

July 16, 2019  
Business Meeting

**Pittsylvania County Board of Supervisors  
Business Meeting  
July 16, 2019**

**VIRGINIA:** The Business Meeting of the Pittsylvania County Board of Supervisors was held on July 16, 2019 in the Pittsylvania County General District Courtroom, Edwin R. Shields Courthouse Addition, Chatham, Virginia 24531. Chairman, Dan River District, Joe B. Davis, 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
Joe B. Davis	Chairman - Dan River District	Present	6:30 PM
Charles H. Miller	Vice Chairman - Banister District	Present	6:32 PM
Tim R. Barber	Supervisor - Tunstall District	Present	6:36 PM
Elton W. Blackstock	Supervisor - Staunton River District	Present	6:35 PM
Ben L. Farmer	Supervisor - Callands-Gretna District	Remote	6:41 PM
Ronald S. Scearce	Supervisor - Westover District	Present	6:39 PM
Robert W. "Bob" Warren	Supervisor - Chatham-Blairs District	Present	6:32 PM

Mr. Farmer remotely participated in the Meeting due to being on vacation. He called in from 328 Sandpiper Court, Nags Head, NC 27959.

**AGENDA ITEMS TO BE ADDED**

Motion to remove Item 7d from the Agenda, and add item 14b; Discussion of Performance of PCSA Board of Supervisors Appointee, to the Agenda.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ronald S. Scearce, Supervisor - Westover District
<b>SECONDER:</b>	Robert W. "Bob" Warren, Supervisor - Chatham-Blairs District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Scearce, Warren

**APPROVAL OF AGENDA**

Motion to approve Agenda with amendments as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Elton W. Blackstock, Supervisor - Staunton River District
<b>SECONDER:</b>	Tim R. Barber, Supervisor - Tunstall District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Scearce, Warren

**CONSENT AGENDA**

Motion to approve Consent Agenda.

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<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Robert W. "Bob" Warren, Supervisor - Chatham-Blairs District
<b>SECONDER:</b>	Elton W. Blackstock, Supervisor - Staunton River District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Scearce, Warren

- a. Minutes: June 18, 2019, Solid Waste Committee Meeting, Work Session, and Business Meeting (Staff Contact: Kaylyn M. McCluster)
- b. Resolution #2019-07-02: VDOT Rural Rustic Roads (Staff Contact: Gregory L. Sides)
- c. Resolution #2019-07-03 VDOT Six-Year Plan (Staff Contact: Gregory L. Sides)
- d. School's Armory Playground Construction Approval Ratification (Staff Contact: Richard N. Hicks)
- e. Updated Resolution and Agreement for 911 Management and Control (Staff Contact: Chris C. Slemp)
- f. American Red Cross Chatham Community Center Facility Use Agreement (Staff Contact: Chris C. Slemp)
- g. Pet Smart Charities Adoption Partner Agreement Ratification (Staff Contact: Gregory L. Sides)
- h. Award of Bids For Roll Off Truck (Staff Contact: Richard N. Hicks)

**ITEMS REMOVED FROM CONSENT AGENDA**

- i. Dam Rehabilitation Funding Agreement Approval (Staff Contact: Richard N. Hicks)

**PRESENTATIONS**

- a. **Executive Fire Officer Program; Chris C. Slemp (Staff Contact: David M. Smitherman)**

Mr. Smitherman stated Mr. Christopher Slemp has completed the Executive Fire Officer Program. This is a top tier achievement for those in fire service and is a very difficult process. Mr. Smitherman presented his framed completion certificate to him.

**HEARING OF THE CITIZENS**

Coy Harville, Westover District, stated that he had a meeting with Mr. Warren and Mr. Scearce on July 11, 2019. Mr. Harville publicly apologized for an incident that occurred seven (7) months ago. He requested that he be allowed to stay on the Service Authority to see Projects that they are working on through. Scottie Adams, Callands-Gretna District, spoke regarding an email that was sent from Mr. Dean Fowler to Mr. Smitherman regarding money that was not used for Fire and Rescue. He requested that the Board consider following the recommendation of the Fire and Rescue Association regarding where the unused money should go.

