"I make a Motion to authorize holding a Public Hearing on the attached VDOT Road Funding Projects at the Board's May Business Meeting."

Unpaved Roads on current
6 year plan

Area	Route	Road Name	Length	Begin Date	UPC
Kentuck	706	Abbott Place	1.1	Jul-18	111990
Kentuck	707	Mac Rd	1.2	Jul-18	111991
Mt. Airy	927	Hickey Rd	3.2	Jul-19	111628
Kentuck	1070	Rodgers Rd	0.3	Jul-19	113926
Mt. Airy	618	Farmers Rd	2.3	Jul-20	114016
Mt. Airy	738	Bailless Dr	0.7	Jul-20	114017
Kentuck	1062	Church Ln	0.3	Jul-20	114018
Kentuck	656	Wiles Rd	0.4	Jul-20	113931
Gretna	609	Brights Rd	1.3	Jul-21	114022
Mt. Airy	607	Robertson Rd	0.5	Jul-21	114023
Mt. Airy	995	Happy Ln	0.7	Jul-21	113930
Mt. Airy	698	Stone Rd	1.6	Jul-21	114024
Rondo	644	Cooksburg Rd	0.9	Jul-21	115645
Gretna	605	Toshes Rd	1.1	Jul-22	115646
Gretna	605	Toshes Rd	1.4	Jul-22	115647
Kentuck	707	Cox's Store Rd	1.1	Jul-22	115648
Mt. Airy	886	Gandy Rd	1.4	Jul-22	115649
Brosville	621	Ed Hardy Rd	1.7	Jul-22	115650
Mt. Airy	669	Melon Road	1.3	Jul-23	115652
Mt. Airy	602	Moons Road	0.56	Jul-23	115651
Rondo	793	Cherrystone Lake Rd	2.4	Jul-23	115653
Gretna	774	Darby Rd	2.4	Sep-24	115654
Mt. Airy	601	Hubbard Rd	1.4	Sep-24	115655
Gretna	638	Roark Mill Rd	0.7	Sep-24	115656
Kentuck	889	Olivers Lane	0.6	Sep-25	115643
Rondo	741	Friendly Drive	2.2	Sep-25	115643
Rondo	750	Oxford Rd	1.4	Sep-25	115643
Gretna	924	Pocket Rd	0.8	Sep-25	115643

Attachment: VDOT Road Funding Projects (1954 : VDOT Road Funding Project May Public Hearing

Proposed Unpaved Roads for 2026

1. Rt. 888 – Crossbow Drive
 - 0.7 miles (Callands-Gretna)
2. Rt. 842 – Hollyville Drive
 - 0.7 miles (Tunstall)
3. Rt. 1052 – Pitchfork Road
 - 0.25 miles (Banister)
4. Rt. 766 – Magnolia Road
 - 0.5 miles (Staunton River)
5. Rt. 1527 – Almond Road
 - 1 mile (Westover)
6. Rt. 1113 – Blankenship Road
 - 0.3 miles (Dan River)
7. Rt. 975 – Eddies Lane
 - 0.5 miles (Chatham-Blairs)

Proposed Uses for Telefees

1. Start a Cost Center for drainage improvements
 - Not for routine maintenance, but for increasing capacity
 - Not for one specific location, but to address various issues
 - Approximately \$300,000
2. Start a Cost Center for road widening
 - Intended for rural, higher volume secondary roads
 - Would not change alignment but would widen the road slightly
 - Same as done on Climax Road, Oak Hill Road, Walnut Creek Road
 - Prime location for this type of improvement would be Rt. 640 (Wards Rd)
 - Approximately \$400,000
3. Start a Cost Center for improving pavement section
 - Would involve placing 1.5" layer of hot mix asphalt over existing tar and gravel surfaces
 - Would greatly improve the rideability of high volume secondary roads
 - Approximately \$600,000
4. Create a project to straighten the hair-pin turn on Rt. 626 (Museville Rd)
 - Approximately \$1,000,000





Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Resolution # 2020-03-01: Creek Week 2020 (Staff Contact: Kaylyn M. McCluster)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	March 17, 2020	Item Number:	7.d
Attachment(s):	2020-03-01 Creek Week		
Reviewed By:	VH		

SUMMARY:

The County is rich in natural resources and beauty and the clean water and landscapes contribute to the growth of tourism and economic development. Every citizen should contribute to keeping the County's environment clean and healthy by working together to preserve clean water and the natural beauty of the County's surroundings.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends the Board approve Resolution # 2020-03-01 declaring April 11 – 18, 2020, "Pittsylvania County Creek Week 2020."

MOTION:

"I make a Motion to approve Resolution # 2020-03-01 declaring April 11 – 18, 2020, 'Pittsylvania County Creek Week 2020.'"

**PITTSYLVANIA COUNTY BOARD OF SUPERVISORS
CREEK WEEK
RESOLUTION # 2020-03-01**

WHEREAS, at the Business Meeting of the Pittsylvania County Board of Supervisors (the “Board”) held on Tuesday, March 17, 2020, in the General District Courtroom of the Edwin R. Shields Courthouse Addition, the following Resolution was presented and adopted:

WHEREAS, water is a basic and essential need for all life; and

WHEREAS, Pittsylvania County, Virginia (the “County”), is rich in natural resources and beauty; and

WHEREAS, clean water and landscapes contribute to the growth of County tourism and economic development; and

WHEREAS, trash fouls County waterways, as well as County landscapes; and

WHEREAS, every citizen should contribute to keeping the County’s environment clean and healthy by working together to preserve clean water and the natural beauty of County surroundings; and

WHEREAS, the Board supports the right to clean, swimmable, and fishable waters for its residents and future generations; and

WHEREAS, the Board values the quality of County water resources, geography, history, and significance; and

WHEREAS, Creek Week is a nationwide community effort to enjoy the County’s bountiful recreational opportunities and retrieve litter from Virginia’s waterways and landscapes.

NOW, BE IT RESOLVED, that the Board hereby declares April 11 - 18, 2020, “Pittsylvania County Creek Week 2020,” and hereby further urges every citizen to do his/her part to restore the beauty and function of County streams by volunteering to participate in the Creek Week 2020 event and/or engaging your civic, school, and church groups to organize activities to contribute therein.

Given under my hand this 17th day of March, 2020.

Robert (“Bob”) W. Warren, Chairman
Pittsylvania County Board of Supervisors

David M. Smitherman, Clerk
Pittsylvania County Board of Supervisors

Attachment: 2020-03-01 Creek Week (1952 : Resolution # 2020-03-01: Creek Week 2020 (Staff Contact: Kaylyn M. McCluster))



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Resolution # 2020-03-02: Kentuck Volunteer Fire Department Tax Exempt Usage Approval (Staff Contact: Christopher C. Slemph)		
Staff Contact(s):	Christopher C. Slemph		
Agenda Date:	March 17, 2020	Item Number:	7.e
Attachment(s):	Kentuck Fire Department 2020-03-02 Kentuck Fire Department		
Reviewed By:			

SUMMARY:

The Federal Government, via the Internal Revenue Service (“IRS”), grants local governments up to \$10 million dollars annually in Tax-Exempt Bonds (“TEB”) for financing public needs. Kentuck desires to utilize tax-exempt bonds in an amount not to exceed \$54,756.54 to finance for a public purpose and use the purchase of nine (9) MSA G1 SCBA 4500 Psig Operating Systems and Related Equipment, eighteen (18) MSA G1 SCBA Cylinders for 4500 Psig Systems, nine (9) Medium G1 Facepieces with 4pt Harness and Medium Nose Cup, one (1) Rechargeable Battery Charging Station, and four (4) Replacement Rechargeable Battery Packs.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

Subject to legal review by Kentuck’s attorney, County Staff recommends the Board approve attached Resolution # 2020-03-02 as presented.

MOTION:

“I make a Motion to approve attached Resolution # 2020-03-02 as presented allowing Kentuck to utilize up to, but not exceeding, \$54,756.54 to finance for a public purpose and use the purchase of nine (9) MSA G1 SCBA 4500 Psig Operating Systems and Related Equipment, eighteen (18) MSA G1 SCBA Cylinders for 4500 Psig Systems, nine (9) Medium G1 Facepieces with 4pt Harness and Medium Nose Cup, one (1) Rechargeable Battery Charging Station, and four (4) Replacement Rechargeable Battery Packs.”

Kentuck Volunteer Fire Department

250 Ringgold Church Rd.
P. O. Box 37
Ringgold, VA 24586

Business: 434-822-8026
Emergency: 911
Website: www.kentuckvfd.org

Terry L. Barker Jr., Chief
434-489-8645
elroybarker@hotmail.com

PUBLIC HEARING

January 30, 2020

Hearing was called open at 7:00PM at the fire station by John Robert Barker. At this time no one had come to comment. At 7:15PM still no one had come to comment. At 7:30PM still no one had come so meeting was adjourned.

Respectfully,



John Robert Barker
Secretary/ Treasurer

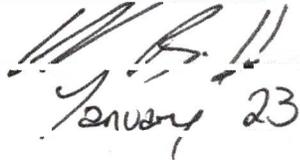
STAR-TRIBUNE

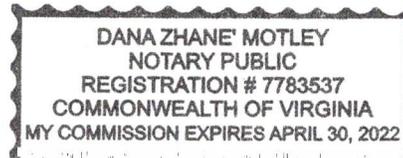
Serving Pittsylvania County Since 1869

Certificate of Publication

I hereby certify that the attached order of publication has been published once a week for 1 successive weeks in the Star-Tribune, a newspaper published at the Chatham office in Pittsylvania County, Virginia, beginning on January 22, 2020.

Chad Harrison, Publisher

 , acting agent for the publisher
January 23, 2020



STATE OF VIRGINIA, AT LARGE

County of Pittsylvania, To-wit:

The foregoing instrument was acknowledged before me this 23 day of January 2020 by Chad Harrison
My commission expires April 30, 2022.


Notary Public

28 N. Main Street
P.O. Box 111
Chatham, VA 24531

Tel.: (434) 432-2791
Fax: (434) 432-4033
legals@chathamstartribune.com

Volunteer Fire Department
Public Hearing
Legal Notice

Notice is hereby given, pursuant to Public Law No. 100-647 S1013(a)(24)(A) (1988), the undersigned will hold public hearing on January 30, 2020 at 7:00 PM at the location of the undersigned listed below to discuss its acquisition by lease purchase of: (9) MSA G1 SCBA 4500 Psig Operating Systems and Related Equipment, (18) MSA G1 SCBA Cylinders for 4500 Psig Systems, (9) Medium G1 Facepieces with 4pt Harness and Medium Nose Cup, (1) Rechargeable Battery Charging Station and (4) Replacement Rechargeable Battery Packs and Financial Arrangements related thereto.

Approximate amount of issue: \$54,756.54

All interested persons are invited to attend.

IN Witness whereof, I have hereunto set my hand and Official Seal at my office in Ringgold this 16 day of January, 2020.

John Robert Barker
Corporate Secretary
Kentuck Volunteer Fire Department, Inc.
250 Ringgold Church Rd
Ringgold, Va 24586
1/22/1tp

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS

**RESOLUTION
2020-03-02**

WHEREAS, the Pittsylvania County Board of Supervisors (the “Board”), under the United States Internal Revenue (“IRS”) Code, receives a ten (10) million-dollar allocation for tax exempt bonds each year beginning January 1; and

WHEREAS, said tax-exempt bonds cover boards, agencies, and commissions serving under or at the Board’s authorization; and

WHEREAS, the Kentuck Volunteer Fire Department (“Kentuck”) is an authorized Volunteer Fire and Rescue Department identified in Pittsylvania County Code §§ 31-2.1 and 31.2a; thereby, authorizing it to participate in tax-exempt financing for equipment utilized by it for a public use; and

WHEREAS, Kentuck desires to utilize tax-exempt bonds in an amount not to exceed \$54,756.54 to finance for a public purpose and use the purchase of nine (9) MSA G1 SCBA 4500 Psig Operating Systems and Related Equipment, eighteen (18) MSA G1 SCBA Cylinders for 4500 Psig Systems, nine (9) Medium G1 Facepieces with 4pt Harness and Medium Nose Cup, one (1) Rechargeable Battery Charging Station, and four (4) Replacement Rechargeable Battery Packs; and

WHEREAS, Kentuck held a public hearing on January 30, 2020, on the potential utilization of said tax-exempt financing, after legally publishing the notice as required by IRS Code.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board hereby approves Kentuck’s utilization of tax-exempt bonds for financing in an amount not to exceed \$54,756.54 to purchase for a public use nine (9) MSA G1 SCBA 4500 Psig Operating Systems and Related Equipment, eighteen (18) MSA G1 SCBA Cylinders for 4500 Psig Systems, nine (9) Medium G1 Facepieces with 4pt Harness and Medium Nose Cup, one (1) Rechargeable Battery Charging Station, and four (4) Replacement Rechargeable Battery Packs; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Kentuck to supplement its financing requirements.

Given under my hand this 17th day of March, 2020.

Robert W. “Bob” Warren, Chairman
Pittsylvania County Board of Supervisors

David M. Smitherman, Clerk
Pittsylvania County Board of Supervisors



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	SCS Cell Tower Lease Approval (Staff Contact: Kimberly G. Van Der Hyde)		
Staff Contact(s):	Kimberly G. Van Der Hyde		
Agenda Date:	March 17, 2020	Item Number:	7.f
Attachment(s):	SCS Cell Tower Lease		
Reviewed By:	VH		

SUMMARY:

The County currently has a Lease with AcelaNet, LLC, d/b/a SCS Broadband (“SCS”), for space on seven (7) County E911 Towers. These Towers are located at the Callands Compactor Site, Grit Road, Mt. Airy, Rockford School Road, White Oak Mountain, Brosville, and Dan River Middle School. The current Lease began on January 18, 2017, and was up for renewal as of January 18, 2020. As such, County Staff felt that it was the appropriate time to review the Lease and make several changes to simplify the same. Said changes include changing the current Lease fee structure, which is based on a graduated scale, to a flat rate of \$50 per month per Tower commencing when Towers become operational. Currently, there are five (5) Towers that are operational. The Lease also requires proof of insurance by SCS that was not included in the original Lease.

FINANCIAL IMPACT AND FUNDING SOURCE:

The County will receive a total of \$600 annually per each leased Tower for a total, once all Towers are operational, of \$4,200 annually. Currently, a total of \$3,000 is owed the County for the five (5) operational Towers.

RECOMMENDATION:

County Staff recommends approve the attached Lease and authorize the County Administrator to execute the same.

MOTION:

“I make a Motion to approve the attached Lease and authorize the County Administrator to execute the same with a March 1, 2020, effective date.”

LEASE AGREEMENT

THIS LEASE AGREEMENT ("Lease"), made and effective as of the 1st day of March, 2020, between **THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY, VIRGINIA** ("Lessor"), and **ACELANET LLC D/B/A SCS BROADBAND**, a Virginia limited liability company ("Lessee").

WHEREAS, Lessor is the owner of certain real properties located in Pittsylvania County, Virginia, each more particularly described on Exhibit "A," attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, Lessee desires to lease from Lessor certain space on Lessor's communications towers (the "Towers") on said Property for the placement and operation of Lessee's communications equipment (the "Equipment"); and

NOW, THEREFORE, for valuable consideration, the receipt, adequacy, and sufficiency of which is hereby acknowledged by the parties hereto, the parties hereby agree as follows:

1. Demise.

Lessor hereby leases to Lessee and Lessee hereby leases from Lessor space on Lessor's Towers the placement thereon of Lessee's Equipment (the "Leased Space").

2. Use.

Lessee shall be permitted the non-exclusive right to install, maintain, and service its Equipment on Lessor's Towers, which Equipment shall be utilized for the transmission and reception of cellular communications. These shall be the only permissible uses under this Lease.

3. Conditions Precedent to Commencement Date.

(a) Approvals. Lessee's ability to use the Leased Space is contingent upon its obtaining, after the execution date of this Lease, all certificates, permits, licenses, and other approvals that may be required by any federal, state, or local authorities (the "Approval(s)"). Lessor shall cooperate with Lessee in its effort to obtain such Approvals. If Lessee notifies Lessor that (i) any application for an Approval is rejected; (ii) an Approval is canceled, expires, lapses, or is otherwise withdrawn or terminated for any reason whatsoever prior to installation of the Equipment by Lessee; or (iii) any radio frequency propagation tests are found to be unsatisfactory so that Lessee, in its sole discretion, will be unable to use the Leased Space for its intended purposes, Lessee shall have the right to terminate this Lease with no further obligation on the part of either party.

4. Term.

(a) Commencement Date. Provided Lessor has obtained evidence of the Approvals described above, the Lease term shall begin on the date of execution of this Lease (the "Commencement Date") and shall continue for a period of three (3) years (the "Initial Term"). Lessee shall have the option of extending this Lease for three (3), one (1) year terms (the "Renewal Terms"). Such renewal options shall be exercisable by Lessee by notifying Lessor in writing at

the address shown below at least six (6) months prior to expiration of the then current term.

