



**BOARD OF SUPERVISORS
BUSINESS MEETING
Tuesday, June 21, 2022 – 7:00 PM**

**Board Meeting Room
39 Bank Street, SE,
Chatham, Virginia 24531**

AGENDA

- 1. CALL TO ORDER (7:00 PM)**
- 2. ROLL CALL**
- 3. MOMENT OF SILENCE**
- 4. PLEDGE OF ALLEGIANCE**
- 5. AGENDA ITEMS TO BE ADDED**
- 6. APPROVAL OF AGENDA**
- 7. CONSENT AGENDA**
 - a. County's 2022 May Bill List Approval (online); (Staff Contact: Kimberly G. Van Der Hyde)
 - b. Board Meeting Minutes Approval (Staff Contact: Kaylyn M. McCluster)
 - c. Certificate of Excellence (Tunstall High School Robotics State Championship) Adoption (Chairman Ingram)
 - d. Proclamation Adoption Ratification (June 2; "Business Appreciation Day"); (Staff Contact: Kaylyn M. McCluster)
 - e. Resolution # 2022-06-01 (VDOT Six (6)-Year Plan) Adoption (Staff Contact: Kaylyn M. McCluster)
 - f. Certificate of Excellence (Nathan Harker Virginia Logger of the Year Award) Adoption (Contact: Supervisor Dudley)
 - g. Certificate of Excellence (Emilee B. Harker Liberty University President's Award for Excellence in Teaching) Approval (Contact: Supervisor Dudley)
 - h. Hurt Partners Landfill Tipping Fee Waiver Ratification (Staff Contact: Matthew D. Rowe)

- i. NRCS Cherrystone 2 Dam Grant/Appropriation Approval Ratification (Staff Contact: Christopher C. Slermp)
- j. Appointment: DPCS (Banister District); (Contact: Supervisor Barksdale)
- k. Appointment: DPCS Board (Callands-Gretna District); (Supervisor Dalton)
- l. Appointment: Library Board (Banister District); (Supervisor Barksdale)
- m. Re-Appointment (DCC Advisory Board); (Full Board); (Staff Contact: Kaylyn M. McCluster)
- n. Fire and Rescue ARPA Applications Funding Approval (Staff Contact: Christopher C. Slermp)
- o. Tax Refund Authorization Approval (J&J Trucking); (Staff Contact: Hon. Robin C. Goard)
- p. Town of Chatham/County First Amendment to Master Water and Sewer Extension Approval (Staff Contact: Chris Adcock)
- q. Virginia is for Lovers Grant County Fiscal Agent Approval (Staff Contact: Kim Van Der Hyde)

8. PRESENTATIONS

- a. General Presentations (Board of Supervisors)
- b. School's 1% Sales Tax Referendum Presentation (Presenter: Dr. Jones)
- c. Danville DMO Regional Tourism Update Presentation (Staff Contact: Clarence C. Monday); (Presenter: Corrie T. Bobe)

9. HEARING OF THE CITIZENS

Each person addressing the Board under Hearing of the Citizens shall be a resident or land owner of the County, or the registered agent of such resident or land owner. Each person shall step up, give his/her name and district in an audible tone of voice for the record, and unless further time is granted by the Chairman, shall limit his/her address to three (3) minutes. No person shall be permitted to address the Board more than once during Hearing of the Citizens. All remarks shall be addressed to the Board as a body and not to any individual member thereof. Hearing of the Citizens shall last for a maximum of forty-five (45) minutes. Any individual that is signed up to speak during said section who does not get the opportunity to do so because of the aforementioned time limit, shall be given speaking priority at the next Board meeting. Absent Chairman's approval, no person shall be able to speak who has not signed up.

10. PUBLIC HEARINGS

A. Rezoning Public Hearings

Pursuant to Article V, Division 6, of the Pittsylvania County Zoning Ordinance, the Board of Supervisors have been empowered to hear and decide specific zoning issues and zoning map changes in support of said Ordinance. In accomplishing this

important task, the Board is responsible for promoting the health, safety, and general public welfare of the citizens of Pittsylvania County. The Board must ensure that all of its decisions and regulations be directed to these goals and that each be consistent with the environment, the comprehensive plan, and in the best interest of Pittsylvania County, its citizens, and its posterity.

- Case 1:** Public Hearing: Case R-22-008 Robert and Barbie Eanes; Rezoning from RC-1, Residential Combined Subdivision District, to A-1, Agricultural District. The Planning Commission recommended, by a 7-0 vote, with opposition, that the Petitioners' request be granted. (Supervisor Warren)
- Case 2:** Public Hearing: Case R-22-009; Ronnie Warren; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. The Planning Commission recommended, by a 7-0 vote, with no opposition, that the Petitioner's request be granted. (Supervisor Ingram)
- Case 3:** Public Hearing: Case R-22-015; Bradley and Shannon Mceowen; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. The Planning Commission recommended, by a 7-0 vote, with no opposition, that the Petitioners' request be granted. (Supervisor Barksdale)
- Case 4:** Public Hearing: Case R-22-019; Industrial Development Authority of Pittsylvania County, Virginia; Rezoning from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry. The Planning Commission recommended, by a 7-0 vote, with no opposition, that the Petitioner's request be granted. (Supervisor Ingram)
- Case 5:** Public Hearing: Case R-22-023; Industrial Development Authority of Pittsylvania County, Virginia; Rezoning from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry. The Planning Commission recommended, by a 7-0 vote, with no opposition, that the Petitioner's request be granted. (Supervisor Chesher)

B. Other Public Hearings

Each person addressing the Board under a Public Hearing shall step up, give his/her name and district, and/or his/her place of residency for non-County citizens, in an audible tone of voice for the record, and unless further time is granted by the Chairman, shall limit his/her address to three (3) minutes; speakers for a group shall be limited to ten (10) minutes. Speakers shall conclude their remarks at that time, unless the consent of the Board is affirmatively given to extend the speakers allotted time. Absent Chairman's approval, no person shall be able to speak who has not signed up.

1. Public Hearing: Revisions to PCC Chapter 4 (Erosion and Sediment Control); (Staff Contact: Emily S. Ragsdale)

11. UNFINISHED BUSINESS

- a. First Pentecostal Holiness Church Real Estate Tax Refund (Staff Contact: R. Goard/V. Hunt)

b. Fire and Rescue Service Agreement (Staff Contact: Chris Key)

12. NEW BUSINESS

13. MATTERS FROM WORK SESSION (IF ANY)

14. BOARD MEMBER REPORTS

15. COUNTY ADMINISTRATOR REPORTS

16. ADJOURNMENT



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	County's 2022 May Bill List Approval (online); (Staff Contact: Kimberly G. Van Der Hyde)		
Staff Contact(s):	Kimberly G. Van Der Hyde		
Agenda Date:	June 21, 2022	Item Number:	7.a
Attachment(s):			
Reviewed By:	VH		

SUMMARY:

At each Board Business Meeting, the County's Auditors recommend the Board review payments made by the County as oversight of County Fund expenditures. Said May Bill List is found at the below link:

<https://weblink.pittgov.net/WebLink/Browse.aspx?id=449249&dbid=0&repo=PittGovDocs>

FINANCIAL IMPACT AND FUNDING SOURCE:

Not applicable.

RECOMMENDATION:

County Staff recommends the Board approve the County's 2022 May Bill List as presented.

MOTION:

"I make a Motion to approve the County's 2022 May Bill List as presented."



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Board Meeting Minutes Approval (Staff Contact: Kaylyn M. McCluster)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	June 21, 2022	Item Number:	7.b
Attachment(s):	05-17-2022 Work Session - DRAFT 05-17-2022 Business Meeting - DRAFT		
Reviewed By:	VH		

SUMMARY:

For the Board's review and consideration, attached are the following Board Meeting Minutes:

- (1) 05/17/2022 (Work Session); and
- (2) 05/17/2022 (Business Meeting).

FINANCIAL IMPACT AND FUNDING SOURCE:

Not applicable.

RECOMMENDATION:

County Staff recommends the Board adopt the Board Meeting Minutes as attached and presented.

MOTION:

"I make a Motion to adopt the Board Meeting Minutes as attached and presented."

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS

Work Session

May 17, 2022

VIRGINIA: The Pittsylvania County Board of Supervisors' Work Session was held on May 17, 2022, in the Board Meeting Room, 39 Bank Street, SE, Chatham, Virginia 24531.

CALL TO ORDER (2:00 PM)

Ingram called the Meeting to Order at 2:00 PM.

ROLL CALL

The following Board Members were in attendance:

Attendee Name	Title	Status	Arrived
William V. ("Vic") Ingram	Chairman - Tunstall District	Present	1:49 PM
Jessie L. Barksdale	Vice Chairman - Banister District	Present	1:46 PM
Tim Chesher	Supervisor - Dan River District	Present	4:21 PM
Darrell Dalton	Supervisor - Callands-Gretna District	Present	1:47 PM
Timothy W. Dudley	Supervisor - Staunton River District	Present	1:55 PM
Ronald S. Scearce	Supervisor - Westover District	Present	1:58 PM
Robert ("Bob") W. Warren	Supervisor - Chatham-Blairs District	Present	1:50 PM

AGENDA ITEMS TO BE ADDED

None.

APPROVAL OF AGENDA

Motion to approve Agenda.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ingram
SECONDER:	Barksdale
AYES:	Ingram, Barksdale, Dalton, Dudley, Scearce, Warren
ABSENT:	Chesher

PRESENTATIONS

a. Wayside Park Bridge Funding (Staff Contact: Justin G. Price)

Price gave an overview of Wayside Park and the repairs that are needed to the Park's bridge. He requested approval to move \$11,500 from the Recreation Equipment Project Line to the Wayside Park Project, which would allow \$87,420.06 in available funds for this Project. The additional funding needed is \$205,303.94, and Price requested these funds come from the Building and Grounds Improvement Fund.

Motion to add item to the Business Meeting Agenda for action.

**Board of Supervisors
May 17, 2022
Work Session**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barksdale
SECONDER:	Warren
AYES:	Ingram, Barksdale, Dalton, Dudley, Scarce, Warren
ABSENT:	Chesher

b. Reassessment Presentation (Staff Contact: Dave F. Arnold)

Fred Pearson presented an overview of how Pearson's Appraisal Service would conduct the County's Reassessment process. Arnold also spoke on the approximately 4,800 new parcels that were found and provided to the County in a report from Keystone Information Systems. Pearson's will review the potential newly discovered structures during their reassessment process.

STAFF, COMMITTEE, AND/OR CONSTITUTIONAL OFFICER REPORTS

None.

BUSINESS MEETING DISCUSSION ITEMS

None.

CLOSED SESSION

Motion to enter Closed Session.

The Board entered Closed Session at 2:36 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Warren
SECONDER:	Dudley
AYES:	Ingram, Barksdale, Dalton, Dudley, Scarce, Warren
ABSENT:	Chesher

a. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. (Contact: Board of Supervisors)

- (1) Legal Authority: Virginia Code § 2.2-3711(A)(1)
 Subject Matter: County Administrator
 Purpose: Review of Applicants/Next Steps

b. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. (Staff Contact: J. Vaden Hunt, Esq.)

- (1) Legal Authority: Virginia Code § 2.2-3711(A)(8)
 Subject Matters: Jail Land Acquisition/Procurement; County/Town of

Board of Supervisors
May 17, 2022
Work Session

Chatham Master Water and Sewer Agreement; VATI Grant; Reassessment; Landfill Contract

Purpose: Legal Consultation/Legal Advice Regarding the Same

- c. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. (Staff Contact: Matthew D. Rowe)

- (1) Legal Authority: Virginia Code § 2.2-3711(A)(5)
 Subject Matter: Unannounced Prospective Businesses/Industries
 Purpose: General Economic Development Projects Update

RETURN TO OPEN SESSION AND CLOSED SESSION CERTIFICATION

The Board returned to Open Session at 6:55 PM and the following Certification was recorded:

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS' **CLOSED MEETING CERTIFICATION**

BE IT RESOLVED that at the Pittsylvania County Board of Supervisors' ("Board") Work Session on May 17, 2022, the Board 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 ("Act") and identified in the Motion authorizing the Closed Meeting were heard, discussed, or considered in the Closed Meeting. If any Board Member believes that there was a departure from the requirements of the Act, he shall so state prior to the vote indicating the substance of the departure. The Statement shall be recorded in the Board's Minutes.

	<u>Vote</u>
Timothy W. Chesher	Yes
Darrell W. Dalton	Yes
Timothy W. Dudley	Yes
Ronald S. Scarce	Yes
Robert ("Bob") W. Warren	Yes
Jessie L. Barksdale	Yes
William V. ("Vic") Ingram	Yes

ADJOURNMENT

Ingram closed the Meeting at 6:57 PM.

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS
Business Meeting
May 17, 2022

VIRGINIA: The Pittsylvania County Board of Supervisors' Business Meeting was held on May 17, 2022 in the Board Meeting Room, 39 Bank Street, SE, Chatham, Virginia 24531.

CALL TO ORDER (7:00 PM)

Ingram called the Meeting to Order at 7:00 PM.

ROLL CALL

The following Board Members were in attendance:

Attendee Name	Title	Status	Arrived
William V. ("Vic") Ingram	Chairman - Tunstall District	Present	6:59 PM
Jessie L. Barksdale	Vice Chairman - Banister District	Present	7:01 PM
Tim Chesher	Supervisor - Dan River District	Present	7:01 PM
Darrell Dalton	Supervisor - Callands-Gretna District	Present	7:03 PM
Timothy W. Dudley	Supervisor - Staunton River District	Present	7:02 PM
Ronald S. Scearce	Supervisor - Westover District	Present	7:00 PM
Robert ("Bob") W. Warren	Supervisor - Chatham-Blairs District	Present	6:59 PM

AGENDA ITEMS TO BE ADDED

Motion to amend the Agenda as follows:

-add CPMT Alternate Member Appointment to the Consent Agenda as item 7t

Add the following items to Matters from Work Session:

- 13a; Wayside Park Funding
- 13b; Reassessment RFP Approval
- 13c; Revised Commonwealth Home Healthcare LPA
- 13d; Project Doswell Moral Obligation and Resolution # 2022-05-07
- 13e; County Administrator Search

Move items 12a and 12b to Presentations as items 8d and 8e

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dalton
SECONDER:	Chesher
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Scearce, Warren

Motion to move item 7k to New Business as item 13c

Attachment: 05-17-2022 Business Meeting - DRAFT (3233 : Board Meeting Minutes Approval (Staff Contact: Kaylyn M. McCluster))

**Board of Supervisors
May 17, 2022
Business Meeting**

RESULT: ADOPTED [UNANIMOUS]
MOVER: Warren
SECONDER: Dudley
AYES: Ingram, Barksdale, Chesher, Dalton, Dudley, Scarce, Warren

APPROVAL OF AGENDA

Motion to approve Agenda with additions and revisions.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Warren
SECONDER: Barksdale
AYES: Ingram, Barksdale, Chesher, Dalton, Dudley, Scarce, Warren

CONSENT AGENDA

Motion to approve Consent Agenda.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Dalton
SECONDER: Barksdale
AYES: Ingram, Barksdale, Chesher, Dalton, Dudley, Scarce, Warren

- a. County's April 2022 Bill List Approval (online); (Staff Contact: Kimberly G. Van Der Hyde)
- b. Board Meeting Minutes Approval (Staff Contact: Kaylyn M. McCluster)
- c. Resolution # 2022-05-01 (VDOT Rural Rustic Roads Designation) Adoption (Staff Contact: Kaylyn M. McCluster)
- d. Resolution # 2022-05-02 (Supporting Danville Federal Courthouse Renovations) Adoption (Staff Contact: Kaylyn M. McCluster)
- e. Proclamation (Teacher Appreciation Week) Approval (Staff Contact: Kaylyn M. McCluster)
- f. Proclamation (Nurses' Appreciation Week/Day) Approval (Staff Contact: Kaylyn M. McCluster)
- g. Proclamation (National Police Week/Peace Officers Memorial Day) Approval (Staff Contact: Kaylyn M. McCluster)
- h. Proclamation (Community Action Month) Approval (Staff Contact: Kaylyn M. McCluster)
- i. Proclamation (National EMS Week) Approval (Staff Contact: Kaylyn M. McCluster)
- j. County Logo Style Guide Revisions Approval (Staff Contact: Caleb K. Ayers)

**Board of Supervisors
May 17, 2022
Business Meeting**

- k. Fire and Rescue May (2022) ARPA Applications Approval (Staff Contact: Christopher C. Slemp)
- l. Leesville Lake Association Annual Beautification Day Solid Waste Tipping Fee Waiver Approval (Staff Contact: Chris Adcock)
- m. U.S. Hwy. 29 (Meadow Ridge Court) Solid Waste Construction Contract Award Approval (Staff Contact: Chris Adcock)
- n. Resolution # 2022-05-06 (Hazard Mitigation Plan) Adoption (Staff Contact: Christopher C. Slemp)
- o. Resolution # 2022-05-03 (Honoring Dr. Duffer's Retirement) Adoption (Contact: Supervisor Dalton)
- p. Purchase of Service Weapon (Deputy Allison Smith Retirement) Approval (Contact: Sheriff Taylor)
- q. Sheriff's Body Worn Camera Grant Application Submission Approval (Staff Contact: Sheriff Taylor)
- r. 2022 VATI Grant Agreement Approval (Staff Contact: Dave F. Arnold)
- s. CPMT Alternate Member Appointment (Contact: Chairman Ingram)

PRESENTATIONS

a. School's 1% Sales Tax Presentation (Presenter: Dr. Jones)

Dr. Martha Walker presented an update to the Board on the Schools 1% Sales Tax Referendum and asked for their continued support.

b. Danville-Pittsylvania Cancer Association Update (Presenter: Moriah Shepherd)

Moriah Shepherd presented the services that the Danville-Pittsylvania Cancer Association provides. Some of those services include emotional support, travel reimbursement, prescription aid, and supplies. These services are at no cost to cancer patients that are citizens of the County or Danville.

c. General Presentations (Board of Supervisors)

The Board presented a Resolution to Dr. Duffer honoring his retirement.

d. Resolution # 2022-05-04 (Supporting Naming the Business U.S. 29 North Bridge in Hurt, Virginia, the "Trooper Henry Murray Brooks, Jr. Memorial Bridge") Adoption (Chairman Ingram)

Retired Colonel Wayne Huggins and Charles "Bill" Carrico, Sr., presented to the Board on State Troopers who were killed in the line of duty. He highlighted the deaths of Trooper Henry Murray Brooks, Jr., and Trooper Henry Noel Harmon.

Motion to approve Resolution # 2022-05-04 supporting naming the Business U.S. Highway 29 North Bridge in Hurt, Virginia, the "Trooper Henry Murray Brooks, Jr., Memorial Bridge."

**Board of Supervisors
May 17, 2022
Business Meeting**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dudley
SECONDER:	Warren
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Scarce, Warren

e. **Resolution # 2022-05-05 (“Supporting Naming the Route 57 Bridge in the Banister District of Pittsylvania County, Virginia, the "Trooper Henry Noel Harmon Memorial Bridge”) Adoption (Chairman Ingram)**

Motion to approve Resolution # 2022-05-05 supporting naming the Route 57 Bridge in the Banister District of Pittsylvania County, Virginia, the "Trooper Henry Noel Harmon Memorial Bridge.”

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barksdale
SECONDER:	Warren
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Scarce, Warren

HEARING OF THE CITIZENS

Elton Blackstock, Staunton River District, thanked the Board for being willing to serve County citizens. He also thanked the Board for their work on funding the bridge Project at the Wayside Park in Hurt, Virginia. He stated he was in support of the Commissioner of the Revenue, Robin Goard, and he stated there has been a lot of talk regarding the properties that have been found and why they are not on the books. Blackstock does not feel there should be a rush on these properties, as the Commissioner has the authority to tax and go back three (3) years to tax the properties. He asked for the Board to do it the right way and work with the Commissioner.

Wayne Robertson, Chatham-Blairs District, stated the Board was having a disagreement in the last Meeting that he attended. He thanked Warren for the statement he made regarding a Bible principle. He also stated his opposition on the proposed increase for the sales tax and he does not think we need an increase in the sales tax, and the schools should be able to manage their money well and not increase the sales tax. Mr. Robertson also stated his opposition on the trash tax and stated he doesn't feel that we need a new Courthouse and what we have is perfectly adequate.

Anita Royston, Banister District, President of the Pittsylvania County NAACP, spoke in support of Robin Coles-Goard, Commissioner of the Revenue. She stated there have been comments made to degrade the reputation of the Commissioner. She then read quotes from Goard's endorsements by Shirley Hammock and Samuel Swanson and stated that sixty (60) percent of voters showed their support for Goard during the last election.

PUBLIC HEARINGS

Board of Supervisors
 May 17, 2022
 Business Meeting

Rezoning Public Hearings

Case 1: Public Hearing: Case R-22-011; Jane Ellis Holding Company, LLC; Rezoning from R-1, Residential Suburban Subdivision District, and A-1, Agricultural District, to A-1, Agricultural District. The Planning Commission recommended, by an 8-0 vote, with no opposition, that the Petitioner's request be granted. (Supervisor Barksdale)

In Case R-22-011, Jane Ellis Holding Company, LLC (“Petitioner”), has petitioned to rezone a total of 52.01 acres from R-1, Residential Suburban Subdivision District, and A-1, Agricultural District, to A-1, Agricultural District (*to allow for a Utility Scale Solar Energy Facility*). The subject property is located on State Road 689/Strader Road, in the Banister Election District, and shown on the Tax Maps as GPIN # 2427-12-7949. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-178 are permitted. On April 5, 2022, the Planning Commission recommended, by an 8-0 vote, with no opposition, that the Petitioner’s request be granted.

Ingram opened the Public Hearing at 8:16 PM. A representative from Dimension Renewable Energy was present to represent the petition. No one signed up to speak and Ingram closed the Public Hearing at 8:27 PM.

Motion to approve the rezoning of 52.01 acres from R-1, Residential Suburban Subdivision District, and A-1, Agricultural District, to A-1, Agricultural District, to allow for a utility scale solar energy facility. The rezoning would be consistent with the County’s Comprehensive Plan.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dalton
SECONDER:	Barksdale
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Searce, Warren

Case 2: Public Hearing: Case R-22-012; Martha Adams; Rezoning from R-1, Residential Suburban Subdivision District, to M-1, Industrial District, Light Industry. The Planning Commission recommended, by an 8-0 vote, with no opposition, that the Petitioner's request be granted. (Supervisor Barksdale)

In Case R-22-012, Martha Adams (“Petitioner”) has petitioned to rezone 0.560 acres, from R-1, Residential Suburban Subdivision District, to M-1, Industrial District, Light Industry (to allow the property to be consolidated with a property zoned M-1). The subject property is located on State Road 40/East Gretna Road, in the Banister Election District, and shown on the Tax Maps as part of GPIN # 2530-33-6359. Once the property is rezoned to M-1, all uses listed under Pittsylvania County Code § 35-383 are permitted. On April 5, 2022, the Planning Commission recommended, by an 8-0 vote, with no opposition, that the Petitioner’s request be granted.

Ingram opened the Public Hearing at 8:29 PM. David Adams was present to represent the Petition. No one signed up to speak and Ingram closed the Public Hearing at 8:30 PM.

Motion to approve the rezoning of rezone 0.560 acres, from R-1, Residential Suburban

**Board of Supervisors
May 17, 2022
Business Meeting**

Subdivision District, to M-1, Industrial District, Light Industry, to allow the property to be consolidated with an adjacent property zoned M-1.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Warren
SECONDER:	Barksdale
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Scarce, Warren

Case 3: Public Hearing: Case R-22-014 Joshua & Amy Jennings; RC-1, Residential Combined Subdivision District, to A-1, Agricultural District. The Planning Commission recommended, by an 8-0 vote, with no opposition, that the Petitioners' request be granted. (Supervisor Ingram)

In Case R-22-014, Joshua and Amy Jennings (“Petitioners”) have petitioned to rezone a total of 9.83 acres, from RC-1, Residential Combined Subdivision District, to A-1, Agricultural District (*to allow for an indoor gun range*). The subject property is located on located State Road 58/Martinsville Highway, in the Tunstall Election District, and shown on the Tax Maps as GPIN #s 1339-95-4594 and 1339-95-4137. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-178 are permitted. On April 5, 2022, the Planning Commission recommended, by an 8-0 vote, with no opposition, that the Petitioner’s request be granted.

Ingram opened the Public Hearing at 8:32 PM. Joshua Jennings was present to represent the Petition. No one signed up to speak and Ingram closed the Public Hearing at 8:33 PM.

Motion to approve the rezoning of a total of 9.83 acres, from RC-1, Residential Combined Subdivision District, to A-1, Agricultural District, to allow for an indoor gun range. The rezoning would be consistent with the County’s Comprehensive Plan.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ingram
SECONDER:	Warren
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Scarce, Warren

Other Public Hearings

1. Public Hearing: VDOT Secondary Six (6)-Year Plan and Plan Approval (Contact: Jay Craddock, VDOT)

Annually, the Board and the Virginia Department of Transportation (“VDOT”) are required to hold a Public Hearing to receive citizen input on the proposed Secondary Six (6)-Year Plan.

Ingram opened the Public Hearing at 8:38 PM. No one signed up to speak and Ingram closed the Public Hearing at 8:38 PM.

Motion to approve the proposed VDOT Secondary Six (6)-Year Plan as presented and authorize the Interim County Administrator to sign any related necessary documentation.

**Board of Supervisors
May 17, 2022
Business Meeting**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dudley
SECONDER:	Dalton
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Scearce, Warren

UNFINISHED BUSINESS

None.

NEW BUSINESS

a. Appointment: DSS Board (Westover District); (James ("Jim") Scearce) Approval (Supervisor Scearce)

Scearce stated that Patricia Evans is currently his representative on the DSS Board, but she wishes to not be re-appointed for another term. Ingram stated his opposition for this appointment.