**PUBLIC HEARINGS**

**Rezoning Public Hearings**

**Case 1: Public Hearing: Rezoning Case R-19-020, Ray L. Taylor & Eltha Jo Taylor; Dan River Election District, R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Staff Contact: Gregory L. Sides); (Supervisor Davis)**

Mr. Davis opened the Public Hearing at 7:17 PM. Mr. Ray Taylor was present to represent the Petition. No one signed up to speak and Mr. Davis closed the Public Hearing at 7:19 PM.

Motion to rezone 0.361 of an acre from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (*to combine with the adjacent 33 acres zoned A-1*).

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Robert W. "Bob" Warren, Supervisor - Chatham-Blairs District
<b>SECONDER:</b>	Tim R. Barber, Supervisor - Tunstall District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Searce, Warren

**Case 2: Public Hearing: Rezoning Case R-19-021, Thomas Judson Brown, III, & Janet Holley Brown; Dan River Election District, R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Staff Contact: Gregory L. Sides); (Supervisor Davis)**

Mr. Davis opened the Public Hearing at 7:20 PM. No one signed up to speak and Mr. Davis closed the Public Hearing at 7:22 PM.

Motion to rezone 20.73 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (*to make the zoning consistent with their adjacent 91-acre farm*).

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Robert W. "Bob" Warren, Supervisor - Chatham-Blairs District
<b>SECONDER:</b>	Charles H. Miller, Vice Chairman - Banister District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Searce, Warren

**Other Public Hearings**

**1. Public Hearing: Enterprise Zone Amendments (Staff Contact: Matthew D. Rowe)**

Mr. Davis opened the Public Hearing at 7:23 PM. No one signed up to speak and Mr. Davis closed the Public Hearing at 7:24 PM.

Ms. McCulloch stated that the Board previously tabled this item for further consideration and amendments have been made to the Enterprise Zone, which include Hargrave Military Academy.

Motion to approve the Enterprise Zone Map, Resolution #2019-07-01, and incentive amendments as presented.

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<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Robert W. "Bob" Warren, Supervisor - Chatham-Blairs District
<b>SECONDER:</b>	Tim R. Barber, Supervisor - Tunstall District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Scearce, Warren

**2. Public Hearing: EMS Billing Fee Increase (Staff Contact: Chris C. Slemp)**

Mr. Davis opened the Public Hearing at 7:25 PM. Mr. Scottie Adams spoke on behalf of the Fire and Rescue Association and supports this change. No one else signed up to speak and Mr. Davis closed the Public Hearing at 7:28 PM.

Mr. Slemp stated that EMAC recently met and reviewed the County's EMS billing rates as compared to other localities. Currently the County's billing rates are as follows:

BLS	\$500
ALS 1	\$650
ALS 2	\$800
Mileage	\$14

Additionally, County EMS agencies do not currently bill for treatment/no transport and patient refusals. Insurance companies are now beginning to reimburse for these situations, and it was EMAC's recommendation that the County adjust billing rates to allow for these services. After discussion and review, EMAC recommended that the County's EMS billing rates be increased as follows:

BLS	\$550
ALS1	\$750
ALS2	\$950
Treat/No Transport	\$400
Patient Refusal	\$75
Mileage	\$16

The Public Hearing was advertised in the *Chatham Star Tribune* on July 3, 2019, and July 10, 2019.

Motion to approve the EMS billing rates as presented.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Ronald S. Scearce, Supervisor - Westover District
<b>SECONDER:</b>	Charles H. Miller, Vice Chairman - Banister District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Scearce, Warren

**3. Pubic Hearing: Fire and Rescue Ordinance (Staff Contact: Chris C. Slemp)**

Mr. Davis opened the Public Hearing at 7:31 PM. Mr. Scottie Adams, Callands-Gretna District, stated his concerns and desired for this to go back to the Fire and Rescue Association. No one

else signed up to speak and Mr. Davis closed the Public Hearing at 7:35 PM.