(b) **Termination by Lessee.** Notwithstanding anything to the contrary contained herein, Lessee shall be entitled to terminate this Lease after the Commencement Date with written notice to Lessor in the event:

- (i) any Approval is canceled, expires, lapses, or is otherwise withdrawn or terminated for any reason whatsoever; or
- (ii) any notice by Lessor of relocation of Lessee's Equipment pursuant to Section 9 is unacceptable to Lessee.

Any such termination by Lessee shall be effective thirty (30) days after receipt of written notice by Lessor. Upon such termination, this Lease shall terminate and be of no further force and effect, and except for any indemnity obligations and Lessee's obligations to remove the Equipment from the Property, the parties hereto shall be released from all duties, obligations, liabilities, and responsibilities under this Lease.

(c) **Termination by Lessor.** Lessor shall have the right to terminate this Lease upon ninety (90) days' prior written notice to Lessee. Upon such termination, subject to all terms contained herein, Lessor and Lessee shall thereafter be released from all further liability under this Agreement.

5. Rent; One-Time Back Rent Payment; Taxes.

(a) **Base Rent.** For the Initial Term, Lessee shall pay as rent **FIFTY DOLLARS AND NO CENTS** (\$50.00) per Tower, per month to Lessor. Base rent for each Tower shall only commence when the Lessor's Equipment is operational on that Tower. Rental payments shall be mailed to the Lessor at the address set forth herein, or to such other person, firm, or place as the Lessor may from time-to-time designate in writing. Lessor and Lessee shall negotiate the base rent for all Renewal Terms upon said occurrence.

(b) **One-Time Back Rent Payment.** Upon execution of this Lease, Lessee shall pay Lessor **THREE THOUSAND DOLLARS** (\$3,000.00) as a one-time payment for back rent for use of the Towers and/or Lease Space. An accounting of said payment is attached hereto as Exhibit "B" and made a part hereof.

(c) **Taxes.** Lessee shall be responsible for the reporting and payment when due of any and all applicable taxes, fees, or other costs, directly related to ownership or operation of the Equipment on the Leased Space. If applicable, Lessee shall additionally pay Lessor for any increase to Lessor's property taxes assessed on the Property specifically as a result of the placement of its Equipment on the Lease Space.

6. Relocation of Equipment on Leased Space.

Lessor reserves the right to change the location of Lessee's Equipment on the Leased Space upon sixty (60) days' written notice to Lessee. Lessee shall relocate or remove the Equipment, at Lessor's expense, within sixty (60) days of receipt of any such notice by Lessor.

7. Access; Ingress and Egress.

Lessor hereby grants to Lessee an easement for the term hereof for ingress, egress, and access to the Property adequate to service the Equipment on the Leased Space. Lessee or Lessee's qualified contractors or persons under Lessee's direct supervision shall have access to the Towers and Lessee's equipment upon twenty-four (24) hours' notice to Lessor and the availability, at Lessor's option, of Lessor's field personnel to provide an escort and/or supervision. Lessee shall maintain all access codes to the Leased Space as confidential.

8. Utilities.

Lessor hereby grants to Lessee an easement for the term hereof to permanently place any utilities on or to bring utilities across the Property in order to service Lessee's Equipment on the Leased Space, subject to Lessor's prior written approval of the design and installation method and procedures. Lessee shall pay the cost of all utility service necessary to install, maintain, and operate its Equipment on the Leased Space. Where practicable, a separate meter will be installed for Lessee's use. If no meter is available, the parties shall prorate such charges based on approximate actual use within thirty (30) days of receipt by Lessor of an invoice from an applicable utility company. Lessee shall obtain and pay the cost of telephone connections. Installation of telephone service shall follow the procedures for installation and maintenance of the Equipment on the Leased Space as set forth below.

9. Lessee's Covenants.

Lessee covenants that the Facilities, and all installation, operation and maintenance associated therewith, will:

(a) In no way damage Lessor's Towers, Leased Space, or any other structure or accessories thereto, normal wear and tear excepted. If damage, other than normal wear and tear occurs, then Lessee shall be liable for repair or reimbursement of repair for said damages;

(b) Not interfere with the operation of Lessor's equipment, authorized frequency spectrum, signal strength or the equipment of other existing lessees ("Prior Lessee"), if any, on the Towers. In the event there is interference, Lessor shall have a third (3rd) party, chosen by Lessor in its sole discretion, evaluate such interference problems. In the event such third (3rd) party determines, in its sole discretion, that Lessee's Equipment is interfering with the operation of Lessor's or a Prior Lessee's equipment, Lessee shall immediately take all steps recommended by such third (3rd) party necessary to eliminate the interference including, if required, cutting off power to the objectionable Equipment. If Lessee cannot immediately eliminate the interference, Lessee will remove the objectionable Equipment;

(c) Not interfere with the maintenance of Lessor's Towers and the Towers lighting systems;

(d) Keep the Equipment in a state of repair acceptable to Lessor;

(e) Identify the Equipment with metal tags fastened securely to its bracket on the Towers and to each transmission line(s);

(f) Comply with all applicable rules and regulations of the Federal Communications Commission ("FCC") and all federal, state, and local laws governing use of the Leased Space;

(g) Occur in compliance with all applicable laws and ordinances and promptly discharge any lien for labor or material within fifteen (15) days of filing same;

(h) Upon expiration of this Lease, remove all Equipment from the Leased Space and restore the Leased Space to its original condition, normal wear and tear excepted. If Lessee has not removed its Equipment at the time of expiration or termination of the Lease, Lessee shall pay rent at the then existing monthly rate or on the existing monthly pro-rata basis if based upon a longer payment term until such time as the removal of the Equipment is completed. If Lessee does not remove its Equipment at the time of expiration or termination of this Lease, Lessor shall have the right to remove and store the Equipment, at Lessee's sole expense, and Lessee shall reimburse Lessor for such expenses upon demand. If Lessor removes the Equipment, Lessor shall not be responsible for any damage to the Leased Space during the removal and storage thereof, unless caused by the negligence of Lessor.

10. Lessor's Covenants.

Lessor covenants that during the term of this Lease it shall:

- (a) Maintain the Towers and Leased Space and surrounding areas in a safe condition;
- (b) Except as otherwise set forth in this Lease, take no action which would adversely affect the Lessee's proposed use of the Leased Space;
- (c) Upon Lessee's payment of rent and performance of its covenants, ensure Lessee's quiet use and enjoyment of the Leased Space.

11. Compliance with Laws.

(a) Lessor acknowledges that it is aware of its obligations under Section 303 of the Communications Act of 1934 (47 U.S.C. 303) to maintain the painting and illumination of the Towers and/or Leased Space as prescribed by the FCC. Lessor further acknowledges that it is aware that it is subject to forfeitures assessed by the FCC for violations of such rules and requirements. Lessor further acknowledges that it, and not Lessee, shall be responsible for compliance with all Towers or building marking and lighting requirements which may be required by the Federal Aviation Administration ("FAA") or the FCC. To the extent allowed by Virginia law, Lessor shall indemnify and hold harmless Lessee from any fines or other liabilities caused by Lessor's failure to comply with such requirements. Further, should Lessee be cited by either the FCC or FAA because the Towers are not in compliance within the time frame allowed by the citing agency, Lessee may terminate this Lease immediately upon notice to the Lessor.

- (b) Lessor is not aware of, and has not received notice of the disposal, release, or

presence of Hazardous Substances on the Property. "Hazardous Substances" means any hazardous material or substance which is or becomes defined as a hazardous substance, pollutant, or contaminant subject to reporting, investigation or remediation pursuant to any federal, state, or local law, regulation, or order; and any substance which is or becomes regulated by any federal, state, or local governmental authority; and any oil, petroleum products and their by-products.

12. Assignment or Subletting: No Liens.

(a) Lessee shall not assign, convey, sublet, or transfer its interest in the Lease without first (1st) obtaining Lessor's written approval, which approval shall not be unreasonably withheld.

(b) Lessee shall keep the Leased Space and Equipment free from any liens arising from any work performed, materials furnished, or obligations incurred by or at the request of Lessee. All person either contracting with lessee or furnishing or rendering labor and materials to Lessee shall be notified in writing by Lessee that they must look only to Lessee for payment for any labor or materials. If any lien is filed against the Equipment or Leased Space as a result of the acts or omissions of Lessee, its employees, agents or contractors, Lessee shall discharge it within twenty (20) days after Lessee learns that the lien has been filed.

13. Insurance: Risk of Loss.

(a) Insurance. Prior to installation of the Equipment and to having access to the Leased Space and at all times during the term of this Lease, Lessee shall provide proof of insurance, as outlined below, satisfactory to Lessor, and maintain the coverages specified below during the term hereof and until all Equipment is removed from the Leased Space following termination hereof:

- Comprehensive General Liability Insurance in an aggregate amount of \$2,000,000.;
- Workers' Compensation coverage in the statutory amount. Employers Liability Occupational Disease and Bodily Injury, Combined Single Limit of \$1,000,000;
- Automobile Liability for Owned and Non-Owned Autos, Combined Single Limit of \$1,000,000; and
- All Risk Insurance with Standard Extended Coverage, Replacement Value, Without Coinsurance factor for Full Replacement Value of Lessee's Equipment and personal property located on the Property.

(b) Additional Insured. Lessor shall be named as additional insured on the policy or policies. Lessee may satisfy this requirement by obtaining appropriate endorsements to any master

or blanket policy of liability insurance Lessee may maintain. No policy may be cancelable or subject to reduction of coverage except after thirty (30) days prior written notice to Lessor.

(c) Third (3rd) Parties. Lessee shall require its contractors and subcontractors to carry workers' compensation insurance and adequate liability insurance in conformity with the minimum requirements listed above.

(d) Destruction; Force Majeure; Risk of Loss; Limitation of Liability. Notwithstanding anything herein to the contrary, Lessee shall bear the risk of loss of or damage to the Leased Space during the term of this Lease. Except for the gross negligence of Lessor, Lessor shall not be liable for any damage to the Leased Space. Notwithstanding anything herein to the contrary, Lessor shall not be liable for any consequential or incidental damages incurred by Lessee due to any malfunction, vandalism, acts of God (including, without limitation, lightning, wind, rain, hail, fire, or storms) or any other damage resulting from any reason. If the Towers or other portions of the Leased Space are destroyed or so damaged as to be unusable, the Lessor or Lessee shall be entitled to elect to cancel and terminate this Lease, or in the alternative may elect to restore the Leased Space, in which case the Lessee shall remain bound hereby but shall be entitled to an abatement of rent during the loss of use, if the Lessee has not elected to cancel this Lease. In no event shall the leasehold or other interest created hereby be specifically enforceable and in no event shall Lessor be responsible to any party for lost profits or market share.

14. Indemnification.

Lessee does hereby agree to indemnify and save Lessor harmless from any and all claims, demands, or causes of action for property damage or personal injuries caused by Lessee, Lessee's agents, employees, contractors, and customers, arising out of Lessee's occupancy of the Leased Space or the installation, maintenance, and operation of the Equipment.

15. Default.

Each of the following shall be considered a default by the Lessee:

(a) The failure to pay any rent required hereunder within thirty (30) days after receipt of Lessor's written notice of such failure;

(b) The failure to cure, within (30) days after receipt of Lessor's written notice thereof, any breach of any other term hereof (except for promises relating to interference as set forth in Section 9(b) hereof);

(c) Abandonment of the Leased Space; or

(d) The failure of Lessee to eliminate interference problems as set forth in Section 9(b).

Upon default of this Lease by Lessee, in addition to all other remedies provided at law or in equity, Lessor may, at its option:

(i) elect to remove all the Equipment, without notice and without being guilty or liable in any manner for trespass, thereby terminating this Lease, and store the Equipment at Lessee's

expense, payable upon demand by Lessor.

(ii) elect to treat this Lease in full force and effect and shall be entitled to collect the rent provided for hereunder.

16. Condemnation.

If the whole of the Towers or Leased Space which are subject of this Lease or so much thereof as to interfere with the use thereof shall be taken or condemned by any competent authority for any public or quasi-public use or purpose, this Lease shall terminate as of the date when possession is taken. In such event, Lessor shall be under no liability to Lessee, and Lessee shall be entitled to no part of any condemnation award except so much thereof as the condemning authority expressly allocates to moving or relocation expenses incurred by Lessee. Lessor shall provide Lessee with notice in writing of any actual or threatened condemnation proceedings promptly after receiving notice thereof.

17. Arbitration.

ANY DISPUTE AS TO THE INTERPRETATION OR ENFORCEMENT OF THIS LEASE SHALL BE SUBJECT TO BINDING ARBITRATION PURSUANT TO THE RULES AND REGULATIONS OF THE AMERICAN ARBITRATION ASSOCIATION. EACH PARTY WAIVES ALL RIGHT TO TRIAL, AND JUDGMENT MAYBE ENTERED UPON THE ARBITRATION AWARD UPON PETITION TO THE APPROPRIATE COURT.

18. Mortgage by Lessor.

This Lease is and shall be subject to a security interest or mortgage which might now or hereafter constitute a lien upon the Towers/Leased Space. This Lease is and shall be subject and subordinate in all respects to any and all such mortgages on the same and to all renewals, modifications, consolidations, replacements, and extensions thereof. If any proceedings are brought for foreclosure, or in the event of the exercise of the power of sale under any mortgage covering the Towers/Leased Space, the Lessee shall attorn to the purchaser upon any such foreclosure or sale and recognize such purchaser as the Lessor under this Lease; provided that so long as the Lessee is not in default hereunder, this Lease shall remain in full force and effect.

19. Title to Equipment.

Lessee shall always retain title to its Equipment or personal property installed and operated by Lessee pursuant to this Lease.

20. Entirety.

This writing constitutes the entire agreement between Lessor and Lessee and any modification hereof must, to be effective, be in writing, signed by authorized representatives of each party.

21. Waiver.

Failure or delay on the part of either party to exercise any right, power, privilege, or remedy hereunder shall not operate as a waiver thereof; nor, shall any single or partial exercise of any right under this Lease preclude any other or further exercise thereof or the exercise of any other right.

22. Binding Effect.

This Lease shall extend to and bind the heirs, persons, representatives, successors, assigns, or its successors in interest of the parties hereto.

23. Governing Law; Venue; Litigation Expenses.

This Lease and performance hereunder shall be governed, interpreted, construed, and regulated by the laws of the Commonwealth of Virginia. Venue shall be in the appropriate court in Pittsylvania County, Virginia, or the nearest appropriate Federal Court. In any litigation or arbitration resulting from anything contained herein, each party shall pay for all of its own litigation expenses and fees.

24. Notice.

All notice and payments due hereunder shall be deemed validly given if sent by certified mail, return receipt requested, or with a nationally recognized courier who provides notice of receipt, postage fully prepaid, addressed as follows, or to such other addresses as may be given from either party in writing to the other:

Lessor: Board of Supervisors of Pittsylvania County, Virginia
Attn: County Administrator
1 Center Street
P.O. Box 426
Chatham, Virginia 24531

Lessee: AcelaNet LLC d/b/a SCS Broadband
Clay AcelaNet LLC d/b/a SCS Broadband Stewart
COO
654 Thomas Nelson Highway
Arrington, Virginia 22922

25. Headings.

Section headings in this Lease are included for the convenience of reference only and shall not constitute a part of this Lease for any other purpose.

26. Rules of Interpretation.

If this Lease requires interpretation, such interpretation shall not presume that the terms hereof shall be more strictly construed against one party by reason of any rule of construction than a document is to be construed more strictly against the party who prepared the same.

27. Brokerage.

Each party warrants and represents to the other that it has not dealt with a real estate agent or broker with respect to this Lease, and, to the extent allowed by Virginia law, shall hold the other party harmless against all claims by any real estate agent or broker claiming a commission hereunder on behalf of the indemnifying party.

28. Memorandum of Lease.

At the request of Lessee, Lessor hereby agrees to execute a Memorandum of Lease, in form satisfactory for recording, and such Memorandum of Lease may be filed of record by the Lessee, at Lessee's sole cost, including taxes or assessments incurred in connection therewith. The parties understand and agree that this Lease shall not be recorded of record.

29. Counterparts.

This Lease may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute but one instrument.

30. Severability.

If any provision of this Lease conflicts with any applicable statute, rule of law, or regulation, then such provision shall be deemed to be null and void to the extent that it may conflict therewith but without invalidating the remaining provisions hereof.

31. Authority.

Each party hereby represents and warrants to the other that all necessary corporate authorizations required for execution and performance of this Lease have been given and that the undersigned officer is duly authorized to execute this Lease and bind the party for this it signs.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written.

LESSOR:

**THE BOARD OF SUPERVISORS OF PITTSYLVANIA
COUNTY, VIRGINIA**

By: _____

Name: Robert "Bob" W. Warren

Title: Chairman

State of Virginia:

County of Pittsylvania to wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2020,
by _____.

Notary Public

My Commission Expires: _____

Approved as to Form:

J. Vaden Hunt, Esq.
Pittsylvania County Attorney

Attachment: SCS Cell Tower Lease (1965 : SCS Cell Tower Lease Approval)

LESSEE:

ACELANET LLC D/B/A SCS BROADBAND

By: _____

Name: Clay Stewart

Title: COO

State of Virginia

County/City of _____, to wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2020,
by _____.

