

April 20, 2021
Business Meeting

**Pittsylvania County Board of Supervisors
Business Meeting
April 20, 2021**

VIRGINIA: The Business Meeting of the Pittsylvania County Board of Supervisors was held on April 20, 2021, in the Board Meeting Room, 39 Bank Street, SE, Chatham, Virginia. Chairman 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
Robert ("Bob") W. Warren	Chairman; Chatham Blairs District	Present
Ronald S. Scearce	Vice-Chairman; Westover District	Present
Joe B. Davis	Supervisor; Dan River District	Present
Timothy W. Dudley	Supervisor; Staunton River District	Present
Ben L. Farmer	Supervisor; Callands-Gretna District	Present
William ("Vic") Ingram	Supervisor; Tunstall District	Present
Charles H. Miller, Jr.	Supervisor; Banister District	Present

AGENDA ITEMS TO BE ADDED

Motion to add the following items to the Agenda:

Add to Presentations:

- (A) Special Agent Dwyer Resolution/Plaque Presentation (*Sheriff Taylor*)

Add to New Business:

- (A) Temporary County Music Festival Permitting Suspension
- (B) Mt. Cross/Cascade Fire Truck Purchase Funding to New Business

Add to Matters from Works Session:

- (A) County Summer Youth Work Program Funding
- (B) Legislative Committee Recommendations

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ingram
SECONDER:	Davis
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

APPROVAL OF AGENDA

Motion to approve Agenda.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Davis
SECONDER:	Ingram
AYES:	Warren, Searce, Davis, Dudley, Farmer, Ingram, Miller

CONSENT AGENDA

Motion to approve Consent Agenda.

Farmer abstained from voting on item 7m, due to family relation ties.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dudley
SECONDER:	Ingram
AYES:	Warren, Searce, Davis, Dudley, Farmer, Ingram, Miller

- a. Minutes Approval (Staff Contact: Kaylyn M. McCluster)
- b. BOS Bylaws Revisions Approval (add Naming Committee and Danville Utilities Commission to Chairman Annual Appointments); (Staff Contact: Kaylyn M. McCluster)
- c. VDOT Secondary Six (6)-Year Public Hearing Advertisement Authorization (Staff Contact: Kaylyn M. McCluster)
- d. Elections and Training Center Joint Use Agreement Approval (Staff Contact: Kaylyn M. McCluster)
- e. Resolution # 2021-04-02 (Honoring SSRA James J. Dwyer) Adoption (Staff Contact: Kaylyn M. McCluster)
- f. AmeriCorps National Service Recognition Day Proclamation Adoption (Staff Contact: Kaylyn M. McCluster)
- g. National Law Day Proclamation Adoption (Staff Contact: Kaylyn M. McCluster)
- h. National Teacher Appreciation Day/Week Proclamation Adoption (Staff Contact: Kaylyn M. McCluster)
- i. National Police Week Proclamation Adoption (Staff Contact: Kaylyn M. McCluster)
- j. National EMS Week Proclamation Adoption (Staff Contact: Kaylyn M. McCluster)
- k. Bill List Approval (on-line); (Staff Contact: Kimberly G. Van Der Hyde)
- l. J&J Truck Sales, Inc., Local Performance Agreement Approval (Staff Contact: Matthew D. Rowe)
- m. County COVID-19 Vaccination Clinic Lease Ratification (Staff Contact: Christopher C. Slemp)
- n. Public Safety Ride-Along Program Waiver Approval (Staff Contact: Christopher C. Slemp)

- o. Revised EMS Billing Rates Approval (Effective 7/1/21); (Staff Contact: Christopher C. Slemp)
- p. Meadow Ridge Ct. Convenience Center Easement Acceptance (Staff Contact: Chris Adcock)
- q. Wayside Park Engineering Analysis Contract Approval (Staff Contact: Justin Price)
- r. Wayside Park Creek Trout Stocking Permission and Intent to Hold Youth Fishing Day Approval (Staff Contact: Justin Price)
- s. IDA Appointment (Banister Representative); (Dexter Miller); (Contact: Supervisor Miller)
- t. Danville-Pittsylvania Community Services Board Appointment (Banister District Representative); (Rev. Joseph Chambers); (Supervisor Miller)

ITEMS REMOVED FROM CONSENT AGENDA

None.