Due to this item not being reviewed by all parties involved, there was no action taken at this time.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>MOVER:</b>	Joe B. Davis, Chairman - Dan River District
<b>SECONDER:</b>	Charles H. Miller, Vice Chairman - Banister District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Searce, Warren

**4. Public Hearing: Building Height Revision (Staff Contact: Gregory L. Sides)**

Mr. Davis opened the Public Hearing at 7:36 PM. No one signed up to speak and Mr. Davis closed the Public Hearing at 7:38 PM.

The Pittsylvania County Planning Commission was approached by the Director of Economic Development with a request to consider increasing the maximum allowed building height in the M-2, Industrial District, Heavy Industry. It was explained that the County has had prospects for large projects in the Southern Virginia Megasite at Berry Hill that would exceed the current building height limitation of 80 feet. Having to apply for a variance introduces a time and uncertainty element that can discourage prospects. At its meeting on June 4, 2019, the Planning Commission held a Public Hearing on an Ordinance Amendment that would allow a maximum height of 150 feet on M-2 parcels measuring 150 acres or greater in size. The Amendment was approved unanimously and referred to the Board. The Public Hearing was advertised in the *Chatham Star Tribune* on July 3, 2019, and July 10, 2019.

Motion to approve the proposed Amendment to Section 35-406 of the Pittsylvania County Zoning Ordinance, as presented.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Elton W. Blackstock, Supervisor - Staunton River District
<b>SECONDER:</b>	Tim R. Barber, Supervisor - Tunstall District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Searce, Warren

**5. Public Hearing: AEP Board Approval of Berry Hill Energy Connection Project (Staff Contact: Gregory L. Sides)**

Mr. Davis opened the Public Hearing at 7:39 PM. David Swisher, Appalachian Power (“AEP”), gave a presentation to the Board regarding the Berry Hill Energy Connection project. Waverly Cousin Jr. and Barbara Cousin spoke in support of this Project, but stated their concerns regarding their property. David Minter spoke in support of the project as well, but also has concerns on the impact to the small community. No one else signed up to speak and Mr. Davis closed the Public Hearing at 7:58 PM.

On April 16, 2019, the Board voted to amend Section 35-50 of the Pittsylvania County Zoning Ordinance to allow an exemption for electrical transmission lines constructed to serve properly zoned industrial park sites. This exemption to the Zoning Ordinance includes the language “with

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approval subject to a public hearing and vote by the Board of Supervisors”. AEP is proposing an approximate 5 mile 138 KV transmission line, and electrical substation, to supply power to the Southern Virginia Mega Site at Berry Hill. AEP has been through a rigorous design and public input process to develop a proposed route that minimizes overall impacts. The Public Hearing was advertised in the *Chatham Star Tribune* on July 3, 2019, and July 10, 2019.

Motion that the Board approve the Berry Hill Energy Connection Project, confirm the finding of the Pittsylvania County Planning Commission that the project is substantially in accord with the adopted Comprehensive Plan, and approve Resolution #2019-07-04 as presented.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Elton W. Blackstock, Supervisor - Staunton River District
<b>SECONDER:</b>	Robert W. "Bob" Warren, Supervisor - Chatham-Blairs District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Searce, Warren

**6. Public Hearing: Sheriff's PCC, Chapter 11, Revisions (Staff Contact: Sheriff Taylor)**

Mr. Davis opened the Public Hearing at 8:00 PM. No one signed up to speak and Mr. Davis closed the Public Hearing at 8:04 PM.

At the Board’s Legislative Committee Meeting that was held on June 4, 2019, The Honorable Michael Taylor, Sheriff, discussed and reviewed the following five (5) Virginia Code Sections that he desires to potentially add to the PCC: (1) Virginia Code § 15. 2- 1716. 1, Reimbursement of Expenses Incurred in Responding to Terrorism Hoax Incident, Bomb threat, or Malicious Activation of Fire Alarm; (2) Virginia Code § 15. 2- 1716.2, Methamphetamine Lab Cleanup Costs; Localities may Charge for Reimbursement; (3) Virginia Code § 15. 2- 1717, Preventing Interference with Pupils at Schools; (4) Virginia Code § 15. 2- 1717. 1, Designation of Police to Enforce Trespass Violations; and (5) Virginia Code § 15. 2- 1719, Disposal of Unclaimed Property in Possession of Sheriff or Police. Following discussion, the LC unanimously recommended to the full BOS that the above-referenced Virginia Code Sections be advertised for a Public Hearing for potential adoption at the July BOS Business Meeting. The Public Hearing has been advertised in the *Chatham Star Tribune* on July 3, 2019 and July 10, 2019.