Motion to appoint James ("Jim") Scearce to the DSS Board for a four (4)-year term beginning on July 1, 2022.

RESULT:	APPROVED [4 TO 3]
MOVER:	Scearce
SECONDER:	Dudley
AYES:	Barksdale, Dudley, Scearce, Warren
NAYS:	Ingram, Chesher, Dalton

b. Appointment: DSS Board (Tunstall District); (Nancy Eanes) Approval (Chairman Ingram)

Motion to re-appoint Nancy Eanes to the DSS Board as the Dan River District Representative for another four (4)-year term beginning on July 1, 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chesher
SECONDER:	Warren
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Scearce, Warren

c. Fire and Rescue FY23 Service Agreement Approval (Staff Contact: Christopher C. Slemp)

There was much discussion regarding this item and many suggested revisions.

Motion to revise the Fire and Rescue Service Agreement and bring back to the Board at next month's Meeting.

**Board of Supervisors
May 17, 2022
Business Meeting**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Warren
SECONDER:	Dudley
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Scearce, Warren

MATTERS FROM WORK SESSION (IF ANY)

a. Wayside Park Funding

Motion to award the contract to Concrete Foundations Inc., and authorize County Staff to transfer sufficient funds from the County's Buildings and Grounds improvement line item to the Wayside Park Project.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dudley
SECONDER:	Dalton
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Scearce, Warren

b. Reassessment RFP Approval

Ms. Goard, Commissioner of the Revenue, spoke to the Board regarding the 4,800 potential newly discovered properties.

Motion to award the Reassessment Contract to Pearson's Appraisal Services and for County Staff to coordinate with the Commissioner of the Revenue and Pearson's Appraisal Services to prioritize the review and valuation of the potential 4,800 newly discovered structures to be added to the County's tax roll by January 1, 2023.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dudley
SECONDER:	Barksdale
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Scearce, Warren

c. Revised Commonwealth Home Healthcare LPA

Motion to approve the revised Commonwealth Home Healthcare Local Performance Agreement.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ingram
SECONDER:	Warren
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Scearce, Warren

d. Project Doswell Moral Obligation and Resolution # 2022-05-07

Motion to approve the Project Doswell Moral Obligation and Resolution # 2022-05-07.

**Board of Supervisors
May 17, 2022
Business Meeting**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chesher
SECONDER:	Barksdale
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Scearce, Warren

e. County Administrator Search

Motion to conduct a nationwide search for a new County Administrator. As determined by the Board, some of the previous candidates will be included in the search and the County will follow all procurement laws to hire the national search firm.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dudley
SECONDER:	Barksdale
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Scearce, Warren

BOARD MEMBER REPORTS

- Scearce stated he is willing to work with anyone on the Board, but his priorities are to be accountable to his citizens and will continue to ask for accountability and transparency from the leadership.
- Chesher thanked everyone for being in attendance, congratulated the graduates, and encouraged college and trade school.
- Dudley thanked the citizens for coming to the Meeting and expressing their opinion. He also thanked Fire and Rescue and stated that last weekend his neighbor had a house fire and several Departments come out to help. His name is Jeff Kelly and asked everyone to keep him in prayer. There were also two (2) firefighters in the house when there was an explosion and asked everyone to keep them in prayer as well. He finally thanked County Staff for working hard to get the Meeting together and thanked all Board Members.
- Warren echoed Chesher's comments on congratulating the graduates and wished them luck on going to college, trade school, or to work. He suggested revising the County's Citizen Interest Form to include the citizen's signature. He also requested prayer for the citizens and communities involved in the recent shootings in the community and to continue to pray for first responders for those tragedies.
- Dalton thanked everyone for coming out and thanked Fire and Rescue, the Sheriff's Department, and all the fallen officers this week, and to also remember the graduates.
- Barksdale stated the Board/County is blessed with great County Staff and thanked everyone for coming to the Meeting.

**Board of Supervisors
May 17, 2022
Business Meeting**

- Ingram recognized all mothers for recently celebrating Mother's Day, and he thanked his colleagues for passing the Resolutions to recognize the fallen troopers. He also stated that Memorial Day is coming and reminded everyone that it recognizes fallen service members, and Veteran's Day recognizes surviving veterans. He also recognized and congratulated the graduates and spoke on *60 Minutes* for featuring the Sharswood Plantation this past Sunday. He thanked everyone for coming and also thanked all Fire and Rescue.

COUNTY ADMINISTRATOR REPORTS

Monday thanked the Board for their patience and their progress getting through the Meeting, and he stated his pleasure of working in local government and it is a pleasure working with County Staff and their hard work.

ADJOURNMENT

Ingram adjourned the Meeting at 9:28 PM.



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Certificate of Excellence (Tunstall High School Robotics State Championship) Adoption (Chairman Ingram)		
Staff Contact(s):	Chairman Ingram		
Agenda Date:	June 21, 2022	Item Number:	7.c
Attachment(s):	Certificate of Excellence - Tunstall High School Robotics Team		
Reviewed By:	VH		

SUMMARY:

The Tunstall High School Robotics Team was named the 2021-22 FIRST Chesapeake Norfolk Qualifier Alliance Finalist, and Jessica Jones, Tunstall High School agricultural education teacher and coach for the team, was named a 2021-22 FIRST Chesapeake State Compass Award recipient. Chairman Ingram desires to recognize them and the full Board also congratulates the team on this amazing award. For the Board's review and consideration, a Certificate of Excellence evincing the same is attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends the Board approve the Certificate of Excellence honoring the Tunstall High School Robotics Team as attached and presented.

MOTION:

"I make a Motion to approve the Certificate of Excellence honoring the Tunstall High School Robotics Team as attached and presented."

Certificate of Excellence

The Tunstall High School Trojans Robotics Team was named the 2021-22 FIRST Chesapeake Norfolk Qualifier Alliance Finalist. Jessica Jones, Tunstall High School agricultural education teacher and coach for the team, was named 2021-22 FIRST Chesapeake State Compass Award Recipient. For the season, the team also earned other accolades such as fourth place in game play, a third place Think Award, and they placed second for the Innovate Award. The Pittsylvania County Board of Supervisors expresses its deepest congratulations and admiration to the Tunstall Trojans Robotics Team for these amazing accomplishments and wish you all the best in your future endeavors.

Tunstall High School Robotics Team

Given This 21st Day of June, 2022

William "Vic" Ingram, Chairman



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Proclamation Adoption Ratification (June 2; “Business Appreciation Day”); (Staff Contact: Kaylyn M. McCluster)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	June 21, 2022	Item Number:	7.d
Attachment(s):	06-02-2022 Business Appreciation Day		
Reviewed By:	VH		

SUMMARY:

Annually, the Board, in cooperation with the Danville-Pittsylvania County Chamber of Commerce, sets up and supports Business Appreciation Day. Attached is a Proclamation, already presented by Chairman Ingram, designating June 2, 2022, as “*Business Appreciation Day*” in the County.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends the Board ratify the adoption of the attached Proclamation designating June 2, 2022, as “*Business Appreciation Day*” in the County.

MOTION:

“I make a Motion ratifying the adoption of the attached Proclamation designating June 2, 2022, as “*Business Appreciation Day*” in the County.”

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS

**PROCLAMATION
BUSINESS APPRECIATION DAY
JUNE 2, 2022**

WHEREAS, Pittsylvania County, Virginia (“County”), is pleased to have a thriving base of business and industry to support the local economy; and

WHEREAS, these businesses provide essential employment opportunities for County citizens; and

WHEREAS, these businesses provide local revenues from which the entire local citizenry benefit; and

WHEREAS, these businesses also make significant contributions in the County to promote educational opportunities for County children and promote a variety of activities which increase the quality of life of the County; and

WHEREAS, the Pittsylvania Board of Supervisors (“Board”) and County citizens recognizes and appreciates these businesses; then

NOW, THEREFORE, the Board does hereby proclaim the day of **June 2, 2022**, as “**Business Appreciation Day**” in the County; and

BE IT FURTHER PROCLAIMED, that a copy of this Proclamation be forwarded to local media sources.

Given under my hand this 2nd day of June, 2022,



William (“Vic”) Ingram (Chairman)
Pittsylvania County Board of Supervisors

Clarence C. Monday (Clerk)
Pittsylvania County Board of Supervisors

Attachment: 06-02-2022 Business Appreciation Day (3199 : Proclamation Adoption Ratification (June 2; “Business Appreciation Day”))



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Resolution # 2022-06-01 (VDOT Six (6)-Year Plan) Adoption (Staff Contact: Kaylyn M. McCluster)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	June 21, 2022	Item Number:	7.e
Attachment(s):	2022-06-01 VDOT Six Year Plan		
Reviewed By:	VH		

SUMMARY:

Sections 33.2-358 and 33.2-364 of the Code of Virginia, 1950, as amended, provide the opportunity for each County in the Commonwealth to work with the Virginia Department of Transportation in developing a Secondary Six-(6) Year Road Plan ("Plan"). For the Board's review and consideration, attached is Resolution # 2022-06-01, supporting the adoption of said Plan (for which a duly advertised and conducted public hearing was held at the Board's May Business Meeting) for County roads for FY2023 – FY2028.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends the Board approve Resolution # 2022-06-01 as attached and presented.

MOTION:

"I make a Motion to approve Resolution # 2022-06-01 as attached and presented and authorize the Interim County Administrator to sign any necessary related documentation."

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS

RESOLUTION #2022-06-01

Virginia: At the Pittsylvania County Board of Supervisors' Business Meeting held in the Board Meeting Room in Chatham, Virginia, on Tuesday, May 17, 2022, at 7:00 p.m., the following Board members were present:

Timothy W. Chesher	Dan River District
Darrell D. Dalton	Callands-Gretna District
Timothy W. Dudley	Staunton River District
Ronald S. Scearce	Westover District
Robert ("Bob") W. Warren	Chatham-Blairs District
Jessie L. Barksdale	Banister District
William V. ("Vic") Ingram	Tunstall District

Motion made by Dudley, seconded by Dalton, and carried by a 7 to 0 vote of the Board:

WHEREAS, §§ 33.2-358 and 33.2-364, Code of Virginia, 1950, as amended, provide the opportunity for each County to work with the Virginia Department of Transportation ("VDOT") in developing the Secondary Six (6)-Year Road Plan ("Plan"); and

WHEREAS, this Board has previously agreed to assist in the preparation of this Plan, in accordance with VDOT policies and procedures, and participated in a Public Hearing on the proposed Plan (2023 - 2028) on Tuesday, May 17, 2022, after being duly advertised so that all County citizens had the opportunity to participate in said Public Hearing and to make comments and recommendations concerning the proposed Plan; and

WHEREAS, Joseph Craddock, VDOT Assistant Resident Engineer, appeared before the Board and recommended approval of the Plan; then

NOW, THEREFORE, BE IT RESOLVED, that since said Plan appears to be in the best interests of the Secondary Road System in the County and of the citizens residing on the Secondary System, said Plan hereby approved as presented at the Public Hearing.

Given under my hand this 21st day of June, 2022.

William V. ("Vic") Ingram (Chairman)
Pittsylvania County Board of Supervisors

Clarence C. Monday (Clerk)
Pittsylvania County Board of Supervisors



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Certificate of Excellence (Nathan Harker Virginia Logger of the Year Award) Adoption (Contact: Supervisor Dudley)		
Staff Contact(s):	Supervisor Dudley		
Agenda Date:	June 21, 2022	Item Number:	7.f
Attachment(s):	Certificate of Excellence - Nathan Harker		
Reviewed By:	NH		

SUMMARY:

Nathan Harker (“Hawker”), a resident of the County’s Staunton River District, recently won the Virginia Forestry Association Logger Merit Award. Supervisor Dudley desires to recognize him and the full Board also congratulates him on this amazing award.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends the Board approve the Certificate of Excellence honoring Harker as attached and presented.

MOTION:

“I make a Motion to approve the Certificate of Excellence honoring Harker as attached and presented.”



Certificate of Excellence

The Pittsylvania County Board of Supervisors expresses its sincere congratulations and admiration for you receiving the Virginia Forestry Association Logger Merit Award. This award recognizes and honors the performance of an outstanding logger in the Commonwealth. This award represents the "best-of-the-best" and exemplifies the highest professional standards, as you serve as an effective positive public role model for the entire logging industry. You have performed commendably, bringing recognition not only to yourself, but to your family and the County. We congratulate you on this momentous occasion and wish you the best in your future endeavors.

Nathan Harker

Given This 21st Day of June, 2022

William "Vic" Ingram, Chairman



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Certificate of Excellence (Emilee B. Harker Liberty University President's Award for Excellence in Teaching) Approval (Contact: Supervisor Dudley)		
Staff Contact(s):	Supervisor Dudley		
Agenda Date:	June 21, 2022	Item Number:	7.g
Attachment(s):	Certificate of Excellence - Emilee Harker		
Reviewed By:	VH		

SUMMARY:

Emilee B. Harker ("Hawker"), a resident of the County's Staunton River District, recently won the Liberty University President's Award for Excellence in Teaching. Supervisor Dudley desires to recognize her and the full Board also congratulates her on this amazing award.

FINANCIAL IMPACT AND FUNDING SOURCE:

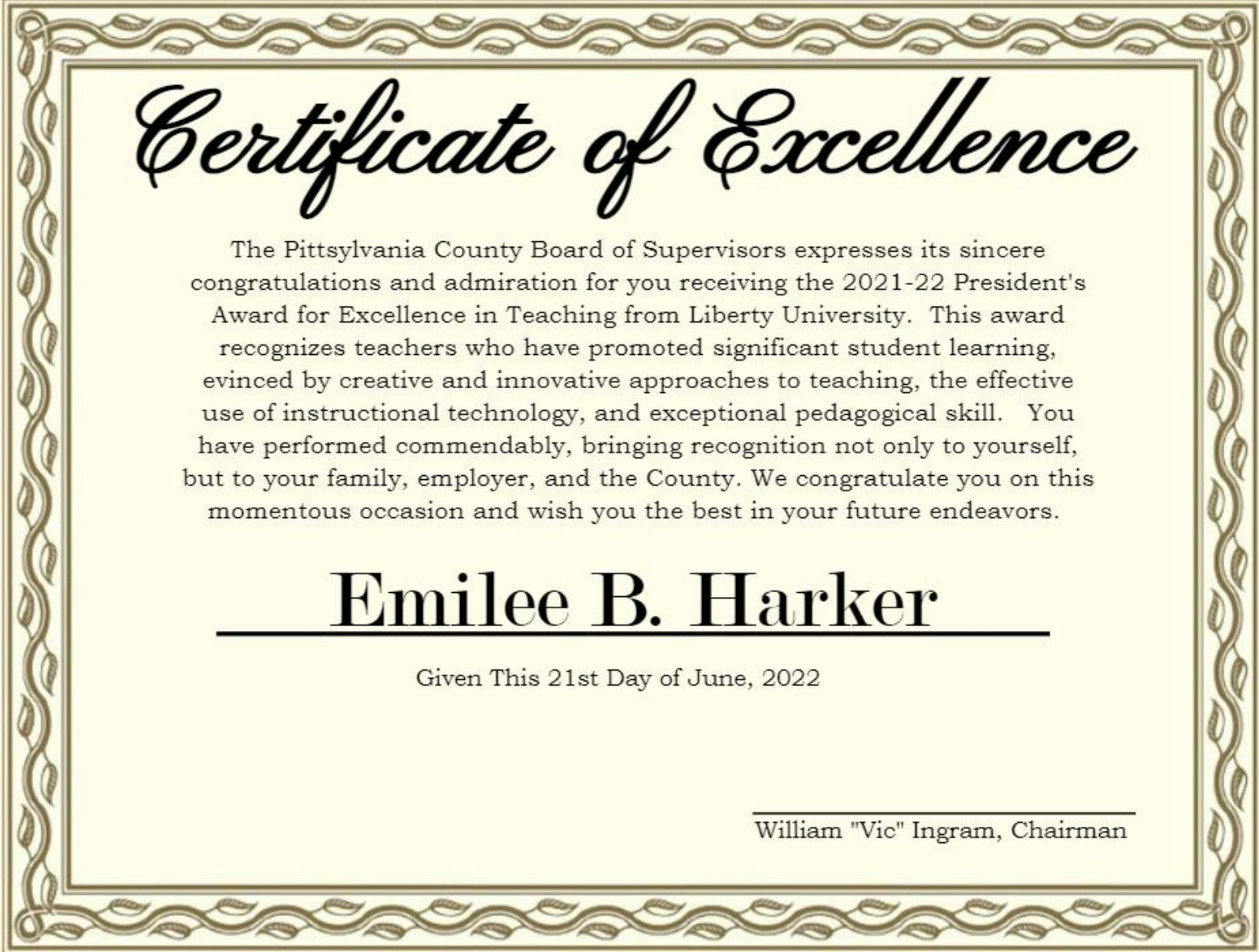
None.

RECOMMENDATION:

County Staff recommends the Board approve the Certificate of Excellence honoring Harker as attached and presented.

MOTION:

"I make a Motion approving the Certificate of Excellence honoring Harker as attached and presented."



Certificate of Excellence

The Pittsylvania County Board of Supervisors expresses its sincere congratulations and admiration for you receiving the 2021-22 President's Award for Excellence in Teaching from Liberty University. This award recognizes teachers who have promoted significant student learning, evinced by creative and innovative approaches to teaching, the effective use of instructional technology, and exceptional pedagogical skill. You have performed commendably, bringing recognition not only to yourself, but to your family, employer, and the County. We congratulate you on this momentous occasion and wish you the best in your future endeavors.

Emilee B. Harker


Given This 21st Day of June, 2022

William "Vic" Ingram, Chairman



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Hurt Partners Landfill Tipping Fee Waiver Ratification (Staff Contact: Matthew D. Rowe)		
Staff Contact(s):	Matthew D. Rowe		
Agenda Date:	June 21, 2022	Item Number:	7.h
Attachment(s):			
Reviewed By:			

SUMMARY:

Due to intense prospect interest at the Southern Virginia Multimodal Park (“SVMP”) in Hurt, Virginia, the property owners, Hurt Partners, LLC (“Hurt Partners”), have agreed to proactively remove non-hazardous construction debris located onsite and dispose of the material at the County landfill. This work is being done at Hurt Partners’ cost and is a significant cost savings to the Staunton River Regional Industrial Facility Authority (“SRRIFA”). Hurt Partners has requested that the Board waive the County Landfill tipping fees associated with the cleanup at the property in a sign of partnership. The value of the County waiving its Landfill tipping fees would be reflected in the due-to-from contributions of SRRIFA.

FINANCIAL IMPACT AND FUNDING SOURCE:

Hurt Partners is funding and completing the cleanup of non-hazardous construction debris at the SVMP property. The County would be waiving County Landfill tipping fees with an estimated revenue value of \$82,000.00.

RECOMMENDATION:

County Staff recommends the Board ratify (due to the fact that the disposal has already occurred) the approval of the County Landfill Tipping Fee Waiver for Hurt Partners that is associated with the cleanup of non-hazardous construction debris at the SVMP property.

MOTION:

“I make a Motion to ratify the approval of the County Landfill Tipping Fee Waiver that is associated with the cleanup of non-hazardous construction debris at the SVMP Property.”



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	NRCS Cherrystone 2 Dam Grant/Appropriation Approval Ratification (Staff Contact: Christopher C. Slemp)		
Staff Contact(s):	Christopher C. Slemp		
Agenda Date:	June 21, 2022	Item Number:	7.i
Attachment(s):	USDA Cherrystone Creek 2A Grant Design and Engineering		
Reviewed By:			

SUMMARY:

The U.S. Department of Agriculture Natural Resources Conservation Service has awarded \$790,000 for the design of rehabilitation of Cherrystone Creek 2 Dam (like the Grant for Cherrystone 1 Dame), under the Watershed Rehabilitation Program. For the Board's review and consideration, an Agreement (and other related documents) evincing the same is attached. This Agreement includes funding for the design phase. If additional funds become available to totally complete the Project through construction, an Amendment will be proposed with the Sponsor. If agreed by the parties, this Agreement will be amended accordingly. This Agreement includes clauses for other phases that may or may not be funded.

FINANCIAL IMPACT AND FUNDING SOURCE:

This Grant totaling \$790,000 is to be used for the development of a design for the rehabilitation of Cherrystone Creek 2 Dam. This Grant does not require a local match.

RECOMMENDATION:

County staff recommends the Board ratify the execution of the Grant documents (previously signed due to timing issues), as well as the appropriation of \$790,000 to the County's Grants Fund.

MOTION:

"I make a Motion of ratify the execution of the attached Grant documents, as well as the appropriation of \$790,000 to the County's Grants Fund."



U.S. Department of Agriculture
Natural Resources Conservation Service

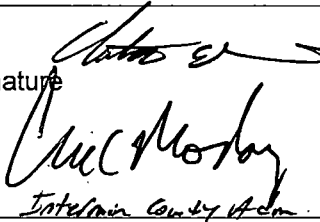
NOTICE OF GRANT AND AGREEMENT AWARD

1. Award Identifying Number NR2233A7XXXXC004	2. Amendment Number	3. Award /Project Period From Date of Final Signature - 05/30/2024	4. Type of award instrument Cooperative Agreement
5. Agency (Name and Address) Natural Resources Conservation Service 1606 Santa Rosa Road, Suite 209 Richmond, VA 23229-5014		6. Recipient Organization (Name and Address) PITTSYLVANIA, COUNTY OF 1 CENTER ST CHATHAM VA 24531-0426 UEI Number / DUNS Number: ZKU8R668GNR4 / 07474446 EIN:	
7. NRCS Program Contact Name: Mathew Lyons Phone: 804-287-1653 Email: mathew.lyons@usda.gov	8. NRCS Administrative Contact Name: Dorothea Martinez Phone: (803) 253-3899 Email: dorothea.martinez@wdc.usda.gov	9. Recipient Program Contact Name: Christopher Slemp Phone: (434-713-4985 Email: chris.slemp@pittgov.org	10. Recipient Administrative Contact Name: Christopher Slemp Phone: (434-713-4985 Email: chris.slemp@pittgov.org
11. CFDA 10.916	12. Authority 16 U.S.C. 1012, PL 117-58	13. Type of Action New Agreement	14. Program Director Name: Christopher Slemp Phone: (434-713-4985 Email: chris.slemp@pittgov.org
15. Project Title/ Description: (Infrastructure Investment and Jobs Act (IIJA) To provide assistance for the design and rehabilitation of the Cherrystone Creek 2A Watershed structure in Pittsylvania County, Virginia			
16. Entity Type: B County Government			
17. Select Funding Type			
Select funding type:	<input checked="" type="checkbox"/> Federal	<input type="checkbox"/> Non-Federal	
Original funds total	\$790,000.00	\$0.00	
Additional funds total	\$0.00	\$0.00	
Grand total	\$790,000.00	\$0.00	
18. Approved Budget			

Attachment: USDA Cherrystone Creek 2A Grant Design and Engineering (3226 : NRCS Cherrystone 2 Dam Grant/Appropriation Ratification

Personnel	\$0.00	Fringe Benefits	\$0.00
Travel	\$0.00	Equipment	\$0.00
Supplies	\$0.00	Contractual	\$0.00
Construction	\$0.00	Other	\$790,000.00
Total Direct Cost	\$790,000.00	Total Indirect Cost	\$0.00
		Total Non-Federal Funds	\$0.00
		Total Federal Funds Awarded	\$790,000.00
		Total Approved Budget	\$790,000.00

This agreement is subject to applicable USDA NRCS statutory provisions and Financial Assistance Regulations. In accepting award or amendment and any payments made pursuant thereto, the undersigned represents that he or she is duly authorized act on behalf of the awardee organization, agrees that the award is subject to the applicable provisions of this agreement (and attachments), and agrees that acceptance of any payments constitutes an agreement by the payee that the amounts, if any, found by NRCS to have been overpaid, will be refunded or credited in full to NRCS.

Name and Title of Authorized Government Representative	Signature	Date
EDWIN MARTINEZ MARTINEZ State Conservationist		
Name and Title of Authorized Recipient Representative	Signature	Date
CHRISTOPHER SLEMP Director of Operations	 - Director of Operations. Intervenor County Admin.	6/6/2022

NONDISCRIMINATION STATEMENT

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

PRIVACY ACT STATEMENT

The above statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. Section 522a).

Statement of Work

Purpose

The purpose of this agreement is for the United States Department of Agriculture, Natural Resources Conservation Service, hereinafter referred to as the "NRCS", to provide assistance to Pittsylvania County, Virginia, hereinafter referred to as the "Sponsor", for Cherrystone Creek 2A Rehabilitation, Pittsylvania County, Virginia, under the Watershed Rehabilitation Program.

Objectives

Prepare design for rehabilitation of Cherrystone Creek 2A Watershed Structure, Pittsylvania County, Virginia.

This agreement includes funding for the design phase. If additional funds become available to totally complete the project through construction, an amendment will be proposed with the Sponsor. If agreed by the parties this agreement will be amended accordingly. This agreement includes clauses for other phases that may or may not be funded.

Budget Narrative

The official budget (including cost category itemization as identified on the SF-424A) described in this Budget Narrative will be considered the "the total budget as last approved by the Federal awarding agency" for this award.

1. NRCS shall pay 100 percent of the costs up to approved funding. There is no financial obligation for the Sponsor unless costs exceed approved funding amounts, and additional funding cannot be secured.

