

**Pittsylvania County Board of Supervisors
Tuesday, March 15, 2016
Adjourned Regular Meeting**

VIRGINIA: The Adjourned Meeting of the Pittsylvania County Board of Supervisors was held on Tuesday, March 15, 2016 in the General District Courtroom of the Edwin R. Shields Addition in Chatham, Virginia. Jessie L. Barksdale, Chair, called the meeting to order at 7:00 p.m. The following members were present:

Jessie L. Barksdale	Banister District
Elton W. Blackstock	Staunton River District
Tim Barber	Tunstall District
Ronald S. Scarce	Westover District
Jerry A. Hagerman	Callands-Gretna District
Robert W. Warren	Chatham-Blairs District
Joe B. Davis	Dan River District

Mr. Clarence C. Monday, County Administrator, Mr. J. Vaden Hunt, County Attorney, Mr. Greg L. Sides, Assistant County Administrator for Planning and Development, and Ms. Rebecca Flippen, Deputy Clerk to the Board were also present.

Mr. Barksdale led the Moment of Silence, and then the Pledge of Allegiance.

Approval of Agenda

Motion was made by Mr. Blackstock, seconded by Mr. Davis, to approve the agenda, with the addition of a Closed Session under the Authority of §2.2-3711(A)(1) of the Code of Virginia, as amended; Subject Matter: County Administrator; Purpose: Employment Contract, which was unanimously approved by the Board.

Hearing of the Citizens

Karen Maute of the Westover District again commented on her feeling that the “Hold Over Rule” of members to board/commission/committee seats until another appointment was made and commented on by the Attorney General’s Office, was not correct and until evidence was proved otherwise, she felt that half of the Agricultural Development Board was not legal. And, she continued, if it is not legal, the Board of Supervisors should not be entertaining any of the Agricultural Board’s recommended bylaws.

Richard Shumate of the Westover District commented on a letter submitted to the Chatham Star Tribune from Delegate Danny Marshall on lottery dollars that go towards schools and wanted to know just where these dollars contributed were at. Mr. Shumate also disagreed with the General Assembly’s not removing Pittsylvania County from the code allowing its ability to impose a Solid Waste Collection fee, and since it was not removed, it would allow the Board to reinstate it whenever they felt like doing so. Mr. Shumate also stated he felt the Board was spending too much money on the new Animal Shelter property, and that the County needs to save more and spend less.

This concluded the Hearing of the Citizens.

Consent Agenda

Motion was made by Mr. Barber, seconded by Mr. Warren, to approve the Consent Agenda, which was approved by the Board of Supervisors.

- (a) Congratulatory Letter – Diane Adkins, retired Director of Pittsylvania County Public Library
- (b) Purchase of Service Weapon – retiring Deputy Ricky Mayo
- (c) Agriculture Development Board Amended By-Laws Approval

Mr. Barber's motion was approved by a majority 5 to 2 vote of the Board, with Mr. Hagerman and Mr. Scarce opposing.

Public Hearing

Public Hearing to receive citizen input on the proposed amendment to Section 35-819; Maintenance and Removal of Signs, of the Pittsylvania County Zoning Ordinance.

Mr. Monday stated the amendment to Section 35-819; Maintenance and Removals of Signs of the Pittsylvania County Code would eliminate "*and it shall be the duty of the applicant at the hearing to prove by affidavit that he has fully complied with the requirements of this section and has continuously maintained the sign or signs up to the time of the public hearing.*"

Mr. Barksdale opened the public hearing at 7:16 PM. No one signed up to speak and Mr. Barksdale closed the hearing at 7:18 PM. Motion was made by Mr. Blackstock, seconded by Mr. Barber, to approve the amendment to Section 35-819; Maintenance and Removals of Signs of the Pittsylvania County Code as presented and the following Roll Call Vote was recorded: Mr. Barber-Yes; Mr. Hagerman-Yes; Mr. Blackstock-Yes; Mr. Scarce-Yes; Mr. Davis-Yes; Mr. Warren-Yes; and Mr. Blackstock-Yes.

Mr. Blackstock's motion was unanimously approved by the Board.

This concluded the Public Hearing.

Presentations

As Mr. Jay Calhoun was not present, no report from the Agricultural Development Board was presented and no action was taken by the Board of Supervisors.