Motion to approve the Sheriff’s Chapter 11 Revisions as presented.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Elton W. Blackstock, Supervisor - Staunton River District
<b>SECONDER:</b>	Tim R. Barber, Supervisor - Tunstall District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Searce, Warren

**7. Public Hearing: Lack of Control of Companion Animal (Staff Contact: J. Vaden Hunt, Esq.)**

Mr. Davis opened the Public Hearing at 8:05 PM. No one signed up to speak and Mr. Davis closed the Public Hearing at 8:07 PM.

On June 4, 2019, the Board’s Legislative Committee unanimously recommended the Lack of

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Control of Companion Animal Ordinance, proposed to be added to the Pittsylvania County Code as § 2-26, to the full Board for County Staff authorization to advertise the same for potential adoption. On June 18, 2019, at its Business Meeting, the full Board unanimously voted to authorize County Staff to advertise said Ordinance at its July Business Meeting. The Public Hearing was advertised in the *Chatham Star Tribune* on July 3, 2019, and July 10, 2019.

Motion approving the addition of Section 2-26, Lack of Control of Companion Animal Ordinance, to the Pittsylvania County Code as presented.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Elton W. Blackstock, Supervisor - Staunton River District
<b>SECONDER:</b>	Robert W. "Bob" Warren, Supervisor - Chatham-Blairs District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Scearce, Warren

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**a. Brosville/622 Convenience Center Site Construction Bid Award (Staff Contact: Richard N. Hicks)**

Mr. Hicks stated the Brosville/622 Convenience Center requires some paving and other maintenance issues. Traffic flow and convenience to the recycling containers are also an issue at this site. Once the County hired SCS Engineers, Ryan Duckett was asked to design the redevelopment of this site to repair the paving, provide a more desirable traffic flow, and provide better access to the compactor, open tops and recycling containers.

The County issued IFB #20190611 for the Brosville Collection Site Re-Development on June 11, 2019. It was advertised in the Danville Register and Bee, the *Star Tribune* and posted on the County's website. Three (3) bids were submitted and the low bid was by Crews Construction in the amount of \$88,500.00. The County also requested a price on replacing most of the asphalt and apron at the entrance to the site due to its poor condition. The price by Crews for that work was \$6,500.00. This results in a total project cost of \$95,000.00.

Mr. Hicks stated that after the previous Finance Committee Meeting, County Staff is requesting to delay the award of this bid until the August Meeting.

**b. Wayside Park Grant Agreements Approval (Staff Contact: Mark W. Moore)**

Mark Moore stated that there are two (2) Wayside Park Grant Agreements, both Grants will be dispersed over a two (2) year period in 2019 and 2020. The Danville Regional Foundation ("DRF") Grant in the amount of \$306,540 will be dispersed in equal half-installments in July 2019 and July 2020. The first installment of \$153,270 will be made to the County upon full execution of the Grant this month, pending County Board approval, and the remaining installment of \$153,270 is payable to the County on July 1, 2020. The second grant is from J. T. - Minnie Maude Charitable Trust ("JTMM") in the amount of \$100,000 to be dispersed in equal half-payments in 2019 and 2020. The first installment of \$50,000 will be made on or about September 15, 2019, with the second \$50,000 installment made to the County on or about March

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Motion to accept both the Danville Regional Foundation and J. T. - Minnie Maude Charitable Trust Grant Agreement, and allow the County Administrator to sign these documents on behalf of the County.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Elton W. Blackstock, Supervisor - Staunton River District
<b>SECONDER:</b>	Robert W. "Bob" Warren, Supervisor - Chatham-Blairs District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Scearce, Warren