PRESENTATIONS

- a. **AmeriCorps National Service Recognition Day Proclamation Presentation (Contact: Chairman Warren)**

Dr. Julie Brown, Director of Advanced Learning, The Institute for Advanced Learning and Research, was present to accept the AmeriCorps National Service Recognition Day Proclamation from Chairman Warren.

- b. **Special Agent Dwyer Resolution Presentation**

Special Agent Dwyer was present to receive Resolution # 2021-04-02 from Sheriff Taylor.

HEARING OF THE CITIZENS

None.

PUBLIC HEARINGS

Rezoning Public Hearings

Case 1: Public Hearing: Case R-21-005; Mabel Doss; Rezoning from A-1, Agricultural District, to R-1, Residential Suburban Subdivision District (Supervisor Dudley)

In Case R-21-005, Mabel Doss (“Petitioner”), has petitioned to rezone 2.01 acres, from A-1, Agricultural District, to R-1, Residential Suburban Subdivision District, (*to consolidate with an adjacent parcel of land zoned R-1*). The subject property is located on State Road 930/Sycamore Road, in the Staunton River Election District. Once the property is rezoned to R-1, all uses listed under Pittsylvania County Code § 35-222 are permitted. On March 2, 2021, the Planning Commission recommended, with no opposition, that the Petitioner’s request be granted.

Warren opened the Public Hearing at 7:25 PM. No one signed up to speak and Warren closed the Public Hearing at 7:26 PM.

Motion to approve the rezoning of 2.01 acres, from A-1, Agricultural District, to R-1, Residential

Suburban Subdivision District, to allow the subject property to be consolidated with an adjacent parcel. The rezoning would be consistent with the County’s Comprehensive Plan.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dudley
SECONDER:	Miller
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

Case 2: Public Hearing: Case R-21-006; Frank Martin and Linda Stroud; Rezoning from MHP, Residential Manufactured Housing Park District, to A-1, Agricultural District (Supervisor Scearce)

In Case R-21-006, Frank Martin and Linda Stroud (“Petitioners”), have petitioned to rezone 19.47 acres, from MHP, Residential Manufactured Housing Park District, to A-1, Agricultural District, *(to allow for agricultural use)*. The subject property is located on State Road 746/Golf Club Road, in the Westover Election District. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35- 178 are permitted. On March 2, 2021, the Planning Commission recommended, with no opposition, that the Petitioners’ request be granted.

Warren opened the Public Hearing at 7:27 PM. Frank Martin was present to represent the Petition. No one signed up to speak and Warren closed the Public Hearing at 7:28 PM.

Motion to approve the rezoning of 19.47 acres, from MHP, Residential Manufactured Housing Park District, to A-1, Agricultural District, to for agricultural use. The rezoning would be consistent with the County’s Comprehensive Plan.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Scearce
SECONDER:	Davis
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

Other Public Hearings

1. Public Hearing: Disposition of a Portion of County Landfill Property to AC Power, LLC, for Solar Land Lease Option Agreement (Staff Contact: Richard N. Hicks)

After reviewing several proposals for solar development at the County Landfill, the Board recently approved a potential lease with AC Power, LLC (“AC Power”), to develop a solar project thereon. Prior to submitting a proposal to any potential power provider such as Dominion, AC Power will need to perform its due diligence on the property and gather the necessary information to submit a competitive proposal. AC Power is proposing a two (2)-year Land Lease Option (“Option”) for this process. After an initial term of six (6) months after execution of the Option, AC Power will pay the County \$2,500 per quarter during the Option’s term. If a project is approved and an actual Lease Agreement is executed, AC Power will pay the County \$7,500 per MW-dc installed each year during the term of the Lease with an annual escalator of one and one-half percent (1.5%). The County has negotiated a one (1) year lease with the option to renew for a one (1) year term.