Katie Millner, CSA Coordinator for Pittsylvania County, presented the Community Policy Management Team's (CPMT) Quarterly Report. Ms. Millner stated all members were currently in compliance with the Board of Supervisors' Resolution 2014-10-20 for Calendar Year 2016. Ms. Millner did state Ms. Kathryn Plumb missed her fourth CPMT meeting on December 17, 2015. Ms. Plumb had submitted a letter requesting approval of mitigating circumstances for lack of attendance due her retiring from the Pittsylvania-Danville Health District on January 29, 2016, and during the week of December 17, 2015, she was in attendance at mandated training. Motion was made by Mr. Blackstock, seconded by Mr. Barber, to approve Ms. Plumb's request for mitigating circumstances for her 4th missed CPMT meeting, which was unanimously approved by the Board of Supervisors.

New Business

The Personnel Committee met at 4:00 PM on Wednesday, March 9, 2016 under Closed Session for the following purposes:

- (a) Discussion or consideration of assignment, promotion, performance or salaries of specific employees of a public body.

Adjourned Meeting
March 15, 2016

Authority: §2.2-3711(A)(1) of the Code of Virginia, 1950, as amended
Subject Matter: County Attorney
Purpose: Annual Performance Review

(b) Discussion or consideration of assignment, promotion, performance or salaries of specific employees of a public body.

Authority: §2.2-3711(A)(1) of the Code of Virginia, 1950, as amended
Subject Matter: County Administrator
Purpose: Employment Contract

No recommendations came from the Personnel Committee.

The Legislative Committee met at 5:00 PM on Tuesday, March 15, 2016 for the following purposes:

- (a) Statement of Economic Interest & Annual Filing Requirements –*Mr. Hunt*
- (b) Model of Excellence Form –*Mr. Hunt*
- (c) Board of Supervisors Agenda & Public Meeting Notice – *Mr. Monday & Mr. Hunt*
- (d) Discussion of Solar Panel Use/Restrictions – *The Honorable Joe Davis; Mr. Sides, Mr. Shelton, & Mr. Hunt*
- (e) Taxicab Ordinance – *The Honorable Shirley Hammock*
- (f) Other Items of Discussion - *TBD*
- (g) Recommendations to the Board of Supervisors

No recommendations came from the Legislative Committee.

Mr. Sides stated in December 2015, the Board of Supervisors began discussions with VDOT representatives on requests by citizens for *Watch for Children* signs. VDOT explained the County would need to file Land Use Permits (to include an adopted resolution) with VDOT as the first step. VDOT would also need to approve the location of such a sign. The Board of Supervisors directed Staff to begin the application process. Included in the packet information before the Board was the VDOT Land Use Permit Application (LUP-A), the required resolution; Resolution 2016-03-03; and VDOT Land Use Permit Erosion & Sediment Control Contractor Certification (LUP-ESCCC). Mr. Sides stated a \$100 application fee was required to be submitted with the application and funds for the fee were already available in Line #100-4-043100-6048.

Motion was made by Mr. Blackstock, seconded by Mr. Barber, to:

- (a) approve submission of the Land Use Permit Applications;
- (b) authorize the County Administrator to sign all necessary documentation; and
- (c) approve Resolution 2016-03-03, which would accompany the LUP Application.

The following Roll Call Vote was recorded: Mr. Barber-Yes; Mr. Hagerman-Yes; Mr. Blackstock-Yes; Mr. Scarce-Yes; Mr. Davis-Yes; Mr. Warren-Yes; and Mr. Blackstock-Yes. Mr. Blackstock's motion was unanimously approved by the Board.

Pittsylvania County Board of Supervisors

RESOLUTION 2016-03-03 LAND USE PERMIT RESOLUTION

VIRGINIA: At a regular meeting of the Board of Supervisors of Pittsylvania County, Virginia, held in the General District Courtroom of the Edwin R. Shields Courthouse Addition in Chatham, Virginia on Tuesday, March 15, 2016, the following resolution was presented and adopted:

WHEREAS, it becomes necessary from time to time for the Board of Supervisors of County of Pittsylvania, Virginia to obtain land use permits from the Virginia Department of Transportation to install, construct, maintain and operate certain public works and public utilities projects along, across, over and upon highway systems of the Commonwealth of Virginia; and

WHEREAS, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting to the Board of Supervisors of Pittsylvania County, Virginia by the Department of Transportation of said permits for the work aforesaid; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Pittsylvania County, Virginia this 15th day of March, 2016:

Section 1: That in accordance with the provision of Section 24VAC30-151-720 of the Land Use Permit Regulations of the Virginia Department of Transportation, the Board of Supervisors of Pittsylvania County, Virginia does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the Board of Supervisors of Pittsylvania County, Virginia and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damage that may arise from the work performed under permit and/or from the operation of a permitted activity as follows: up to one-million dollars (\$1,000,000,000) each occurrence to protect the Commonwealth Transportation Board members and the Virginia Department of Transportation's agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Commonwealth Transportation Board, the Virginia Department of Transportation or the Commonwealth of Virginia in the event of suit.