A. Budget includes the following estimated costs:

\$790,000.00 is obligated for the development of a design for rehabilitation of Cherrystone Creek 2A. Design costs are expenses incurred for surveys and investigations, preparation of the design, construction plans, specifications and associated documents required for the installation of works of improvement.

a. CONTRACTUAL category: \$750,000 is budgeted for Contractual work. Contractual work entails the professional services, hired and managed by the Sponsor, for the preparation and creation of the design.

b. OTHER category: A maximum of \$40,000.00 (i.e.: 5% of the Project Budget) is budgeted for Other expenses. Other expenses are expenses incurred by the Sponsor in direct management of the agreement (e.g.: contract administration). Eligible and reimbursable expenses may include sponsor personnel labor cost entailing soliciting, evaluating, awarding, administering and overseeing contracts for development of an approved design, including project management, verifying invoices and record keeping.

c. This agreement allows for the reapportionment of funds from the "OTHER" budget category to the "CONTRACTUAL" budget category. This reapportionment shall be initiated by the Sponsor with prior approval from the NRCS representative, provided the costs are within the budget estimates listed above. This will be documented through an exchange of correspondence rather than a formal amendment to the agreement.

d. Reapportionment of funds from the CONTRACTUAL budget category to the OTHER budget category is NOT ALLOWED.

Responsibilities of the Parties:

If inconsistencies arise between the language in this Statement of Work (SOW) and the General Terms and Conditions attached to the agreement, the language in this SOW takes precedence.

A. Sponsor will—

1. Design must be developed in accordance with the technical specification provided by NRCS which is incorporated as Attachment C, and follow policy set forth in the NRCS National Engineering Manual Part 511. This includes obtaining all necessary permits, land rights, and easements in accordance with the policy directive section 505.36. A U.S. Army Corps of Engineers Permit 404 must be obtained prior to proceeding to construction.

2. The Sponsors will obtain the services of a professional registered engineer, with the concurrence of NRCS, to prepare the design, specifications, and drawings for the construction of the dam. The professional registered engineer shall have

demonstrated competency and work experience on similar projects applying NRCS policies and procedures. The Sponsor must obtain NRCS review and concurrence on the design, construction plans and specifications.

3. Secure all necessary lands rights and permits for completion of the work of improvement prior to moving into construction.
4. Contract for services, as necessary, award and administer any contracts for the installation of the work for the project specified in this agreement in accordance with the Code of Federal Regulations (CFR), 2 CFR § 200.317 through 200.326, applicable state requirements, and the Sponsors' procurement regulations, as appropriate. See general terms and conditions attached to this agreement for a link to the CFR. In accordance with 2 CFR § 200.326 contracts must contain the applicable provisions described in Appendix II to Part 200. Davis-Bacon Act would not apply under this Federal program legislation.
5. The contracts for services described in this Agreement shall not be awarded to the Sponsor or to any firm in which any Sponsor's official or any member of such official's immediate family has direct or indirect interest in the pecuniary profits or contracts of such firms. Reference 2 CFR § 200.318 regarding standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award, and administration of contracts.
6. Notify NRCS of environmental clearance, modification of construction plans, and any unresolved concerns and issues prior to award of any contracts for installation of the work for the project specified in this agreement.
7. Accept all financial and other responsibility for any excess costs resulting from its failure to obtain, or delay in obtaining adequate land and water rights; natural resource rights; or Federal, State, and local permits and licenses needed for the work described in this agreement.
8. Take reasonable and necessary action of all contractual and administrative issues arising out of contracts awarded under this agreement.
9. Upon determination of technical acceptability of the completed work, the Sponsor must assume responsibility for the revised operation and maintenance (O&M) plan as provided by NRCS upon acceptance of designs and in accordance with Title 180, Part 500 of the NRCS Operation and Maintenance Manual and Title 390, Part 505, Subpart B, Section 505.11, of the NRCS National Watershed Program Manual.
10. Be responsible for all ineligible project costs. Ineligible costs are costs not referenced in this agreement. The Sponsor is also responsible for all costs in excess of the federal cost-share in this agreement.
11. Comply with the applicable requirements in the attached General Terms and Conditions of this agreement.
12. Ensure that requirements for compliance with environmental and cultural resource laws are incorporated into the construction contract for the works of improvement described in this agreement.
13. Ensure the information in the System for Award Management (SAM) is current and accurate until the final financial report (SF 425) under this award or final payment is received, whichever is later.
14. Take reasonable and necessary actions to dispose of all contractual and administrative issues arising out of the contract awarded under this agreement. This includes, but is not limited to disputes, claims, protests of award, source evaluation, and litigation that may result from the project. Such actions will be at the expense of the Sponsor, including any legal expenses. The Sponsor will advise, consult with, and obtain prior written concurrence of NRCS on any litigation matters in which NRCS could have a financial interest.
15. Sponsor must indemnify and hold NRCS harmless to the extent permitted by State law for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the Sponsor in connection with its acquisition and management of the Watershed Rehabilitation Program pursuant to this project agreement. Further, the Sponsor agrees that NRCS will have no responsibility for acts and omissions of the Sponsor, its agents, successors, assigns, employees, contractors, or lessees in connection with the acquisition and management of the Watershed Rehabilitation Program pursuant to this agreement that result in violation of any laws and regulations that are now or that may in the future become applicable.
16. Be liable to the NRCS for damages sustained by the NRCS as a result of the contractor failing to complete the work within the specified time. The damages will be based upon the additional costs incurred by the NRCS resulting from the contractor not completing the work within the allowable performance period. These costs include but are not limited to personnel costs, travel, etc. The NRCS will have the right to withhold such amount out of any monies that may be then due or that may become due and payable to the Sponsor. This liability is not applicable to the extent that the contract performance time is extended by court judgment unless such judgment results from actions of the Sponsor not concurred in by NRCS.

17. The Sponsor must secure at its own expense all Federal, State, and local permits and licenses necessary for completion of the work described in this agreement as well as any necessary natural resource rights and provide copies of all permits and licenses obtained to NRCS.

18. Submit reports and payment requests to the ezFedGrants system or the Farm Production and Conservation (FPAC) Grants and Agreements Division via email to FPAC.BC.GAD@usda.gov as outlined in the applicable version of the General Terms and Conditions. Reporting frequency is as follows:

Performance reports: Semiannual

SF-425 Financial Reports: Semiannual

B. NRCS will—

1. Review and concur with the design, construction plans and specifications, Quality Assurance Plan (QAP) and O&M plan developed for or by the Sponsor.
2. Provide authorized assistance such as, but not limited to, estimates of contract costs, length of contract period, results of tests and studies as available, site investigations, design and layout, and drawings and specifications, as requested by the Sponsor, and as its resources permit.
3. Make payment to the Sponsor covering the NRCS's share of the cost upon receipt and approval of SF-270, withholding the amount of damages sustained by NRCS as provided for in this agreement.

C. SPECIAL PROVISIONS

1. The furnishing of financial, administrative, and/or technical assistance above the original funding amount by NRCS is contingent on there being sufficient unobligated and uncommitted funding in the Watershed Rehabilitation Program that is available for obligation in the year in which the assistance will be provided. NRCS may not make commitments in excess of funds authorized by law or made administratively available. Congress may impose obligational limits on program funding that constrains NRCS's ability to provide such assistance.
2. NRCS, at its sole discretion, may refuse to cost share should the Sponsor, in administering the contract, elect to proceed without obtaining concurrences described in this agreement.

Expected Accomplishments and Deliverables

Sponsor will—

1. Prepare a design, construction specifications, and drawings in accordance with the technical specification provided by NRCS which is incorporated as Attachment C, and standard engineering principles that comply with NRCS programmatic requirements; and/or install the designed construction. The Sponsor must ensure each description of the work described in this agreement is reviewed, concurred, and approved by NRCS. Sponsor must not move to the next project work described in this agreement until the prior work is concurred and approved by NRCS.
2. Develop a quality assurance plan (QAP) for the project and submit it for NRCS review and concurrence.
3. Provide NRCS with documentation of the actual cost incurred for the services acquired

Resources Required

As stated in this agreement.

Milestones

Sponsor will acquire A&E services within 60 days of Agreement execution.

The Phases listed below are described in detail in the technical specification provided by NRCS which is incorporated as

Attachment C.

Phase I – Plan of Work and Quality Assurance/Quality Control completed within 60 days of Sponsor acquisition of A&E services.

Phase II – Supporting Documentation, Development of Design Data completed within 255 days of Phase I completion.

Phase III - Preliminary Design completed within 165 days of Phase II completion.

Phase IV – Final Design completed within 150 days of Phase III completion.

Final design and bid documents approved by NRCS within 690 days of Agreement execution.

GENERAL TERMS AND CONDITIONS

Please reference the below link(s) for the General Terms and Conditions pertaining to this award:
<https://www.fpacbc.usda.gov/about/grants-and-agreements/award-terms-and-conditions/index.html>



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Appointment: DPCS (Banister District); (Contact: Supervisor Barksdale)		
Staff Contact(s):	Supervisor Barksdale		
Agenda Date:	June 21, 2022	Item Number:	7.j
Attachment(s):			
Reviewed By:			

SUMMARY:

Willie Fitzgerald (“Fitzgerald”) is currently the DPCS Board’s Banister District Representative. His term expires at the end of June and Supervisor Barksdale desires for Willie Fitzgerald (“Fitzgerald”) to be re-appointed for a new three (3)-year term beginning on July 1, 2022, and ending on June 30, 2025.

FINANCIAL IMPACT AND FUNDING SOURCE:

Not applicable.

RECOMMENDATION:

County Staff recommends the Board re-appoint Fitzgerald as the DPCS Board’s Banister District Representative for a three (3)-year term beginning on July 1, 2022, and ending on June 30, 2025.

MOTION:

“I make a Motion to re-appoint Fitzgerald as the DPCS Board’s Banister District Representative for a three (3)-year term beginning on July 1, 2022, and ending on June 30, 2025.”



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Appointment: DPCS Board (Callands-Gretna District); (Supervisor Dalton)		
Staff Contact(s):	Supervisor Dalton		
Agenda Date:	June 21, 2022	Item Number:	7.k
Attachment(s):			
Reviewed By:	VH		

SUMMARY:

Kimberly Van Der Hyde (“Van Der Hyde”) is currently the DPCS Board’s Callands-Gretna District Representative. Her term expires at the end of June and Supervisor Dalton desires for Van Der Hyde to be re-appointed for a new three (3)-year term beginning on July 1, 2022, and ending on June 30, 2025.

FINANCIAL IMPACT AND FUNDING SOURCE:

Not applicable.

RECOMMENDATION:

County Staff recommends the Board re-appoint Van Der Hyde as the DPCS Board’s Callands-Gretna District Representative for a three (3)-year term beginning on July 1, 2022, and ending on June 30, 2025.

MOTION:

“I make a Motion to re-appoint Van Der Hyde as the DPCS Board’s Callands-Gretna District Representative for a three (3)-year term beginning on July 1, 2022, and ending on June 30, 2025.”



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Appointment: Library Board (Banister District); (Supervisor Barksdale)		
Staff Contact(s):	Supervisor Barksdale		
Agenda Date:	June 21, 2022	Item Number:	7.1
Attachment(s):			
Reviewed By:	VH		

SUMMARY:

Portia Fitzgerald (“Fitzgerald”) is currently the County Library Board’s Banister District Representative. Her term expires at the end of June and Supervisor Barksdale desires for Fitzgerald to be re-appointed for a new four (4)-year term beginning on July 1, 2022, and ending on June 30, 2026.

FINANCIAL IMPACT AND FUNDING SOURCE:

Not applicable.

RECOMMENDATION:

County Staff recommends the Board re-appoint Fitzgerald as the County Library Board’s Banister District Representative for a new four (4)-year term beginning on July 1, 2022, and ending on June 30, 2026.

MOTION:

“I make a Motion to re-appoint Fitzgerald as the County Library Board’s Banister District Representative for a new four (4)-year term beginning on July 1, 2022, and ending on June 30, 2026.”



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Re-Appointment (DCC Advisory Board); (Full Board); (Staff Contact: Kaylyn M. McCluster)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	June 21, 2022	Item Number:	7.m
Attachment(s):			
Reviewed By:	VH		

SUMMARY:

Barbara Brown (“Brown”) is currently the County representative on the Danville Community College (“DCC”) Advisory Board, and her term is set to expire on June 30, 2022. She is eligible for another four (4)-year term and has expressed her desire to be re-appointed. This is a full Board appointment.

FINANCIAL IMPACT AND FUNDING SOURCE:

Not applicable.

RECOMMENDATION:

County Staff recommends the Board re-appoint Brown to the DCC Advisory Board for another four (4)-year term beginning on July 1, 2023.

MOTION:

“I make a Motion to re-appoint Brown to the DCC Advisory Board for another four (4)-year term beginning on July 1, 2023.”



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Fire and Rescue ARPA Applications Funding Approval (Staff Contact: Christopher C. Slemph)		
Staff Contact(s):	Christopher C. Slemph		
Agenda Date:	June 21, 2022	Item Number:	7.n
Attachment(s):			
Reviewed By:			

SUMMARY:

In 2021, the Board committed \$1,000,000 of the County's ARPA funding to the County's Volunteer Fire and Rescue Departments. Departments are eligible to receive up to \$43,000 in funding and can submit multiple Project Applications. The Fire and Rescue Commission ("FRC") created an Ad Hoc Committee to review Project Applications from the County's Volunteer Departments.

The following Applications are recommended by the FRC for funding:

- | | | |
|------------------------------|---------------------------------|-------------|
| • Callands Fire and Rescue | Station HVAC upgrades | \$2124.21 |
| • Laurel Grove Fire Dept | Down payment on apparatus | \$26,727.79 |
| • Hurt Fire Department | Debt Service on Station | \$43,000 |
| • Mt. Hermon Fire and Rescue | Lost Revenue & Station upgrades | \$43,000 |
| • Mt. Cross Fire Dept | Fire Equipment & PPE | \$11,065.83 |

FINANCIAL IMPACT AND FUNDING SOURCE:

Requested funds are coming from the County's ARPA funds and have no impact on the County's General Budget.

RECOMMENDATION:

County Staff recommends the Board approve using the County's ARPA Funding for the Projects as presented.


MOTION:

"I make a Motion approving the use of the County's ARPA Funding for the Projects as presented."



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Tax Refund Authorization Approval (J&J Trucking); (Staff Contact: Hon. Robin C. Goard)		
Staff Contact(s):	Robin C. Goard		
Agenda Date:	June 21, 2022	Item Number:	7.0
Attachment(s):	JJ Truck Sales JJ Truck Sales 2		
Reviewed By:			

SUMMARY:

Per Commissioner Goard, J&J Truck Sales, Inc. (“J&J”), listed over \$1,000,000 in inventory (merchants’ capital) for tax year 2021, and the Commissioner’s Office failed to use the sliding scale to assess the merchants’ capital. Therefore, a tax overpayment refund is due and owing J&J in the amount of \$76,255.91. Per Pittsylvania County Code § 6-6.2, “[i]n the event the Commissioner of Revenue makes a determination that such erroneous assessment has adverse financial impact on the annual budgetary process of the County, the Commissioner shall promptly notify the Board of Supervisors of such erroneous assessment and its effect on County finances.”

FINANCIAL IMPACT AND FUNDING SOURCE:

If approved, a tax overpayment refund of \$76,255.91 would come from the County’s General Fund.

RECOMMENDATION:

County Staff recommends the Board authorize the County’s Treasurer to refund \$76,255.91 to J&J as presented.

MOTION:

“I make a Motion to authorize the Treasurer to refund \$76,255.91 to J&J as presented.”



OFFICE OF
COMMISSIONER OF THE REVENUE

PITTSYLVANIA COUNTY
P.O. BOX 272
CHATHAM, VIRGINIA 24531

(434) 432-7940
(434) 656-6211
FAX (434) 432-7957
robin.goard@pittgov.org

Robin Coles-Goard
Commissioner

June 10, 2022

Clarence Monday
Interim County Administrator
P.O. Box 426
Chatham, VA 24531-0426

RE: REFUND REQUEST FOR J & J Truck Sales Inc

Dear Mr. Monday,

This letter is to advise you pursuant to Pittsylvania County Code Section 6-6.2 Refund of Local Taxes Assessed and Paid in Error of a pending refund for the above referenced taxpayer. I am therefore requesting pursuant to this section, the Board's advice, and guidance in authorizing the refund be made by the local Treasurer.

In 2021, J & J Truck Sales Inc., was assessed for merchants' capital tax pursuant to Virginia Code 58.1-3509. In 2016, the Board of Supervisor's revised the methodology for the assessment of Merchants' Capital. Because of this revision, we now use a sliding scale when assessing merchants' capital over \$1M. When calculating the 2022 assessment, it was discovered that an error was made when calculating the assessment in 2021. After further review of the records, we made a correction to the assessment. The assessment value dropped and created an overpayment.

I am enclosing a copy of the letter of refund requesting the Treasurer to refund J & J Truck Sales, Inc., \$76,255.91 for 2021 taxes paid in error. Should you have any questions, please feel free to contact me.

Regards,

Robin C. Goard
Commissioner of the Revenue

Enclosure

Email: Honorable Vincent Shorter, Treasurer
Kim Van Der Hyde, Finance Director
J. Vaden Hunt, County Attorney

Attachment: JJ Truck Sales (3227 : Tax Refund Authorization Approval (J&J Trucking)); (Staff Contact: Robin C. Goard))



OFFICE OF
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robin.goard@pittgov.org

Robin Coles-Goard
Commissioner

June 10, 2022

Mr. Vincent Shorter, Treasurer
Pittsylvania County
Chatham, VA 24531

Dear Mr. Shorter:

The following taxpayer(s) was assessed incorrectly for personal property for the taxable year(s) **2021**. The taxpayer states taxes have been paid and are requesting a refund under Sec.58.1-3990 Code of Virginia.

NAME & ADDRESS:

**J & J Truck Sales
7441 DRY FORK RD
DRY FORK VA 24549**

ACCOUNT #128972

BILL NUMBER: 21A128972.BP

FULL OR PARTIAL: PARTIAL

2021 ASSESSED VALUE: 3,867,53.00 (MC) TAX: \$106,357.08

NET LEVY: \$106,357.08

TOTAL AMOUNT TO BE REFUNDED: \$76,255.91

Thank you for your attention in this matter.

Regards,

Robin C. Goard
Commissioner of the Revenue

RCG/tc

Attachment: JJ Truck Sales 2 (3227 : Tax Refund Authorization Approval (J&J Trucking)); (Staff Contact: Robin C. Goard))



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Town of Chatham/County First Amendment to Master Water and Sewer Extension Approval (Staff Contact: Chris Adcock)		
Staff Contact(s):	Chris Adcock		
Agenda Date:	June 21, 2022	Item Number:	7.p
Attachment(s):			
Reviewed By:	VA		

SUMMARY:

At the Board's December 2021 Business Meeting, as a Consent Agenda item, a six (6)-month extension of the 1991 Water Agreement with the Town of Chatham and for the County to accept the obligations/rights of the former PCSA for all current water and sewer agreements was unanimously approved. Said Agreement, known as the First Amendment to December 31, 1991, Water Agreement, is set to expire on June 30, 2022. Additional time is needed to complete the ongoing negotiations of the terms and consolidation of the existing water and sewer agreements with the Town.

FINANCIAL IMPACT AND FUNDING SOURCE:

Not applicable

RECOMMENDATION:

County Staff recommends the Board approve a ninety (90)-day extension of the First Amendment to the December 31, 1991, Water Agreement with the Town.

MOTION:

"I make a Motion to authorize County Staff to enter into a ninety (90)-day extension of the First Amendment to the December 31, 1991, Water Agreement"



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Virginia is for Lovers Grant County Fiscal Agent Approval (Staff Contact: Kim Van Der Hyde)		
Staff Contact(s):	Kimberly G. Van Der Hyde		
Agenda Date:	June 21, 2022	Item Number:	7.q
Attachment(s):	LOVEworkReimbursementFundAgreement VA is for Lovers_W9-VTC		
Reviewed By:	VH		

SUMMARY:

Brenda Bowman (“Bowman”), from the County’s Chatham-Blairs District, appeared before the Board at its April 19, 2022, Meeting. At that Meeting, she expressed a desire to erect a new “LOVE” sign in the County. Bowman stated that tourism is no longer a division of the Chamber of Commerce but is now a part of the Economic Development team for the City of Danville, Virginia. She has had many conversations with Lisa Merriweather, and there can be multiple “LOVE” signs in the area. Bowman would like a new, permanent “LOVE” sign in the County, possibly being erected at the Olde Dominion Agricultural Complex in Chatham, Virginia. Anthor International, a major County industry, has agreed to build the steel structure. Bowman stated she is not asking for funds, but only support and for the County to sign the “LOVE” sign Grant Application that she will be providing soon.

For the Board’s review and consideration, Bowman has provided the attached related Grant documents in the amount of \$1,500 for the County to review and further discuss with the DMO.

FINANCIAL IMPACT AND FUNDING SOURCE:

There is no financial impact to the County as the County is not agreeing to ongoing maintenance and upkeep of the asset.

RECOMMENDATION:

County Staff recommends the Board authorize County Staff to either sign the attached Grant documents allowing the County to become the Virginia is for Lovers’ Grant’s Fiscal Agent or to collaborate with the DMO as to the most appropriate entity to serve in this capacity.

MOTION:

“I make a Motion to authorize County Staff to either sign the attached Grant documents allowing the County to become the Virginia is for Lovers’ Grant’s Fiscal Agent or to collaborate with the DMO as to the most appropriate entity to serve in this capacity.”



**Virginia Tourism Authority
(dba Virginia Tourism Corporation)
LOVE Creation Reimbursement Fund Agreement**

LIABILITIES AND RESPONSIBILITIES OF APPROVED APPLICANT

By participating in this program, the undersigned applicant (the "Applicant") expressly agrees as follows:

- This artwork shall be designed to promote family-friendly vacation experiences in Virginia and the Virginia is for Lovers message.
- The Applicant agrees to secure any necessary permits/paperwork/local approval for the proposed artwork location.
- VTC shall have approval at its sole discretion on any changes, updates, new locations or any modification that happens to the LOVE artwork after its creation and before such changes are to occur.
- VTC is not responsible for implementation of artwork program, and disclaims any liability for any consequences thereof, including but not limited to, any accidents or injuries incurred by visitors, staff, or volunteers, as a result of interaction with the LOVE artwork. The Applicant agrees that it is liable for accidents and/or injuries caused by its participation in this program and agrees to indemnify, defend and hold harmless VTC, its officers, agents, and employees from any claims, damages and actions of any kind or nature, arising from or caused by the use of the LOVE artwork, including attorneys' fees and any other costs incurred in regard to any claim.
- The Applicant's volunteers or paid staff shall not serve or consume alcoholic beverages, use illegal drugs or illegal materials in connection with the LOVE artwork.
- The Applicant's volunteers or paid staff shall not solicit contributions or charge admission solely to access and interact with the LOVE artwork.
- The Applicant agrees to use the VTC's direction on artistic style including fonts, materials, messaging, logo usage and marketing.
- The Applicant agrees to accept responsibility for maintenance and upkeep of the LOVE creation.
- The project including design, usage, placement, marketing and messaging must be approved by VTC and, where possible, include the Virginia is for Lovers logo on the artwork. Any online references should include links to www.Virginia.org/love.
- To be reimbursed, applicants must submit copies of invoices and proof of payment for each vendor used. Applicants must also submit proof of payment for any costs related to materials. Any such reimbursements are limited to \$1,500.
- No news releases, announcements or information about the LOVE creation shall be released by Applicant without VTC's review and prior approval.

- VTC shall have the right to publicize, promote, and distribute news releases regarding the LOVE artwork, as it deems appropriate, without permission or approval of Applicant.
- The artwork shall remain in place for a minimum of a year after its placement.
- Should it become necessary or desirable for the LOVE artwork to be removed from its location site, Applicant shall first notify VTC prior to its removal. Applicant shall be responsible for the removal of the LOVE artwork and any costs associated with such removal and site restoration, if applicable.

I have read, understand, and agree to comply with the terms and conditions of this agreement.

Accepted by:

Name (*Print*): _____

Title (*Print*): _____

Organization (*Print*): _____

Signature of Representative: _____ Date _____

<u>VTC USE ONLY</u>	
Approved by: _____	Paid Date: _____
Date: _____	Invoice#: _____

Attachment: LOVEworkReimbursementFundAgreement (3225 : Virginia is for Lovers Grant County Fiscal Agent Approval (Staff Contact: Kim

VIRGINIA TOURISM CORPORATION
Request For Taxpayer Identification Number (TIN) and Certification
Substitute W-9 Form

Vendor number _____

IRS code Section 6109 requires you to give your correct TIN to persons who must file information returns with the IRS to report income paid to you. The VTC is required by the IRS to withhold 31% of the payments made to payees who do not provide a TIN.

I. Please make any necessary corrections and/or additions to the information below.

Legal Business Name:
Business Name if different
than above (d/b/a)
Key Contact:
Address:
Address:
City/State/Zip:
Telephone #:

II. Organization Information:

A. Entity Type: (Circle One)
Individual Sole Proprietor Partnership Medical Corp. Corporation Trust Estate Other _____

B. Taxpayer Identification Number (TIN) - Complete #1, #2, or #3 below.
1. 1. _____ - _____ - _____ 2. _____ - _____
Social Security Number Employer ID Number
3. Check this box if operating as a Foreign Entity in the United States without a TIN.

C. Please Answer the Following Questions: (Check either YES or NO)
1. Is your organization (association, club, religious, charitable, educational, YES NO
or other group) tax exempt under IRS Code Section 501(a)?
2. Are you a Real Estate Agent? YES NO

D. Check All Applicable:
(Note – Providing this information is voluntary. All information gathered will be used for statistical purposes only.)
 Small Business – provide certification number _____
 Woman Owned Business – provide certification number _____
 Minority Owned Business – provide certification number _____
If not certified, contact Department of Minority Business Enterprise at 804-786-3109

III. Certification Under Penalties of perjury, I certify that:

- A. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- B. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the IRS that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding.

Certification Instructions: You must cross out item B above if you have been notified by the IRS that you are subject to backup withholding because of underreporting interest or dividend on your tax return.