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

Motion to authorize the County Administrator to execute the attached Option with AC Power as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Davis
SECONDER:	Dudley
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

2. Public Hearing: Disposition of Old Blairs Middle School/Southside High School to Mid-Atlantic Foundation, Inc., and Approval of Other Related Easements and Documents (Staff Contact: Richard N. Hicks)

Several months ago, the Board held a Public Hearing and agreed to donate the former Blairs Middle School/Southside High School property (“Property”) to Landmark Development (“Landmark”) to renovate the Property into apartments. Landmark has obtained its financing and is ready to proceed with the Project. Landmark has recently requested that the Property be donated to Mid-Atlantic Foundation, Inc. (“Mid-Atlantic”), a non-profit, which will provide them with more flexibility and funding opportunities. The final development will be owned and operated by Blairs School Apartments, LLC.

Prior to the disposition of the property, the Board is legally required to conduct a Public Hearing to approve the transfer of the Property, the Owner’s Affidavit and Indemnity, a temporary construction easement for sewer, a Deed of Sewer Easement, an Assignment of Donation Agreement to Mid-Atlantic, a Deed of Lease for the Auditorium to the County, and an Access and Parking Easement and Maintenance Agreement. The Public Hearing has been properly advertised. Sam Sari, with Landmark Development, was in attendance to provide the Board with an update on the Project.

Warren opened the Public Hearing at 7:42 PM. No one signed up to speak and Warren closed the Public Hearing at 7:42 PM.

Motion to approve the donation of the Property to Mid-Atlantic and authorize the Chairman to execute the related documents as substantially presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Scearce
SECONDER:	Ingram
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

UNFINISHED BUSINESS

None.

NEW BUSINESS

a. Resolution # 2021-04-05 (Support for 1% Local Sales Tax Referendum for County School Renovation/Construction) Adoption (Staff Contact: J. Vaden Hunt, Esq.)

Resolution # 2021-04-05 is a Resolution initiating a Referendum to authorize the County to levy a general retail sales tax at a rate to not exceed one percent (1%) to provide revenue solely for capital projects for the construction or renovation of County Schools in accordance with Virginia Code § 58.1-605.1.

Motion to adopt attached Resolution # 2021-04-05 as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Davis
SECONDER:	Scearce
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

b. Moral Obligation Agreement between County and American National Bank and Trust Approval (Staff Contact: Matthew D. Rowe)

On May 8, 2020, Governor Northam and the Staunton River Regional Industrial Facility Authority (“SR RIFA”) announced Staunton River Plastics, LLC (“Company”), a wholly-owned subsidiary of Rage Corporation (with a plastics facility in the region and another facility and headquarters in Ohio) would construct a new facility that would result in \$34M in investment and two hundred (200) new jobs over a four (4)-year period from Phase 1 facility construction. Due to COVID delays and the Company securing additional lucrative contracts, the County’s Industrial Development Authority (“IDA”) decided that it would be mutually beneficial for it and the Company for the IDA to finance the construction and entered a guaranteed long-term lease with the Company. As such, the County IDA requested County Staff to solicit term sheets from financial institutions. A term sheet option has been selected from this process. As part of the loan closing, the financial institution selected, American National Bank, is requiring the County Board to formally approve a Moral Obligation securing the Project’s financing. All construction permits have been received and groundbreaking will occur immediately after loan closing (note: Company has already located two (2) large silos on the site and has purchased and is storing numerous pieces of equipment for the operation).

Motion for the Board to approve the attached Moral Obligation as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dudley
SECONDER:	Ingram
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

c. Resolution # 2021-04-03 (Supporting Abandonment of Portion of Ringgold Industrial Parkway (S.R. 1270) for Intertape Expansion) Adoption (Staff Contact: Matthew D. Rowe)

At its February 16, 2021, Business Meeting, the Board determined, via a unanimous, affirmative vote, that no public necessity exists for the continuance of the following County public road: a portion of SR 1270, Ringgold Industrial Parkway. On February 23, 2021, as required by Virginia Code, the Board sent a formal notice of its intent to abandon the road to the VDOT Commissioner. Furthermore, again required by Virginia Code, a notice of intent to abandon was posted in three (3) locations along the road and a notice was published in two (2) issues of *The Chatham Star Tribune* giving the public a chance to request a related Public Hearing. No one requested a Public Hearing.