Notary Public

My Commission Expires: _____

Attachment: SCS Cell Tower Lease (1965 : SCS Cell Tower Lease Approval)

Exhibit "A"**Callands Compactor Tower**

20400 Franklin Turnpike
Chatham, Virginia 24531

Grit Road Tower

3710 Wards Road
Hurt, Virginia 24563

Mt. Airy Tower

120 Renan Road
Chatham, Virginia 24557

Rockford School Road Tower

6300 Rockford School Road
Gretna, Virginia 24557

White Oak Tower

533 Tower Lane
Blairs, Virginia 24527

Brosville Tower

95 Cascade Road
Cascade, Virginia 24069

Dan River Middle School Tower

325 Dodson Lane
Ringgold, Virginia 24586

EXHIBIT "B"

TOWER	DATE ACTIVATED	CURRENT DATE	NUMBER OF MONTHS	AMOUNT DUE
Callands	6/1/19	3/1/20	9	\$450.00
Grit	4/1/19	3/1/20	11	\$550.00
Mt. Airy	3/6/19	3/1/20	11	\$550.00
Rockford School	N/A	N/A	N/A	N/A
Whitie Oak	1/1/18	3/1/20	26	\$1,300.00
Brosville	N/A	N/A	N/A	N/A
Dan River Middle School	12/1/19	3/1/20	3	\$150.00
TOTALS				\$3,000.00

Attachment: SCS Cell Tower Lease (1965 : SCS Cell Tower Lease Approval)



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	BOS By-law Revisions Adoption (Staff Contact: J. Vaden Hunt, Esq.)		
Staff Contact(s):	J. Vaden Hunt, Esq.		
Agenda Date:	March 17, 2020	Item Number:	7.g
Attachment(s):	2020 BOS Bylaws Proposed Changes		
Reviewed By:	JVH		

SUMMARY:

At the Board's recent Strategic Planning Workshop, potential revisions to the Board's By-laws and Rules of Procedure were discussed. These potential revisions, attached for the Board's reference and review, include and/effect the following Sections of the By-laws: (1) Section 1.1 (Board Composition); (2) Section 1.5 (Board Compensation); (3) Section 1.6 (Board Benefits); (4) Section 2.8 (Presentations); (5) Section 2.17 (Remote Participation in Board Meeting); (6) Article III (County Administrator); and (7) Article IV (Board Committees). As required by Section 7.1 of the By-laws, adequate notice of said potential revisions have previously been given to the Board.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends approval of the proposed revisions to the Board's By-laws as presented.

MOTION:

"I make a Motion to adopt the proposed revisions to the Board's By-laws as presented."

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS' BY-LAWS AND RULES OF PROCEDURE

(B.S.M. 2/02/04, 4/15/08, 2/02/09, 2/01/10, 4/20/10, 9/20/11, 6/19/12, 2/4/13, 7/01/13, 10/06/14, 11/03/14, 6/06/16, 2/6/17, 3/20/18, 1/03/19)

PURPOSE.

To establish and set forth certain rules to provide for the orderly conduct of Pittsylvania County, Virginia ("County"), business, to prescribe the manner and procedure by which the Pittsylvania County Board of Supervisors ("Board of Supervisors" or "Board") shall conduct matters of business, and to provide for the efficient handling thereof.

ARTICLE I. BOARD OFFICER ELECTION, COMPOSITION, AND FUNCTION, COMPENSATION, AND BENEFITS.

1.1. Board Composition.

The Board shall be composed of seven (7) members who shall be elected by the qualified voters of the County for four (4)-year terms; one (1) member shall be elected from each of the seven (7) election districts. Pursuant to Section 24.2-219, Code of Virginia, 1950, as amended, beginning with the November 2015 General Election, the Board ~~was shall be~~ elected to staggered terms as follows: the voters in the Banister, Callands-Gretna, and Dan River Election Districts shall elect a member of the Board for a two (2)-year term, and the voters in the Chatham-Blairs, Staunton River, Tunstall, and Westover Election Districts shall elect a member of the Board for a four (4)-year term. At the November 2017 General Election, the voters in the three (3) Election Districts in which a Supervisor was elected for a two (2)-year term, ~~shall elected~~ a Supervisor for a four (4)-year term, and thereafter elections for all Supervisors ~~are will be~~ held on a biennial basis for four (4)-year terms.

1.2. Chairman; Election and Duties.

At the Regular Board Meeting in January each year (the "Reorganizational Meeting"), or at any other time as determined by a majority of the Board, there shall be elected a Chairman to serve for a period of one (1) year expiring on December 31st, or until replaced by Board Membership. The County Administrator, serving as temporary Chairman, shall take nominations. Nominations require a second, and the vote will be taken in the order the nominations are made. A majority vote is required. It shall be the Chairman's duty to preside at all Board meetings, and to maintain the orderly conduct thereof. He/she shall sign all voucher warrants of the County; and when the Board is not in session, he/she shall provide policy guidance to the County Administrator and the County Attorney. The Chairman shall continue to be a voting member of the Board. The Chairman, with guidance from County Staff and consultation with other Board Members, can authorize the advertisement and conducting of Public Hearings.

1.3. Vice-Chairman; Election and Duties.

The Board shall also elect a Vice-Chairman to serve a concurrent term with the Chairman. In the absence or incapacity of the Chairman, the Vice-Chairman shall assume all the duties and functions of the Chairman. In the case where the Chairman and Vice-Chairman are absent from a meeting, the remaining Members present shall choose one (1) of their number as temporary Chairman.

1.4. Board Function.

The Board shall have both administrative and legislative responsibilities, some of which shall be discharged in their role as governing body, and some of which they derive as an administrative political subdivision of the Commonwealth. The powers and duties of the Board shall include, but not be limited to, the following: preparation and adoption of the County Budget, levying of taxes, appropriating funds, constructing and maintaining County buildings, making and enforcing Ordinances, providing for the general health, safety, and welfare of the public, and generally exercising all other powers and functions normally attributed to government and permitted by the laws of the Commonwealth.

1.5. Board Compensation.

Board compensation shall be governed by §§ 15.2-1406, 15.2-1414.1, 15.2-1414.2, and/or 15.2-1414.3, Code of Virginia, 1950, as amended.

1.6. Board Benefits.

Board benefits shall be governed by governed by §§ 15.2-1414.2 and/or 15.2-1414.3, Code of Virginia, 1950, as amended. Board benefits shall include all applicable fringe benefits available to other County employees, including health and dental insurance. Board Members shall not receive dedicated internet service at their residence. Per the County's County-Owned Equipment Upon Separation from Employment Policy, Board Members shall return all County-owned property in their possession upon County separation.

ARTICLE II. MEETINGS.

2.1. Regular Meetings.

The Board shall meet regularly on the third (3rd) Tuesday of each month in the County Administration Building, Main Conference Room, and 4:30 p.m. for a Work Session, and at 7:00 p.m., on the same day, for a Business Meeting in the Pittsylvania County General District Courtroom for the purpose of discharging their administrative and legislative responsibilities. The Board shall also be authorized to set other dates for Regular Meetings, and any and all other Meetings, at the Reorganizational Meeting, or at any other appropriate time(s).

2.2. Parliamentary Procedure.

All such Meetings shall be open to the public and shall be conducted in an orderly fashion with the most recent edition of *Robert's Rules of Order* being used for parliamentary procedure.

2.3. Sergeant of Arms.

The County's Sheriff, or his/her designee, shall act as "Sergeant of Arms" at all Board Meetings, and shall, when so directed by the Chairman, expel any person or persons from such Meetings.

2.4. Meeting Seating.

For the purpose of address and order, the Board and County Staff shall sit in front of the "public rail" in the Courtroom, and all other persons shall sit behind the "public rail." The Chairman shall sit in the middle of the dais, and all other seats shall be selected by Board Members based on longevity of Board membership.

2.5. Agendas.

Agendas shall be prepared by the Clerk and used at all Meetings. All items requested to be placed on the Agenda shall be submitted in writing to the Clerk, or his/her designee, ten (10) working days before the Meeting; however, Board Members may make oral requests. Any items received after that time shall appear on the next Regular Meeting Agenda, unless a majority of the Board present vote to place such items on the current Agenda.

2.6. Meeting Order.

The Meeting Order of all the Board's Work Sessions and Business Meetings shall be as follows:

Work Session Meeting Order:

Call to Order (4:30 p.m.; County Administration Building; Main Conference Room)
 Roll Call Agenda
 Items to be Added
 Approval of Agenda
 Presentations
 Staff, Committee, and/or Constitutional Officer Reports
 Business Meeting Discussion Items
 Closed Session (if any)
 Return to Open Session & Closed Session Certification (if required)
 Adjournment

Business Meeting Order:

Call to Order (7:00 p.m.; Pittsylvania County General District Courtroom)
 Roll Call
 Moment of Silence
 Pledge of Allegiance

Items to be Added
 Approval of Agenda
 Consent Agenda
 Presentations
 Hearing of the Citizens
 Public Hearings

- A. Zoning Public Hearings
- B. Other Public Hearings

Unfinished Business
 New Business
 Appointments
 Matters from Work Session
 Board Member Reports
 County Administrator/County Attorney Reports
 Adjournment

2.7. Presentations.

All presentations to the Board shall be limited to a maximum of ten (10) minutes.

2.8. Recognitions.

The particular method of recognition (*i.e.*, Certificate, Resolution, and/or plaque) shall be governed by the Board's Policy on Recognitions formally adopted on October 15, 2019, ~~January 19, 2016~~, and made a part hereof.

2.9. Public Hearings.

All Public Hearings on Business Meetings shall be conducted as follows: Each person addressing the Board under a Public Hearing shall step up, give his/her name and district, and/or his/her place of residency for non-County citizens, in an audible tone of voice for the record, and, unless further time is granted by the Chairman, shall limit his/her address to three (3) minutes; speakers for a group shall be limited to ten (10) minutes. Speakers shall conclude their remarks at that time, unless the consent of the Board is affirmatively given to extend the speakers allotted time. All remarks shall be addressed to the Board as a body and not to any individual member thereof. No person, other than the Board and the person having the floor, shall be permitted to enter into any discussion, either directly or indirectly or through a Board Member, without first being recognized by the Chairman. No question shall be asked a Board Member except through the Chairman.

2.10. Hearing of the Citizens.

All Hearing of the Citizens on Business Meetings shall be conducted as follows: Each person addressing the Board under Hearing of the Citizens shall be a resident or land owner of the County, or the registered agent of such resident or land owner. Each person shall step up, give his/her name

and district in an audible tone of voice for the record, and unless further time is granted by the Chairman, shall limit his/her address to three (3) minutes. No person shall be permitted to address the Board more than once during Hearing of the Citizens. All remarks shall be addressed to the Board as a body and not to any individual Member thereof. Hearing of the Citizens shall last for a maximum of forty-five (45) minutes. Any individual that is signed up to speak during said section who does not get the opportunity to do so because of the aforementioned time limit, shall be given speaking priority at the next Board Meeting.

2.11. Special Meetings.

The Board may from time-to-time hold special, called, adjourned, and/or informational meetings in accordance with the laws of the Commonwealth.

2.12. Motions/Resolutions.

Each oral Motion or Resolution shall be recorded by the Deputy Clerk and may be read back to the whole Board by the Deputy Clerk, if so requested, before any vote is taken.

2.13. Board Member Reports.

Board Member Reports shall be used for individual Board Members to share information with other Board Members and/or the public. No official action may take place during Board Member Reports.

2.14. Closed Meetings.

Closed Meetings of the Board shall be requested in the same manner as prescribed in Section 2.5 or added as allowed by the Virginia Freedom of Information Act.

2.15. Quorum and Method of Voting.

At any Board Meeting, a majority of the Supervisors present shall constitute a quorum. A majority of the Board shall mean four (4). All questions submitted to the Board for decision shall be determined by a *viva voce* vote or approved electronic voting method of a majority of the Board present voting on any such question, unless otherwise provided by law. The name of each Member voting and how he/she voted must be recorded. The Board has elected not to have a tie breaker as provided for by the Code of Virginia, and a tie vote on any Motion shall be considered defeated as provided for in Section 15.2-1420, Code of Virginia, 1950, as amended. Each Board Member present when a question is put shall vote "yes" or "no." No Board Member shall be excused from voting, except on matters involving the consideration of his/her own official conduct, where his/her own financial interests are involved, or where he/she may have a conflict of interest, pursuant to the Virginia State and Local Government Conflict of Interests Act.

2.16. Roll Call Procedure.

(1) Board Members shall either cast votes in District order on a rotating basis, or simultaneously if using an approved electronic voting method.

(2) The Board Chairman shall cast the last vote, unless using an approved electronic voting method.

2.17. Remote Participation in Board Meeting.

As authorized by Section 2.2-3708.24, Code of Virginia, 1950, as amended, the Board shall allow the participation of Board Members in a Meeting through electronic communication means from a remote location that is not open to the public subject to complying with all parts of the following written policy:

1. On or before the day of a Meeting, the Supervisor shall notify the Board Chairman that the Supervisor is unable to attend the meeting due a personal matter, and the Supervisor shall identify with specificity the nature of the personal matter, or the Supervisor shall notify the Board Chairman that the Supervisor is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the Supervisor's physical attendance. The Board shall record the specific nature of the personal matter or fact of temporary or permanent disability, and the remote location from which the absent Supervisor participated in its minutes.

2. If the absent Supervisor's remote participation is disapproved, because such participation would violate the strict and uniform application of this written policy, such disapproval shall be recorded in the Board's Minutes.

3. Such participation by the absent Supervisor shall be limited in each calendar year to two (2) meetings.

4. A quorum of the Board shall be physically assembled at the primary or central meeting location.

5. The Board shall arrange for the voice of the absent Supervisor to be heard by all persons in attendance at the primary or central meeting location.

ARTICLE III. COUNTY ADMINISTRATOR.

3.1. The Board may appoint a County Administrator who shall serve at the pleasure of the Board. Once appointed, the County Administrator shall be the Chief Administrative Officer of the County and shall perform his/her duties in accordance with the laws of the Commonwealth and the policies of the County as established by the Board for that purpose. ~~When the Board is not in session, the County Administrator shall receive guidance concerning policy from the Chairman, and in his/her absence, the Vice-Chairman.~~

~~**3.2.** The County Administrator shall be in complete charge of personnel of the County and shall, in accordance with established policy, hire, and fire. Any action of the County Administrator concerning dismissal of personnel is subject to review by the Board and can be reversed by a two-~~

~~thirds (2/3) vote of the Board. Such review shall be limited to charges of discrimination and failure to follow Personnel Policies on the part of the County Administrator in the conduct of dismissal.~~

~~3.3. The County Administrator shall serve as the Purchasing Agent for the County as defined by/under the County Code.~~

~~3.4. He/she shall have charge of the administration of the financial affairs of the County, and to that end, shall have authority and be required to:~~

~~(a) Cooperate with the Board in compiling estimates for the current expense and Capital Budgets.~~

~~(b) Supervise and control all encumbrances, expenditures, and disbursements to ensure that Budget appropriations are not exceeded; and keep the Board advised as to the financial needs of the County.~~

~~(c) Require, at such intervals as he may deem expedient or as instructed by the Board, a Report of Receipts from each of the departments, boards, commissions, agencies, and he/she may prescribe the times at, and the manner in which money is received by them, shall be paid to the County Treasurer or deposited subject to modifications as prescribed and set forth in the general laws of the Commonwealth. He/she may also examine all contracts, purchase orders, and other documents which create financial obligations against the County, and approve the same only upon ascertaining that money has been appropriated and allotted; therefore, subject however, to the provision that the Board may in its discretion and judgment, amend, modify, and alter this requirement to meet a specific need or requirement of a particular piece of legislation approved by the Board.~~

ARTICLE IV. BOARD COMMITTEES.

4.1. The Board Standing Committees shall be as follows:

(a) **Finance/Insurance:** To aid and advise in the preparation on the County Budget and make recommendations concerning Fiscal Policy.

(b) **Personnel:** To review policies and practices and make recommendations regarding the same.

(c) **Property/Building:** To view buildings and grounds and make recommendations regarding the same.

(d) **Legislative Committee:** The Legislative Committee, in collaboration with the County Attorney, shall review, propose changes, and maintain current revisions to the Board of Supervisors' Bylaws and Rules of Procedure; review, propose changes, and maintain current revisions to the Pittsylvania County Board of Supervisors Policies and Procedures Manual; and review, propose changes, set public hearings for any proposed changes, and maintain current revisions to the Pittsylvania County Code.