Signature

Date



Board of Supervisors
EXECUTIVE SUMMARY
INFORMATION ITEM

Agenda Title:	General Presentations (Board of Supervisors)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	June 21, 2022	Item Number:	8.a
Attachment(s):			
Reviewed By:	<i>VM</i>		

The Board will present Proclamations, Resolutions, and/or Certificates approved/adopted on the June Consent Agenda.



Board of Supervisors
EXECUTIVE SUMMARY

INFORMATION ITEM

Agenda Title:	School's 1% Sales Tax Referendum Presentation (Presenter: Dr. Jones)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	June 21, 2022	Item Number:	8.b
Attachment(s):			
Reviewed By:	<i>074</i>		

Dr. Mark Jones, Pittsylvania County Schools Superintendent, will give the Board an update on the County School's 1% Sales Tax Referendum Campaign Committee.



Board of Supervisors
EXECUTIVE SUMMARY

INFORMATION ITEM

Agenda Title:	Danville DMO Regional Tourism Update Presentation (Staff Contact: Clarence C. Monday); (Presenter: Corrie T. Bobe)		
Staff Contact(s):	Clarence C. Monday		
Agenda Date:	June 21, 2022	Item Number:	8.c
Attachment(s):	City Council Presentation for Pittsylvania June 21		
Reviewed By:	<i>VB</i>		

Corrie T. Bobe, Danville Economic Development Director, and Lisa Meriwether, Tourism Manager, will present the Board an update regarding the regional tourism efforts, and will also introduce consultants who will lead the marketing/branding strategic plan.

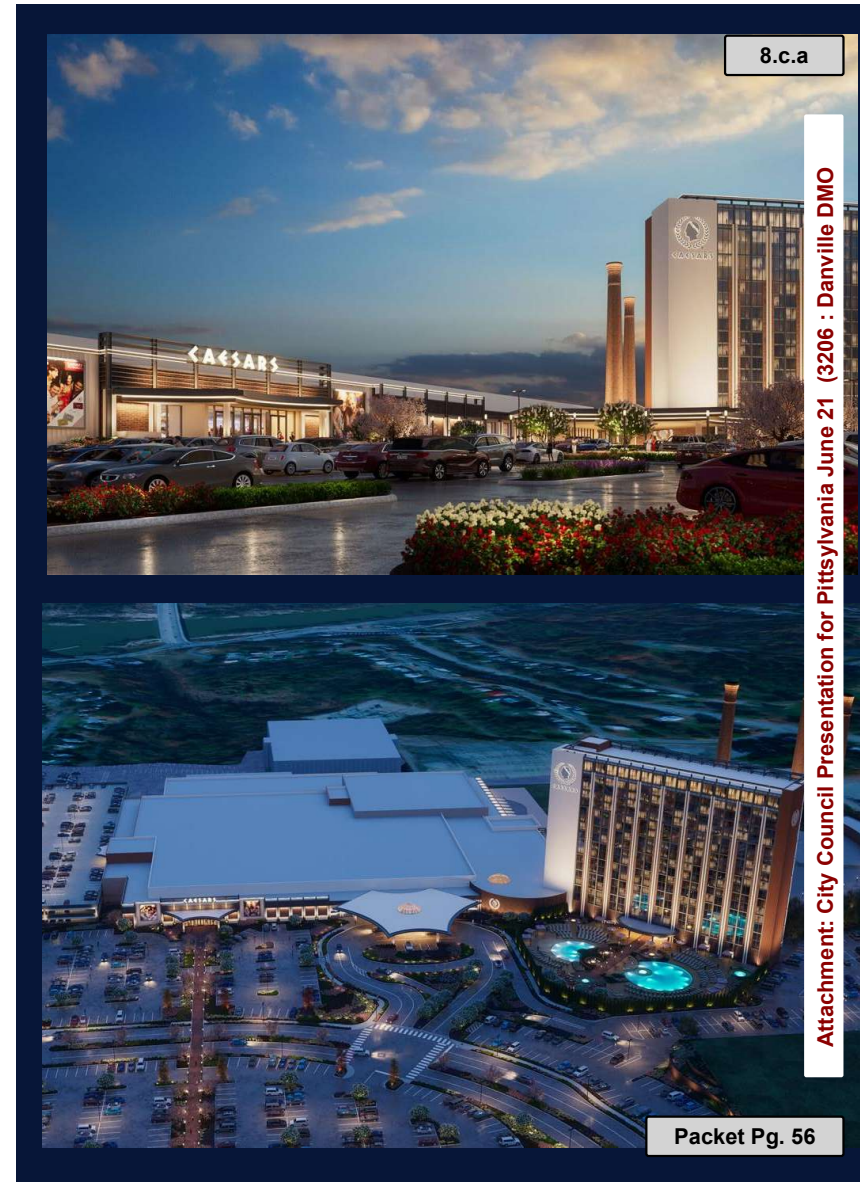
Eddy Alexander

GROWTH  STRATEGY



Meet the Moment!

- Tourism is becoming an ever-more crucial, significant and vital industry for Pittsylvania County and the City of Danville
- According to VTC, the tourism economy was already bringing in \$2.4 million in local tax revenue annually and supporting ~1,500 local jobs pre-pandemic
- Now, with the \$500M, 600-room, Caesars resort project under construction in Danville, those numbers are to surge and the promise of the positive impact this can have on quality of life in the area is driving local excitement
- By coordinating efforts and proactively engaging citizens in the communications, planning, and outreach process as they relate to tourism, we can work together to thoughtfully and intentionally maximize the opportunity ahead



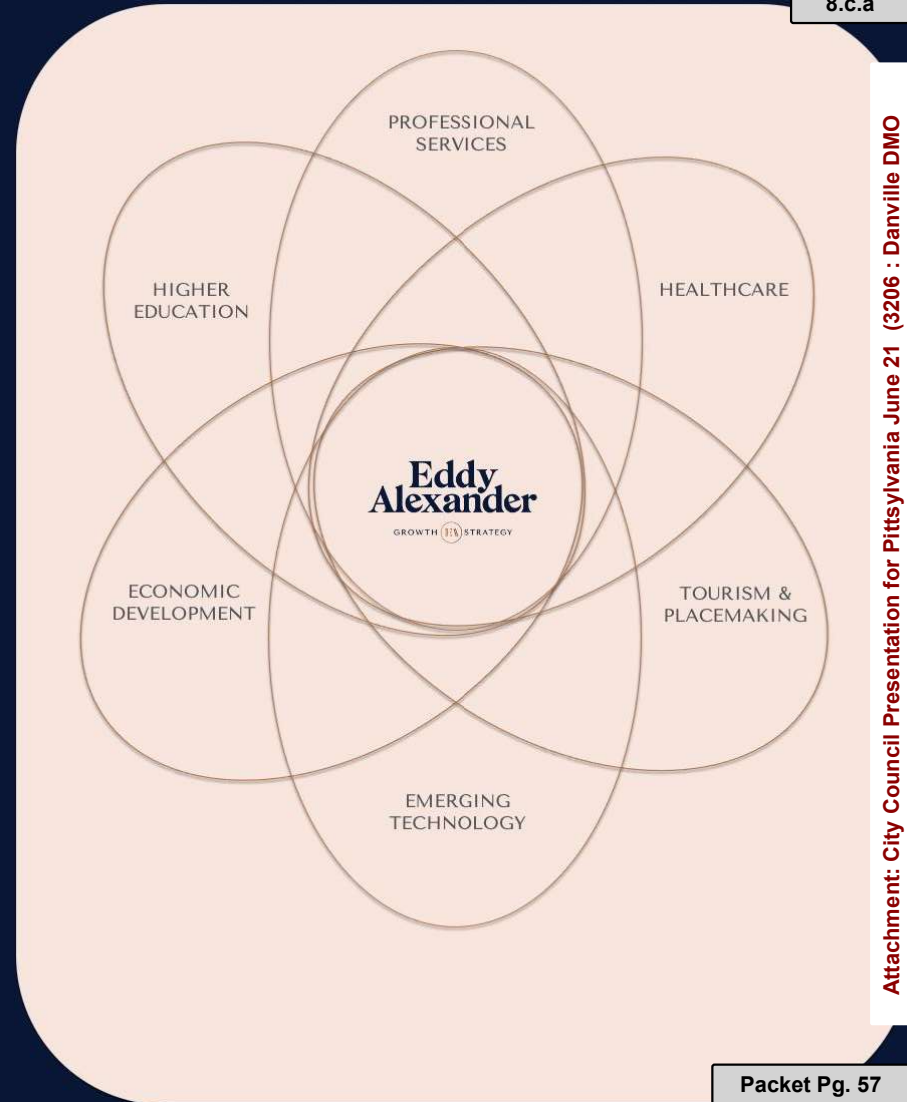


GETTING ACQUAINTED

Eddy Alexander specializes in helping communities like yours position for and achieve smart, sustainable growth. The Eddy Alexander team is uniquely qualified to serve this community and we want to come up beside your team as experienced, committed partners who can help you navigate both the risk and the opportunities ahead.

We are:

- 11 years of consistent growth and recognition
- Nationally (and Virginia) Certified Women Owned Small Business
- Trusted by top clients nationally and internationally
- Committed to taking on marketing and communications projects that have a real, measurable and decidedly positive impact on communities
- Savvy, data-driven, smart-growth advocates





Across industry sectors, the proposed Eddy Alexander Team has successfully supported many of the world's most successful brands.

CORPORATE	PLACE-BASED	TOURISM

*Top 50 Global Brand according to the Annual Interbrand Survey



Why Invest in Tourism?

- Positive economic, environmental, and social impact for the community
- Bringing outside money into a local economy is a net positive gain - more resources provides for better quality of life – more jobs, better public services, more abundant activities
- Tourism supports intentional preservation of natural, historical, and cultural assets
- Tourism is the front door to economic development

How do we measure success?

- Average length of stay (longer stays = more economic impact)
- Citizen satisfaction (better resources, more things to do, safer and more beautiful spaces to do them)
- Improved reputation – what are people saying about living, working, playing, and staying here?

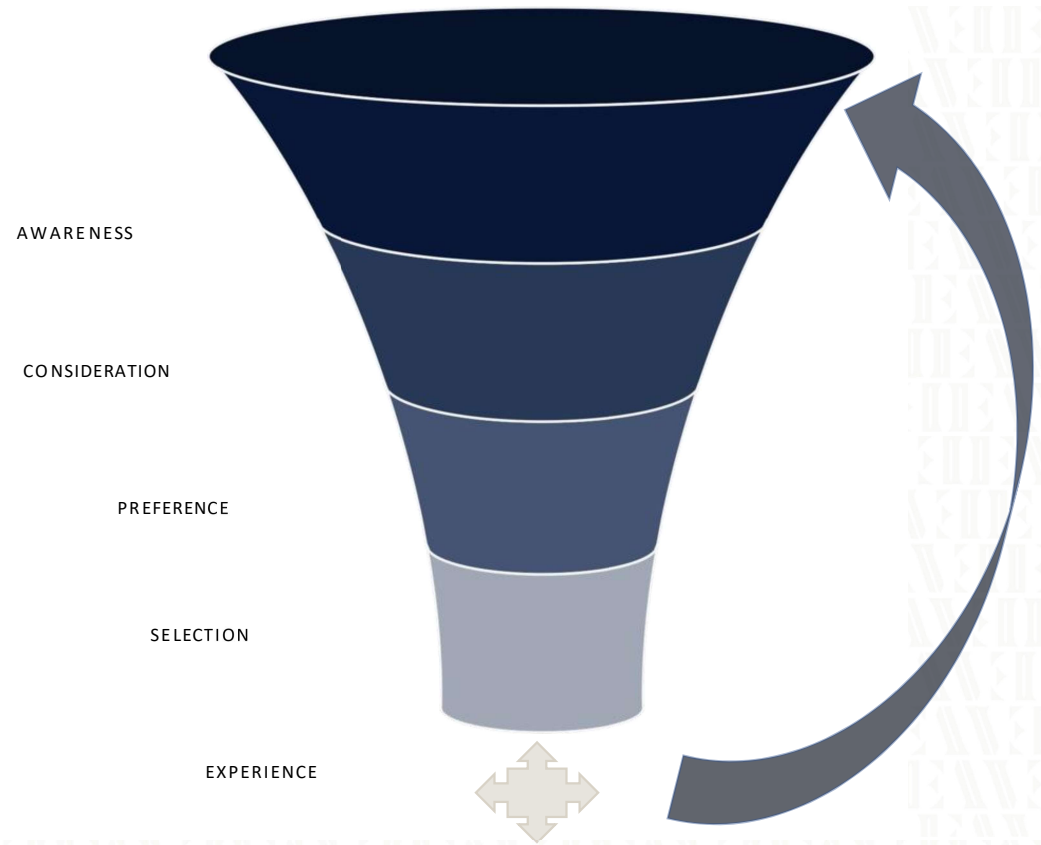
WHY TOURISM MATTERS



Tourism is more than you imagine!



Tourism branding
impacts community
growth, site
selection, and
advocacy



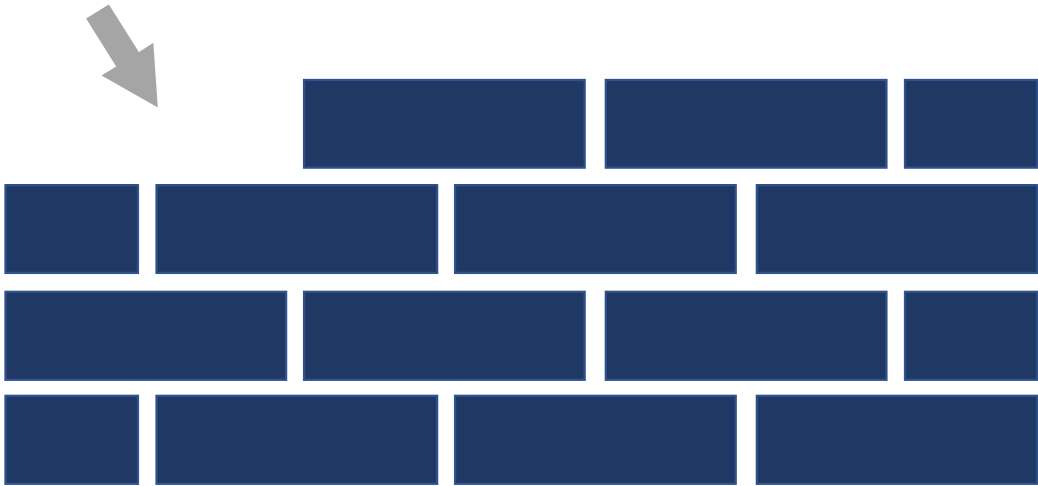


Tourism Marketing Tactics

- Logo
- Color Palette
- Font Style
- Research
- Surveys
- Focus Groups
- Demographics
- Advertising
- Public Relations
- Events
- Packaging
- Pricing

A brand can be thought of as what people think and say about you when you aren't in the room to influence what they say.

BUILDING FOR REPUTATION & REALITY





PROJECT APPROACH

Eddy Alexander's support is divided into five strategic work phases



DISCOVER

Gathering of all needed details and research related to the project and its goals, targets, and specifications

SYNTHESIZE

Outlining of project priorities and milestones and formalizing "the plan" for specific creative direction

CREATE

All new design elements are created and are client-approved based on interactive and iterative feedback sessions

IMPLEMENT

Once we have gained client approval, we run full quality assurance checks, train end users, and move assets into market through brand activation

MEASURE

As tactics are implemented, our team continuously watches performance metrics and offers optimizing tactics to drive to desired outcomes



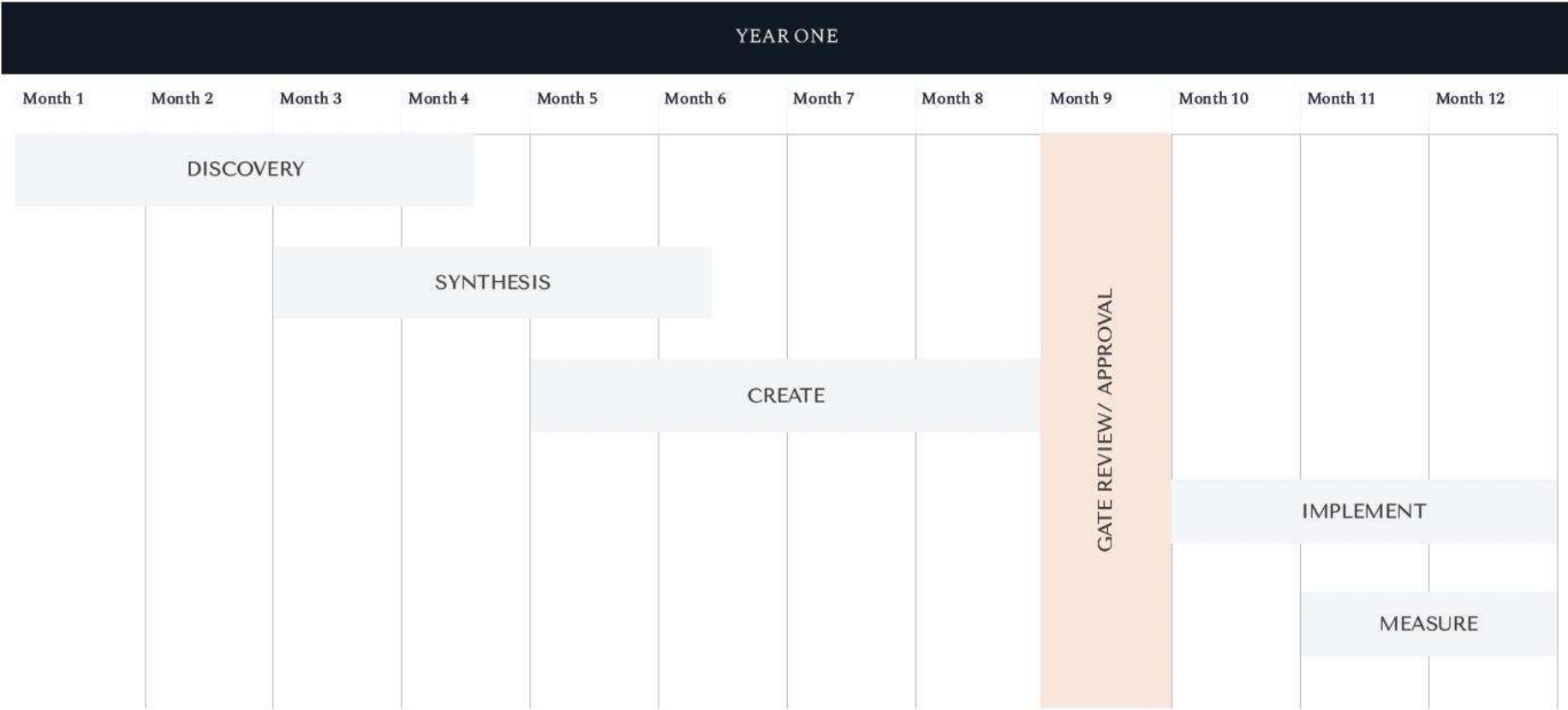
TOURISM MARKETING ROADMAP – WHAT TO EXPECT

- Secondary research
- Primary research: community surveys, historic visitation analysis
- Synthesis: community validation meetings

- Creative development
- Focus groups
- Stakeholder committees & promotion planning

- Brand activation
- Website launch
- Digital ads
- Environmental displays and experiences
- Earned media attention
- Ongoing marketing collaboration workgroups

- Social media
- Event & sponsorship management
- Multimedia production & distribution
- Community relations
- Ongoing asset and Infrastructure maturation
- Ongoing partnership development (Group travel packages, OTA Distribution, etc.)





GET INVOLVED:

Surveys

- Direct mail notifications – postcard invitations are being sent to every home and business in the city of Danville and Pittsylvania County
- Survey can be taken online with a computer, cell phone, tablet, or at any of the local libraries

Community Presentations

- We will hold two community presentations to share our findings and ask the community to valid or correct our direction.

Focus Groups

- Once we've begun our design process, we will hold focus groups (selected from survey participants) to help us narrow in on creative direction

TAKE THE TOURISM SURVEY!





BRAND IDENTITY SYSTEM DESIGN

We will create a unique visual and verbal identity for your community that strives to be 50% authentic and 50% aspirational.



8.c.a

FLOYD VIRGINIA



Packet Pg. 66

Questions?

You can reach us at 540.404.8152 or by emailing J.Eddy@EddyAlexander.com

Thank you for your time and consideration. We look forward to hearing from you.

Eddy Alexander

GROWTH  STRATEGY



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Public Hearing: Case R-22-008 Robert and Barbie Eanes; Rezoning from RC-1, Residential Combined Subdivision District, to A-1, Agricultural District. The Planning Commission recommended, by a 7-0 vote, with opposition, that the Petitioners' request be granted. (Supervisor Warren)		
Staff Contact(s):	Emily S. Ragsdale		
Agenda Date:	June 21, 2022	Item Number:	10.A.1
Attachment(s):	R-22-008 Robert & Barbie Eanes App R-22-008 Robert & Barbie Eanes Map		
Reviewed By:	074		

SUMMARY:

In Case R-22-008, Robert and Barbie Eanes (“Petitioners”) have petitioned to rezone 7.41 acres, from RC-1, Residential Combined Subdivision District, to A-1, Agricultural District (*to allow for two (2) dwellings to be placed on the property*). The subject property is located on State Road 718/Snakepath Road, in the Chatham-Blairs Election District, and shown on the Tax Maps as GPIN # 2434-10-4406. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-178 are permitted. On May 3, 2022, the Planning Commission recommended, by a 7-0 vote, with opposition, that the Petitioners’ request be granted. For the Board’s review, the County Staff Summary is attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends approval of Case R-22-008 as presented. The subject property is adjacent to properties currently zoned A-1, Agricultural District, and the rezoning would be consistent with the County’s Comprehensive Plan.

MOTION:

“In Case R-22-008, I make a Motion to approve the rezoning of rezone 7.41 acres from RC-1, Residential Combined Subdivision District, to A-1, Agricultural District, to allow for two (2) dwellings to be placed on the property. The rezoning would be consistent with the County’s Comprehensive Plan.”

STAFF SUMMARY

<p><u>CASE</u> R-22-008</p>	<p><u>ZONING REQUEST</u> RC-1 to A-1</p>	<p><u>CYCLE</u> May 2022/June</p>
<p><u>SUBJECT/PROPOSAL/REQUEST</u> Robert and Barbie Eanes are requesting to rezone property from RC-1, Residential Combined Suburban Subdivision District, to A-1, Agricultural District.</p> <p>DISTRICT: Chatham-Blairs</p>	<p>PLANNING COMMISSION: May 3, 2022</p> <p>BOARD OF SUPERVISORS: June 21, 2022</p> <p>ADVERTISED: April 20 & 27, 2022 & May 18 & 25, 2022</p>	

SUBJECT

Requested by Robert and Barbie Eanes, to rezone property located on State Road 718/Snakepath Road, in the Chatham-Blairs Election District and shown on the Tax Maps as GPIN # 2434-10-4406. The applicants are requesting to rezone 7.41 acres, from RC-1, Residential Combined Subdivision District, to A-1, Agricultural District, allow for two dwellings to be placed on the property.

BACKGROUND/DISCUSSION

Robert and Barbie Eanes are requesting to rezone 7.41 acres from RC-1, Residential Combined Suburban Subdivision District, to A-1, Agricultural District. The applicants are requesting to place two (2) dwellings on the property. Pittsylvania County Code § 35-53 allows for two (2) single family dwellings to be placed on properties zoned A-1, Agricultural District, or C-1, Conservation District, as long as all the additional dwelling can meet the minimum lot area, minimum lot width, and maximum lot coverage for the Zoning District; the arrangement of the additional dwelling is in such a manner that if the lot were to be subdivided, a nonconforming lot would not be created; and the additional dwelling has access to a public street by a passage that is at least fifteen (15) wide.

The property is currently vacant.

Once the property is rezoned to A-1, all uses listed under Section 35-178 are a permitted use.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Agricultural and Rural Residential.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District, and RC-1, Residential Combined Suburban Subdivision District, zoned properties.

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-008, submitted by Robert and Barbie Eanes, requesting to rezone 7.41 acres located on State Road 718/Snakepath Road, in the Chatham-Blairs Election District and shown on the Tax Maps as GPIN # 2434-10-4406. The subject property is adjacent to properties currently zoned A-1, Agricultural District, and the rezoning would be consistent with the Comprehensive Plan.

Attachment: R-22-008 Robert & Barbie Eanes App (3219 : Public Hearing: Case R-22-008 Robert and Barbie Eanes)

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-008 as submitted.
2. Recommend denial of Case R-22-008 as submitted.

ATTACHMENTS:

- A. Application
- B. Maps
- C. Letter of Intent
- D. Executive Summary
- E. Petition
- F. Sign Affidavit
- G. Adjacent Parcel Owners

PITTSYLVANIA COUNTY
APPLICATION FOR REZONING

We, Robert W & Barbie H Eanes, as owners of the below described property, hereby apply to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

1. Property Owner's Name: Robert W & Barbie H Eanes
Address: 529 Blairs Circle, Blairs, VA 24527

2. Location of Property: State Road 718 /Snakepath Road

Telephone: 434-432-7755

3. Tax Map Numbers: 2434-10-4406

4. Election District: Chatham-Blairs

Total Amount: \$351.31

Taken By: check # 159
RSF

5. Size of Properties: 7.41 acres

6. Existing Land Use: Vacant

Existing Zoning: RC-1, Residential Combined Subdivision District

7. Proposed Land Use: Construction of two dwellings

Proposed Zoning: A-1, Agricultural District

8. Are conditions being proffered: Yes X No

9. Check completed items:

- | | | |
|------------------------------------|--|--|
| <u> X </u> Letter of Application | <u> X </u> Site Development Plan or Waiver | <u> X </u> Legal Forms |
| <u> </u> 11"x 17" Concept Plan | <u> X </u> Application Fee | <u> X </u> List of Adjoining Properties |
| <u> X </u> Plat Map | <u> </u> Copy of Deed | <u> </u> Copy of Deed Restrictions Or Covenants |

Through application for this permit, the owner authorizes a right-of-entry to the designated personnel of Pittsylvania County for the purpose of site evaluation and monitoring for compliance with the Pittsylvania County Zoning Ordinance.


