

**Pittsylvania County Board of Supervisors
Legislative Committee
Thursday, March 7, 2019, Meeting**

VIRGINIA: The Legislative Committee of the Pittsylvania County Board of Supervisors was held on Thursday, March 7, 2019, in the Main Conference Room of the County Administration Building in Chatham, Virginia 24531. Ben L. Farmer, Chairman, called the Meeting to Order at 4:00 p.m. The following Committee Members were present:

Ben L. Farmer
Tim R. Barber
Ronald S. Scarce

The following Board of Supervisors Members were also present:

Joe B. Davis
Elton W. Blackstock
Robert W. Warren

Mr. David M. Smitherman, County Administrator/Clerk of the Board; Mr. J. Vaden Hunt Esq., County Attorney; Mr. Greg L. Sides, Assistant County Administrator for Planning & Administration; Mr. Richard Hicks, Assistant County Administrator for Operations; Honorable Shirley Y. Hammock, Commissioner of the Revenue; and Mrs. Kaylyn M. McCluster, Deputy Clerk, were also present.

Approval of Agenda

Motion made by Mr. Scarce, seconded by Mr. Barber, to approve Agenda, which was unanimously approved.

New Business

(a) Discussion of Potential Mandatory Septic Pump-up for Lakefront Property Owners Ordinance

Mr. Farmer stated that he is a member of TLAC and during their January Meeting, they were given two (2) very detailed presentations that spoke highly of the lakes in the County. Two (2) representatives from other localities spoke up about an Ordinance they have. Mr. Hunt researched and Campbell and Pittsylvania Counties do not have a Pump Out Ordinance. Bedford and Franklin Counties do have these types of Ordinances. Of the TLAC participants, only one (1) has a full Ordinance, and one (1) has an Ordinance that only requires septic pump out in short term rental property. There was consensus of the Legislative Committee to do nothing with this item at this time.

Old Business

(a) Fire and Rescue Ordinance Report

Mr. Slemp stated the Ad-hoc Committee met last month and the majority of the Ordinance is complete. Mr. Slemp suggested the Committee recommend to the full Board that the Fire and Rescue Commission be comprised of no more than nine (9) members, by eliminating the EMS-only and Law Enforcement Members. Mr. Slemp also stated that he has hopes of having the Ordinance completed and ready for the full Board to review by July. Mr. Scarce mentioned that things have been going well and everyone seems to be working well together and there are a few things left before the Ordinance is finalized. There was also discussion about how the citizens are appointed to this Commission. Motion by Scarce, second by Barber, to recommend to the full Board that the Fire & Rescue Commission be comprised of no more than nine (9) members, by eliminating the EMS-only and Law Enforcement Members, and the Board's decision making on the citizen appointees not be restricted. The recommendation was unanimously approved by the Committee.

(b) Animal Nuisance Ordinance Update

Mr. Hunt stated there have been some concerns raised from the farm community. The farm community is primarily concerned that this Ordinance will be used to go after the agricultural community for smells and things such as that. There is a Public Hearing scheduled for March 12, 2019 for this matter, but the Public Hearing can be removed from the Agenda, or it can still be held to hear the concerns and take no action after the Public Hearing. Mr. Scarce stated that one concern he has heard is that usually when a complaint is taken before the Judge, nothing is done, and it has been a waste of time. He suggested sitting down with Mr. Haskins and trying to come up with some wording so that this Ordinance has some teeth. Mr. Farmer stated he would still like to hold the Public Hearing to hear citizen comments.

(c) Inoperable Vehicles Ordinance Revision

There was discussion about why the Ordinance revision came up and if there were more complaints recently than in the past. Mr. Sides stated there has not been more complaints, but the idea was brought to the Legislative Committee that maybe there should be more restrictions in residentially zoned properties, and Staff was asked to bring something back for the Committee to review. Mr. Warren stated that he has received a lot of phone calls and complaints, but more so in subdivisions where there are a cluster of homes. Mr. Barber stated that he has not received any complaints and he feels that the issue is enforcement. There was consensus from the Board on enforcing the current Ordinance that is in place as is, on a complaint basis, and only take action at a later date only if necessary.

(d) Grass and Weeds Ordinance

Mr. Sides stated the Legislative Committee requested that Staff look into and draft an Ordinance, and the Legislative Committee was provided with a standard Grass and Weed Ordinance. Mr. Barber stated his concern about this issue and recommended it be left alone right now. He stated there are farmers who cut on residential properties and does not feel that the County has the means to enforce this issue. Mr. Warren suggested that this issue be tabled and come back to later, but he feels that something should be done for the citizens who live in subdivisions who have covenants.

(e) "Farming Definition" Expansion/Clarification for Taxation Purposes

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Mr. Hunt stated the Legislative Committee directed Staff to mirror the State Code on this particular item with items 1-10, but since then, Les Adams has inserted language into HB2733 which is currently sitting on the Governor's desk. If the Governor signs this, it will become effective July 1, 2019. Staff recommends only addressing this item once, after July 1, 2019, when it is legal, and then verbatim copy the State Code to include nurseries.

Mr. Ken Moss and his wife Sherry, owners of Windy Acres Nursery, were present at the Meeting and Mr. Farmer allowed him time to speak on the "farming" definition. Mr. Moss requested that the Board of Supervisors entertain a Resolution and make this retroactive back to 2014, so that the current situation that he has been dealing with in the Commissioner of Revenue's Office will go away in order to avoid multiple levels of court if necessary.

Adjournment

Mr. Farmer adjourned the Meeting at 4:59 PM.