

**Pittsylvania County Board of Supervisors
Legislative Committee
Monday, January 28, 2019, Meeting**

VIRGINIA: The Legislative Committee of the Pittsylvania County Board of Supervisors was held on Monday, January 28, 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 5:00 p.m. The following Committee Members were present:

Ben L. Farmer
Ronald S. Searce

The following Board of Supervisors Members were also present:

Joe B. Davis

Supervisor Tim R. Barber arrived at 5:01 pm and Supervisor Robert W. Warren arrived at 5:03 pm.

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; Mrs. Susan Dillon, Chief Animal Control Officer; Mrs. Karen N. Hayes, Deputy Director of Community Development; Mr. Christopher C. Slemp, Director of Public Safety; and Mrs. Kaylyn M. McCluster, Deputy Clerk, were also present.

Approval of Agenda

Motion made by Mr. Searce, seconded by Mr. Farmer, to approve Agenda, which was unanimously approved by the Legislative Committee Members present.

New Business

(a) Elderly/Indigent Tax Exemption Proration

Honorable Shirley Y. Hammock stated the Virginia State Code allows for proration of the Elderly/Indigent Tax Exemption. The proposed language was taken straight from said Code. This allows for the relief to be prorated in the event of change of ownership, such as in the event of a death. This change does require a Public Hearing to be held. The County Application does have to be modified by the Commissioner's Office. Motion by Mr. Barber, seconded by Mr. Searce, to recommend the full Board hold a Public Hearing to adopt the new language that allows for proration at the March Meeting; which was unanimously approved by the Legislative Committee.

(b) Land Use Application Late Filing (with Penalty)

There was discussion regarding potentially allowing late Land Use Application filing with a penalty. County Staff is recommending to add 6-12.2(B) that states the Board will allow late Land Use filing within sixty (60) days of the deadline, if you pay a penalty of one-hundred dollars (\$100)

per parcel. This mirrors the revalidation late filing fee that is already in place. This also requires a Public Hearing. Motion by Mr. Scarce, seconded by Mr. Barber, to recommend the full Board hold a Public Hearing to potentially adopt this at the March Meeting, which was unanimously approved by the Legislative Committee.

(c) **“Farming Definition” Expansion/Clarification for Taxation Purposes**

Honorable Shirley Y. Hammock suggested bringing the current County Ordinance up to the Virginia State Code. Said Code currently exempts thirteen (13) items, and the County only exempts six (6) items. There was also discussion regarding a past situation with a nursery being considered a farm. Mr. Barber suggested adopting all thirteen (13) items to mirror the Virginia Code. He also stated his concerns about what exactly is an agricultural product, and, if a nursery is in the definition of a farm, because he sees it both ways. There was no direction in the packet for the farming definition. County Staff is seeking direction to expand the Section to the thirteen (13) items, as opposed to six (6), and what the Committee’s pleasure is about including nurseries. Motion by Mr. Barber, seconded by Mr. Scarce, to draft potential revisions to mirror Virginia Code on items one (1) through ten (10) on exemptions, and take before the full Board for consideration, which was unanimously approved by the Legislative Committee. The Legislative Committee also directed County Staff to bring back a definition of farming to include the production of plant material (horticultural products), and exempt that, but not the retail side.

(d) **Hylton Rezoning (to be initiated by BOS)**

Mr. Sides informed the Legislative Committee about a unique zoning situation involving a County resident. Since 1991, Mr. Hylton’s property has been listed as being zoned R-1 on the County’s Official Zoning Map. There were interns working in the Zoning Office in 1992, and they forwarded inaccurate information to the Commissioner’s Office showing Mr. Hylton’s property zoned as A-1. Due to the confusion, Mr. Hylton has requested that his property be rezoned to A-1 at no charge. Virginia Code allows the Board to do this. Motion by Mr. Scarce, seconded by Mr. Barber, to allow the two (2) parcels to be rezoned without any cost to the applicant, which was unanimously approved by the Legislative Committee.

(e) **Animal Public Nuisance Ordinance**

Mr. Hunt presented a potential Animal Public Nuisance Ordinance for inclusion in the Pittsylvania County Code. Motion by Mr. Scarce, seconded by Mr. Farmer, to recommend the Animal Public Nuisance Ordinance to the full Board for review and Public Hearing authorization for potential adoption at the March Business Meeting. Mr. Barber stated that he does not like the barking and excessive noise statement in the Ordinance.

(f) **Dilapidated Structure Removal Matrix**

Mr. Sides was directed at the January Work Session to create a Dilapidated Structure Removal Matrix. He presented the draft version of the Matrix to the Legislative Committee, and there was a Motion by Mr. Scarce, seconded by Mr. Barber, to recommend the presented Matrix to the full Board, which was unanimously approved by the Legislative Committee.

(g) **Fire and Rescue Ordinance Update**

Mr. Slempp, Director of Public Safety, informed the Legislative Committee that a draft of the new Fire and Rescue Ordinance is currently being worked on and is close to being completed. Once the draft is finalized, he will present it to the Committee at a future meeting for recommendation to the full Board for potential action. Their next Ad-hoc committee meeting is scheduled for February 8, 2019, to see if there are any additional comments.

Old Business

(a) Potential Grass and Weeds Ordinance

Mr. Hunt asked if there was a desire to entertain a potential Grass and Weed Ordinance. Following discussion, the Legislative Committee directed Mr. Hunt to bring back a draft of a potential Grass and Weeds Ordinance (to be only applicable to R-1 zoned properties in the County) to a future Legislative Committee Meeting for a potential recommendation to the full Board.

(b) Potential Revision to Inoperable Vehicles Ordinance

Mr. Hunt asked if there was a desire to entertain potential revisions to the County's Inoperable Vehicles Ordinance. After discussion, the Legislative Committee directed Mr. Hunt to bring back a draft of revisions allowing fewer inoperable vehicles in R-1 zoned properties in the County to a future Legislative Committee Meeting for potential recommendation to the full Board.

Adjournment

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