Barbie Eanes

OFFICE USE ONLY
Application Deadline: 03/31/22
Received By: ESR
B.O.S. Meeting Date: 06/21/22

Application No. R-22-008
P.C. Meeting Date: 05/03/22
Date Received: 3/14/22
Action: _____

Attachment: R-22-008 Robert & Barbie Eanes App (3219 : Public Hearing: Case R-22-008 Robert and Barbie Eanes)

**VIRGINIA:
BEFORE THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY**

7.41 acres of land,)
generally located on State Road 718/)
Snakepath Road within the Chatham-Blairs)
Election District, and recorded as parcel)
ID# 2434-10-4406 on the Pittsylvania)
County tax records)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioners, Robert W & Barbie H Eanes, respectfully file this petition pursuant to Sections 35-806 and 35-807 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

- (1) The Petitioners are the Owners of the above-referenced parcel.
- (2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as RC-1, Residential Combined Subdivision District.
- (3) Your petitioners now desire to have the property rezoned to A-1, Agricultural District.

WHEREFORE, your Petitioners respectfully request that the Zoning Ordinance of Pittsylvania County be amended and that the above-referenced parcel of land be rezoned as set out in Number 3.

FURTHER, your Petitioners respectfully request that this petition be referred by the Director of Community Development to the Pittsylvania County Planning Commission for its consideration and recommendation.

Respectfully submitted,


Barbie Eanes

Attachment: R-22-008 Robert & Barbie Eanes App (3219 : Public Hearing: Case R-22-008 Robert and Barbie Eanes)

March 14, 2022

Mrs. Emily Ragsdale
Director of Community Development
P. O. Drawer D
Chatham, VA 24531

Dear Mrs. Ragsdale:

We, Robert W & Barbie H Eanes, as owners, would like to apply to the Planning Commission/Board of Supervisors to rezone 7.41 acres, GPIN # 2434-10-4406, on State Road 718/Snakepath Road in the Chatham-Blairs Election District.

We are requesting to rezone this parcel from RC-1, Residential Combined Subdivision District to A-1, Agricultural District, to allow for construction of two dwellings.

Sincerely,


Barbie Eanes

Attachment: R-22-008 Robert & Barbie Eanes App (3219 : Public Hearing: Case R-22-008 Robert and Barbie Eanes)



OFFICE OF COMMUNITY DEVELOPMENT
P.O. DRAWER D
Chatham, Virginia 24531
(434) 432-1771

SIGN AFFIDAVIT

Sec. 35-817. POSTING OF PROPERTY - PLANNING COMMISSION HEARING-

At least fourteen (14) days preceding the Commission's public hearing on a zoning map amendment, there shall be erected on the property proposed to be rezoned, a sign or signs provided by the Zoning Administrator indicating the date, time, and place of the public hearing. The sign shall be erected within ten (10) feet of whatever boundary line of such land abuts a public road and shall be so placed as to be clearly visible from the road with the bottom of the sign not less than two and one-half (2 1/2) feet above the ground. If more than one (1) such road abuts the property, then a sign shall be erected in the same manner as above for each such abutting road. If no public road abuts thereon, then signs shall be erected in the same manner as above on at least two (2) boundaries of the property abutting land not owned by the applicant.

Sec. 35-818. POSTING OF PROPERTY - BOARD OF SUPERVISORS HEARING-

When a public hearing has been scheduled before the Board of Supervisors for a Zoning Map amendment, there shall be erected, at least fourteen (14) days preceding such hearing, a sign or signs provided by the Zoning Administrator indicating the date, time and place of the public hearing. Such sign or signs shall be erected in the same manner as prescribed in Section 35-817 above.

Sec. 35-819. MAINTENANCE AND REMOVAL OF SIGNS.

Any sign erected in compliance with this section shall be maintained at all times by the applicant up to the time of the hearing. It shall be unlawful for any person, except the applicant or the Zoning Administrator or an authorized agent of either, to remove or tamper with any sign furnished during the period it is required to be maintained under this Section. All signs erected under this Section shall be removed by the applicant within fourteen (14) days following the public hearing for which it was erected.

I have read and understand Sections 35-817, 35-818, and 35-819 of the Pittsylvania County Zoning Ordinance. I understand it is my responsibility to post, maintain and remove this/these sign or signs, according to Section 35-817, Section 35-818, and 35-819. If this sign is removed or destroyed, I understand it is my responsibility to obtain another sign from the Zoning office, post the property and maintain the sign(s), according to the above Sections of the Pittsylvania County Zoning Ordinance.

Should the property not be posted and the sign(s) maintained as required above, I understand the board may defer the case.

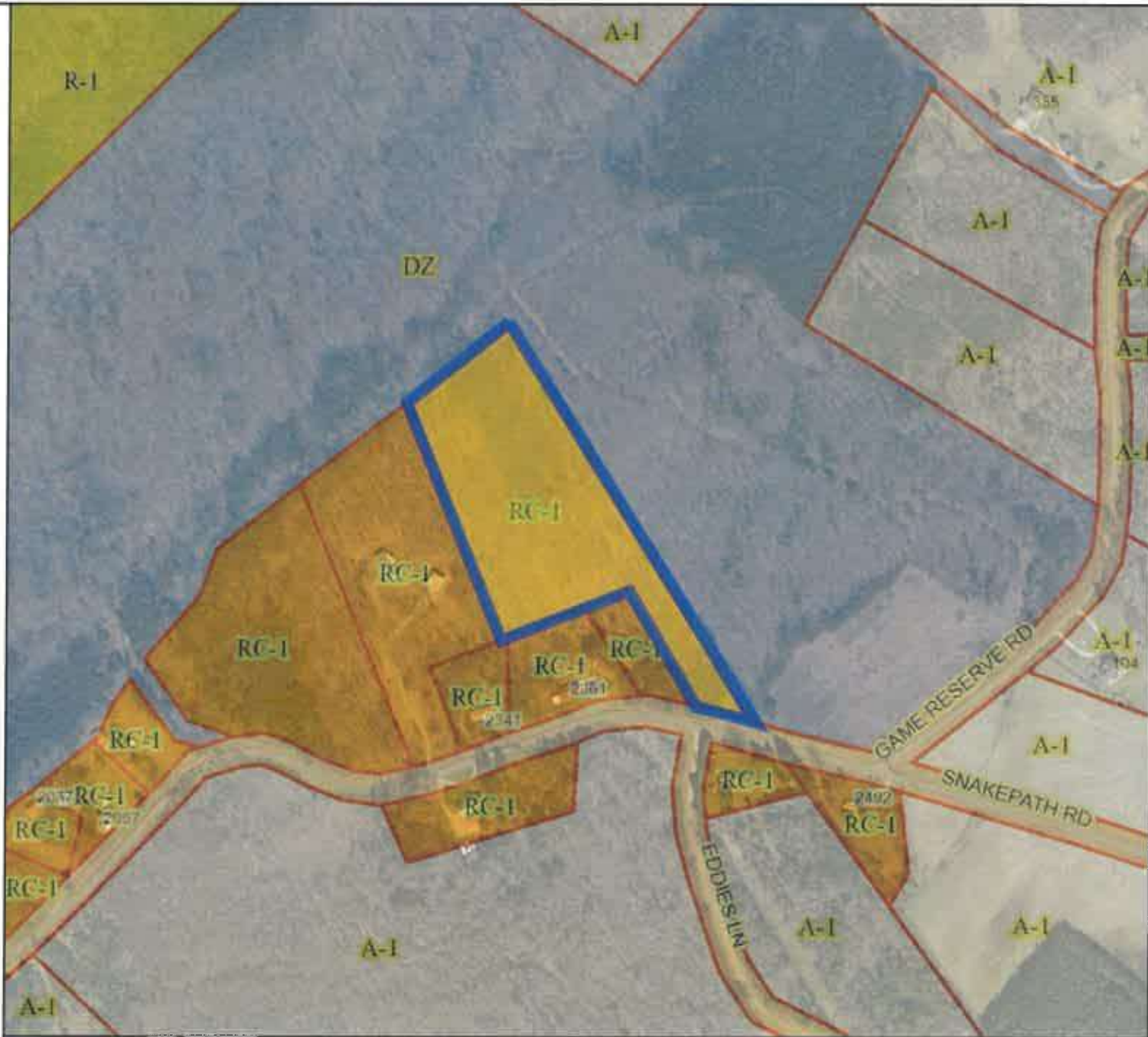
Case R-22-008 Applicant Barbie Eanes Date 3/14/2022

Attachment: R-22-008 Robert & Barbie Eanes App (3219 : Public Hearing: Case R-22-008 Robert and Barbie Eanes)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
2434-10-4055	DICHELLO, LOUIS O LIFE TENANT	2341 SNAKEPATH RD	BLAIRS, VA 24527
2433-19-2795	LOEB, BRIAN KEITH	P.O. BOX 286	BLAIRS, VA 24527
2433-19-8746	ZIELINSKI, MARTIN THOMAS	141 EDDIES LANE	BLAIRS, VA 24527
2434-10-0759	BILGRAV, DOUGLAS C SR	174 WOODCREEK DR	BLAIRS, VA 24527
2433-36-0963	OWEN, HUNTER EDDIE ET ALS	1832 TRAVIS LANE	BURLINGTON, NC 27217
2434-10-2012	WILLIAMS, DENISE ELIZABETH DICHELLO	2361 SNAKEPATH ROAD	BLAIRS, VA 24527
2434-10-0313	KISTLER, CHADWICK L	2261 SNAKEPATH RD	BLAIRS, VA 24527

Legend

- Assessed Parcels
- Parcels
- Zoning**
- Unknown
- A-1 = Agricultural District
- B-1 = Business District, Limited
- B-2 = Business District, General
- C-1 = Conservation District
- DZ = Double Zoned Parcels
- M-1 = Industrial District, Light Industry
- M-2 = Industrial District, Heavy Industry
- MHP = Residential Manuf. Housing Park District
- R-1 = Residential Suburban Subdivision District
- RC-1 = Residential Combined Subdivision District
- RE = Residential Estates District
- RMF = Residential Multi-Family Subdivision District
- RPD = Residential Planned Development District
- TZ = Town Zoning
- UK = Unknown
- County Boundary

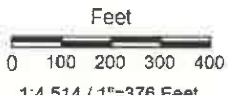


Title:

Date: 3/14/2022

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Pittsylvania County is not responsible for its accuracy or how current it may be.

Attachment: R-22-008 Robert & Barbie Eanes Map (3219 : Public Hearing: Case R-22-008 Robert and Barbie Eanes)





**Board of Supervisors
EXECUTIVE SUMMARY**

ACTION ITEM

Agenda Title:	Public Hearing: Case R-22-009; Ronnie Warren; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. The Planning Commission recommended, by a 7-0 vote, with no opposition, that the Petitioner's request be granted. (Supervisor Ingram)		
Staff Contact(s):	Emily S. Ragsdale		
Agenda Date:	June 21, 2022	Item Number:	10.A.2
Attachment(s):	R-22-009 Ronnie Warren App R-22-009 Ronnie Warren Map		
Reviewed By:	VH		

SUMMARY:

In Case R-22-009, Ronnie Warren (“Petitioner”) has petitioned to rezone 2.91 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (*to allow for an accessory structure to be placed without a dwelling on the property*). The subject property is located on State Road 622/Cascade Road, in the Tunstall Election District, and shown on the Tax Maps as GPIN # 1358-08-7268. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-178 are permitted. On May 3, 2022, the Planning Commission recommended, by a 7-0 vote, with no opposition, that the Petitioner’s request be granted. For the Board’s review, the County Staff Summary is attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends approval of Case R-22-009 as presented. The subject property is adjacent to properties currently zoned A-1, Agricultural District, and the rezoning would be consistent with the County’s Comprehensive Plan.

MOTION:

“In Case R-22-009, I make a Motion to approve the rezoning of rezone 2.91 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for an accessory structure to be placed on the property. The rezoning would be consistent with the County’s Comprehensive Plan.”

STAFF SUMMARY

<p>CASE R-22-009</p>	<p>ZONING REQUEST R-1 to A-1</p>	<p>CYCLE May 2022/June 2022</p>
<p>SUBJECT/PROPOSAL/REQUEST Ronnie Warren is requesting to rezone the property from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District.</p> <p>DISTRICT: Tunstall</p>		<p>PLANNING COMMISSION: May 3, 2022</p> <p>BOARD OF SUPERVISORS: June 21, 2022</p> <p>ADVERTISED: April 20 & 27, 2022/May 18 & 25, 2022</p>

SUBJECT

Requested by Ronnie Warren, to rezone property located on State Road 622/Cascade Road, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1358-08-7268. The applicant is requesting to rezone 2.91 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District to allow for an accessory building.

BACKGROUND/DISCUSSION

Ronnie Warren is requesting to rezone 2.91 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for the placement of an accessory structure on property without a primary structure. Pittsylvania County Code § 35-74 requires a main building to be on the property prior to the construction of an accessory building in residential districts. In order to place an accessory structure on the property without a main building, the property would need to be rezoned to A-1, Agricultural District. The applicant is proposing to use this structure for his personal use only.

The property is currently vacant.

Once the property is rezoned to A-1, all uses listed under Section 35-178 are a permitted use.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Medium and High Density Residential.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District, and R-1, Residential Suburban Subdivision District, zoned properties.

SITE DEVELOPMENT PLAN

N/A

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-009, submitted by Ronnie Warren, requesting to rezone 2.91 acres located on State Road 622/Cascade Road, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1358-08-7268. The subject property is adjacent to properties currently zoned A-1, Agricultural District, and the rezoning would be consistent with the Comprehensive Plan.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-009 as submitted.
2. Recommend denial of Case R-22-009 as submitted.

Attachment: R-22-009 Ronnie Warren App (3220 : Public Hearing: Case R-22-009 Ronnie Warren)

ATTACHMENTS:

- A. Application
- B. Maps
- C. Letter of Intent
- D. Executive Summary
- E. Petition
- F. Sign Affidavit
- G. Adjacent Parcel Owners

PITTSYLVANIA COUNTY
APPLICATION FOR REZONING

I, Ronnie G. Warren, as Owner of the below described property, hereby applies to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

1. Property Owner's Names: Ronnie G. Warren
Address: 134 Locust Dr, Cascade, VA 24069

2. Location of Property: on Cascade Rd

Telephone: (434) 429-2259

3. Tax Map Number: 1358-08-7268

4. Election District: Tunstall

Total Amount: \$329.32

Taken By: Cash

5. Size of Property: 2.91 acres

6. Existing Land Use: Vacant

Existing Zoning: R-1, Residential Suburban Subdivision District

7. Proposed Land Use: Accessory building/Garage

Proposed Zoning: A-1, Agricultural District

8. Are conditions being proffered: Yes X No

9. Check completed items:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Letter of Application | <input type="checkbox"/> Site Development Plan or Waiver | <input checked="" type="checkbox"/> Legal Forms |
| <input type="checkbox"/> 11"x 17" Concept Plan | <input checked="" type="checkbox"/> Application Fee | <input checked="" type="checkbox"/> List of Adjoining Properties |
| <input checked="" type="checkbox"/> Plat Map | <input type="checkbox"/> Copy of Deed | <input type="checkbox"/> Copy of Deed Restrictions
Or Covenants |

Through application for this permit, the owner authorizes a right-of-entry to the designated personnel of Pittsylvania County for the purpose of site evaluation and monitoring for compliance with the Pittsylvania County Zoning Ordinance.


Ronnie G. Warren

OFFICE USE ONLY
Application Deadline: 03/31/22
Received By: ESR
B.O.S. Meeting Date: 06/21/22

Application No. R-22-009
P.C. Meeting Date: 05/03/22
Date Received: 03/17/22
Action: _____

Attachment: R-22-009 Ronnie Warren App (3220 : Public Hearing: Case R-22-009 Ronnie Warren)

**VIRGINIA:
BEFORE THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY**

A 2.91 acre parcel of land,)
generally located on Cascade Rd)
within the Tunstall)
Election District, and recorded as)
parcel #1358-08-7268)
in the Pittsylvania County tax records)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Ronnie G. Warren, respectfully files this petition pursuant to Sections 35-806 and 35-807 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

- (1) The Petitioner is the Owner of the above-referenced parcel.
- (2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as R-1, Residential Suburban Subdivision District.
- (3) Your petitioner now desires to have the property rezoned to A-1, Agricultural District.

WHEREFORE, your Petitioner respectfully requests that the Zoning Ordinance of Pittsylvania County be amended and that the above-referenced parcel of land be rezoned as set out in Number 3.

FURTHER, your Petitioner respectfully requests that this petition be referred by the Director of Community Development to the Pittsylvania County Planning Commission for its consideration and recommendation.

Respectfully submitted,



Ronnie G. Warren

Attachment: R-22-009 Ronnie Warren App (3220 : Public Hearing: Case R-22-009 Ronnie Warren)

March 17, 2022

Mrs. Emily Ragsdale
Director of Community Development
P. O. Drawer D
Chatham, VA 24531

Dear Mrs. Ragsdale:

Ronnie G. Warren, as owner, would like to apply to the Planning Commission/Board of Supervisors to rezone a total of 2.91 acres, GPIN 1358-08-7268, located on Cascade Road, in the Tunstall Election District.

I am requesting to rezone the property from R-1, Residential Suburban Subdivision District to A-1, Agricultural District.

Sincerely,



Ronnie G. Warren

Attachment: R-22-009 Ronnie Warren App (3220 : Public Hearing: Case R-22-009 Ronnie Warren)



OFFICE OF COMMUNITY DEVELOPMENT
P.O. DRAWER D
Chatham, Virginia 24531
(434) 432-1771

SIGN AFFIDAVIT

Sec. 35-817. POSTING OF PROPERTY - PLANNING COMMISSION HEARING-

At least fourteen (14) days preceding the Commission's public hearing on a zoning map amendment, there shall be erected on the property proposed to be rezoned, a sign or signs provided by the Zoning Administrator indicating the date, time, and place of the public hearing. The sign shall be erected within ten (10) feet of whatever boundary line of such land abuts a public road and shall be so placed as to be clearly visible from the road with the bottom of the sign not less than two and one-half (2 1/2) feet above the ground. If more than one (1) such road abuts the property, then a sign shall be erected in the same manner as above for each such abutting road. If no public road abuts thereon, then signs shall be erected in the same manner as above on at least two (2) boundaries of the property abutting land not owned by the applicant.

Sec. 35-818. POSTING OF PROPERTY - BOARD OF SUPERVISORS HEARING-

When a public hearing has been scheduled before the Board of Supervisors for a Zoning Map amendment, there shall be erected, at least fourteen (14) days preceding such hearing, a sign or signs provided by the Zoning Administrator indicating the date, time and place of the public hearing. Such sign or signs shall be erected in the same manner as prescribed in Section 35-817 above.

Sec. 35-819. MAINTENANCE AND REMOVAL OF SIGNS.

Any sign erected in compliance with this section shall be maintained at all times by the applicant up to the time of the hearing. It shall be unlawful for any person, except the applicant or the Zoning Administrator or an authorized agent of either, to remove or tamper with any sign furnished during the period it is required to be maintained under this Section. All signs erected under this Section shall be removed by the applicant within fourteen (14) days following the public hearing for which it was erected.

I have read and understand Sections 35-817, 35-818, and 35-819 of the Pittsylvania County Zoning Ordinance. I understand it is my responsibility to post, maintain and remove this/these sign or signs, according to Section 35-817, Section 35-818, and 35-819. If this sign is removed or destroyed, I understand it is my responsibility to obtain another sign from the Zoning office, post the property and maintain the sign(s), according to the above Sections of the Pittsylvania County Zoning Ordinance.





















Should the property not be posted and the sign(s) maintained as required above, I understand the board may defer the case.

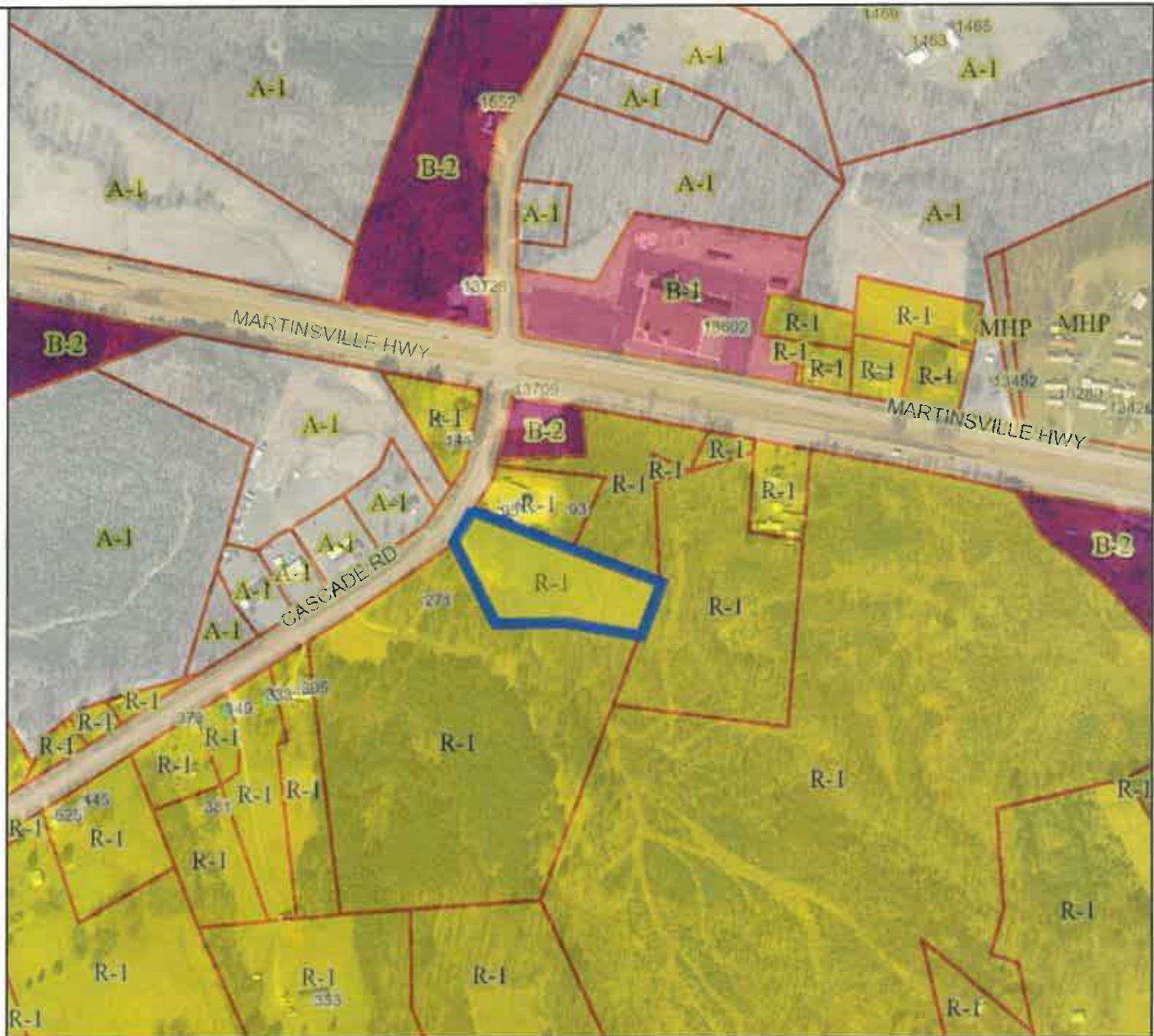
Case R-22-009 Applicant Ronnie Warren Date 3/17/22

Attachment: R-22-009 Ronnie Warren App (3220 : Public Hearing: Case R-22-009 Ronnie Warren)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
1358-08-7521	BOARD OF SUPERVISORS PITTS CO	P O BOX 426	CHATHAM, VA 24531
1358-08-9513	S R E LIMITED LIABILITY COMPANY	P O BOX 3588	DANVILLE, VA 24543
1358-08-5663	BOYD, LISA HAIRSTON	220 CASCADE ROAD	CASCADE, VA 24069
1358-08-4814	LONG, DAVID A JR	6424 WHISPERING PINES ROAD	CASCADE, VA 24069
1358-18-2119	MCMAHON, MICHAEL J ESTATE	27 THE FAIRWAY	OAK BEACH, NY 11702

Legend

-  Assessed Parcels
-  Parcels
-  Special Uses
- Zoning**
-  Unknown
-  A-1 = Agricultural District
-  B-1 = Business District, Limited
-  B-2 = Business District, General
-  C-1 = Conservation District
-  DZ = Double Zoned Parcels
-  M-1 = Industrial District, Light Industry
-  M-2 = Industrial District, Heavy Industry
-  MHP = Residential Manuf. Housing Park District
-  R-1 = Residential Suburban Subdivision District
-  RC-1 = Residential Combined Subdivision Distric
-  RE = Residential Estates District
-  RMF = Residential Multi-Family Subdivision Distric
-  RPD = Residential Planned Development District
-  TZ = Town Zoning
-  UK = Unknown
-  County Boundary



Title:

Date: 3/17/2022

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Pittsylvania County is not responsible for its accuracy or how current it may be.