4.2. At the Board's Reorganizational Meeting, or at any other appropriate time(s), membership to the ~~above-Standing Committees and the following entities above committees, and other specified committees,~~ shall be appointed by the Board Chairman ~~from the Board Membership. Any appointment so made shall be~~ for a specific term of office as determined by the Chairman:

- (a) Computer/Radio/Telecommunications
- (b) BOS/School Joint Liaison
- (c) Economic Development
- (d) Solid Waste
- (e) Dan River Business Development Center
- (f) Danville-Pittsylvania Regional Facility Authority
- (g) Fire and Rescue Commission
- (h) Local Elected Officials
- (i) Metropolitan Planning Organization
- (j) Pittsylvania County Community Action Agency
- (k) Pittsylvania County Planning Commission
- (l) Roanoke River Basin Association
- (m) SARA Title III/D-PC Local Emergency Planning
- (n) Pittsylvania County Social Services Board
- (o) Virginia Association of Counties Committee
- (p) West Piedmont Planning District Commission
- (q) Community Policy Management Team
- (r) Staunton River Regional Facility Authority
- (s) Tri-County Lake Advisory Committee

4.3. The Board may, from time-to-time, direct that the Board Chairman appoint committees for a specific purpose with a limited duration.

4.4. The Board Chairman shall be authorized to temporarily participate, including voting, in any committee for the purpose of creating a quorum, ~~and/or acting.~~

4.5. The Board ~~and/or Board Chairman~~ shall be authorized, to the extent allowed by law, to remove any of its/~~his~~ -appointee(s) to ~~any any committee or other entity. board, committee, or any similar entity/organization.~~

4.6. The Board shall strive to require all potential committee or other entity appointees to submit a letter of interest, resume, and/or application prior to appointment.

4.7. The Board shall strive to create a uniform stipend policy for all appointed committees and other entities.

ARTICLE V. CERTAIN ORDINANCES AND RESOLUTIONS TO LIE OVER.

5.1. No Ordinance or Resolution imposing taxes or appropriating money from General Fund balances, not included in the adopted Budget, in excess of \$50,000, shall be passed until after ten

(10) days from the introduction thereof. This shall not restrict the appropriation of State, Federal, or other funds not in the current General Fund balances.

ARTICLE VI. RECORDATION OF ORDINANCES AND RESOLUTIONS.

6.1. Every Resolution upon its final passage shall be recorded in a book kept for that purpose and shall be authenticated by the signature of the Chairman and the County Administrator.

6.22. Every Resolution shall be authenticated and recorded in the same manner as in 6.1-above.

6.3. Every Motion appropriating funds or adopting an Ordinance shall be by Roll Call vote.

6.4. Every Ordinance passed by the Board shall be incorporated into the Pittsylvania County Code.

ARTICLE VII. AMENDMENTS AND ADOPTIONS.

7.1. Amendments to these By-Laws and Rules of Procedure may be made at any Board Meeting by a majority vote of the Board present, after a notice of intent to amend has been given to each Board member not less than ten (10) days prior to such Meeting.

7.2. Adoption of the By-Laws and Rules of Procedures shall be by simple majority vote of the Board present and shall be in force and effect on the day after their passage.



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Appointment of Acting Building Official (Staff Contact: Richard N. Hicks)		
Staff Contact(s):	Richard N. Hicks		
Agenda Date:	March 17, 2020	Item Number:	7.h
Attachment(s):			
Reviewed By:	RH		

SUMMARY:

In accordance with 13 VAC 5-63-50, Section 105, the County shall have a building official as the Executive Official in charge of the Department. The County currently does not have one, and County Staff is requesting that Karen N. Hayes be appointed as the County's Acting Building Official. Once the new Community Development Director begins work, a decision will be made regarding a permanent appointment.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends the Board appoint Karen N. Hayes as the County's Acting Building Official.

MOTION:

"I make a Motion to appoint Karen N. Hayes as the County's Acting Building Official."



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Waiver of Solid Waste Tipping Fees (Staff Contact: Richard N. Hicks)		
Staff Contact(s):	Richard N. Hicks		
Agenda Date:	March 17, 2020	Item Number:	7.i
Attachment(s):	McDaniel Assignment		
Reviewed By:	RH		

SUMMARY:

County Staff has been working for a significant amount of time on the cleanup of the McDaniel property on Mt. Cross Road. A Court Order (the "Order") was issued allowing the County to clean up the property and the County also won an appeal related to said Order. The property was sold for delinquent taxes and the new owners began the process of cleaning up the property but ran into issues with the prior owner. To help alleviate those issues, the County assigned its rights under the Order to clean up the property to the new owners. To assist in this cleanup, County Staff is requesting that the tipping fees be waived for any debris/solid waste removed from the property. For your review, a copy of the Assignment is attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

The County would absorb the costs of the disposal of the debris/solid waste from the property.

RECOMMENDATION:

County Staff recommends the Board waive the tipping fees at the landfill for debris/solid waste removed from the property at 2501 Mt. Cross Road for a period not to exceed ninety (90) days.

MOTION:

"I make a Motion to waive any and all tipping fees for the debris/solid waste removed from the property at 2501 Mt. Cross Road for a period not to exceed ninety (90) days."

**ASSIGNMENT OF SERVICES BETWEEN PITTSYLVANIA COUNTY,
VIRGINIA, AND CHRIS TOUFAS AND KEITH FIELDS**

This **ASSIGNMENT OF SERVICES** (“Assignment”) is made effective as of the 5th day of March, 2020, by and between **PITTSYLVANIA COUNTY, VIRGINIA** (the “County”), 1 Center Street, P.O. Box 426, Chatham, Virginia 24531, and **CHRIS TOUFAS**, 2040 Pine Lake Road, Danville, Virginia, 24541, and **KEITH FIELDS**, 145 Wentz Circle, Danville, Virginia 24541 (“Assignees”).

1. **ASSIGNMENT OF SERVICES.** The Assignees purchased real property located at 2501 Mount Cross Road, Danville, Virginia 24531, GPIN 2308-57-1814 (the “Property”) at a County Delinquent Tax Auction on December 19, 2019. Said Delinquent Tax Sale was confirmed/certified by the Pittsylvania County Circuit Court on January 28, 2020. At a Pittsylvania Circuit Court trial on July 17, 2019, Michael McDaniel, the previous owner of the Property, was found to be in violation of Pittsylvania County Code § 17-3(O) relating to the accumulation of illegal solid waste on the Property. On September 5, 2019, the Pittsylvania County Circuit entered an Order, attached hereto as Exhibit “A” and made a part hereof, granting the County “or its agents” the power to “remedy any and all solid waste violations on the Property.” The County hereby formally and legally assigns said right to remedy the solid waste violations on the Property contained in the Order to the Assignees.
2. **PAYMENT.** For the Assignment contained herein, the County shall pay the Assignees no money for the solid waste clean-up of the Property. Consideration for this Assignment shall be that the Assignees shall be able to capture all monies from materials cleaned-up and removed from the Property.
3. **TERM.** This Assignment may be terminated by either party upon thirty (30) days prior written notice to the other party.
4. **INSURANCE.** The Assignees shall maintain insurance on the Property for the duration of the Assignment’s Term.
5. **INDEMNIFICATION.** The Assignees agrees to indemnify and save harmless the County, its officers, agents, employees, and volunteers from any and all losses, expenses, costs, and claims, including but not limited to costs of investigation, all reasonable attorneys’ fees (whether or not litigation results), and the cost of any appeal, occurring or arising in connection with Assignees’, its agents’, subcontractors’, employees’, or volunteers’ negligence or wrongful acts or omissions in connection with its performance of this Assignment. Nothing contained in this Assignment shall be deemed to be a waiver of the County’s sovereign immunity.
6. **REMEDIES.** In addition to any and all other rights a party may have available according to law, if a party defaults by failing to substantially perform any provision, term, or condition of this Assignment, the other party may terminate it by providing written notice to the defaulting party. This notice shall describe with sufficient detail the nature of the

default. The party receiving such notice shall have thirty (30) days from the effective date of such notice to cure the default(s). Unless waived in writing by a party providing notice, the failure to cure the default(s) within such time period shall result in the automatic termination of this Assignment.

7. **ENTIRE AGREEMENT.** This Assignment contains the entire agreement of the parties, and there are no other promises or conditions in any other agreement whether oral or written concerning the subject matter of this Assignment. This Assignment supersedes any prior written or oral agreements between the parties.
8. **SEVERABILITY.** If any provision of this Assignment is held to be invalid or unenforceable for any reason, the remaining provisions will continue to be valid and enforceable. If a Court finds that any provision of this Assignment is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision will be deemed to be written, construed, and enforced as so limited.
9. **AMENDMENT.** This Assignment may be modified or amended in writing by mutual agreement between the parties, if the writing is signed by the party obligated.
10. **GOVERNING LAW.** This Assignment shall be construed in accordance with the laws of the Commonwealth of Virginia.
11. **NOTICE.** Any notice or communication requires or permitted under this Assignment shall be sufficiently given if delivered in person or by certified mail, return receipt requested, to the address set forth in the opening paragraph, or to such other address as one party may have furnished to the other in writing.
12. **WAIVER.** The failure of either party to enforce any provision of this Assignment shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Assignment.
13. **ATTORNEY'S FEES TO PREVAILING PARTY.** In any action arising hereunder or any separate action pertaining to the validity of this Assignment, each party shall pay any and all of its/their own related legal fees.
14. **CONSTRUCTION AND INTERPRETATION.** The rule requiring construction of interpretation against the drafter is waived. The document shall be deemed as if it were drafted by both parties in a mutual effort.

IN WITNESS WHEREOF, the parties hereto have caused this Assignment to be executed by their duly authorized representatives as of the date first above written.

PITTSYLVANIA COUNTY, VIRGINIA

By: _____
David M. Smitherman
Its: County Administrator

APPROVED AS TO FORM

J. Vaden Hunt, Esq.
Pittsylvania County Attorney

CHRIS TOUFAS

By: _____

KEITH FIELDS

By: _____

Attachment: McDaniel Assignment (1963 : Waiver of Solid Waste Tipping Fees (Staff Contact: Richard N. Hicks))



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Coles' Hill Pet Center Benefit Trail Ride Contract Approval (Staff Contact: James P. McLaughlin)		
Staff Contact(s):	James P. McLaughlin		
Agenda Date:	March 17, 2020	Item Number:	7.j
Attachment(s):	Gneral Contract for Services-Bedford County-Walter Coles Cole's Hill Trail Ride		
Reviewed By:			

SUMMARY:

The Pet Center will be holding a Trail Ride on April 25, 2020, at Historic Coles' Hill. The attached Contract between the County and the Coles outline the services provided for this event.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends the Board approve the attached contract for the Coles' Hill Trail Ride as presented.

MOTION:

"I make a Motion to approve the attached contract for the Coles' Hill Trail Ride as presented."

GENERAL CONTRACT FOR SERVICES
BETWEEN PITTSYLVANIA COUNTY, VIRGINIA, AND ALICE COLES
AND WALTER COLES

This **GENERAL CONTRACT FOR SERVICES** (“Contract”) is made effective as of the ___ day of _____, 2020, by and between **PITTSYLVANIA COUNTY, VIRGINIA** (the “County”), 1 Center Street, P.O. Box 426, Chatham, Virginia 24531, and **ALICE COLES** and **WALTER COLES** (“Coles”), 1040 Coles Road, Chatham, Virginia 24531.

1. **DESCRIPTION OF SERVICES.** On April 25, 2020, the Coles will provide to the County with the following services (“Services”): Use of historic Coles’ Hill property for a trail ride and catered supper to benefit the County’s Pet Center (“Event”).
2. **PAYMENT.** No Payment for the Services/Event is required from the County to the Coles.
3. **TERM.** This Contract may be terminated by either party upon thirty (30) days prior written notice to the other party.
4. **LIABILITY.** All Event participants shall execute a Release of Liability, a template for the same is attached hereto as Exhibit “A” and made a part hereof.
5. **TRASH.** The County will be responsible for the removal of all trash from the premises upon the conclusion of the Event.
6. **LAND DISTURBANCE.** The County will be responsible to reasonably restore any land that is disturbed back to its original condition at the conclusion the Event, including, but limited to, roads, trails, and fields.
7. **INSURANCE.** The County shall provide liability insurance coverage for Coles for the Event. Said proof of coverage shall be attached to this Contract as Exhibit “B” and made a part hereof.
8. **WAIVER.** The County shall ensure that all Event participants sign Release, Waiver, and Indemnity Agreement attached hereto as Exhibit “C” and made a part hereof.
9. **REMEDIES.** In addition to any and all other rights a party may have available according to law, if a party defaults by failing to substantially perform any provision, term, or condition of this Contract, the other party may terminate the Contract by providing written notice to the defaulting party. This notice shall describe with sufficient detail the nature of the default. The party receiving such notice shall have thirty (30) days from the effective date of such notice to cure the default(s). Unless waived in writing by a party providing notice, the failure to cure the default(s) within such time period shall result in the automatic termination of this Contract.
10. **ENTIRE AGREEMENT.** This Contract contains the entire agreement of the parties, and there are no other promises or conditions in any other agreement whether oral or written

concerning the subject matter of this Contract. This Contract supersedes any prior written or oral agreements between the parties.

11. **SEVERABILITY.** If any provision of this Contract will be held to be invalid or unenforceable for any reason, the remaining provisions will continue to be valid and enforceable. If a court finds that any provision of this Contract is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision will be deemed to be written, construed, and enforced as so limited.
12. **AMENDMENT.** This Contract may be modified or amended in writing by mutual agreement between the parties, if the writing is signed by the party obligated.
13. **GOVERNING LAW.** This Contract shall be construed in accordance with the laws of the Commonwealth of Virginia.
14. **NOTICE.** Any notice or communication requires or permitted under this Contract shall be sufficiently given if delivered in person or by certified mail, return receipt requested, to the address set forth in the opening paragraph, or to such other address as one party may have furnished to the other in writing.
15. **WAIVER OF CONTRACTUAL RIGHT.** The failure of either party to enforce any provision of this Contract shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Contract.
16. **ATTORNEY'S FEES TO PREVAILING PARTY.** In any action arising hereunder or any separate action pertaining to the validity of Contract, each party shall pay any and all of its/their own related legal fees.
17. **CONSTRUCTION AND INTERPRETATION.** The rule requiring construction of interpretation against the drafter is waived. The document shall be deemed as if it were drafted by both parties in a mutual effort.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed by their duly authorized representatives as of the date first above written.

PITTSYLVANIA COUNTY, VIRGINIA

By: _____
Robert "Bob" W. Warren
Its: Chairman, Pittsylvania County Board of Supervisors

APPROVED AS TO FORM

J. Vaden Hunt, Esq.
Pittsylvania County Attorney

ALICE COLES

By: _____
Alice Coles

WALTER COLES

By: _____
Walter Coles

Cole's Hill Trail Ride

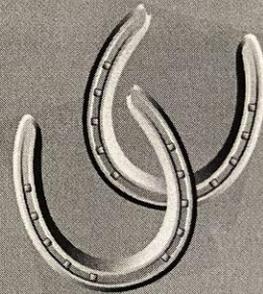
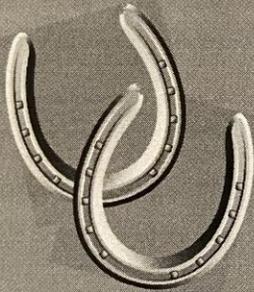


April 25, 2020 9:45 am

at Historic Cole's Hill

**1040 Coles Road
Chatham, VA 24531**

Cost \$25



Ride lasts 4-6 hours and begins after a blessing at 9:45 am.

Supper by Tred Hunt's Gourmet Smoke & More \$7 per person

Contacts: James McLaughlin 757-232-6207 or Anne Hunt 434-251-2591

Supporting the Pittsylvania Pet Center



Live music provided by Carolina Cool Band



Attachment: Cole's Hill Trail Ride (1961 : Cole's Hill Pet Center Benefit Trail Ride Contract Approval (Staff Contact: James P. McLaughlin))



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Purchase of Service Weapon (Contact: Sheriff Taylor)		
Staff Contact(s):	Sheriff Taylor		
Agenda Date:	March 17, 2020	Item Number:	7.k
Attachment(s):	03-06-2020 Letter from Sheriff Taylor		
Reviewed By:			

SUMMARY:

Over the years, the Board has approved requests to purchase service weapons issued to members of the County Sheriff's Office meeting the requirements of Virginia Code §59.1-148.3, Purchase of Handguns of Certain Officers. Attached please find a letter from the Honorable Mike Taylor, Sheriff, stating that Donald Motley, Alex Shields, Timothy West, and David Dutton were presented with their duty weapons at their retirement ceremony on December 31, 2019.

FINANCIAL IMPACT AND FUNDING SOURCE:

The service weapons were purchased for \$1.00 each.

RECOMMENDATION:

County Staff recommends the Board approve Sheriff Taylor's transfer of service weapons to Donald Motley, Alex Shields, Timothy West, and David Dutton.

MOTION:

"I make a Motion to approve Sheriff Taylor's transfer of service weapons to Donald Motley, Alex Shields, Timothy West, and David Dutton."