Section 2: That the County Administrator, Chair for the Board of Supervisors, or their designee, be, and hereby is authorized to execute on behalf of the Board of Supervisors for Pittsylvania County, Virginia all land use permits and related documents of the Virginia Department of Transportation.

Section 3: That is resolution shall be a continuing resolution and shall not be revoked until and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.

Section 4: That the Board of Supervisors for Pittsylvania County, Virginia shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

BE IT STILL RESOLVED that all the County Administrator, Chair for the Board of Supervisors for Pittsylvania County, Virginia, or their designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein.

The foregoing Resolution was adopted by the Board of Supervisors for Pittsylvania County, Virginia at its adjourned meeting held on Tuesday, March 15, 2016 in Chatham, Virginia.

Mr. Sides stated that in conjunction with approval to submit the LUP Application with VDOT, the Board had also directed staff to draft and bring back to the Board for approval a *Watch of Children* Sign Application/Agreement for a 50/50 cost share agreement between the County and citizens requesting such a sign. Before the Board was the draft application/agreement for the Board's consideration. Mr. Sides stated that at this time the cost of such sign is \$150, which would be a 50/50 cost share of \$75 each between the County and the applicant.

Motion was made by Mr. Davis, seconded by Mr. Blackstock, to approve the *Watch of Children* Sign Application/Agreement as presented, which was unanimously approved by the Board.

Appointments

Motion was made by Mr. Davis, seconded by Mr. Warren, to appoint Ruth Walden as a representative for Pittsylvania County to serve a three (3) year term on the Southern Area Agency on Aging, Inc. Board beginning March 16, 2016 and ending March 15, 2019. Mr. Davis' motion was unanimously approved by the Board.

Board Announcements

Mr. Barksdale stated Mr. Monday, County Administrator, had added valued to the County; that he had not worked with anymore more professional than Mr. Monday, and felt Mr. Monday had helped the Board of Supervisors move forward, and in turn, had helped the County to move forward. Mr. Barksdale thanked Mr. Monday for everything he had done since coming to Pittsylvania County.

County Administrator Comments

Mr. Monday thanked Mr. Barksdale for his kind words, which were greatly appreciated.

Mr. Monday reminded all the Board members that the 21st Annual Pittsylvania County Employee Service Awards would be held on Wednesday, March 23, 2016 at 3:00 PM in the General District Courtroom.

Closed Session

Motion was made by Mr. Barber, seconded by Mr. Warren, to enter into Closed Session and to include Mr. Hunt, Mr. Sides and Mr. Rowe in Closed Session for discussion of the following:

Discussion or consideration of assignment, promotion, performance or salaries of specific employees of a public body.

Adjourned Meeting
March 15, 2016

Authority: §2.2-3711(A)(1) of the Code of Virginia, 1950, as amended
Subject Matter: County Administrator
Purpose: Employment Contract/Letter of Resignation

The following Roll Call Vote was recorded: Mr. Barber-Yes; Mr. Hagerman-Yes; Mr. Blackstock-Yes; Mr. Scearce-Yes; Mr. Davis-Yes; Mr. Warren-Yes; and Mr. Blackstock-Yes. Mr. Barber's motion was unanimously approved by the Board.

The Board entered into Closed Session at 7:50 PM.

Motion was made by Mr. Warren, seconded by Mr. Blackstock, to re-enter into Open Session.

**PITTSYLVANIA COUNTY BOARD OF SUPERVISORS
CERTIFY CLOSED MEETING**

BE IT RESOLVED that at the Meeting of the Pittsylvania County Board of Supervisors on Tuesday, March 15, 2016, the Committee 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 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 Code, he shall so state prior to the vote indicating the substance of the departure. The statement shall be recorded in the minutes of the Board.

	<u>Vote</u>
Tim R. Barber	Yes
Jerry A. Hagerman	Yes
Elton W. Blackstock	Yes
Joe B. Davis	Yes
Ronald S. Scearce	Yes
Robert W. Warren	Yes
Jessie L. Barksdale	Yes

The Board re-entered into Open Session at 8:20 PM.

Motion was made by Mr. Blackstock, seconded by Mr. Barber, directing the County Attorney to amend Mr. Monday's employment contract through December 31, 2016 via discussions with Mr. Warren, and to bring the amended contract back to the Board of Supervisors for their approval. Mr. Blackstock's motion was unanimously approved by the Board.

Adjournment

Motion was made by Mr. Barber, seconded by Mr. Blackstock, to adjourn the meeting, which was unanimously approved by the Board. The meeting ended at 8:21 PM.