Attachment: R-22-009 Ronnie Warren Map (3220 : Public Hearing: Case R-22-009 Ronnie Warren)

Feet



1:1,514 (1:15,276 Feet)



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Public Hearing: Case R-22-015; Bradley and Shannon Mceowen; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. The Planning Commission recommended, by a 7-0 vote, with no opposition, that the Petitioners' request be granted. (Supervisor Barksdale)		
Staff Contact(s):	Emily S. Ragsdale		
Agenda Date:	June 21, 2022	Item Number:	10.A.3
Attachment(s):	R-22-015 Bradley & Shannon Mceowen App R-22-015 Bradley & Shannon Mceowen Map		
Reviewed By:	VH		

SUMMARY:

In Case R-22-015, Bradley and Shannon Mceowen (“Petitioners”) have petitioned to rezone a total of 34.9 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (*to allow for agricultural uses*). The subject property is located on State Road 57/Halifax Road, in the Banister Election District, and shown on the Tax Maps as GPIN #s 2456-0198 and 2456-31-5275. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-178 are permitted. On May 3, 2022, the Planning Commission recommended, by a 7-0 vote, with no opposition, that the Petitioners’ request be granted. For the Board’s review, the County Staff Summary is attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends approval of Case R-22-015 as presented. The subject property is adjacent to properties currently zoned A-1, Agricultural District, and the rezoning would be consistent with the County’s Comprehensive Plan.

MOTION:

“In Case R-22-015, I make a Motion to approve the rezoning of a total of 34.9 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for agricultural uses. The rezoning would be consistent with the County’s Comprehensive Plan.”

STAFF SUMMARY

<p><u>CASE</u> R-22-015</p>	<p><u>ZONING REQUEST</u> R-1 to A-1</p>	<p><u>CYCLE</u> May 2022/June 2022</p>
<p><u>SUBJECT/PROPOSAL/REQUEST</u> Bradley & Shannon Mceowen are requesting to rezone the properties from R-1, Residential Suburban Subdivision District to A-1, Agricultural District.</p> <p>DISTRICT: Banister</p>	<p>PLANNING COMMISSION: May 3, 2022</p> <p>BOARD OF SUPERVISORS: June 21, 2022</p> <p>ADVERTISED: April 20 & 27, 2022, & May 18 & 25, 2022</p>	

SUBJECT

Requested by Bradley and Shannon Mceowen, to rezone property located on State Road 57/Halifax Road, in the Banister Election District and shown on the Tax Maps as part of GPIN #s 2456-0198 and 2456-31-5275. The applicants are requesting to rezone 34.9 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for agricultural uses.

BACKGROUND/DISCUSSION

Bradley and Shannon Mceowen are requesting to rezone a total of 34.9 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, so that the properties can be used for agricultural purposes.

The applicants were cited for disturbing over 10,000 square feet without a land disturbing permit. They contact the Community Development office and stated that the clearing was for agricultural purposes, exempting them from the required permit under Virginia State Code. Under the current zoning classification, agricultural uses would only be allowed as an incidental use. Section 35-51 of the Pittsylvania County Zoning Ordinance states that “incidental agricultural is permitted in any district that allows residential uses provided that such agricultural use shall not occupy over five (5) acres.” In order for entire twelve (12) acres cleared to be used for agricultural purposes, the property must be rezoned to A-1.

Once the property is rezoned to A-1, all uses listed under Section 35-178 are a permitted use.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Agricultural and Rural Residential.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District and R-1, Residential Suburban Subdivision District properties.

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-015, submitted by Bradley & Shannon Mceowen, requesting to rezone a total of 34.9 acres located off Halifax Road, in the Banister Election District and shown on the Tax Map as GPIN#s 2456-31-5275 and 2456-31-0198, to allow for agricultural purposes. The subject properties are adjacent to properties currently zoned A-1, Agricultural District and the rezoning would be consistent with the Comprehensive Plan.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-015 as submitted.
2. Recommend denial of Case R-22-015 as submitted.

Attachment: R-22-015 Bradley & Shannon Mceowen App (3221 : Public Hearing: Case R-22-015 Bradley and Shannon Mceowen)

ATTACHMENTS:

- A. Application
- B. Maps
- C. Letter of Intent
- D. Executive Summary
- E. Petition
- F. Sign Affidavit
- G. Adjacent Parcel Owners

PITTSYLVANIA COUNTY
APPLICATION FOR REZONING

We, Bradley & Shannon Mceowen, as owners of the below described properties, hereby apply to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

1. Property Owner's Names: Bradley & Shannon Mceowen
Address: 6940 Halifax Road, Chatham, VA 24531

2. Location of Property: Halifax Road

Telephone: 210-218-3889

3. Tax Map Numbers: 2456-31-5275 & 2456-31-0198

4. Election District: Banister

Total Amount: \$358.64

Taken By: check # 1004

5. Size of Property: 34.9 acres

OG 4/22/2022

6. Existing Land Use: Single Family Dwelling & Vacant lot

Existing Zoning: R-1, Residential Suburban Subdivision District

7. Proposed Land Use: Agricultural purposes


Proposed Zoning: A-1, Agricultural District

8. Are conditions being proffered: Yes X No

9. Check completed items:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Letter of Application | <input type="checkbox"/> Site Development Plan or Waiver | <input type="checkbox"/> Legal Forms |
| <input type="checkbox"/> 11"x 17" Concept Plan | <input checked="" type="checkbox"/> Application Fee | <input checked="" type="checkbox"/> List of Adjoining Properties |
| <input checked="" type="checkbox"/> Plat Map | <input type="checkbox"/> Copy of Deed | <input type="checkbox"/> Copy of Dced Restrictions Or Covenants |

Through application for this permit, the owner authorizes a right-of-entry to the designated personnel of Pittsylvania County for the purpose of site evaluation and monitoring for compliance with the Pittsylvania County Zoning Ordinance.


Bradley Mceowen

OFFICE USE ONLY
Application Deadline: 03/31/22
Received By: ESR
B.O.S. Meeting Date: 06/21/22

Application No. R-22-015
P.C. Meeting Date: 05/03/22
Date Received: 03/21/22
Action: _____

Attachment: R-22-015 Bradley & Shannon Mceowen App (3221 : Public Hearing: Case R-22-015 Bradley and Shannon Mceowen)

**VIRGINIA:
BEFORE THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY**

34.9 acres of land,)
generally located on Halifax)
Road within the Banister)
Election District, and recorded as)
parcel ID#s 2456-31-5275 & 2456-31-0198)
in the Pittsylvania County tax records)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:


WHEREAS, your Petitioners, Bradley & Shannon Mceowen, respectfully file this petition pursuant to Sections 35-806 and 35-807 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

- (1) The Petitioners are the Owners of the above-referenced parcels.
- (2) The properties are presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as R-1, Residential Suburban Subdivision District.
- (3) Your petitioner now desires to have the properties rezoned to A-1, Agricultural District.

WHEREFORE, your Petitioners respectfully requests that the Zoning Ordinance of Pittsylvania County be amended and that the above-referenced parcels of land be rezoned as set out in Number 3.

FURTHER, your Petitioners respectfully request that this petition be referred by the Director of Community Development to the Pittsylvania County Planning Commission for its consideration and recommendation.

Respectfully submitted,



Bradley Mceowen

Attachment: R-22-015 Bradley & Shannon Mceowen App (3221 : Public Hearing: Case R-22-015 Bradley and Shannon Mceowen)

April 22, 2022


Mrs. Emily Ragsdale
Director of Community Development
P. O. Drawer D
Chatham, VA 24531

Dear Mrs. Ragsdale:

We, Bradley & Shannon Mceowen, as owners, would like to apply to the Planning Commission/Board of Supervisors to rezone 34.9 acres, GPIN #s 2456-31-5275 & 2456-31-0198, located at 6940 Halifax Road, in the Banister Election District.

We are requesting to rezone these parcels from R-1, Residential Suburban Subdivision District to A-1, Agricultural District to use for agricultural purposes.

Sincerely,



Bradley Mceowen



OFFICE OF COMMUNITY DEVELOPMENT
P.O. DRAWER D
Chatham, Virginia 24531
(434) 432-1771

SIGN AFFIDAVIT

Sec. 35-817. POSTING OF PROPERTY - PLANNING COMMISSION HEARING-

At least fourteen (14) days preceding the Commission's public hearing on a zoning map amendment, there shall be erected on the property proposed to be rezoned, a sign or signs provided by the Zoning Administrator indicating the date, time, and place of the public hearing. The sign shall be erected within ten (10) feet of whatever boundary line of such land abuts a public road and shall be so placed as to be clearly visible from the road with the bottom of the sign not less than two and one-half (2 1/2) feet above the ground. If more than one (1) such road abuts the property, then a sign shall be erected in the same manner as above for each such abutting road. If no public road abuts thereon, then signs shall be erected in the same manner as above on at least two (2) boundaries of the property abutting land not owned by the applicant.

Sec. 35-818. POSTING OF PROPERTY - BOARD OF SUPERVISORS HEARING-


When a public hearing has been scheduled before the Board of Supervisors for a Zoning Map amendment, there shall be erected, at least fourteen (14) days preceding such hearing, a sign or signs provided by the Zoning Administrator indicating the date, time and place of the public hearing. Such sign or signs shall be erected in the same manner as prescribed in Section 35-817 above.

Sec. 35-819. MAINTENANCE AND REMOVAL OF SIGNS.

Any sign erected in compliance with this section shall be maintained at all times by the applicant up to the time of the hearing. It shall be unlawful for any person, except the applicant or the Zoning Administrator or an authorized agent of either, to remove or tamper with any sign furnished during the period it is required to be maintained under this Section. All signs erected under this Section shall be removed by the applicant within fourteen (14) days following the public hearing for which it was erected.

I have read and understand Sections 35-817, 35-818, and 35-819 of the Pittsylvania County Zoning Ordinance. I understand it is my responsibility to post, maintain and remove this/these sign or signs, according to Section 35-817, Section 35-818, and 35-819. If this sign is removed or destroyed, I understand it is my responsibility to obtain another sign from the Zoning office, post the property and maintain the sign(s), according to the above Sections of the Pittsylvania County Zoning Ordinance.

Should the property not be posted and the sign(s) maintained as required above, I understand the board may defer the case.

Case R-22-015 Applicant  Date 4-22-22

Attachment: R-22-015 Bradley & Shannon Mceowen App (3221 : Public Hearing: Case R-22-015 Bradley and Shannon Mceowen)

2456-22-3658	BEIMEL, LEROY W JR	BEIMEL, PAULA J	6653 HALIFAX ROAD	null	CHATHAM, VA 24531
2456-33-0481	ROGERS, WILLIAM H JR	ROGERS, JUDITH R	460 CARTER LODGE RD	null	BLAIRS, VA 24527
2456-32-7266	LOGAN, BARRY T	null	772 HICKORY RD	null	CHATHAM, VA 24531
2456-32-8256	LOGAN, BARRY T	null	772 HICKORY RD	null	CHATHAM, VA 24531
2456-40-4997	BUMGARNER, CARROLL W LII	BUMGARNER, KIRK PATTON REMAINDERMA	233 FAIRVIEW RD	null	CHATHAM, VA 24531
2456-31-8638	ECHOLS, NORRIS E	null	P O BOX 13	null	DRY FORK, VA 24549
2456-21-6164	LOGAN, JIMMIE LEE	LOGAN, SHIRLEY M	6890 HALIFAX RD	null	CHATHAM, VA 24531
2456-32-9257	WOMACK, THOMAS C	WOMACK, RAMONA L	7021 HALIFAX RD	null	CHATHAM, VA 24531
2455-39-7240	MOTLEY, NANCIE M	null	C/O WACHOVIA WEALTH MANAGEMENT	PO BOX 969 ATTN:FRANK WILSON	GREENVILLE, SC 29602

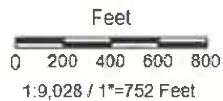
Legend

- Assessed Parcels
- Zoning**
- Unknown
- A-1 = Agricultural District
- B-1 = Business District, Limited
- B-2 = Business District, General
- C-1 = Conservation District
- DZ = Double Zoned Parcels
- M-1 = Industrial District, Light Industry
- M-2 = Industrial District, Heavy Industry
- MHP = Residential Manuf. Housing Park District
- R-1 = Residential Suburban Subdivision District
- RC-1 = Residential Combined Subdivision District
- RE = Residential Estates District
- RMF = Residential Multi-Family Subdivision District
- RPD = Residential Planned Development District
- TZ = Town Zoning
- UK = Unknown
- County Boundary



Title:

Date: 3/21/2022



DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Pittsylvania County is not responsible for its accuracy or how current it may be.



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Public Hearing: Case R-22-019; Industrial Development Authority of Pittsylvania County, Virginia; Rezoning from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry. The Planning Commission recommended, by a 7-0 vote, with no opposition, that the Petitioner's request be granted. (Supervisor Ingram)		
Staff Contact(s):	Emily S. Ragsdale		
Agenda Date:	June 21, 2022	Item Number:	10.A.4
Attachment(s):	R-22-019 IDA R-22-019 IDA Map		
Reviewed By:	VH		

SUMMARY:

In Case R-22-019, the Industrial Development Authority of Pittsylvania County, Virginia ("Petitioner") has petitioned to rezone 36.5 acres, from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, (*to allow for more intensive industrial uses*). The subject property is located on Brosville Industrial Trail, in the Tunstall Election District, and shown on the Tax Map as GPIN #1368-56-4743. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-402 are permitted. On June 7, 2022, the Planning Commission recommended, by a 7-0 vote, with no opposition, that the Petitioner's request be granted. For the Board's review, the County Staff Summary is attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends approval of Case R-22-019 as presented. The rezoning would be consistent with the County's Comprehensive Plan.

MOTION:

"In Case R-22-019, I make a Motion to approve the rezoning of rezone 36.5 acres from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, to allow for more intensive industrial uses. The rezoning would be consistent with the County's Comprehensive Plan."

STAFF SUMMARY

<p>CASE R-22-019</p>	<p>ZONING REQUEST M-1 to M-2</p>	<p>CYCLE June 2022</p>
<p>SUBJECT/PROPOSAL/REQUEST Industrial Development Authority Pittsylvania County is requesting to rezone the property from M-1, Industrial District, Light Industry to M-2, Industrial District, Heavy Industry.</p> <p>DISTRICT: Tunstall</p>		<p>PLANNING COMMISSION: June 7, 2022</p> <p>BOARD OF SUPERVISORS: June 21, 2022</p> <p>ADVERTISED: May 18 & 25, 2022</p>

SUBJECT

Requested by the Industrial Development Authority of Pittsylvania County, Virginia, to rezone property located on Brosville Industrial Trail, in the Tunstall Election District and shown on the Tax Maps as GPIN #1368-56-4743. The applicants are requesting to rezone a total of 36.5 acres, from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, to allow for more intense industrial uses.

BACKGROUND/DISCUSSION

Industrial Development Authority Pittsylvania County is requesting to rezone a total of 36.5 acres from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, to allow for more intense industrial uses.

This property is located in the Brosville Industrial Park. As economic development prospects from various manufacturing fields look for development opportunities within Pittsylvania County, the Industrial Development Authority would like to be able to offer this property for more intensive industrial uses. Without properties zoned M-2 that can be offered to prospects, the County could miss out on larger economic development opportunities.

Once the property is rezoned to M-2, all uses listed under Section 35-402 are a permitted use.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Mixed Commercial/Industrial.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District and M-1, Industrial District, Light Industry, and M-2, Industrial District, Heavy Industry, zoned properties.

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-019, submitted by Industrial Development Authority Pittsylvania County, is requesting to rezone a total of 36.5 acres located at Brosville Industrial Trail, in the Tunstall Election District and shown on the Tax Map as GPIN# 1368-56-4743, to allow for more intensive industrial uses. The subject property is adjacent to properties currently zoned M-2, Industrial District, Heavy Industry, and the rezoning would be consistent with the Comprehensive Plan.

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-019 as submitted.

Attachment: R-22-019 IDA (3222 : Public Hearing: Case R-22-019 Industrial Development Authority of Pittsylvania County, Virginia)

2. Recommend denial of Case R-22-019 as submitted.

ATTACHMENTS:

- A. Application
- B. Map
- C. Letter of Intent
- D. Executive Summary
- E. Petition
- F. Sign Affidavit
- G. Adjacent Parcel Owners

Attachment: R-22-019 IDA (3222 : Public Hearing: Case R-22-019 Industrial Development Authority of Pittsylvania County, Virginia)

PITTSYLVANIA COUNTY
APPLICATION FOR REZONING

Industrial Development Authority Pittsylvania County, as owner of the below described property, hereby apply to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

- 1. Property Owner's Name: Industrial Development Authority Pittsylvania County
Address: PO Box 1122, Chatham, VA 24531
- 2. Location of Property: Brosville Industrial Trail Telephone: 434-432-1669
- 3. Tax Map Numbers: .1368-56-4743
- 4. Election District: Tunstall Total Amount: \$0.00
Taken By: _____
- 5. Size of Property: 36.5 acres
- 6. Existing Land Use: Vacant
Existing Zoning: M-1, Industrial District, Light Industry
- 7. Proposed Land Use: To allow for more intense industrial uses
Proposed Zoning: M-2, Industrial District, Heavy Industry
- 8. Are conditions being proffered: _____ Yes X No

9. Check completed items:
- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Letter of Application | <input type="checkbox"/> Site Development Plan or Waiver | <input checked="" type="checkbox"/> Legal Forms |
| <input type="checkbox"/> 11"x 17" Concept Plan | <input checked="" type="checkbox"/> Application Fee | <input checked="" type="checkbox"/> List of Adjoining Properties |
| <input type="checkbox"/> Plat Map | <input type="checkbox"/> Copy of Deed | <input type="checkbox"/> Copy of Deed Restrictions Or Covenants |

Through application for this permit, the owner authorizes a right-of-entry to the designated personnel of Pittsylvania County for the purpose of site evaluation and monitoring for compliance with the Pittsylvania County Zoning Ordinance.


Joey Bauctle

OFFICE USE ONLY
Application Deadline: 04/28/22
Received By: ESR
B.O.S. Meeting Date: 06/21/22

Application No. R-22-019
P.C. Meeting Date: 06/07/22
Date Received: 4/28/22
Action: _____

Attachment: R-22-019 IDA (3222 : Public Hearing: Case R-22-019 Industrial Development Authority of Pittsylvania County, Virginia)

May 27, 2022

Mrs. Emily Ragsdale
Director of Community Development
P. O. Drawer D
Chatham, VA 24531

Dear Mrs. Ragsdale:

Industrial Development Authority Pittsylvania County, as owner, would like to apply to the Planning Commission/Board of Supervisors to rezone 36.5 acres, GPIN # 1368-56-4743 located at Brosville Industrial Park in the Tunstall Election District.

We are requesting to rezone this parcel from M-1, Industrial District, Light Industry to M-2, Industrial District, Heavy Industry to allow for more intense industrial uses.

Sincerely,


Joe Patricette

Attachment: R-22-019 IDA (3222 : Public Hearing: Case R-22-019 Industrial Development Authority of Pittsylvania County, Virginia)



OFFICE OF COMMUNITY DEVELOPMENT
P.O. DRAWER D
Chatham, Virginia 24531
(434) 432-1771

SIGN AFFIDAVIT

Sec. 35-817. POSTING OF PROPERTY - PLANNING COMMISSION HEARING-

At least fourteen (14) days preceding the Commission's public hearing on a zoning map amendment, there shall be erected on the property proposed to be rezoned, a sign or signs provided by the Zoning Administrator indicating the date, time, and place of the public hearing.

Sec. 35-818. POSTING OF PROPERTY - BOARD OF SUPERVISORS HEARING-

When a public hearing has been scheduled before the Board of Supervisors for a Zoning Map amendment, there shall be erected, at least fourteen (14) days preceding such hearing, a sign or signs provided by the Zoning Administrator indicating the date, time and place of the public hearing.

Sec. 35-819. MAINTENANCE AND REMOVAL OF SIGNS.

Any sign erected in compliance with this section shall be maintained at all times by the applicant up to the time of the hearing. It shall be unlawful for any person, except the applicant or the Zoning Administrator or an authorized agent of either, to remove or tamper with any sign furnished during the period it is required to be maintained under this Section.

I have read and understand Sections 35-817, 35-818, and 35-819 of the Pittsylvania County Zoning Ordinance. I understand it is my responsibility to post, maintain and remove this/these sign or signs, according to Section 35-817, Section 35-818, and 35-819.

Should the property not be posted and the sign(s) maintained as required above, I understand the board may defer the case.

Case R-22-019 Applicant Matthew D. Rowe Date 6/2/2022

Attachment: R-22-019 IDA (3222 : Public Hearing: Case R-22-019 Industrial Development Authority of Pittsylvania County, Virginia)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
1368-47-1081	ADAMS, PHYLLIS LIFE TENANT ET ALS	600 OAKWOOD DR	DANVILLE, VA 24541
1368-65-2710	WILKINS, L HAMPTON	428 PINEY FOREST RD	DANVILLE, VA 24540
1368-66-4226	LEWIS & NEWTON DEVELOPMENT LLC	390 BROSVILLE DEVELOPMENT, LLC	DANVILLE, VA 24541
1368-65-0336	PITTSYLVANIA COUNTY VA	P O BOX 426	CHATHAM, VA 24531
1368-48-5242	ADAMS, HOWARD GLEN	40 RADER ST #303	NORFOLK, VA 23510
1368-68-4079	DAVIS, RONNIE W	991 CHARMING RD	DANVILLE, VA 24541

IDA R-22-019

Legend

- Assessed Parcels
- Parcels
- Zoning**
- Unknown
- A-1 = Agricultural District
- B-1 = Business District, Limited
- B-2 = Business District, General
- C-1 = Conservation District
- DZ = Double Zoned Parcels
- M-1 = Industrial District, Light Industry
- M-2 = Industrial District, Heavy Industry
- MHP = Residential Manuf. Housing Park District
- R-1 = Residential Suburban Subdivision District
- RC-1 = Residential Combined Subdivision District
- RE = Residential Estates District
- RMF = Residential Multi-Family Subdivision District
- RPD = Residential Planned Development District
- TZ = Town Zoning
- UK = Unknown
- County Boundary



Title:

Date: 5/16/2022

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Pittsylvania County is not responsible for its accuracy or how current it is.





Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Public Hearing: Case R-22-023; Industrial Development Authority of Pittsylvania County, Virginia; Rezoning from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry. The Planning Commission recommended, by a 7-0 vote, with no opposition, that the Petitioner's request be granted. (Supervisor Chesher)		
Staff Contact(s):	Emily		
Agenda Date:	June 21, 2022	Item Number:	10.A.5
Attachment(s):	R-22-023 IDA R-22-023 IDA Map		
Reviewed By:			

SUMMARY:

In Case R-22-023, the Industrial Development Authority of Pittsylvania County, Virginia ("Petitioner"), has petitioned to rezone 51.04 acres from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry (*to allow for more intensive industrial uses*). The subject property is located on State Road 1299/Cane Creek Parkway, in the Dan River Election District, and shown on the Tax Map as GPIN #2347-69-4959. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-402 are permitted. On June 7, 2022, the Planning Commission recommended, by a 7-0 vote, with no opposition, that the Petitioner's request be granted. For the Board's review, the County Staff Summary is attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends approval of Case R-22-023 as presented. The rezoning would be consistent with the County's Comprehensive Plan.

MOTION:

"In Case R-22-019, I make a Motion to approve the rezoning of rezone 51.04 acres from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, to allow for more intensive industrial uses. The rezoning would be consistent with the County's Comprehensive Plan."

STAFF SUMMARY

<p><u>CASE</u> R-22-023</p>	<p><u>ZONING REQUEST</u> M-1 to M-2</p>	<p><u>CYCLE</u> June 2022</p>
<p><u>SUBJECT/PROPOSAL/REQUEST</u> Industrial Development Authority Pittsylvania County is requesting to rezone the property from M-1, Industrial District, Light Industry to M-1, Industrial District, Heavy Industry.</p> <p>DISTRICT: Dan River</p>	<p>PLANNING COMMISSION: June 7, 2022</p> <p>BOARD OF SUPERVISORS: June 21, 2022</p> <p>ADVERTISED: May 18 & 25, 2022</p>	

SUBJECT

Requested by the Industrial Development Authority of Pittsylvania County, Virginia, to rezone property located on State Road 1299/Cane Creek Parkway, in the Dan River Election District and shown on the Tax Maps as GPIN #2347-69-4959. The applicants are requesting to rezone a total of 51.04 acres, from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, to allow for more intense industrial uses.

BACKGROUND/DISCUSSION

Industrial Development Authority Pittsylvania County is requesting to rezone a total of 51.04 acres from M-1, Industrial District, Light Industry, to M-2, Industrial District, Heavy Industry, to allow for more intense industrial uses.

This property is located in the Cane Creek Industrial Park. As economic development prospects from various manufacturing fields look for development opportunities within Pittsylvania County, the Industrial Development Authority would like to be able to offer this property for more intensive industrial uses. Without properties zoned M-2 that can be offered to prospects, the County could miss out on larger economic development opportunities.

Once the property is rezoned to M-2, all uses listed under Section 35-402 are a permitted use.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Industrial and Medium to High Density Residential.

ZONING AND CURRENT USE OF SURROUNDING PROPERTIES

Adjacent to A-1, Agricultural District and M-1, Industrial District, Light Industry, and R-1, Residential Suburban Subdivision District zoned properties.

RECOMMENDATION

Staff recommends APPROVAL of Case R-22-023, submitted by Industrial Development Authority Pittsylvania County, is requesting to rezone a total of 51.04 acres located at State Road 1299/Cane Creek Parkway, in the Dan River Election District and shown on the Tax Map as GPIN# 2347-69-4959, to allow for more intensive industrial uses. The rezoning would be consistent with the Comprehensive Plan.

Attachment: R-22-023 IDA (3223 : Public Hearing: Case R-22-023 Industrial Development Authority of Pittsylvania County, Virginia)

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-023 as submitted.
2. Recommend denial of Case R-22-023 as submitted.