Pittsylvania County Sheriff's Office

Michael W. Taylor, Sheriff

21 North Main Street • Post Office Box 407 • Chatham, Virginia 24531
 Telephone: (434) 432-7800 • (434) 656-6211 • Fax: (434) 432-7823



March 6, 2020

Mr. David M. Smitherman, County Administrator
 Pittsylvania County
 P.O. Box 426
 Chatham, Virginia 24531

Re: Purchase of Service Weapon

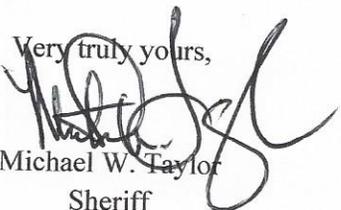
Dear Mr. Smitherman:

On 31 December 2019, the following Sheriff's Office personnel were presented their duty weapons at their retirement ceremony:

1. Donald Motley: Make: Glock: Model # 22: Serial # HHA-495
2. Alex Shields: Make: Glock: Model # 22: Serial # HHA- 469
3. Timothy West: Make: Glock: Model # 22: Serial # HHA-450
4. David Dutton: Make: Glock: Model # 22: Serial # HHA-430

These personnel requested to purchase their duty weapons, as provided by § 59.1-148.3, Code of Virginia, for \$1.00. Enclosed is their payment of \$1.00 per duty weapon for their purchase price. All duty weapons' registrations were transferred by a Federal Firearms Licensed Dealer. With kindest regards I remain,

Very truly yours,


 Michael W. Taylor
 Sheriff

Enclosures: \$4.00

Cc: Via: email: Vaden Hunt, Esquire, Attorney for Pittsylvania County
 Corey Webb, Captain
 The Honorable Vincent Shorter, Treasurer
 Personnel Files

MWT/ngo

Attachment: 03-06-2020 Letter from Sheriff Taylor (1960 : Purchase of Service Weapon (Contact: Sheriff Taylor))



Board of Supervisors
EXECUTIVE SUMMARY
INFORMATION ITEM

Agenda Title:	Isaiah Griffin Recognition Presentation (Contact: Supervisor Farmer)		
Staff Contact(s):	Supervisor Farmer		
Agenda Date:	March 17, 2020	Item Number:	8.a
Attachment(s):	Isaiah Griffin		
Reviewed By:	<i>VF</i>		

Isaiah Griffin, Gretna High School Sophomore, will be present to accept a Certificate of Excellence in recognition of his heroic efforts of saving his family during a January 13, 2020, house fire.

Certificate of Excellence

The Pittsylvania County Board of Supervisors expresses its sincere appreciation and admiration for your outstanding bravery and heroism displayed on January 13th, 2020, as you woke your family to let them know the house was on fire, and then went back into your burning home to save your family members. The courage you displayed during this event is remarkable and you are the true definition of a Local Hero. Thank you again for your courageous efforts and we wish you the best in your future endeavors.

Isaiah Griffin

Given This 17th Day of March, 2020



Robert W. Warren, Chairman



Board of Supervisors
EXECUTIVE SUMMARY
INFORMATION ITEM

Agenda Title:	Elijah Moshenek Recognition Presentation (Contact: Supervisor Davis)		
Staff Contact(s):	Supervisor Davis		
Agenda Date:	March 17, 2020	Item Number:	8.b
Attachment(s):	Elijah "Bam" Moshenek		
Reviewed By:			

Elijah Moshenek, Dan River High School Junior, will be present to accept a Certificate of Excellence in recognition of his February 22, 2020, VHSL Class 2 Wrestling State Championship.

Certificate of Excellence

The Pittsylvania County Board of Supervisors expresses its sincere congratulations and admiration for your outstanding State Championship Win in the VHSL Class 2 Wrestling Championships held at the Salem Civic Center on Saturday, February 22, 2020. You have performed commendably, bringing recognition not only to yourself, but to your family, school, and the County. We wish you the best in your future endeavors.

Elijah "Bam" Moshenek

Given This 17th Day of March, 2020



Robert W. Warren, Chairman

Attachment: Elijah "Bam" Moshenek (1957 : Elijah Moshenek Recognition Presentation (Supervisor Davis))



Board of Supervisors
EXECUTIVE SUMMARY
INFORMATION ITEM

Agenda Title:	Arlene Davis Recognition Presentation (Contact: Supervisor Dudley)		
Staff Contact(s):	Supervisor Dudley		
Agenda Date:	March 17, 2020	Item Number:	8.c
Attachment(s):	Arlene Poindexter Davis		
Reviewed By:			

Arlene Davis will be present to accept a Certificate of Excellence in honor of her twenty-eight (28) years of service to the United States of America.

Certificate of Excellence

The Pittsylvania County Board of Supervisors expresses its sincere admiration for your years of dedication and service to the Unites States of America. We appreciate your 28 years of service from January 3, 1967 to October 1, 1994. While working in the White House, you have met several significant political leaders which include, Presidents Lyndon Johnson, Richard Nixon, Gerald Ford, Jimmy Carter, Ronald Reagan, George Bush, and Bill Clinton, as well as the First Ladies, Nelson Mandela, the Vice-Presidents, and all of the Senate and House Representatives during this time. Thank you for your outstanding service that has made you a significant figure in the County's history.

Arlene Poindexter Davis

Given This 17th Day of March, 2020



Robert W. Warren, Chairman

Attachment: Arlene Poindexter Davis (1958 : Arlene Davis Recognition Presentation (Supervisor Dudley))



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Public Hearing: Rezoning Case R-20-003; Julie M. Owen; Dan River Election District; R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Contact: Supervisor Davis)		
Staff Contact(s):	Karen N. Hayes		
Agenda Date:	March 17, 2020	Item Number:	10.A.1
Attachment(s):	OWEN - CASE R-20-003 OWEN - CASE R-20-003 MAP		
Reviewed By:	VH		

SUMMARY:

In Case R-20-003, Julie M. Owen, Petitioner, has petitioned to rezone a total of 19.88 acres, two (2) parcels of land, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (*for agricultural uses*). The parcels are located on Chaney's Store Road in the Dan River Election District. Once the properties are rezoned, all uses listed under Pittsylvania County Code § 35-178 are permitted. The Planning Commission, with no opposition, recommended granting the Petitioner's request. The County Staff Summary is attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff submits this item to the Board for its review and consideration.

Case R-20-003

OWEN

CODE COMPLIANCE SUMMARY

<p><u>CASE</u> R-20-003</p>	<p><u>ZONING REQUEST</u> R-1 to A-1</p>	<p><u>CYCLE</u> March 2020</p>
<p><u>SUBJECT/PROPOSAL/REQUEST</u> Julie M. Owen is requesting to rezone the property from R-1, Residential Suburban Subdivision District to A-1, Agricultural District.</p> <p>DISTRICT: Dan River</p>	<p>PLANNING COMMISSION: March 3, 2020</p> <p>BOARD OF SUPERVISORS: March 17, 2020</p> <p>ADVERTISED: February 19 & 26, 2020</p> <p>REVIEWED BY: <i>KWH</i></p>	

BACKGROUND/DISCUSSION

Julie M. Owen petitioned the Planning Commission/Board of Supervisors on January 29, 2020, to rezone from R-1, Residential Suburban Subdivision District to A-1, Agricultural District on a total of 19.88 acres, two (2) parcels of land, located on State Road 693/Chaney’s Store Road in the Dan River Election District. The parcels are shown on our records as GPIN #s 2346-61-7230 and 2346-61-9292.

The petitioner would like to rezone the properties for agricultural uses (produce and cows or goats).

Once the property is rezoned to A-1, all uses listed under Section 35-178 are a permitted use.

DIRECTIONS

See Map Quest directions.

RELATIONSHIP TO THE SURROUNDING LAND USE AND NEIGHBORING AREAS

Adjacent to A-1, Agricultural District and R-1, Residential Suburban Subdivision District zoned properties.

ZONING OF SURROUNDING PROPERTIES

The Comprehensive Plan for the general area is A-1, Agricultural District, R-1, Residential Suburban Subdivision District, RC-1, Residential Combined Subdivision District and M-2, Industrial District, Heavy Industry.

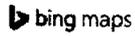
SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends Planning Commission review and make a recommendation to the Board of Supervisors. On March 3, 2020, the Planning Commission recommended by a unanimous vote, with no opposition, that the petitioner’s request be granted.

Attachment: OWEN - CASE R-20-003 (1946 : Public Hearing: Rezoning Case R-20-003 Julie M. Owen)



A 53 N Main St, Chatham, VA 24531

33 min , 23.7 miles

B 320 Chaney's Store Rd, Ringgold, VA 24586

Light traffic
Via US-29 S, US-58 E

THE ENTRANCE TO THE FIRST PETITIONED PARCEL IS LOCATED ADJACENT TO THIS SITE ADDRESS; THE SECOND PARCEL IS LOCATED TO THE REAR OF THE FIRST PARCEL (REFER TO GIS MAP).

A 53 N Main St, Chatham, VA 24531

↑	1. Head southwest on US-29 BR toward Center St	1.3 mi
↑	2. Keep straight onto S Main St	0.1 mi
29	3. Take ramp left and follow signs for US-29 South Pass BP in 5.5 mi ▲ <i>Moderate Congestion</i>	16.5 mi, 19 min
58	4. Take ramp right for US-360 East toward Danville Regional Airport / Richmond / South Boston	0.4 mi
↑	5. Keep straight onto US-58 E / US-360 E / S Boston Rd	2.9 mi
↘	6. Turn right onto Clarks Mill Rd	1.8 mi
↙	7. Turn left onto Cedar Rd	0.4 mi
↘	8. Turn right onto Chaney's Store Rd	0.2 mi
	9. Arrive at Chaney's Store Rd The last intersection is Cedar Rd If you reach Roma Rd, you've gone too far	

B 320 Chaney's Store Rd, Ringgold, VA 24586

Attachment: OWEN - CASE R-20-003 (1946 : Public Hearing: Rezoning Case R-20-003 Julie M. Owen)

January 29, 2020

Mrs. Karen N. Hayes
Deputy Director of Community Development
P. O. Box 426
Chatham, VA 24531

Dear Mrs. Hayes:

I, Julie M. Owen, as Owner, would like to apply to the Planning Commission/Board of Supervisors to rezone a total of 19.88 acres, two (2) parcels of land, located on State Road 693/Chaney's Store Road, in the Dan River Election District from R-1, Residential Suburban Subdivision District to A-1, Agricultural District. The properties are shown on the records as GPIN #s 2346-61-7230 and 2346-61-9292.

I would like to rezone the properties for agricultural uses (produce and cows or goats).

Sincerely,



Julie M. Owen

PITTSYLVANIA COUNTY
APPLICATION FOR REZONING

I, Julie M. Owen, as Owner of the below described property, hereby apply to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

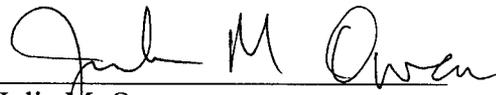
- 1. Property Owner's Names: Julie M. Owen
Address: 495 Coy Creek Lane, Ringgold, VA 24586
- 2. Location of Property: on State Road 693/Chaney's Store Road
Telephone: (434) 489-6254
- 3. Tax Map Number: 2346-61-7230, 2346-61-9292 (232326)
- 4. Election District: Dan River
Total Amount: \$ 182.60
Taken By: KNH #84605 #182
- 5. Size of Property: **A Total of 19.88 Acres, Two (2) Parcels of Land:** 2346-61-7230 (11.43 Acres); 2346-61-9292 (8.45 Acres)
- 6. Existing Land Use: 2346-1-7230 = Vacant; 2346-61-9292 = Single Family Dwelling, Outbuilding
Existing Zoning: R-1, Residential Suburban Subdivision District
- 7. Proposed Land Use: Agricultural Uses (Produce and Cows or Goats)
Proposed Zoning: A-1, Agricultural District

8. Are conditions being proffered: Yes X No

9. Check completed items:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Letter of Application | <input type="checkbox"/> Site Development Plan or Waiver | <input checked="" type="checkbox"/> Legal Forms |
| <input type="checkbox"/> 11"x 17" Concept Plan | <input checked="" type="checkbox"/> Application Fee | <input checked="" type="checkbox"/> List of Adjoining Properties |
| <input checked="" type="checkbox"/> Plat Map | <input checked="" type="checkbox"/> Copy of Deed | <input type="checkbox"/> Copy of Deed Restrictions Or Covenants |

Through application for this permit, the owner authorizes a right-of-entry to the designated personnel of Pittsylvania County for the purpose of site evaluation and monitoring for compliance with the Pittsylvania County Zoning Ordinance.


Julie M. Owen

OFFICE USE ONLY

Application Deadline: 01/30/20
Received By: KNH
B.O.S. Meeting Date: 03/17/20

Application No. R-20-003
P.C. Meeting Date: 03/03/20
Date Received: 01/29/20
Action: _____

TREASURER OF PITTSYLVANIA COUNTY
PAID FEB 03 2020

Attachment: OWEN - CASE R-20-003 (1946 : Public Hearing: Rezoning Case R-20-003 Julie M. Owen)

**VIRGINIA:
BEFORE THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY**

A total of 19.88 acres, two (2) parcels of land,)
generally located on State Road 693/Chaney's Store Road)
within the Dan River) **PETITION**
Election District, and recorded as)
parcel #s 2346-61-7230 & 2346-61-9292)
in the Pittsylvania County tax records)

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

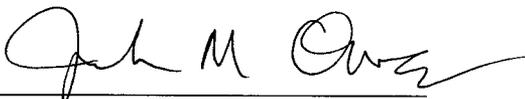
WHEREAS, your Petitioner, Julie M. Owen, respectfully files this petition pursuant to Sections 35-806 and 35-807 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

- (1) The Petitioner is the Owner of the above-referenced parcels of land, or is filing with the owner's consent.
- (2) The properties are presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as R-1, Residential Suburban Subdivision District.
- (3) Your petitioner now desires to have the properties rezoned to A-1, Agricultural District for agricultural uses (produce and cows or goats).

WHEREFORE, your Petitioner respectfully requests that the Zoning Ordinance of Pittsylvania County be amended and that the above-referenced parcels of land be rezoned as set out in Number 3.

FURTHER, your Petitioner respectfully requests that this petition be referred by the Deputy Director of Community Development to the Pittsylvania County Planning Commission for its consideration and recommendation.

Respectfully submitted,


Julie M. Owen

Attachment: OWEN - CASE R-20-003 (1946 : Public Hearing: Rezoning Case R-20-003 Julie M. Owen)

OFFICE OF ZONING/CODE
COMPLIANCE
P.O. DRAWER D,
Chatham, Virginia 24531



(434)432-1771
(434)432-7919 FAX

SIGN AFFIDAVIT

Sec. 35-817. POSTING OF PROPERTY - PLANNING COMMISSION HEARING-

At least fourteen (14) days preceding the Commission's public hearing on a zoning map amendment, there shall be erected on the property proposed to be rezoned, a sign or signs provided by the Zoning Administrator indicating the date, time, and place of the public hearing. The sign shall be erected within ten (10) feet of whatever boundary line of such land abuts a public road and shall be so placed as to be clearly visible from the road with the bottom of the sign not less than two and one-half (2 1/2) feet above the ground. If more than one (1) such road abuts the property, then a sign shall be erected in the same manner as above for each such abutting road. If no public road abuts thereon, then signs shall be erected in the same manner as above on at least two (2) boundaries of the property abutting land not owned by the applicant.

Sec. 35-818. POSTING OF PROPERTY - BOARD OF SUPERVISORS HEARING-

When a public hearing has been scheduled before the Board of Supervisors for a Zoning Map amendment, there shall be erected, at least fourteen (14) days preceding such hearing, a sign or signs provided by the Zoning Administrator indicating the date, time and place of the public hearing. Such sign or signs shall be erected in the same manner as prescribed in Section 35-817 above.

Sec. 35-819. MAINTENANCE AND REMOVAL OF SIGNS.

Any sign erected in compliance with this section shall be maintained at all times by the applicant up to the time of the hearing. It shall be unlawful for any person, except the applicant or the Zoning Administrator or an authorized agent of either, to remove or tamper with any sign furnished during the period it is required to be maintained under this Section. All signs erected under this Section shall be removed by the applicant within fourteen (14) days following the public hearing for which it was erected.

I have read and understand Sections 35-817, 35-818, and 35-819 of the Pittsylvania County Zoning Ordinance. I understand it is my responsibility to post, maintain and remove this/these sign or signs, according to Section 35-817, Section 35-818, and 35-819. If this sign is removed or destroyed, I understand it is my responsibility to obtain another sign from the Zoning office, post the property and maintain the sign(s), according to the above Sections of the Pittsylvania County Zoning Ordinance.

Should the property not be posted and the sign(s) maintained as required above, I understand the board may defer the case.

Case R-20-003 Applicant John M Owen Date 1/29/20

Bachelors Hall/Whitmell (434) 797-9550

Gretna/Hurt (434) 656-6211

Attachment: OWEN - CASE R-20-003 (1946 : Public Hearing: Rezoning Case R-20-003 Julie M. Owen)

ADJACENT PROPERTY OWNERS

Adjacent property owners are mailed a notice of the request. Please provide each owner's name and mailing address plus zip code for every Property adjacent to the site and directly across from any public right-of-way adjoining this site. Names and addresses are available in the County Tax Commissioners office in the Courthouse.