**c. WIA Year-End Grant Appropriations (Staff Contact: Kimberly G. Van Der Hyde)**

Mrs. Van Der Hyde stated that during the Budget process, that the Workforce Investment Board, ("WIB") estimates the amount of Grant funding that will be available for the upcoming Budget year. At year-end, all accounts are reviewed to ensure that sufficient funds exist to cover expenditures for the year, and that all Grant funds have been properly appropriated. The WIA fund has been reviewed and it has been determined that three (3) Departments within the WIA fund require additional appropriation in 2019 to cover outstanding expenditures that have not been previously appropriated. The following grants need to be appropriated to the WIA fund as of June 30, 2019:

Youth: Out of School	\$441,911.56
Youth: In School	\$ 31,152.61
Pathways 2019 Grant	<u>\$ 95,018.48</u>
TOTAL	\$568,082.65

Motion to appropriate a total of \$568,082.65 to the WIA fund as outlined above.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Elton W. Blackstock, Supervisor - Staunton River District
<b>SECONDER:</b>	Ronald S. Scearce, Supervisor - Westover District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Scearce, Warren

**APPOINTMENTS**

**MATTERS FROM WORK SESSION**

**a. Strategic Plan Approval (Staff Contact: David M. Smitherman)**

Motion to approve the Board's Strategic Plan with the following changes: (1) Revise Section 4(b) to make the potential implementation thereof the year 2020; and (2) Add a statement to the Strategic Plan requiring County Staff to bring any action item contained in the Strategic Plan involving an appropriation to the Board of Supervisors for approval before implementation.



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<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Robert W. "Bob" Warren, Supervisor - Chatham-Blairs District
<b>SECONDER:</b>	Ronald S. Scearce, Supervisor - Westover District
<b>AYES:</b>	Davis, Miller, Barber, Blackstock, Farmer, Scearce, Warren

**b. Discussion of Performance of PCSA Board of Supervisors Appointee**

Motion by Mr. Scearce, second by Mr. Warren, to remove Westover District Appointee from the Service Authority.

Substitute motion by Mr. Blackstock, second by Mr. Barber, that the Westover District Appointee to the Service Authority be suspended for three (3) months.

<b>RESULT:</b>	<b>DEFEATED [3 TO 4]</b>
<b>MOVER:</b>	Elton W. Blackstock, Supervisor - Staunton River District
<b>SECONDER:</b>	Tim R. Barber, Supervisor - Tunstall District
<b>AYES:</b>	Barber, Blackstock, Farmer
<b>NAYS:</b>	Davis, Miller, Scearce, Warren

Mr. Blackstock stated his opinion on the matter and feels that suspension is better than removal. Mr. Barber echoed Mr. Blackstock's sentiments. Mr. Scearce stated had he known this before his re-appointment to the Service Authority, he would have not been appointed. Mr. Warren stated his deep concerns about the situation.

Motion to remove Westover District Appointee from the Service Authority.

<b>RESULT:</b>	<b>APPROVED [4 TO 3]</b>
<b>MOVER:</b>	Ronald S. Scearce, Supervisor - Westover District
<b>SECONDER:</b>	Robert W. "Bob" Warren, Supervisor - Chatham-Blairs District
<b>AYES:</b>	Davis, Miller, Scearce, Warren
<b>NAYS:</b>	Barber, Blackstock, Farmer

**BOARD MEMBER REPORTS**

Mr. Blackstock stated the rodeo in Grit was a success. Mr. Scearce stated the update given earlier from the Pet Center Director was great and thanked Mr. McLaughlin for his hard work.

**COUNTY ADMINISTRATOR REPORTS**

Mr. Smitherman thanked Mr. McLaughlin and the Pet Center Staff for their hard work and fundraising.

**ADJOURNMENT**

Mr. Davis adjourned the Meeting at 8:36 PM.

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Joe B. Davis, Chair  
Pittsylvania County Board of Supervisors

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David M. Smitherman, Clerk  
Pittsylvania County Board of Supervisors