ATTACHMENTS:

- A. Application
- B. Map
- C. Letter of Intent
- D. Executive Summary
- E. Petition
- F. Sign Affidavit
- G. Adjacent Parcel Owners

PITTSYLVANIA COUNTY
APPLICATION FOR REZONING

Industrial Development Authority Pittsylvania County, as owner of the below described property, hereby apply to the Pittsylvania County Board of Supervisors to amend the Pittsylvania County Zoning Maps as hereinafter described:

- 1. Property Owner's Name: Industrial Development Authority Pittsylvania County
Address: PO Box 1122, Chatham, VA 24531
- 2. Location of Property: State Road 1299/Cane Creek Parkway Telephone: 434-432-1669
- 3. Tax Map Numbers: 2347-69-4959
- 4. Election District: Dan River Total Amount: \$0.00
Taken By: _____
- 5. Size of Property: 51.04 acres
- 6. Existing Land Use: Vacant
Existing Zoning: M-1, Industrial District, Light Industry
- 7. Proposed Land Use: To allow for more intense industrial uses
Proposed Zoning: M-2, Industrial District, Heavy Industry
- 8. Are conditions being proffered: _____ Yes X No

9. Check completed items:
- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Letter of Application | <input type="checkbox"/> Site Development Plan or Waiver | <input checked="" type="checkbox"/> Legal Forms |
| <input type="checkbox"/> 11"x 17" Concept Plan | <input checked="" type="checkbox"/> Application Fee | <input checked="" type="checkbox"/> List of Adjoining Properties |
| <input type="checkbox"/> Plat Map | <input type="checkbox"/> Copy of Deed | <input type="checkbox"/> Copy of Deed Restrictions
Or Covenants |

Through application for this permit, the owner authorizes a right-of-entry to the designated personnel of Pittsylvania County for the purpose of site evaluation and monitoring for compliance with the Pittsylvania County Zoning Ordinance.


Joey Faccetta

OFFICE USE ONLY
Application Deadline: 04/28/22
Received By: ESR
B.O.S. Meeting Date: 06/21/22

Application No. R-22-023
P.C. Meeting Date: 06/07/22
Date Received: 4/28/22
Action: _____

Attachment: R-22-023 IDA (3223 : Public Hearing: Case R-22-023 Industrial Development Authority of Pittsylvania County, Virginia)

**VIRGINIA:
BEFORE THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY**

51.04 acres of land, generally located)
at State Road 1299/Cane Creek Parkway)
within the Dan River Election District and)
Recorded as parcel ID # 2347-69-4959)
on the Pittsylvania County tax records)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Industrial Development Authority Pittsylvania County, respectfully file this petition pursuant to Sections 35-806 and 35-807 of the Pittsylvania County Zoning Ordinance and in accordance with the Code of Virginia, 1950, as amended, and would respectfully show the following:

- (1) The Petitioner is the Owner of the above-referenced parcel.
- (2) The property is presently zoned under the provisions of the Pittsylvania County Zoning Ordinance as M-1, Industrial District, Light Industry.
- (3) Your petitioner now desires to have the property rezoned to M-2, Industrial District, Heavy Industry.

WHEREFORE, your Petitioner respectfully requests that the Zoning Ordinance of Pittsylvania County be amended and that the above-referenced parcel of land be rezoned as set out in Number 3.

FURTHER, your Petitioner respectfully requests that this petition be referred by the Director of Community Development to the Pittsylvania County Planning Commission for its consideration and recommendation.

Respectfully submitted,

Joey Faucette

May 27, 2022

Mrs. Emily Ragsdale
Director of Community Development
P. O. Drawer D
Chatham, VA 24531

Dear Mrs. Ragsdale:

Industrial Development Authority Pittsylvania County, as owner, would like to apply to the Planning Commission/Board of Supervisors to rezone 51.04 acres, GPIN # 2347-69-4959 located at State Road 1299/Cane Creek Parkway in the Dan River Election District.

We are requesting to rezone this parcel from M-1, Industrial District, Light Industry to M-2, Industrial District, Heavy Industry to allow for more intense industrial uses.

Sincerely,


Joey Dauterive

Attachment: R-22-023 IDA (3223 : Public Hearing: Case R-22-023 Industrial Development Authority of Pittsylvania County, Virginia)



OFFICE OF COMMUNITY DEVELOPMENT
P.O. DRAWER D
Chatham, Virginia 24531
(434) 432-1771

SIGN AFFIDAVIT

Sec. 35-817. POSTING OF PROPERTY - PLANNING COMMISSION HEARING-

At least fourteen (14) days preceding the Commission's public hearing on a zoning map amendment, there shall be erected on the property proposed to be rezoned, a sign or signs provided by the Zoning Administrator indicating the date, time, and place of the public hearing. The sign shall be erected within ten (10) feet of whatever boundary line of such land abuts a public road and shall be so placed as to be clearly visible from the road with the bottom of the sign not less than two and one-half (2 1/2) feet above the ground. If more than one (1) such road abuts the property, then a sign shall be erected in the same manner as above for each such abutting road. If no public road abuts thereon, then signs shall be erected in the same manner as above on at least two (2) boundaries of the property abutting land not owned by the applicant.

Sec. 35-818. POSTING OF PROPERTY - BOARD OF SUPERVISORS HEARING-

When a public hearing has been scheduled before the Board of Supervisors for a Zoning Map amendment, there shall be erected, at least fourteen (14) days preceding such hearing, a sign or signs provided by the Zoning Administrator indicating the date, time and place of the public hearing. Such sign or signs shall be erected in the same manner as prescribed in Section 35-817 above.

Sec. 35-819. MAINTENANCE AND REMOVAL OF SIGNS.

Any sign erected in compliance with this section shall be maintained at all times by the applicant up to the time of the hearing. It shall be unlawful for any person, except the applicant or the Zoning Administrator or an authorized agent of either, to remove or tamper with any sign furnished during the period it is required to be maintained under this Section. All signs erected under this Section shall be removed by the applicant within fourteen (14) days following the public hearing for which it was erected.

I have read and understand Sections 35-817, 35-818, and 35-819 of the Pittsylvania County Zoning Ordinance. I understand it is my responsibility to post, maintain and remove this/these sign or signs, according to Section 35-817, Section 35-818, and 35-819. If this sign is removed or destroyed, I understand it is my responsibility to obtain another sign from the Zoning office, post the property and maintain the sign(s), according to the above Sections of the Pittsylvania County Zoning Ordinance.

Should the property not be posted and the sign(s) maintained as required above, I understand the board may defer the case.

Case R-22-023 Applicant Matthew D. Rowe Date 6/2/2022

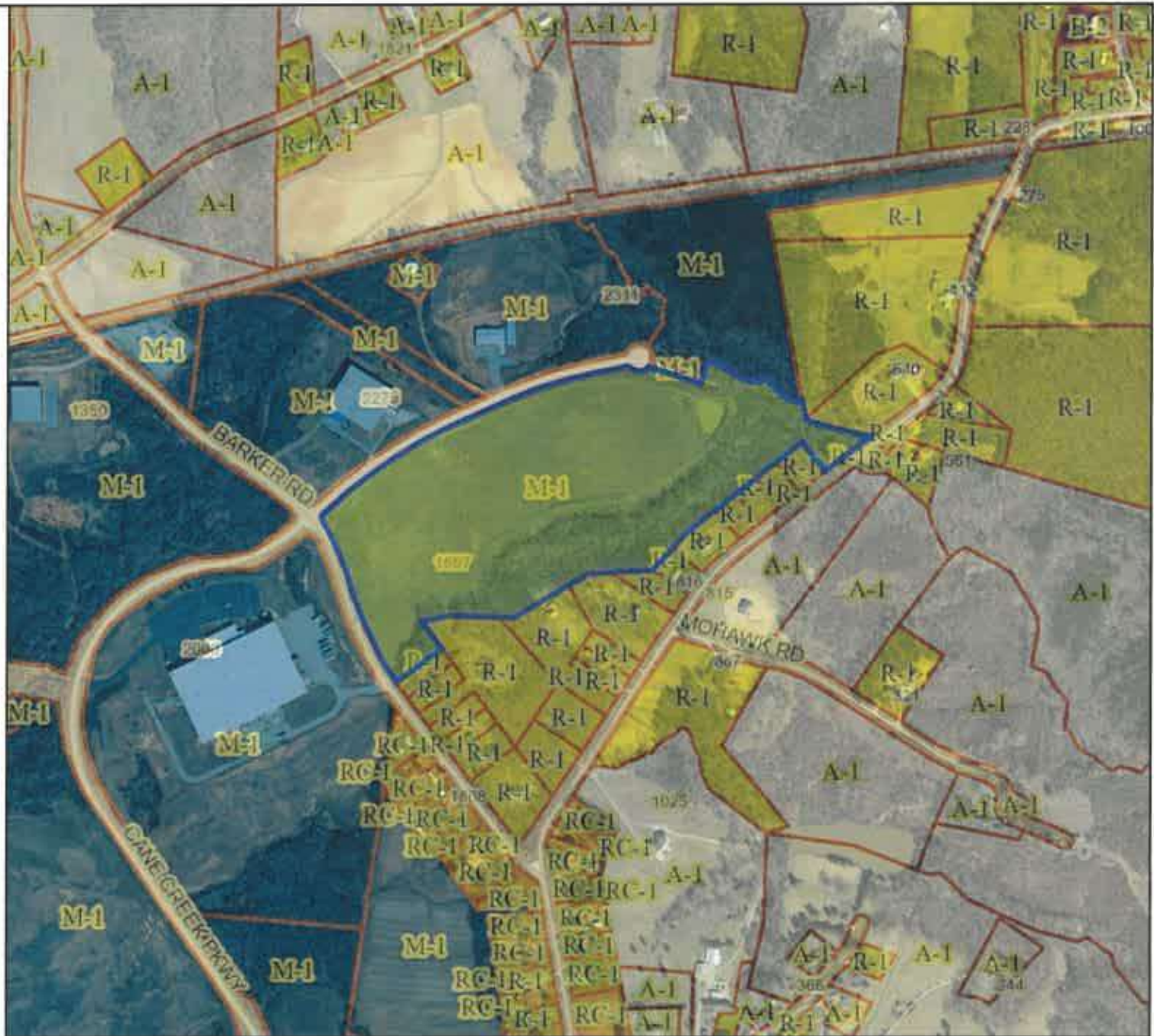
Attachment: R-22-023 IDA (3223 : Public Hearing: Case R-22-023 Industrial Development Authority of Pittsylvania County, Virginia)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
2348-40-5437	AXXOR NA LLC	2275 CANE CREEK PARKWAY	RINGGOLD, VA 24586
2347-39-1745	INDUSTRIAL DEVELOPMENT AUTHORITY OF DANVILLE VA	P O BOX 3300	DANVILLE, VA 24543
2347-69-9667	HEAD, ROBERT W JR	816 RINGGOLD RD	RINGGOLD, VA 24586
2347-69-8513	RICHARDSON, DENNIS G	800 RINGGOLD ROAD	RINGGOLD, VA 24586
2348-70-4045	FORD BROTHERS LLC	P O BOX 72	BLAIRS, VA 24527
2348-70-7883	DAVIS, DOROTHY R	412 RINGGOLD RD.	RINGGOLD, VA 24586
2347-48-2743	ELKAY PLUMBING PRODUCTS COMPANY	13333 BUTTERFIELD RD	DOWNERS GROVE, IL 60515
2347-69-4299	DEHART, DANIEL CHRISTOPHER	896 RINGGOLD RD	RINGGOLD, VA 24586
2348-50-9779	INDUSTRIAL DEV AUTH OF PITTS CO VA	PO BOX 110263	RESEARCH TRI PK, NC 27709
2347-69-1170	WILKERSON, MILDRED BOYD	4300 RINGGOLD CHURCH RD	RINGGOLD VA 24586
2347-58-7987	BURNER, LARRY W	1793 BARKER RD	RINGGOLD, VA 24586
2348-70-8318	DAVIS, LARRY W	540 RINGGOLD RD	RINGGOLD, VA 24586
2347-79-1810	FOWLER, CLINTON A JR	804 ALYSUM CT	SAN LUIS OBISPO, CA 93401
2347-69-6475	MOTLEY, DENNIS WAYNE	1960 BARKER ROAD	RINGGOLD, VA 24586
2347-58-4945	MARTIN, JOHN W	1773 BARKER RD	RINGGOLD, VA 24586

R-22-023 IDA

Legend

- ▣ Assessed Parcels
- ▣ Parcels
- Zoning**
- Unknown
- A-1 = Agricultural District
- B-1 = Business District, Limited
- B-2 = Business District, General
- C-1 = Conservation District
- DZ = Double Zoned Parcels
- M-1 = Industrial District, Light Industry
- M-2 = Industrial District, Heavy Industry
- MHP = Residential Manuf. Housing Park District
- R-1 = Residential Suburban Subdivision District
- RC-1 = Residential Combined Subdivision District
- RE = Residential Estates District
- RMF = Residential Multi-Family Subdivision District
- RPD = Residential Planned Development District
- TZ = Town Zoning
- UK = Unknown
- County Boundary



Title:

Date: 5/16/2023

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Pittsylvania County is not responsible for its accuracy or how current it is.



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Public Hearing: Revisions to PCC Chapter 4 (Erosion and Sediment Control); (Staff Contact: Emily S. Ragsdale)		
Staff Contact(s):	Emily S. Ragsdale		
Agenda Date:	June 21, 2022	Item Number:	10.B.1
Attachment(s):	06-21-2022 PCC Ch. 4 - Erosion and Sediment Control Chapter 4 - Third-Party Inspections		
Reviewed By:	VH		

SUMMARY:

Virginia Code § 62.1-44.15.1 requires any locality that has chosen not to establish a Virginia Erosion and Stormwater Management Program to adopt and administer a Virginia Erosion and Sediment Control Program. As the number of large utility scale solar energy facilities under construction in the County continues to grow, it has become exceedingly difficult for the Erosion and Sediment Control Program Administrator to maintain the required biweekly inspections. Therefore, County Community Development Staff is recommending that Pittsylvania County Code (“PCC”) Chapter 4 be revised to require a third-party inspector be utilized for these Projects that will be paid for by the developer. Accordingly, for the Board’s review and consideration, said proposed PCC revisions are attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

Following conducting the legally required Public Hearing, County Community Development Staff recommends the Board approve the PCC Chapter 4 revisions as attached and presented.

MOTION:

“I make a Motion to approve the PCC Chapter 4 revisions as attached and presented.”

PUBLIC HEARING NOTICE

The Pittsylvania County Board of Supervisors will hold a Public Hearing at 7:00 p.m. on Tuesday, June 21, 2022, at the Board Meeting Room, 39 Bank Street, Chatham, Virginia 24531, to receive citizen input on proposed revisions to Pittsylvania County Code, Chapter 4, Erosion and Sediment Control. A complete copy of the proposed revisions is available at the Pittsylvania County Administrator’s Office, 1 Center Street, Chatham, Virginia 24531, Monday through Friday, 8:00 a.m. to 5:00 p.m., as well as on the County’s website at www.pittsylvaniacountyva.gov.

Attachment: 06-21-2022 PCC Ch. 4 - Erosion and Sediment Control (3224 : Public Hearing: Revisions to PCC Chapter 4 (Erosion and Sediment

PITTSYLVANIA COUNTY CODE
CHAPTER 4
BUILDINGS

Article I.

General Considerations

- § 4-1. Permit and Inspection Fees
- § 4-2. Inspection
- § 4-3. Penalties for Violation
- § 4-4. Severability of Provisions
- § 4-5. Statewide Building Code
- § 4-6. Construction of Open Air Theaters

Article II.

Erosion and Sedimentation Control

- § 4-7. Generally
- § 4-8. Purpose
- § 4-9. Application
- § 4-10. Definitions
- § 4-11. Purpose of Chapter
- § 4-12. Regulations
- § 4-13. Land Disturbing Activities
- § 4-14. Program Administrator
- § 4-15. Designation of Plan Approving Authority

Attachment: Chapter 4 - Third-Party Inspections (3224 : Public Hearing: Revisions to PCC Chapter 4 (Erosion and Sediment Control))

- § 4-16. Designation of Enforcement Authority
- § 4-17. Approval of Plans and Issuance of Permits
- § 4-18. Fees Required
- § 4-19. Review by the Board of Supervisors
- § 4-20. Enforcement and Penalties

Article III.

Removal, Repair or Securing of Dangerous Structures

- § 4-30. Definitions
- § 4-31. Owner’s Responsibilities
- § 4-32. Notices to Owners and Lien Holders
- § 4-33. Service of Notice
- § 4-34. Application for Appeal
- § 4-35. Securing, Repairs or Removal of Dangerous Buildings; Action by County
- § 4-36. Extension of Time
- § 4-37. Additional Authority

CHAPTER 4 BUILDINGS

An Ordinance to establish a schedule of permit and inspection fees under the County Building Ordinance and to make the penalty provision to conform to state law.

BE IT ENACTED THAT THE COUNTY BUILDING ORDINANCE BE AMENDED AS FOLLOWS:

Article I.

General Considerations

SEC. 4-1. PERMIT AND INSPECTION FEES.

The Board of Supervisors of Pittsylvania County shall set permit and Inspection Fees by schedule which is adopted annually by the Pittsylvania County Board of Supervisors during their budget process and incorporated in the annual budget resolution. **(B.S.M. 10-16-12)**

SEC. 4-2. INSPECTION.

Inspection Notice- It shall be the duty of the Contractor to notify the Building Inspection Department when any portion of his installation is installed in a building or any part thereof, and such work is ready for inspection. The request for inspection shall be made before 2:00 p.m. on the day preceding the day of the requested inspection. The Contractor requesting the inspection shall state the time of day that his work will be ready for inspection, and the inspection shall be made as near the time stated as practicable.

SEC. 4-3. PENALTIES FOR VIOLATION.

Any persons, firm or corporation, whether as principal agent employed or otherwise, who shall violate a provision of the Basic Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Building Official, or of a permit or certificate issued under the provisions of the Basic Code, shall be guilty of a misdemeanor. Such an offense shall be punishable by a fine of not more than one thousand (\$1,000.00) dollars. **(B.S.M. 6/28/88)**

SEC. 4-4. SEPARABILITY OF PROVISIONS.

It is the intention of the Board of Supervisors that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Board of Supervisors that if any provision of this ordinance be declared invalid; all other provisions thereof remain valid and enforceable.

SEC. 4-5. STATEWIDE BUILDING CODE.

A copy of the Virginia Uniform Statewide Building Code is on file in the Clerk's Office in the Circuit Court of Pittsylvania County, Chatham, Virginia, where it is open for inspection between the

hours of 9:00 a.m. and 5:00 p.m. on Monday through Friday each week. The said clerk will provide information as to where additional copies may be obtained.

(B.S.M. 12-7-60, 11-5-73)

SEC. 4-6. CONSTRUCTION OF OPEN-AIR THEATERS.

No open-air theaters shall be constructed in Pittsylvania County, Virginia, unless the owner, manager, or operator has first secured a written permit for the same from the Board of Supervisors of Pittsylvania County, Virginia.

Such owner, operator or manager shall make written application to the Clerk of the Board of Supervisors for said permit and at the same time deposit with said Clerk a fee of ten (\$10.00) dollars to defray the costs of the inspection and issuance of the permit.

The Clerk of the Board of Supervisors shall transmit the written application to the Sheriff of Pittsylvania County forth-with: It shall be the duty of the Sheriff to make a personal inspection of the premises including buildings or structures thereon and he shall determine that the screen of said open-air theater is so constructed that the picture, performance, exhibition or display thereon is not visible from the public highway in the area near or adjacent to said open-air theater, if the said screen has not been so constructed at the time of the Sheriff's inspection the inspection shall be continued and shall not be ended until the screen has been so constructed and approved by him.

After the Sheriff has completed his inspection he shall report in writing to the Clerk of the Board of Supervisors that he has inspected said premises and that the screen of said open-air theater has been so constructed that any picture, performance or exhibition to be displayed thereon is not visible from any public highway in the area adjacent to or near said open-air theater and does not, in his opinion, jeopardize highway safety or traffic safety or traffic in that area, if such be the fact, and thereupon the Clerk of the Board of Supervisors shall present said application and written report to the Board of Supervisors at its next regular meeting and the Board shall direct the issuance of said open-air theater permit.

The operation of any such open-air theater after the effective date of this ordinance without first securing the permit required above shall constitute a misdemeanor and shall be punishable by a fine not exceeding one hundred (\$100.00) dollars and confinement in jail not exceeding thirty (30) days, either or both. For the purposes of this ordinance each day's operation shall be a separate offense and punishable as such. **(B.S.M. 7-2-52)**

Article II.

Erosion and Sedimentation Control Ordinance

SEC. 4-7. GENERALLY.

WHEREAS, for the purpose for alleviating harmful and/or damaging effects of on-site erosion and siltation of neighboring downstream properties during and after development;

WHEREAS, per Article 2.4. Virginia Erosion and Sediment Control Law

NOW, THEREFORE, the County of Pittsylvania does hereby adopt the following Erosion and Sedimentation Control Ordinance.

This Ordinance shall not apply to any land disturbing activity in any Incorporated Towns within the boundaries of Pittsylvania County unless and until the governing body of such town shall by appropriate action indicate the intention

Attachment: Chapter 4 - Third-Party Inspections (3224 : Public Hearing: Revisions to PCC Chapter 4 (Erosion and Sediment Control))

to have the land disturbing activities within its boundaries covered by the terms and provisions of this Ordinance. Upon the taking of such action by the governing body of any of said Incorporated Towns the terms and provisions of this Ordinance shall apply fully to any land disturbing activity in said Incorporated Towns.

SEC. 4-8. PURPOSE.

An ordinance providing for the control of erosion and sedimentation prior to, during, and following development; and establishing procedures for the administration and enforcement of such controls.

SEC. 4-9. APPLICATION.

Except as provided for in Section 4 of this Ordinance, no person may engage in any land disturbing activity until such person has submitted to Pittsylvania County, has had reviewed and approved by the Plan Approving Authority for Pittsylvania County, an erosion and sediment control plan for such land disturbing activity.

It is the intent of this ordinance to be an adjunct to both of the County’s Subdivision and Zoning Ordinance wherein such apply to the development and subdivision of land within the County of Pittsylvania or such apply to the development on previously subdivided land within the County of Pittsylvania.

SEC. 4-10. DEFINITIONS.

For the purpose of this ordinance, certain terms and words used herein shall be interpreted as follows:

1. “Governing Body” shall mean the Board of Supervisors of Pittsylvania County.
2. “Agreement in lieu of a plan” means a contract between the plan-approving authority and the owner that specifies conservation measures that must be implemented in the construction of a single-family residence; this contract may be executed by the plan-approving authority in lieu of a formal site plan.
3. “Applicant” means any person submitting an erosion and sediment control plan for approval or requesting the issuance of a permit, when required, authorizing land-disturbing activities to commence.
4. “Certified inspector” means an employee or agent of a VESCP authority who (i) holds a certificate of competence from the Board in the area of project inspection or (ii) is enrolled in the Board's training program for project inspection and successfully completes such program within one year after enrollment.
5. “Certified plan reviewer” means an employee or agent of a VESCP authority who (i) holds a certificate of competence from the Board in the area of plan review, (ii) is enrolled in the Board's training program for plan review and successfully completes such program within one year after enrollment, or (iii) is licensed as a professional engineer, architect, landscape architect, land surveyor pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1, or professional soil scientist as defined in § 54.1-2200.
6. “Certified program administrator” means an employee or agent of a VESCP authority who (i) holds a certificate of competence from the Board in the area of program administration or (ii) is enrolled in the Board's training program for program administration and successfully completes such program within one year after enrollment and shall mean the official designated by the Governing Body to serve as its agent to administer this ordinance.
7. “Department” means the Department of Environmental Quality.
8. “Erosion and sediment control plan” or “plan” means a document drawn by a professional engineer containing material for the conservation of soil and water resources of a unit or group of units of land. It may include appropriate maps, an appropriate soil and water plan inventory and management information with needed interpretations, and a record of decisions contributing to conservation treatment. The plan shall contain

Attachment: Chapter 4 - Third-Party Inspections (3224 : Public Hearing: Revisions to PCC Chapter 4 (Erosion and Sediment Control))

all major conservation decisions to ensure that the entire unit or units of land will be so treated to achieve the conservation objectives.

9. "Erosion impact area" means an area of land not associated with current land-disturbing activity but subject to persistent soil erosion resulting in the delivery of sediment onto neighboring properties or into state waters. This definition shall not apply to any lot or parcel of land of 10,000 square feet or less used for residential purposes or to shorelines where the erosion results from wave action or other
10. "Permittee" means the person to whom the local permit authorizing land-disturbing activities is issued or the person who certifies that the approved erosion and sediment control plan will be followed.
11. "Person" means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town, or other political subdivision of the Commonwealth, governmental body, including a federal or state entity as applicable, any interstate body, or any other legal entity.
12. "Responsible land disturber" or "RLD" means an individual holding a certificate issued by the department who is responsible for carrying out the land-disturbing activity in accordance with the approved ESC plan. In addition, the RLD may be a Virginia professional engineer, land surveyor, landscape architect, architect, or professional soil scientist, provided that it is the same licensed professional who sealed and signed the ESC plan. The RLD may be the owner, applicant, permittee, designer, superintendent, project manager, contractor, or any other project or development team member. The RLD must be designated on the ESC plan or permit as a prerequisite for engaging in land disturbance.
13. "Runoff volume" means the volume of water that runs off the land development project from a prescribed storm event.
14. "Virginia Erosion and Sediment Control Program" or "VESCP" means a program approved by the Board that has been established by a VESCP authority for the effective control of soil erosion, sediment deposition, and nonagricultural runoff associated with a land-disturbing activity to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources and shall include such items where applicable as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement where authorized in this article, and evaluation consistent with the requirements of this article and its associated regulations.
15. "Virginia Erosion and Sediment Control Program authority" or "VESCP authority" means an authority approved by the Board to operate a Virginia Erosion and Sediment Control Program. An authority may include a state entity, including the Department; a federal entity; a district, county, city, or town; or for linear projects subject to annual standards and specifications, electric, natural gas, and telephone utility companies, interstate and intrastate natural gas pipeline companies, railroad companies, or authorities created pursuant to § 15.2-5102.
16. "Water quality volume" means the volume equal to the first one-half inch of runoff multiplied by the impervious surface of the land development project.
17. "Program Administrator" shall mean the official designated by the Governing Body to serve as its agent to administer this ordinance.
18. "Building Official" shall mean the individual known as the Building Official appointed to enforce the requirements of Chapter 4 of the Pittsylvania County Code of 1975 as amended.
19. "Plan Approving Authority" shall mean the Pittsylvania County Erosion Control Specialist.