GPIN # 2346-61-7230, 2346-61-9292 (232326)

Name: Julie M. Owen

Address: Same As Applicant

Tax Map Number: 2346-51-8349 (232326)

Name: Randy Franklin Drye & Stacy Wray Drye

Address: 346 Chaney's Store Road

Tax Map Number: 2346-71-5455 (211719)

Ringgold, VA 24586

Name: Berkley Odell Sloan

Address: 2736 Ringgold Depot Road

Tax Map Number: 2346-71-5364, 2346-71-6070,

Sutherlin, VA 24594

2346-70-6990, 2346-70-6874 (228166)

Name: Angela Marie Andrews

Address: 320 Chaney's Store Road

Tax Map Number: 2346-71-6230 (202553)

Ringgold, VA 24586

Name: David A. Taylor & Arlene S. Taylor

Address: 333 Chaney's Store Road

Tax Map Number: 2346-71-9183 (203271)

Ringgold, VA 24586

Name: Darleen I. Gunnell & William E. Gunnell, Jr.

Address: 421 Chaney's Store Road

Tax Map Number: 2346-80-3823 (74871)

Ringgold, VA 24586

Name: Burnett Rentals, LLC

Address: 1025 Sportsman Road

Tax Map Number: 2346-70-5683 (210379)

Dry Fork, VA 24549

Name: Ricky Lee Gravely & Walter Richardson Gravely

Address: 6711 Fairwood Court

Tax Map Number: 2346-60-5568 (245248)

Clemmons, NC 27012

PG 0022 JUN 26 2019
19-02925

Tax Account No.: 2346-61-7230 & 2346-61-9292

Consideration: \$35,000.00

Prepared by: Robert T. Vaughan, Jr.,
VSB No. 18722

Assessed Value: \$67,800.00

Title Insurer: None

Grantee's Address: 495 Coy Creek Lane
Ringgold, VA 24586

Return to: Robert T. Vaughan, Jr., P.C.
772 Main Street
Danville, VA 24541

THIS DEED, made this 21st day of June, 2019, by and between **ROBERT T.**

VAUGHAN, JR., as Administrator of the Estate of EVELYN K. WILLIAMS, deceased,

Grantor, party of the first part; and **JULIE MARTIN OWEN, Grantee, party of the second part;**

W I T N E S S E T H

THAT for and in consideration of the sum of TEN DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Robert T. Vaughan, Jr., as Administrator of the Estate of Evelyn K. Williams, deceased, Grantor, does hereby grant and convey with Special Warranty of Title, unto Julie Martin Owen, Grantee, all those certain lots or parcels of land, together with improvements thereon and appurtenances thereunto belonging, situate in Dan River Magisterial District, Pittsylvania County, Virginia, and more particularly described as follows:

PARCEL ONE: GPIN 2346-61-7230

PARCEL B, containing 11.428 acres, fronting 75.00 feet on the western margin of State Road No. 693 (Chaney Store Road), as shown on Plat of Subdivision for Evelyn K. Williams dated March 12, 2003, made by Burgess Surveying, and recorded in the Clerk's Office of the

✓ Robert T. Vaughan, Jr., P.C.
Law Office
772 Main Street
Danville, VA 24541

Attachment: OWEN - CASE R-20-003 (1946 : Public Hearing: Rezoning Case R-20-003 Julie M. Owen)

PG 0023 JUN 26 20

Circuit Court of Pittsylvania County, Virginia (the "Clerk's Office") in Map Book 43, at page 345L; and

BEING, IN FACT, a part of the same property conveyed to Herbert Lee Williams and Evelyn K. Williams, husband and wife, as tenants by the entireties with the right of survivorship, from Clara D. Wonner, divorced, by Deed dated April 24, 1974, recorded in the Clerk's Office in Deed Book 588, at page 442, to which map and deed reference is here made for a more particular description of the property herein conveyed.

PARCEL TWO: GPIN 2346-61-9292

PARCEL C, containing 8.448 acres, fronting 75.00 feet on the western margin of State Road No. 693 (Chaney Store Road), as shown on Plat of Subdivision for Evelyn K. Williams dated March 12, 2003, made by Burgess Surveying, and recorded in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia (the "Clerk's Office") in Map Book 43, at page 345L; and

BEING, IN FACT, a part of the same property conveyed to Herbert Lee Williams and Evelyn K. Williams, husband and wife, as tenants by the entireties with the right of survivorship, from Clara D. Wonner, divorced, by Deed dated April 24, 1974, recorded in the Clerk's Office in Deed Book 588, at page 442, to which map and deed reference is here made for a more particular description of the property herein conveyed.

Herbert Lee Williams, one and the same person as H. Lee Williams, died testate October 21, 2002. By Item III of his Last Will and Testament dated October 10, 1995, recorded in the aforesaid Clerk's Office as Will Instrument No. CWF020000679, Herbert Lee Williams devised and bequeathed his entire estate to his wife, Evelyn Kerns Williams.

Evelyn Kerns Williams, one and the same person as Evelyn K. Williams died intestate August 10, 2017. Robert T. Vaughan, Jr. qualified as Administrator of the Estate of Evelyn Kerns Williams on November 2, 2017, recorded in the aforesaid Clerk's Office as Will Instrument No. 170001095. Pursuant to Order entered January 8, 2018, by the Circuit Court of Pittsylvania County, Virginia in that matter filed under the style Robert T. Vaughan, Jr., Administrator of the Estate of Evelyn Kerns Williams v. Ann Astin, et al., Case No. CL17-1979, Robert T. Vaughan, Jr., as Administrator of the Estate of Evelyn Kerns Williams, deceased, was directed to sell the real property owned by Evelyn Kerns Williams at the time of her death located in Pittsylvania County, Virginia, and specifically the real property conveyed by this deed.

Robert T. Vaughan, Jr., P.C.
Law Office
772 Main Street
Danville, VA 24541

Attachment: OWEN - CASE R-20-003 (1946 : Public Hearing: Rezoning Case R-20-003 Julie M. Owen)

PG 0024 JUN 26 2019

This conveyance is further made **SUBJECT** to all recorded easements, conditions, restrictions and agreements as they may lawfully apply to the real estate hereby conveyed or any part thereof.

WITNESS the following signature and seal:

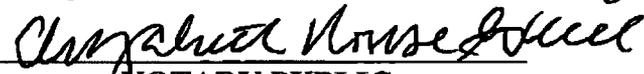
 (SEAL)
ROBERT T. VAUGHAN, JR.,
Administrator of the Estate of
Evelyn Kerns Williams, deceased

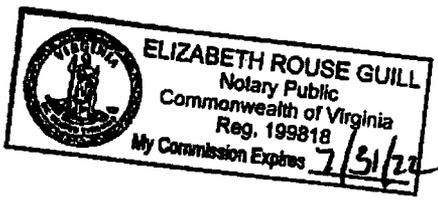
STATE OF VIRGINIA

CITY OF DANVILLE, to-wit:

The foregoing instrument was acknowledged before me this 26th day of June, 2019, by Robert T. Vaughan, Jr., Administrator of the Estate of Evelyn Kerns Williams, deceased.

My commission expires: July 31, 2022


NOTARY PUBLIC



Robert T. Vaughan, Jr., P.C.
Law Office
772 Main Street
Danville, VA 24541

-3-

INSTRUMENT 190002925
RECORDED IN THE CLERK'S OFFICE OF
PITTSYLVANIA COUNTY CIRCUIT ON
JUNE 26, 2019 AT 10:34 AM
\$68.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$34.00 LOCAL: \$34.00
MARK W. SCARCE, CLERK
RECORDED BY: JSM

Attachment: OWEN - CASE R-20-003 (1946 : Public Hearing: Rezoning Case R-20-003 Julie M. Owen)

Pittsylvania Co. Virginia
Dan River Magisterial District
Plat of Subdivision
Dividing Tract Parcels 180-A-157B & 180-A-157A
For:

Evelyn K. Williams

Date: 03-12-03 Scale: 1" = 150'



File No. 0368B

Approving Authorities

Evelyn K. Williams
Pittsylvania Co. Subdiv. Admn.
David H. ...
Pittsylvania Co. Health Dept.
...
V.D.O.T.

References:

- 1) Deed Book 588 Page 442
- 2) Plat of D.B. 1281 Pg. 34
- 3) Plat Book 43 Pg. 175N
- 4) Tax Map Parcel Nos. 180-A-157B & 157A

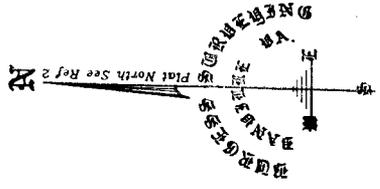
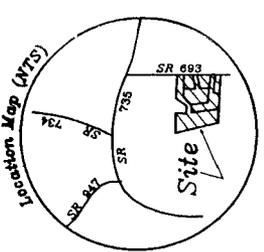
Tracts A, B, C, D, E, & F in this subdivision have been reviewed by the Pitt. Co. Environmental Health Office and found to be suitable for onsite sewage disposal systems and wells. Locations are on record @ the Environmental Health Office.

Although suitable soil conditions were found on the above mentioned lots, any major alterations such as change of lot lines, major grading or could render the lots unsuitable for the installation of individual sewage systems.

If further information pertaining to this subdivision is needed refer to the subdivision at the Pittsylvania County Environmental Health Of.

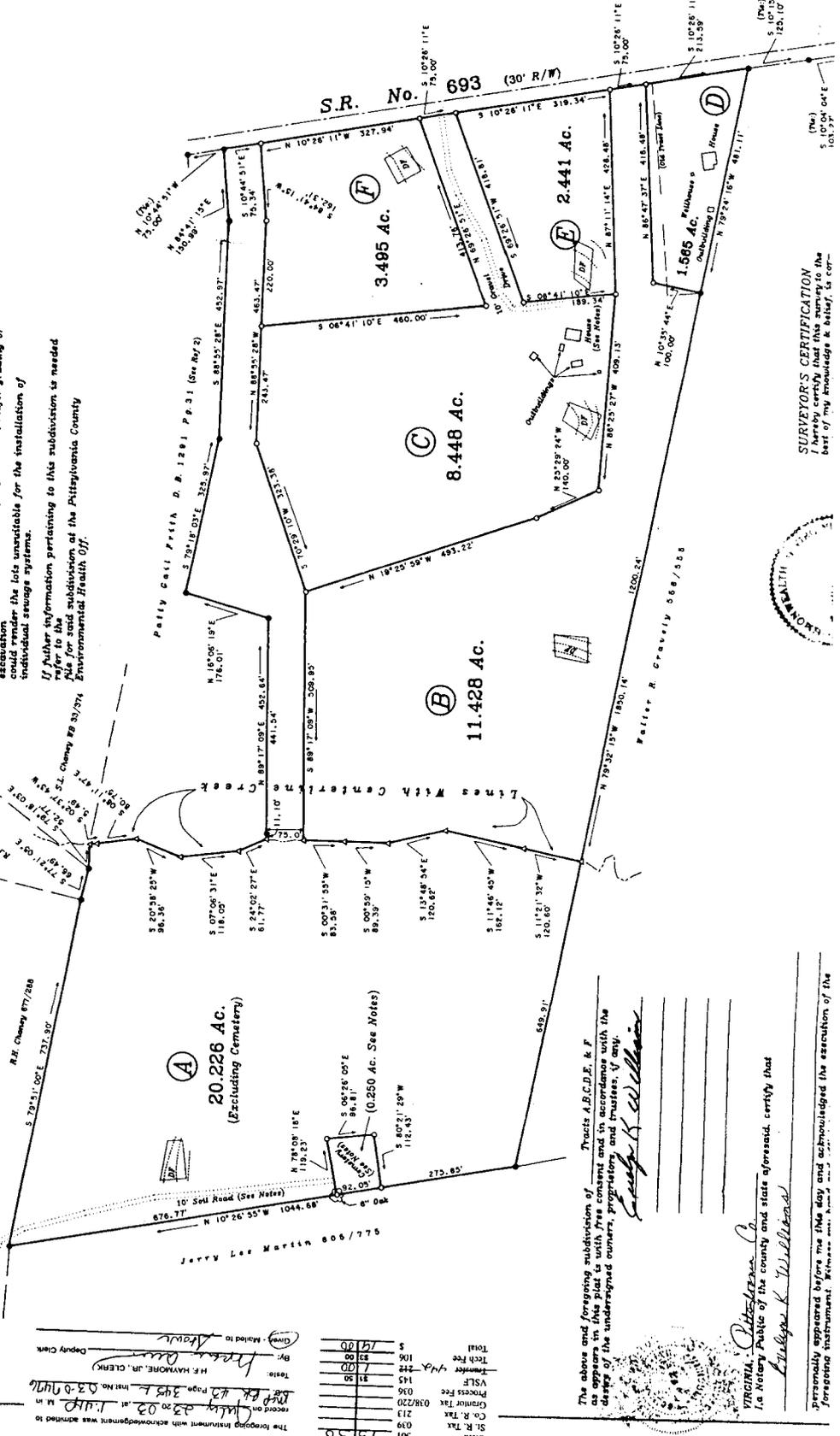
NOTES:

- 1) The house as shown on Tract C is uninhabital at this time.
- 2) The cemetery as shown in Tract A is the Big Family Cemetery and is as shown on Deed Book 283 Page 265. The historic mine present access appears to be along the existing soil road as shown.
- 3) The current zoning for this property is R1.
- 4) Tract D is purported to have an operational drainfield in existence.



Legend

- Existing Iron Pipe
- Existing Stone Foundation
- Concrete Monument
- Compacted Paved-Not Seal
- Overhead Utility
- Underground Utility
- PED Pedestal
- R/W Right-of-Way
- William M. Burgess DBA



The foregoing instrument with acknowledgment was admitted to record on this 20th day of March 2003 at 1:40 P.M. in Book 43 Page 345 L at the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia.

CLERK'S OFFICE OF THE CIRCUIT COURT OF PITTSYLVANIA COUNTY, VIRGINIA

CLERK	201
CLERK'S TAX	213
CLERK'S FEE	213
GRANTOR TAX	028/220
PROCESS FEE	036
V.S.F.E.	145
TRANSFER	242
TECH FEE	106
TOTAL	1478

Witness my hand and seal this 20th day of March 2003 at the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia.

...
Deputy Clerk

The above and foregoing subdivision of land and its accordance with the design of the undersigned owners, proprietors and trustees, if any.

Evelyn K. Williams

Evelyn K. Williams
VIRGINIA, Notary Public of the county and state aforesaid, certify that I, a Notary Public of the county and state aforesaid, certify that

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and seal this 20th day of March 2003.



SURVEYOR'S CERTIFICATION
I have personally surveyed the above property to the best of my knowledge & belief, to conform to the plat hereon shown.

VIRGINIA:

BEFORE THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY

<u>A total of 19.88 acres, two (2) parcels of land,</u>)	
located on <u>State Road 693/Chaney's Store Road</u>)	RECOMMENDATION
within the <u>Dan River</u>)	(R-20-003)
Election District and recorded as)	
parcel #s <u>2346-61-7230 & 2346-61-9292</u>)	
in the Pittsylvania County tax records)	

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Julie M. Owen, has filed with the Secretary to the Planning Commission a petition to rezone a total of 19.88 acres, two (2) parcels of land, from R-1, Residential Suburban Subdivision District to A-1, Agricultural District for agricultural uses (produce and cows or goats).

WHEREAS, the petition was referred to the Planning Commission which, after due legal notice as required by Section 15.2-2204 of the Code of Virginia, as amended, did hold a public hearing on March 3, 2020; and

WHEREAS, at that public hearing all parties in interest were afforded an opportunity to be heard; and

WHEREAS, the Planning Commission, after due consideration has recommended to the Pittsylvania County Board of Supervisors that the rezoning be **granted**.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission recommends to the Pittsylvania County Board of Supervisors that the above-referenced parcels of land be rezoned to A-1, Agricultural District from R-1, Residential Suburban Subdivision District.