Motion to adopt the Resolution # 2021-04-03 as presented and authorize the County Administrator to execute and submit any related necessary documentation to VDOT.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Davis
SECONDER:	Scearce
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

d. Resolution # 2021-04-04 (Supporting Naming "William H. Pritchett Memorial Bridge") Adoption (Contact: Supervisor Miller)

The Board is committed to recognizing and celebrating the County’s historical heritage and contributions made thereto by its citizens. Virginia Code § 33.2-213 authorizes the Commonwealth Transportation Board to give suitable names to state highways, bridges, interchanges, and other transportation facilities and change the names of any highways and bridges, interchanges, or other transportation facilities forming a part of the systems of state highways. Supervisor Miller desires to name the Business 29 North Bridge in Blairs, Virginia, the “William H. Pritchett Memorial Bridge.”

Motion to approve Resolution # 2021-04-04 supporting naming the Business U.S. 29 North Bridge in Blairs the “William H. Pritchett Memorial Bridge.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Miller
SECONDER:	Davis
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

e. Temporary County Music Festival Permitting Suspension

Motion to temporarily suspend the issuance of any County Music Festival Permits until the Board of Supervisors can adopt revisions to Pittsylvania County Code, Chapter 10, Music Festivals, anticipated to occur at the Board’s May Business Meeting, following the conducting of the legally required related Public Hearing.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Davis
SECONDER:	Miller
AYES:	Warren, Searce, Davis, Dudley, Farmer, Ingram, Miller

f. Mt. Cross/Cascade Fire Truck Purchase Funding

Motion to appropriate funding from the County’s Capital Improvement Fund for the purchase of one fire truck each for Cascade and Mt. Cross Volunteer Fire Departments immediately following the Board of Supervisors’ July Business Meeting and that all future Fire and EMS apparatus purchases shall thereafter follow the Fire and Rescue Commission’s Recommended Apparatus Replacement Schedule to be developed and adopted in the near future.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Davis
SECONDER:	Ingram
AYES:	Warren, Searce, Davis, Dudley, Farmer, Ingram, Miller

MATTERS FROM WORK SESSION (IF ANY)

a. County Summer Youth Work Program Funding

Motion to appropriate up to \$75,000 from the County’s future Cares Act funds to fund twenty-five (25) County students to participate in the County’s 2021 Summer Youth Program.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Davis
SECONDER:	Miller
AYES:	Warren, Searce, Davis, Dudley, Farmer, Ingram, Miller

b. Legislative Committee Recommendations

Motion to advertise Public Hearing at Board’s May Business Meeting for potential Revisions to the following County Ordinances:

- (i) Private Waste Hauling Ordinance (PCC Sections 17-4 and 17-5);
- (ii) Music Festivals Ordinance (PCC Chapter 10);
- (iii) Temporary Camping and County’s Campgrounds Ordinances (PCC Sections 35-87 (new) and 35-138 (revised)); and
- (iv) No change to County’s current Solar Ordinance; rejection of proposed Community Solar text amendments to PCC Sections 35-35, 35-141(C), (D), and (E).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Miller
SECONDER:	Davis
AYES:	Warren, Scearce, Davis, Dudley, Farmer, Ingram, Miller

BOARD MEMBER REPORTS

- Ingram stated it is an honor to support the naming of the bridge in honor of Mr. Pritchett. He stated that Grace Clark was involved in a horrible accident that resulted in the loss of her right foot and to continue prayers for her and her family.
- Miller stated that he was served by Ms. Pritchett and she was also a very pleasant and delightful person. She wished she could be in attendance tonight.
- Davis stated that Ms. Pritchett lives in his District and he spoke highly of her as well. He thanked the Board and County Staff for their hard work.
- Scearce stated the Friends of NRA banquet is coming on May 6, 2021 at the Olde Dominion Agricultural Center. The money raised will stay in the community and goes to help the Boy Scouts.
- Warren thanked County Staff for their work in the communication to the citizens when one convenience center site had to be closed early. He also thanked the Board and Staff for the emails, calls, and messages during the loss of his mother-in-law.

COUNTY ADMINISTRATOR REPORTS

Smitherman stated the County is inundated with Spring cleaning which is causing overflow at the Convenience Centers. The railroad crossing in Dry Fork will be closed next week, Monday-Thursday. He also congratulated Darrell Dalton and Susan Dillon for their retirement from the County.

ADJOURNMENT

Warren adjourned the Meeting at 8:22 PM.