The above action was adopted on motion of Mr. Horne and upon the following recorded vote:

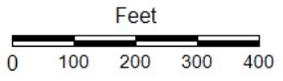
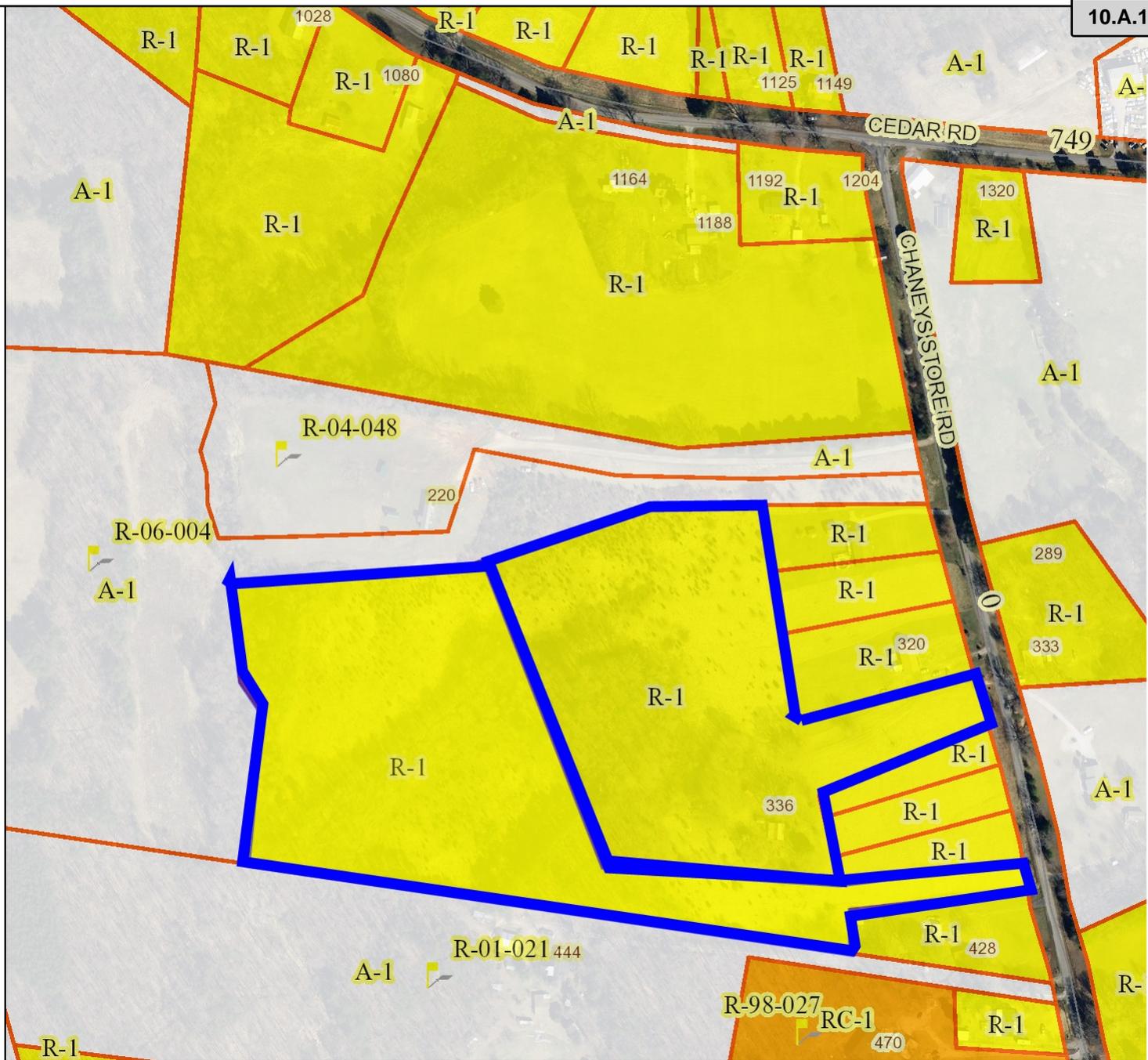
AYES: 8
NAYS: 0
ABSENT: 0
ABSTAIN: 0

Richard G. Motley, Chairman
Planning Commission
03-03-20
Date

Attachment: OWEN - CASE R-20-003 (1946 : Public Hearing: Rezoning Case R-20-003 Julie M. Owen)

Legend

- ▭ Assessed Parcels
- ▭ Parcels
- Route Numbers
- ▭ Appeals
- ▭ Rezoning
- ▭ Signs
- ▭ Special Uses
- ▭ Variances
- Zoning**
- ▭ Unknown
- ▭ A-1 = Agricultural District
- ▭ B-1 = Business District, Limited
- ▭ B-2 = Business District, General
- ▭ C-1 = Conservation District
- ▭ DZ = Double Zoned Parcels
- ▭ M-1 = Industrial District, Light Industry
- ▭ M-2 = Industrial District, Heavy Industry
- ▭ MHP = Residential Manuf. Housing Park District
- ▭ R-1 = Residential Suburban Subdivision District
- ▭ RC-1 = Residential Combined Subdivision District
- ▭ RE = Residential Estates District
- ▭ RMF = Residential Multi-Family Subdivision District
- ▭ RPD = Residential Planned Development District
- ▭ TZ = Town Zoning
- ▭ UK = Unknown
- ▭ County Boundary



Title: OWEN - CASE R-20-003

Date: 1/29/2020

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Pittsylvania County is not responsible for its accuracy or how current it may be.

Attachment: OWEN - CASE R-20-003 MAP (1946 : Public Hearing: Rezoning Case R-20-003 Julie M.



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Public Hearing: Rezoning Case R-20-004; Derek T. Maddox; Staunton River Election District, RC-1, Residential Combined Subdivision District, to A-1, Agricultural District (Contact: Supervisor Dudley)		
Staff Contact(s):	Karen N. Hayes		
Agenda Date:	March 17, 2020	Item Number:	10.A.2
Attachment(s):	MADDOX - CASE R-20-004 MADDOX - CASE R-20-004 MAP		
Reviewed By:	VH		

SUMMARY:

In Case R-20-004, Derek T. Maddox, Petitioner, has petitioned to rezone 22.69 acres from RC-1, Residential Combined Subdivision District, to A-1, Agricultural District (*to allow for subdivision of the property for a family member and to raise cattle*). The parcel is located on Shula Drive in the Staunton River Election District. Once the property is rezoned, all uses listed under Pittsylvania County Code § 35-178 are permitted. The Planning Commission, with no opposition, recommended granting the Petitioner's request. The County Staff Summary is attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff submits this item to the Board for its review and consideration.

Case R-20-004

MADDOX

CODE COMPLIANCE SUMMARY

<p><u>CASE</u> R-20-004</p>	<p><u>ZONING REQUEST</u> RC-1 to A-1</p>	<p><u>CYCLE</u> March 2020</p>
<p><u>SUBJECT/PROPOSAL/REQUEST</u> Derek T. Maddox is requesting to rezone the property from RC-1, Residential Combined Subdivision District to A-1, Agricultural District.</p> <p>DISTRICT: Staunton River</p>		<p>PLANNING COMMISSION: March 3, 2020</p> <p>BOARD OF SUPERVISORS: March 17, 2020</p> <p>ADVERTISED: February 19 & 26, 2020</p> <p>REVIEWED BY: </p>

BACKGROUND/DISCUSSION

Derek T. Maddox petitioned the Planning Commission/Board of Supervisors on January 29, 2020, to rezone from RC-1, Residential Combined Subdivision District to A-1, Agricultural District on 22.69 acres, located on State Road 642/Shula Drive in the Staunton River Election District. The parcel is shown on our records as GPIN # 2544-04-6821.

The petitioner would like to rezone to allow for subdivision of the property for a family member. His future plans are to subdivide the property and sell approximately 2.00 acres to his brother. He would also like to rezone for agricultural uses (raise cattle).

Once the property is rezoned to A-1, all uses listed under Section 35-178 are a permitted use.

DIRECTIONS

See Map Quest directions.

RELATIONSHIP TO THE SURROUNDING LAND USE AND NEIGHBORING AREAS

Adjacent to A-1, Agricultural District, R-1, Residential Suburban Subdivision District and RC-1, Residential Combined Subdivision District zoned properties.

ZONING OF SURROUNDING PROPERTIES

The Comprehensive Plan for the general area is A-1, Agricultural District, R-1, Residential Suburban Subdivision District, RC-1, Residential Combined Subdivision District, RPD, Residential Planned Unit Development District, B-2 Business District, General and M-1, Industrial District, Light Industry.

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends Planning Commission review and make a recommendation to the Board of Supervisors. On March 3, 2020, the Planning Commission recommended by a unanimous vote, with no opposition, that the petitioner's request be granted.

Attachment: MADDOX - CASE R-20-004 (1947 : Public Hearing: Rezoning Case R-20-004 Derek T. Maddox)

bing maps

A 53 N Main St, Chatham, VA 24531

24 min , 19.7 miles

B 3088 Shula Dr, Hurt, VA 24563

Light traffic
Via US-29 N

Type your route notes here

A 53 N Main St, Chatham, VA 24531

↑	1. Head northeast on US-29 BR toward Church Ln	1.8 mi
29	2. Take ramp left for US-29 N	16.6 mi, 18 min
↗	3. Turn right onto Shula Dr	1.3 mi
	Arrive at Shula Dr	
	4. The last intersection is Sanctuary Rd If you reach Jacobs Rd, you've gone too far	

B 3088 Shula Dr, Hurt, VA 24563

Attachment: MADDUX - CASE R-20-004 (1947 : Public Hearing: Rezoning Case R-20-004 Derek T. Maddox)

January 29, 2020

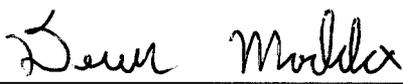
Mrs. Karen N. Hayes
Deputy Director of Community Development
P. O. Box 426
Chatham, VA 24531

Dear Mrs. Hayes:

I, Derek T. Maddox, as Owner, would like to apply to the Planning Commission/Board of Supervisors to rezone 22.69 acres, located on State Road 642/Shula Drive, in the Staunton River Election District from RC-1, Residential Combined Subdivision District to A-1, Agricultural District. The property is shown on the records as GPIN # 2544-04-6821.

I would like to rezone to allow for subdivision of the property for a family member.

Sincerely,



Derek T. Maddox

PITTSYLVANIA COUNTY
APPLICATION FOR REZONING

I, Derek T. Maddox, as Owner of the below described property, hereby apply to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

1. Property Owner's Names: Derek T. Maddox
Address: P. O. Box 328, Hurt, VA 24563

2. Location of Property: on State Road 642/Shula Drive

Telephone: (434) 363-2244

3. Tax Map Number: 2544-04-6821 (195406)

CK#8814

4. Election District: Staunton River

Total Amount: \$ 197.10

Taken By: KNB

5. Size of Property: 22.69 Acres

6. Existing Land Use: Single Family Dwelling (Good Condition); Single Family Dwelling (Poor Condition - Abandoned - Owner Deceased); Frame Outbuildings (Poor Condition)

Existing Zoning: RC-1, Residential Combined Subdivision District

7. Proposed Land Use: To Allow For Subdivision Of The Property For a Family Member

Proposed Zoning: A-1, Agricultural District

8. Are conditions being proffered: Yes X No

9. Check completed items:

- Letter of Application Site Development Plan or Waiver Legal Forms
- 11"x 17" Concept Plan Application Fee List of Adjoining Properties
- Plat Map Copy of Deed Copy of Deed Restrictions Or Covenants

Through application for this permit, the owner authorizes a right-of-entry to the designated personnel of Pittsylvania County for the purpose of site evaluation and monitoring for compliance with the Pittsylvania County Zoning Ordinance.

Derek T. Maddox
Derek T. Maddox

OFFICE USE ONLY

Application Deadline: 01/30/20

Received By: KNH

B.O.S. Meeting Date: 03/17/20

Application No. R-20-004

P.C. Meeting Date: 03/03/20

Date Received: 01/29/20

Action: _____

TREASURER OF PITTSYLVANIA COUNTY
PAID FEB 03 2020

Attachment: MADDOX - CASE R-20-004 (1947 : Public Hearing: Rezoning Case R-20-004 Derek T. Maddox)

**VIRGINIA:
BEFORE THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY**

A 22.69 acre parcel of land,)
generally located on State Road 642/Shula Drive)
within the Staunton River)
Election District, and recorded as)
parcel # 2544-04-6821)
in the Pittsylvania County tax records)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Derek T. Maddox, respectfully files this petition pursuant to Sections 35-806 and 35-807 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

- (1) The Petitioner is the Owner of the above-referenced parcel of land, or is filing with the owner's consent.
- (2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as RC-1, Residential Combined Subdivision District.
- (3) Your petitioner now desires to have the property rezoned to A-1, Agricultural District to allow for subdivision of the property for a family member.

WHEREFORE, your Petitioner respectfully requests that the Zoning Ordinance of Pittsylvania County be amended and that the above-referenced parcel of land be rezoned as set out in Number 3.

FURTHER, your Petitioner respectfully requests that this petition be referred by the Deputy Director of Community Development to the Pittsylvania County Planning Commission for its consideration and recommendation.

Respectfully submitted,


Derek T. Maddox

Attachment: MADDOX - CASE R-20-004 (1947 : Public Hearing: Rezoning Case R-20-004 Derek T. Maddox)

OFFICE OF ZONING/CODE
COMPLIANCE
P.O. DRAWER D,
Chatham, Virginia 24531



(434)432-1771
(434)432-7919 FAX

SIGN AFFIDAVIT

Sec. 35-817. POSTING OF PROPERTY - PLANNING COMMISSION HEARING-

At least fourteen (14) days preceding the Commission's public hearing on a zoning map amendment, there shall be erected on the property proposed to be rezoned, a sign or signs provided by the Zoning Administrator indicating the date, time, and place of the public hearing. The sign shall be erected within ten (10) feet of whatever boundary line of such land abuts a public road and shall be so placed as to be clearly visible from the road with the bottom of the sign not less than two and one-half (2 1/2) feet above the ground. If more than one (1) such road abuts the property, then a sign shall be erected in the same manner as above for each such abutting road. If no public road abuts thereon, then signs shall be erected in the same manner as above on at least two (2) boundaries of the property abutting land not owned by the applicant.

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Sec. 35-819. MAINTENANCE AND REMOVAL OF SIGNS.

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I have read and understand Sections 35-817, 35-818, and 35-819 of the Pittsylvania County Zoning Ordinance. I understand it is my responsibility to post, maintain and remove this/these sign or signs, according to Section 35-817, Section 35-818, and 35-819. If this sign is removed or destroyed, I understand it is my responsibility to obtain another sign from the Zoning office, post the property and maintain the sign(s), according to the above Sections of the Pittsylvania County Zoning Ordinance.

Should the property not be posted and the sign(s) maintained as required above, I understand the board may defer the case.

Case R-20-004 Applicant Derek Maddox Date 1/29/2020

Bachelors Hall/Whitmell (434) 797-9550

Gretna/Hurt (434) 656-6211

Attachment: MADDOX - CASE R-20-004 (1947 : Public Hearing: Rezoning Case R-20-004 Derek T. Maddox)

ADJACENT PROPERTY OWNERS

Adjacent property owners are mailed a notice of the request. Please provide each owner's name and mailing address plus zip code for every Property adjacent to the site and directly across from any public right-of-way adjoining this site. Names and addresses are available in the County Tax Commissioners office in the Courthouse.

GPIN # 2544-04-6821 (195406)

Name: <u>Kenneth T. Saunders</u> Tax Map Number: <u>2534-94-5719 (11014)</u>	Address: <u>3705 Shula Drive</u> <u>Hurt, VA 24563</u>
Name: <u>Curtis Wade Arthur, Sr.</u> Tax Map Number: <u>2534-94-8943 (91364)</u>	Address: <u>4900 Shula Drive</u> <u>Hurt, VA 24563</u>
Name: <u>Thornton C. Crews & Debra D. Crews</u> Tax Map Number: <u>2544-05-3181, 2544-04-1834 (19871)</u>	Address: <u>3204 Shula Drive</u> <u>Hurt, VA 24563</u>
Name: <u>Danny Kyle Adkins & Etta Mae Layne Adkins</u> Tax Map Number: <u>2544-05-3373 (13794)</u>	Address: <u>3208 Shula Drive</u> <u>Hurt, VA 24563</u>
Name: <u>Jason Edward Moon</u> Tax Map Number: <u>2544-17-7373 (219812)</u>	Address: <u>112 Ridgeview Road</u> <u>Hurt, VA 24563</u>
Name: <u>Brian T. Maddox</u> Tax Map Number: <u>2544-05-9252 (179973)</u>	Address: <u>3080 Shula Drive</u> <u>Hurt, VA 24563</u>
Name: <u>Junis Melroy Williams</u> Tax Map Number: <u>2544-04-9239 (229119)</u>	Address: <u>2736 Shula Drive</u> <u>Hurt, VA 24563</u>
Name: <u>Gordon A. Reed & Barbara A. Reed</u> Tax Map Number: <u>2544-03-2753 (141291)</u>	Address: <u>2861 Shula Drive</u> <u>Hurt, VA 24563</u>
Name: <u>Gary Christopher Dyer</u> Tax Map Number: <u>2544-04-4118, 2544-04-2385 (232296)</u>	Address: <u>3044 Shula Drive</u> <u>Hurt, VA 24563</u>

PG0029 NOV 20 07-08984

F:\Joanie\Deeds\Pierce-Mattox.wpd
Prepared By:
Kent & Kent, P.C.
525 7th Street
Altavista, Virginia 24517
Delivered To Kent & Kent, P.C.
Title: Not Examined
Title Insurance: Not Known

GPIN# 2544-04-5768

THIS DEED, made this 10th day of August, 2007, by and between LINDA M. PIERCE, sole heir at law of DONALD C. PIERCE, deceased, DINORETTA SIMPSON, sole heir at law of EULAM OTTO SIMPSON, deceased, KENNETH G. SIMPSON, only child of EUGENE SIMPSON, deceased, GERALD S. SCEARCE, RUTH S. SETTLE AND ALVIN D. SCEARCE, sole heirs at law of BEULAH S. SCEARCE, deceased, all of whom are heirs or successors in interest to GERTIE M. SIMPSON, formerly GERTIE M. PIERCE and OSCAR B. SIMPSON, both deceased hereinafter called grantors and DEREK T. MADDOX, hereinafter called grantee.

Whereas Gertie M. Simpson, formerly Gertie M. Pierce, died intestate on February 8, 1987, seized and possessed of the hereinafter described property leaving as her sole heirs at law pursuant to the intestate laws of the State of Virginia, her husband, Oscar B. Simpson, and a son by a prior marriage, Donald C. Pierce.

Whereas Donald C. Pierce died intestate on September 20, 2006, leaving as his sole heir at law pursuant to the intestate laws of the State of Virginia, his wife, Linda M. Pierce.

KENT & KENT, P.C.
Attorneys and Counsellors at Law
Altavista, Virginia

Given Mailed to Kent & Kent

Attachment: MADDOX - CASE R-20-004 (1947 : Public Hearing: Rezoning Case R-20-004 Derek T. Maddox)

PG0030 NOV 2015

Whereas Oscar B. Simpson died intestate on August 6, 1991, leaving as his sole heirs at law pursuant to the intestate laws of the State of Virginia, a sister, Beulah S. Scarce, a brother, Eulam Otto Simpson, and a nephew, Kenneth G. Simpson, the only child of a deceased brother, Eugene Simpson.

Whereas Eulam Otto Simpson died May 1, 1997, leaving as his sole heir at law pursuant to the intestate laws of the State of Virginia his wife, Dinoretta Simpson.

Whereas Beulah S. Scarce died intestate on October 30, 2000, leaving as her sole heirs at law pursuant to the intestate laws of the State of Virginia a son, Gerald S. Scarce, a son, Alvin D. Scarce and a daughter, Ruth S. Settle.

Whereas the grantors are all persons now having an interest in the hereinafter described property of which Gertie M. Simpson died and possessed, are all over the age of eighteen years and this deed is being signed by the parties under oath in lieu of separate affidavits as to the heirs at law of the respective deceased individuals.

Whereas the grantors have sold the hereinafter described property to grantee and this deed is being executed and delivered to complete the same.

W I T N E S S E T H:

That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, and other valuable considerations,

~2~

KENT & KENT, P.C.
Attorneys and Counsellors at Law
Altravista, Virginia

Attachment: MADDOX - CASE R-20-004 (1947 : Public Hearing: Rezoning Case R-20-004 Derek T. Maddox)

PG003 | NOV 20 8

the receipt of all of which is hereby acknowledged, the Grantors hereby grant, bargain, sell and convey, with General Warranty and English Covenants of Title, unto the Grantee, the following described real estate, to-wit:

That certain tract or parcel of land together with all privileges and appurtenances thereunto belonging, situated, lying and being in Staunton River Magisterial District, Pittsylvania County, Virginia containing 24.69 acres more or less according to the county tax records but being that certain tract of land conveyed Gertie M. Pierce by deed dated January 19, 1951 from John J. Coles, duly recorded in Deed Book 324, Page 585 in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia described therein as containing 30 acres more or less but being that part of a 134.70 acre tract lying West of Sycamore Creek which is shown on plat of survey by E. B. Fitzgerald, Jr., County Surveyor, duly recorded in Map Book H, Page 6 in said Clerk's Office Less and Except, however the following:

(1) That certain perpetual easement or right of way (30) thirty feet in width for ingress and egress to adjoining property extending across said property to the public road with the right to make such repairs and improvements from time to time for the proper use and enjoyment of the same which was conveyed to Charlie A. Arthur by deed dated February 18, 1957 in Deed Book 350, Page 66 in said Clerk's Office.

(2) Deed to Charlie A. Arthur dated January 25, 1955 in Deed Book 357, Page 218 in said Clerk's Office.

(3) Conveyance to the Commonwealth Virginia dated January 4, 1962 in Deed Book 418, Page 42. Also see Plat Book 43, Page 166H in said Clerk's Office.

(4) Conveyance to Donald C. Pierce and Linda M. Pierce dated May 7, 1968 in Deed Book 455, Page 247 of two lots as shown on attached plat by John D. Jacobs, C.L.S., at page 250 in said Clerk's

KENT & KENT, P.C.
Attorneys and Counsellors at Law
Altavista, Virginia

Office.

(5) Conveyance to Donald C. Pierce and Linda M. Pierce of 1.11 acres as shown on plat by John D. Jacobs dated October 6, 1973, attached to and recorded with a deed dated October 19, 1973 in Deed Book 580, Page 80 in said Clerk's Office.

(6) Conveyance to Donald C. Pierce and Linda M. Pierce dated June 2, 1970 in Deed Book 524, Page 384 in said Clerk's Office.

It is the express intent to include herein all property owned by Gertie M. Simpson at the time of her death that was acquired in Deed Book 324, Page 585 in said Clerk's Office.

This conveyance is subject to the restrictions, conditions, and easements, of record, if any, affecting said property.

Witness the following signatures and seals:

KENT & KENT, P.C.
Attorneys and Counsellors at Law
Altavista, Virginia

VIRGINIA:

BEFORE THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY

A <u>22.69 acre parcel of land,</u>)	
located on <u>State Road 642/Shula Drive</u>)	RECOMMENDATION
within the <u>Staunton River</u>)	(R-20-004)
Election District and recorded as)	
parcel # <u>2544-04-6821</u>)	
in the Pittsylvania County tax records)	

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Derek T. Maddox, has filed with the Secretary to the Planning Commission a petition to rezone 22.69 acres from RC-1, Residential Combined Subdivision District to A-1, Agricultural District to allow for subdivision of the property for a family member and to raise cattle.

WHEREAS, the petition was referred to the Planning Commission which, after due legal notice as required by Section 15.2-2204 of the Code of Virginia, as amended, did hold a public hearing on March 3, 2020; and

WHEREAS, at that public hearing all parties in interest were afforded an opportunity to be heard; and

WHEREAS, the Planning Commission, after due consideration has recommended to the Pittsylvania County Board of Supervisors that the rezoning be **granted**.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission recommends to the Pittsylvania County Board of Supervisors that the above-referenced parcel of land be rezoned to A-1, Agricultural District from RC-1, Residential Combined Subdivision District.

The above action was adopted on motion of Mr. Dudley and upon the following recorded vote:

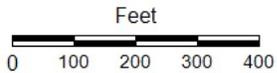
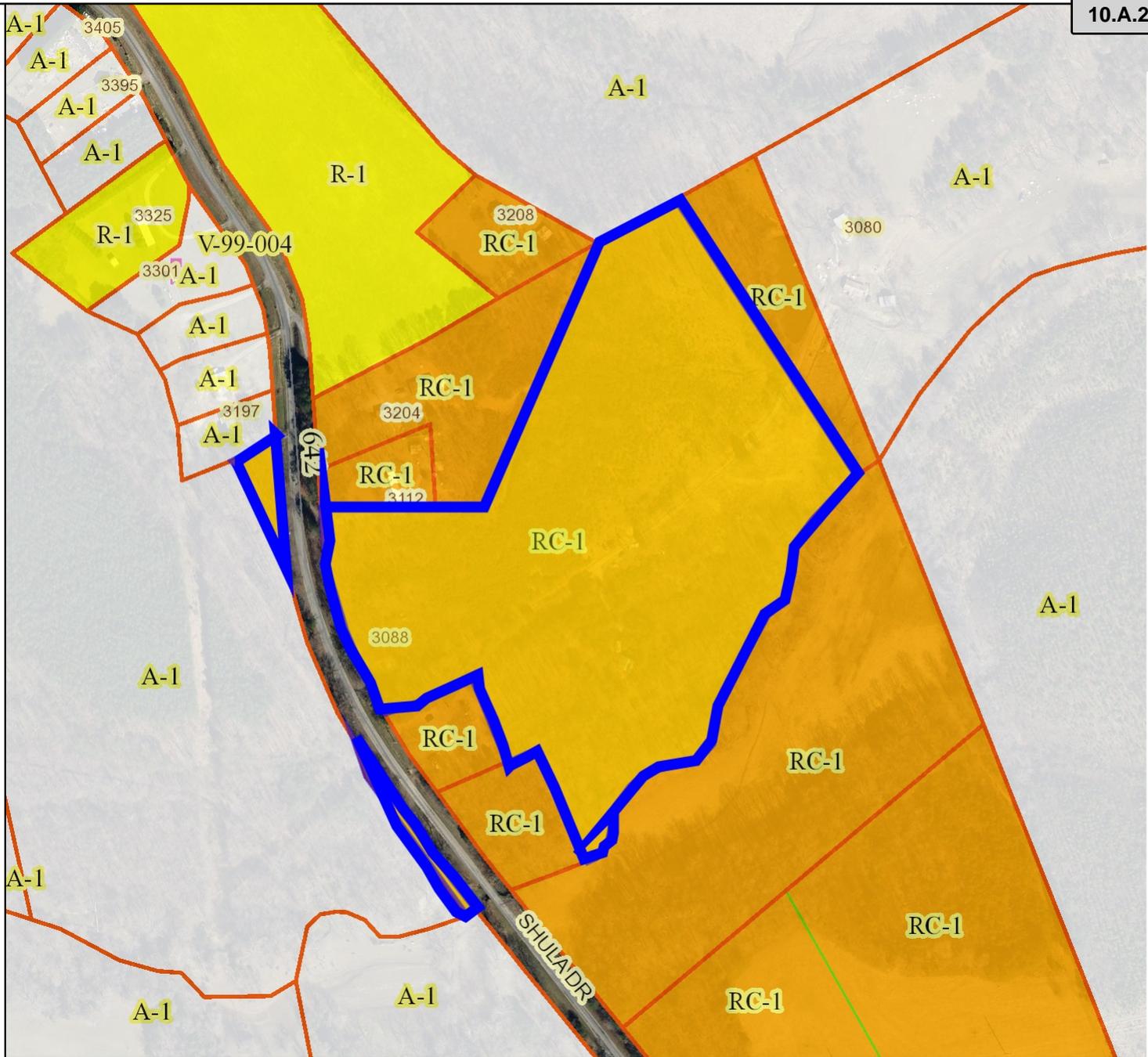
AYES: 8
NAYS: 0
ABSENT: 0
ABSTAIN: 0

Richard G. Motley, Chairman
Planning Commission
03-03-20
Date

Attachment: MADDOX - CASE R-20-004 (1947 : Public Hearing: Rezoning Case R-20-004 Derek T. Maddox)

Legend

- ▭ Assessed Parcels
- ▭ Parcels
- Route Numbers
- ▭ Appeals
- ▭ Rezoning
- ▭ Signs
- ▭ Special Uses
- ▭ Variances
- Zoning**
- ▭ Unknown
- ▭ A-1 = Agricultural District
- ▭ B-1 = Business District, Limited
- ▭ B-2 = Business District, General
- ▭ C-1 = Conservation District
- ▭ DZ = Double Zoned Parcels
- ▭ M-1 = Industrial District, Light Industry
- ▭ M-2 = Industrial District, Heavy Industry
- ▭ MHP = Residential Manuf. Housing Park District
- ▭ R-1 = Residential Suburban Subdivision District
- ▭ RC-1 = Residential Combined Subdivision Distric
- ▭ RE = Residential Estates District
- ▭ RMF = Residential Multi-Family Subdivision District
- ▭ RPD = Residential Planned Development District
- ▭ TZ = Town Zoning
- ▭ UK = Unknown
- ▭ County Boundary



Title: MADDOX - CASE R-20-004

Date: 1/29/2020

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Pittsylvania County is not responsible for its accuracy or how current it may be.

Attachment: MADDOX - CASE R-20-004 MAP (1947 : Public Hearing: Rezoning Case R-20-004 Derek T.



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Public Hearing: Land Use Forms Due Date Changes; PCC Chapter 6 Revisions (Staff Contact: J. Vaden Hunt, Esq.)		
Staff Contact(s):	J. Vaden, Hunt, Esq.		
Agenda Date:	March 17, 2020	Item Number:	10.B.1
Attachment(s):	Land Use Changes		
Reviewed By:			

SUMMARY:

The Honorable Robin Goard, County Commissioner of the Revenue, has requested changes to Chapter 6 of the Pittsylvania County Code (“PCC”) related to bringing the annual due dates for County Land Use Forms into compliance with the Board’s recent changes in the annual County Tax Due Dates from December 20th to December 10th and from June 20th to June 10th. For the Board’s reference and review, said proposed revisions to PCC Chapter 6 are attached and specifically impact the following PCC Sections: § 6-12.1(B); § 6-12.1(C); and § 6-12.7.1(B). This item has been legally and duly advertised for the required Public Hearing.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

Following of the holding of the legally required Public Hearing, County Staff recommends the Board approve the revisions to PCC Chapter 6 as presented.

MOTION:

“I make a Motion to approve the revisions to Pittsylvania County Code Chapter 6 as presented.”

SEC. 6-12.1. APPLICATION BY PROPERTY OWNER.

A. The owner of any real estate meeting the criteria set forth in §§ 58.1-3229 - 58.1-3244, Code of Virginia, 1950, as amended, may, on or before November 1 prior to the year for which such taxation is sought, apply to the Commissioner of the Revenue for the classification, assessment, and taxation of such property for the next succeeding tax year on the basis of its use, under the procedures set forth in §§ 58.1-3229 - 58.1-3244, Code of Virginia, 1950, as amended. Such application shall be on forms provided by the State Department of Taxation and supplied by the Commissioner of Revenue and shall include such additional schedules, photographs, and drawings as may be required by the Commissioner of Revenue. An individual who is the owner of an undivided interest in a parcel may apply on behalf of himself and the other owners of such parcel upon submitting an affidavit that such other owners are minors or cannot be located. An application shall be submitted whenever the use or acreage of such land previously approved changes. (B.S.M. 09/05/89); (B.S.M. 02/16/10); (B.S.M. 02/20/2018)

B. A separate application shall be filed for each parcel on the land book. The owner of any property accepted into land use classification as provided for in this Chapter shall annually recertify to the Commissioner of the Revenue on forms (County Land Use Form 1 and County Land Use Form 2) provided by the locality mailed to the owner of said real estate with the tax statement for real estate taxes due and payable on December 1²⁰th of each year. The annual recertification shall be completed and returned to the Commissioner of Revenue's Office ~~Office of the Treasurer~~ on or before the date that the December tax payment is due. (B.S.M.02/19/13); (B.S.M. 02/20/2018)

C. Pursuant to authority in § 58.1-3234(3), Code of Virginia, 1950, as amended, the Board hereby provides for the late filing (12/1²⁰ - 12/31) of land use revalidation forms on or before the effective date of the assessment, on payment of a late filing fee of one-hundred dollars (\$100.00) per parcel of qualifying land. (B.S.M. 09/16/14)

SEC. 6-12.7.1. VOLUNTARY WITHDRAWAL WITH CONTINUATION OF QUALIFICATION.

A. Any person wishing to voluntarily remove their land from land use taxation is hereby permitted to so do without assessment of roll-back taxes as long as the use or acreage does not change such to preclude qualification for land use taxation, or the zoning of the real estate is not changed to a more intensive use at the request of the owner or his agent for the next five (5) years following the withdrawal of the property from land use taxation and the re-imposition of fair market taxation. However, if within the five (5) years following the withdrawal of the real property from land use taxation and the initiation of fair market taxation, if said parcel of land is altered to nonqualifying use or the acreage is reduced such to make the property nonqualifying or the property is rezoned to a more intensive use at the request of the land owner or his agent, the property shall then be assessed the appropriate roll-back taxes from the date of nonqualifying. If the property voluntarily withdrawn from land use taxation is subject to an acreage change by the owner, then only that portion which no longer would qualify had the property remained in land use taxation be subject to rollback taxes and interest as provided in this Chapter. The taking of real estate which is being

valued, assessed, and taxed under this Ordinance by right of eminent domain shall not subject the real estate so taken to the roll-back taxes herein opposed.

B. Any person who wishes to voluntarily withdraw their real estate from land use taxation and voluntarily revert to fair market taxation shall, for the next five (5) years following withdrawal of the real property from land use taxation, file the annual recertification provided for in Section 6-12.1(b). The owner of any property accepted into land use classification as provided for in this Chapter shall annually recertify to the Commissioner of Revenue on forms provided by the County and mailed to the owner of said real estate with the tax statement for real estate taxes due and payable on December 120th of each year. The annual recertification shall be completed and returned to the Commissioner of the Revenue's Office ~~Office of the Treasurer~~ on or before the date that the December tax payment is due. **(B.S.M. 02/20/2018)**



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Matters from Closed Session		
Staff Contact(s):	J. Vaden Hunt, Esq.		
Agenda Date:	March 17, 2020	Item Number:	14.a
Attachment(s):			
Reviewed By:			