20. “Clearing” shall mean any activity, which removes the vegetative ground cover, including but not limited to its removal, root mat removal and/or topsoil removal.
21. “Grading” shall mean any excavating or filling of earth materials or combination thereof, including the land in its excavated or filled condition.
22. “Excavating” shall mean any digging, scooping or other methods of removing earth materials.
23. “Filling” shall mean any depositing or stockpiling of earth materials.
24. “Transporting” shall mean any moving of earth materials from one place to another, other than such movement incidental to grading, when such movement results in destroying the vegetative ground cover, either by tracking or the buildup of earth materials to the extent that erosion and sedimentation will result from the soil or earth materials over which such transporting occurs.
25. “Land Disturbing Activity” shall mean any land change which may result in soil erosion from water or wind and the movement of sediments into waters or onto lands, including, but not limited to, clearing, grading, excavating, transporting, and filling of land. (See Sec. 4-13 for full definition).
26. “Land Disturbing Permit” shall mean a permit issued by the County of Pittsylvania for clearing, filling, excavating, grading, or transporting, or any combination thereof.

26-27. “Large-Scale Utility Project” shall mean any project that is owned or operated by a public utility and disturbs an area greater than twenty (20) acres.

SEC. 4-11. PURPOSE OF CHAPTER.

This chapter shall provide for, both during and following development, the effective control of erosion and sedimentation by the enforcement of the minimum standards promulgated by the Department/Erosion and Sediment Control Law and known as the Virginia Erosion & Sediment Control Regulations.

SEC. 4-12. REGULATIONS.

The erosion and sediment control program of Pittsylvania County shall consist of the state program and regulations for erosion and sediment control. Pittsylvania County shall exercise the responsibilities of the program authority, as provided by state law and by this chapter.

Pursuant to section 62.1-44.15:54 of the Code of Virginia, the county hereby establishes a VESCP program and adopts the regulations promulgated by the board; with the exception that the requirements contained in 9VAC25-840-40.19 do not apply to the regulated land-disturbing activities that meet the requirements of 8.1-7 of this chapter; (for the effective control of soil erosion and sediment deposition to prevent the unreasonable degradation of properties, stream channels, waters and other natural resources) and the Virginia Erosion and Sediment Control Handbook, as amended, and those more stringent local criteria which the county board of supervisors, may adopt by resolution and incorporate into the manual of regulations and policies entitled "Stormwater Management Design Manual" and "Design and Construction Standards Manual."

In accordance with § 62.1-44.15:52 of the Code of Virginia, any plan approved prior to July 1, 2014 that provides for stormwater management that addresses any flow rate capacity and velocity requirements for natural or man-made channels shall satisfy the flow rate capacity and velocity requirements for natural or man-made channels if the practices are designed to (i) detain the water quality volume and to release it over

forty-eight (48) hours; (ii) detain and release over a 24-hour period the expected rainfall resulting from the one (1) year, 24-hour storm; and (iii) reduce the allowable peak flow rate resulting from the one and one half (1.5), two (2), and 10-year, 24-hour storms to a level that is less than or equal to the peak flow rate from the site assuming it was in a good forested condition, achieved through multiplication of the forested peak flow rate by a reduction factor that is equal to the runoff volume from the site when it was in a good forested condition divided by the runoff volume from the site in its proposed condition, and shall be exempt from any flow rate capacity and velocity requirements for natural or man-made channels.

For plans approved on and after July 1, 2014, the flow rate capacity and velocity requirements for natural and man-made channels shall be satisfied by compliance with water quantity requirements specified in § 62.1-44.15:28 of the Stormwater Management Act and 9VAC25-870-66 of the Virginia Stormwater Management Program (VSMP) regulations, unless such land-disturbing activities are in accordance with the grandfathering provisions of the Virginia Stormwater Management Program (VSMP) Regulations.

Pursuant to section 62.1-44.15:53 of the Code of Virginia, an erosion and sediment control plan shall not be approved until it is reviewed by a certified plan reviewer. Inspections of land-disturbing activities shall be conducted by a certified inspector. The erosion control program of the county shall contain a certified program administrator, a certified plan reviewer, and a certified inspector, who may be the same person.

SEC. 4-13. LAND DISTURBING ACTIVITIES.

This ordinance, and the applicable state law and regulations, address erosion and sedimentation associated with land-disturbing activities for the purpose of this ordinance the definition shall be as follows:

"Land-disturbing activity" means any man-made change to the land surface that may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands in the Commonwealth, including, but not limited to, clearing, grading, excavating, transporting, and filling of land, except that the term shall not include:

1. Minor land-disturbing activities such as home gardens and individual home landscaping, repairs, and maintenance work;
2. Individual service connections;
3. Installation, maintenance, or repair of any underground public utility lines when such activity occurs on an existing hard surfaced road, street, or sidewalk, provided the land-disturbing activity is confined to the area of the road, street, or sidewalk that is hard surfaced;
4. Septic tank lines or drainage fields unless included in an overall plan for land-disturbing activity relating to construction of the building to be served by the septic tank system;
5. Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted pursuant to Title 45.1;
6. Tilling, planting, or harvesting of agricultural, horticultural, or forest crops, livestock feedlot operations, or as additionally set forth by the Board in regulation, including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (§ 10.1-1100 et seq.) of Title 10.1 or is converted to bona fide agricultural or improved pasture use as described in subsection B of § 10.1-1163;

7. Repair or rebuilding of the tracks, rights-of-way, bridges, communication facilities, and other related structures and facilities of a railroad company;
8. Agricultural engineering operations, including but not limited to the construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds not required to comply with the provisions of the Dam Safety Act (§ 10.1-604 et seq.), ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation;
9. Disturbed land areas of less than 10,000 square feet in size or 2,500 square feet in all areas of the jurisdictions designated as subject to the Chesapeake Bay Preservation Area Designation and Management Regulations; however, the governing body of the program authority may reduce this exception to a smaller area of disturbed land or qualify the conditions under which this exception shall apply;
10. Installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles;
11. Shoreline erosion control projects on tidal waters when all of the land-disturbing activities are within the regulatory authority of and approved by local wetlands boards, the Marine Resources Commission, or the United States Army Corps of Engineers; however, any associated land that is disturbed outside of this exempted area shall remain subject to this article and the regulations adopted pursuant thereto; and
12. Emergency work to protect life, limb, or property, and emergency repairs; however, if the land-disturbing activity would have required an approved erosion and sediment control plan, if the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirements of the VESCP authority.

SEC. 4-14. PROGRAM ADMINISTRATOR.

For the purpose of this ordinance the following definition shall apply:
Program Administrator shall mean the position designated by the Pittsylvania County Board of Supervisors as its agent to administer the erosion and sediment control program and certified by the Virginia Department of Environmental Quality as a Program Administrator.

SEC. 4-15. DESIGNATION OF PLAN APPROVING AUTHORITY.

The Program Administrator is designated as the erosion and sediment control plan-approving authority in Pittsylvania County and shall be certified by the Department as a Plan Reviewer.

SEC. 4-16. DESIGNATION OF ENFORCEMENT AUTHORITY.

The Program Administrator is designated as the enforcement authority in Pittsylvania County and shall have the power and authority to inspect, monitor, report and ensure compliance with the erosion and sediment control program of the County. The enforcement authority is also referred to as the designated enforcement officer, the inspector, the permit issuing authority, and the Program Administrator. In order to perform these duties, the Program Administrator shall be certified by the Department

SEC. 4-17. APPROVAL OF PLANS AND ISSUANCE OF PERMITS.

Erosion and sediment control plans submitted to Pittsylvania County shall be reviewed and acted upon by the plan-approving authority. Upon approval of such plan, the applicant may seek a Land Disturbing-Permit from the permit-issuing authority. Plans shall be approved and permits shall be issued pursuant to applicable regulations.

No land-disturbing permit shall be issued until the applicant submits with the application an approved erosion and sediment control plan or agreement in lieu of an approved erosion and sediment control plan and certification that the plan will be followed.

Surety. All applicants for permits shall provide to the county a performance bond, cash escrow, or an irrevocable letter of credit acceptable to ensure that measures could be taken by the county at the applicant's expense should the applicant fail, after proper notice, within the time specified to initiate or maintain appropriate conservation measures required of him as a result of his land-disturbing activity. The amount of the bond or other security for performance shall not exceed the total of the estimated cost to initiate and maintain appropriate conservation action based on unit price for new public or private sector construction in the locality plus a contingency for the county's administrative costs and inflation. The contingency shall be ten (10) percent of the total estimated cost to initiate and maintain the appropriate conservation action. Should it be necessary for the county to take such conservation action, the county may collect from the applicant any costs in excess of the amount of the surety held.

Within sixty (60) days of adequate stabilization and completion of all other site requirements, as determined such bond, cash escrow or letter of credit, or the unexpended or unobligated portion thereof shall be either refunded to the applicant or terminated.

These requirements are in addition to all other provisions relating to the issuance of permits and are not intended to otherwise affect the requirements for such permits.

SEC. 4-18. FEES REQUIRED.

Applicants shall pay to Pittsylvania County a fee to defray the cost of program administration, including costs associated with plan review, issuance of land disturbing permits, periodic inspection, and enforcement. The fees associated with this Ordinance shall be set by the Board of Supervisors annually in the Budget Resolution.

~~No total fee shall exceed applicable limits established by state law.~~

~~Fees for Large-Scale Utility projects shall be designated in accordance with the Fee Schedule and shall meet the following conditions:~~

- ~~a. A fee amount shall be determined based upon the total land disturbance acreage calculated on the approved site plan in accordance with the Fee Schedule. The Applicant shall be billed for the monthly inspection fee on the first day of each month until the site receives a final bond release inspection and approval. The Applicant must remit payment within fifteen (15) days of invoicing to the Community Development Department by check payable to the Pittsylvania County Treasurer. Failure to pay each invoice within fifteen days of the date of the invoice is cause for issuance of a project stop work order until such fees are paid.~~
- ~~b. If, in any month, the amount billed for a Large-Scale Utility project monthly inspection fee is insufficient to reimburse the County for amounts billed to the County by third-party inspectors, the unreimbursed balance will be added to the monthly fee on the Applicant's next or a subsequent invoice and must be paid when invoiced.~~

SEC. 4-19. MONITORING, REPORTS, AND INSPECTIONS

The responsible land disturber, as provided in § 62.1-44.15:52, shall be in charge of and responsible for carrying out the land-disturbing activity and provide for periodic inspections of the land-disturbing activity. The county may require the person responsible for carrying out the plan to monitor the land-disturbing activity. The person responsible for carrying out the plan will maintain records of these inspections and maintenance, to ensure compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation.

The Department of Community Development shall periodically inspect the land-disturbing activity in accordance with 9VAC25-840-60 of the Virginia Erosion and Sediment Control Regulations to ensure

compliance with the approved plan and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation. The owner, permittee, or person responsible for carrying out the plan shall be given notice of the inspection. If THE Program Administrator determines that there is a failure to comply with the plan or if the plan is determined to be inadequate, notice shall be served upon the permittee or person responsible for carrying out the plan by registered or certified mail to the address specified in the permit application or in the plan certification, or by delivery at the site of the land-disturbing activities to the agent or employee supervising such activities.

The notice shall specify the measures needed to comply with the plan and shall specify the time within which such measures shall be completed. Upon failure to comply within the specified time, the permit may be revoked and the permittee shall be deemed to be in violation of this chapter and, upon conviction, shall be subject to the penalties provided by this chapter.

Upon issuance of an inspection report denoting a violation of Va. Code §§ 62.1-44.15:55,-44.15:56, the Program Administrator may, in conjunction with or subsequent to a notice to comply as specified in this chapter, issue a stop work order requiring that all or part of the land-disturbing activities permitted on the site be stopped until the specified corrective measures have been taken.

If land-disturbing activities have commenced without an approved plan or proper permits, the Program Administrator, in conjunction with or subsequent to a notice to comply as specified in this chapter, issue a stop work order requiring that all of the land-disturbing and/or construction activities be stopped until an approved plan or any required permits are obtained. Failure to comply will result in civil charges or penalties as outlined in this chapter.

Where the alleged noncompliance is causing or is in imminent danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the commonwealth, or where the land-disturbing activities have commenced without an approved plan or any required permits, such a stop work order may be issued without regard to whether the permittee has been issued a notice to comply as specified in this chapter. Otherwise, such a stop work order may be issued only after the permittee has failed to comply with such a notice to comply.

The stop work order shall be served in the same manner as a notice to comply and shall remain in effect for a period of seven (7) days from the date of service pending application by the county or permit holder for appropriate relief to the circuit court. The county shall serve such stop work order for disturbance without an approved plan or permits upon the owner by mailing with confirmation of delivery to the address specified in the land records. Said stop work order shall be posted on the site where the disturbance is occurring and shall remain in effect until permits and plan approvals are secured, except in such situations where an agricultural exemption applies.

If the alleged violator has not obtained an approved plan or any required permits within seven (7) days from the date of service of the stop work order, the Program Administrator may issue a stop work order to the owner requiring that all construction and other work on the site, other than corrective measures, be stopped until an approved plan and any required permits have been obtained. Such an order shall be served upon the owner by registered or certified mail to the address specified in the permit application or the land records of the county.

The owner may appeal the issuance of a stop work order to the circuit court of the county. Any person violating or failing, neglecting, or refusing to obey a stop work order issued by the Program Administrator may be compelled in a proceeding instituted in the circuit court of the county to obey same and to comply therewith by injunction, mandamus, or other appropriate remedy. Upon completion and approval of corrective action or obtaining an approved plan or any required permits, the stop work order shall immediately be lifted. Nothing in this section shall prevent the Program Administrator from taking any other action authorized by this chapter.

Land disturbing activities that meet the definition of a Large-Scale Utility Project shall be inspected in accordance with 9VAC25-840-60 of the Virginia Erosion and Sediment Control Regulations by a third-party inspection firm retained by Pittsylvania County through a procurement process. All required documentation shall be submitted to the Program Administrator to ensure compliance.

SEC. 4-19. REVIEW BY THE BOARD OF SUPERVISORS.

- A. Any person aggrieved by any action of the plan-approving authority, or the enforcement authority shall have the right to apply for and receive a review of such action by the Pittsylvania County Board of Supervisors provided an appeal is filed within thirty (30) days from the date of any written decision by the plan-approving or enforcement authority.
- B. In reviewing the action of the plan-approving authority or the enforcement authority, the Board shall consider evidence and opinion presented by the aggrieved person, the plan approving authority or the enforcement authority, and such other persons, as shall be deemed by the Board necessary for a complete review of the matter.
- C. The Board may affirm, reverse, or modify the action of the plan-approving authority or the enforcement authority, and the Board’s decision shall be final, subject only to review by the Circuit Court of Pittsylvania County by appeal taken pursuant to applicable law, provided an appeal is filed within thirty (30) days from the date of the final written decision.
- D. For purpose of this section, the term “person aggrieved” shall be limited to the applicant or permit holder, owners of adjacent and downstream property and any interested government agency or officer thereof.

SEC. 4-20. ENFORCEMENT AND PENALTIES.

Pittsylvania County shall exercise the enforcement and penalty provisions authorized for a program authority in the Virginia Erosion and Sediment Control Law.

This ordinance was amended at an adjourned meeting of the Pittsylvania County Board of Supervisors on Tuesday, March 20, 2001 and became effective immediately upon its passage.

Any person who has violated or failed, neglected, or refused to obey any regulation or order of the Board, any order, notice, or requirement of the Department or VESCP authority, any condition of a permit, or any provision of this article or associated regulation shall be subject to civil penalties allowed under Article 2.4 of the Code of Virginia as amended. The civil penalty for any one violation shall be not less than \$100 nor more than \$1,000. Each day during which the violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same operative set of facts result in civil penalties that exceed a total of \$10,000, except that a series of violations arising from the commencement of land-disturbing activities without an approved plan for any site shall not result in civil penalties that exceed a total of \$10,000.

The Director of Community Development, or his/her assignee, shall prepare an appropriate erosion and sediment control civil violation summons for use in enforcing the provisions of this chapter.

Any person of the VESCP plan approving authority charged with enforcing this chapter shall serve upon any owner or permittee in violation of this chapter, a summons notifying the owner or permittee of said violation. If unable to serve the owner or permittee in person, the county may notify by summons an owner or permittee committing or suffering the existence of a violation by certified, return receipt requested mail, of the infraction. The county sheriff’s office may also deliver the summons. The summons shall contain the following information:

The name and address of the person charged.

The nature of the violation and chapter provision(s) being violated.

The location, date, and time that the violation occurred, or was observed. §

The amount of the civil penalty assessed for the violation.

The manner, location, and time that the civil penalty may be paid to the county.

The right of the recipient of the summons to elect to stand trial for the infraction and the date of such trial.

The summons shall provide that any person summoned for a violation may, within five (5) days of actual receipt of the summons or, within ten (10) days from the date of mailing of the summons, elect to pay the civil penalty by making an appearance in person, or in writing by mail to the county treasurer's office and, by such appearance, may enter a waiver of trial, admit liability, and pay the civil penalty established for the violation charged and provide that a signature to an admission of liability shall have the same force and effect as a judgment in court; however, an admission shall not be deemed a criminal conviction for any purpose.

If a person charged with a violation does not elect to enter a waiver of trial and admit liability, the county shall cause the sheriff of the county to serve the summons on the person charged in the manner prescribed by law. The violation shall be tried in general district court in the same manner and with the same right of appeal as provided for in Title 8.01 of the Code of Virginia. In any trial for a scheduled violation authorized by this section, it shall be the burden of the county to show the liability of the violator by the preponderance of the evidence. Any admission of liability or finding of liability shall not be a criminal conviction for any purpose.

The remedies provided for in this section are cumulative, and are not exclusive and, except as provided above, shall be in addition to any other remedies by law.

The owner or permittee may pay the civil penalty to the treasurer prior to the trial date, provided he also pays necessary court costs in addition to the civil penalty.

Within the time period prescribed in (c), above, the owner or permittee, may contest the violation by presenting it to the director of community development, who shall certify the contest in writing, on an appropriate form, to the general district court.

Failure to pay the civil penalty, or to contest the violation, within the time period prescribed in (c), above, shall result in the immediate issuance of a stop work order and the revocation of the permit, if any.

Article III.

REMOVAL, REPAIR, OR SECURING OF DANGEROUS STRUCTURES

SEC. 4-30. DEFINITIONS

(a) *Building Code* shall mean the applicable provisions of the Uniform Statewide Building Code relating to the maintenance of existing buildings as adopted by the Commonwealth of Virginia and Board of Housing and Community Development.

(b) *Code Officials* shall mean the Building Official or his designee. **(B.S.M. 4-18-17)**

(c) *Dangerous Structure* shall mean any building, wall or other structure in Pittsylvania County that fails to comply with the building code through damage, deterioration, infestation, improper maintenance, or for any other reason or reasons, and thereby becomes unsafe, unsanitary, or deficient in adequate exit facilities, or which constitutes a hazard or public nuisance or is otherwise

dangerous to human life, health or safety, or the public welfare and which might endanger the public health or safety of other residents of Pittsylvania County. :

(d) *Lien-holder or Lien-holders* shall mean any and all individuals, associations, corporations, or other entities that have a mortgage or other lien of record of any kind on the property which are of record against the owner. Either term may be singular or plural unless the contact indicates otherwise.

(e) *Owner* means the owner or owners of the premises therein, as indicated in the tax records of Pittsylvania County, Virginia.

SEC. 4-31. OWNER'S RESPONSIBILITIES.

It shall be the responsibility of all owners of buildings, structures and real property located within the boundaries of Pittsylvania County to take the necessary action, at such time or times as the Code Official may prescribe, to repair, remove, or secure any building, wall, or any other structure on their property which might endanger the public health or safety of other residents of Pittsylvania County, subject to such rights of appeal as are provided for in the section. All such buildings or other structures declared by the Code Official to be a dangerous structure shall either be made safe by compliance with the Building Code or be vacated and secured against public entry or be taken down and removed as determined by the Code Official.

SEC. 4-32. NOTICES TO OWNERS AND LIEN HOLDERS.

Whenever the code official shall be of the opinion and finds that any structure in the County is a dangerous structure as defined in this chapter, the Code Official shall cause written notice to be served upon the owner and lien holder, as provided for in Section 4-33 of this chapter. Such notice shall state that the building, wall or any other structure has been declared to be a dangerous structure and shall, at a minimum, provide the following information:

- (1) The location of the building or structure by street address and/or tax identification number.
- (2) A statement that the building or structure has been inspected by the Code Official or his designee, and that it has been deemed to be a dangerous structure as defined in this chapter and, further, to be declared by the Code Official as unsafe, unfit for human occupancy, or unlawful, as defined in the uniform Statewide Building Code.
- (3) A listing of the specific conditions which exist that cause the building or structure to endanger the public health or safety of other residents of the County and, further, which cause the Code Official to declare the building or structure to be unsafe, unfit for human occupancy or unlawful with reference to the Uniform Statewide Building Code section that serves as a basis for the declaration for a dangerous structure.
- (4) A statement that the Code Official has determined that necessary corrective action to abate the unsafe or dangerous conditions, as described in the notice, consist of one (1) of the following actions:

Attachment: Chapter 4 - Third-Party Inspections (3224 : Public Hearing: Revisions to PCC Chapter 4 (Erosion and Sediment Control))

- (a) The completion of the repairs and/or improvements to the building or structure, which may include the securing of the building or structure against public entry as provided in the notice; or
 - (b) The taking down or removal of the building or structure.
- (5) An order to complete the necessary corrective action to abate the unsafe or dangerous conditions as determined by the Code Official by specifying the required repairs and/or improvements to be made to the building or structure or by requiring the building or structure to be taken down and removed. The Order shall provide a stipulated time within the necessary corrective action is to be completed.
- (6) A statement that the failure to comply with the terms of a notice to abate the unsafe or dangerous conditions will result in the County taking action to abate such conditions in accordance with the provisions of § 15.2-906 of the Code of Virginia and/or of the Uniform Statewide Building Code, as the Code Official deems appropriate.
- (7) A statement of the owner's rights of appeal of the Code Official's decisions to the local Board of Building Code Appeals in accordance with the appeals provision of the Uniform Statewide Building Code.

SEC. 4-33. SERVICE OF NOTICE.

The notices issued pursuant to this chapter shall be served upon any owner and lien-holder in the following manner:

- A. Where the Code Official has determined the necessary corrective action to abate the unsafe or dangerous condition is to make repairs to the building or structure, which may include the securing of the building or structure against public entry, the notice shall be given by either delivering a copy of the notice by certified mail or by registered mail, return receipt requested sent to the address of record in the Office of the Commissioner of Revenue of Pittsylvania County, Virginia.
- B. Where the Code Official has determined the necessary corrective action to abate the unsafe or dangerous condition is to take down and remove the building or structure, the notice shall be a written notice mailed by certified or registered mail, return receipt requested, sent to the last known address of the property owner.
- C. In addition to subsections (1) or (2) above, notice shall also be given to any such person or entity by publishing once a week for two weeks a copy of the notice in the newspaper having general circulation in the County in accordance with the applicable provisions of § 15.2-906 of the Code of Virginia.

SEC. 4-34. APPLICATION FOR APPEAL.

The owner or owner’s agent of any building, wall or structure which has been declared to be a dangerous structure and ordered by the Code Official to be repaired, secured or removed, as provided for in this chapter, may appeal the decision to the local Board of Building Code Appeals. A written request for appeal to the Board of Building Code of Appeals shall be submitted within

twenty-one (21) calendar days from the receipt of the decision to be appealed on forms as provided by the Code Official. Upon receipt of any application for appeal, the Code Official shall schedule a hearing within sixty (60) calendar days. The appeal hearing shall be in accordance with the usual procedures of the Board of Building Code of Appeals. All procedures, notices, hearings, decisions and other actions by the Building Code of Appeals shall be in accordance with the appeals provisions of the building code.

SEC. 4-35. SECURING, REPAIR OR REMOVAL OF DANGEROUS BUILDINGS; ACTIONS BY THE COUNTY.

- A. If the dangerous condition has not been remedied with a structure secured or torn down and removed within the time limit allowed by the Code Official, or if challenged, by the time established following the final review of the Code Official's decision, the Code Official shall with the approval of the County Administrator, proceed in accordance with the provisions of §15.2-906 of the Code of Virginia, 1950, as amended, to cause the structure to be removed, repaired, secured as the Code Official deems appropriate, considering the condition of the premises.
- B. In the event the County, through its own agents or employees, removes, repairs or secures any building, wall or any other structure after complying with the notice provisions of this chapter, the cost of expenses there of shall be chargeable to and paid by the owners of such property and may be collected by the County as taxes and levies are collected.
- C. Every charge authorized by this section with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local taxes and enforceable in the same manner as provided for in Article 3 (§58.1-3940 et seq.) and for (§58.1-3965 et seq.) of Chapter 39 of Title 58.1 of the Code of Virginia, 1950, as amended.

SEC. 4-36. EXTENSION OF TIME.

In the event that any act required by this chapter can not be performed within the time provided due to shortage of materials, war, restraint by public authorities, strikes, local disturbances, civil disobedience, or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation; provided, however, that the person or entity seeking such extension shall make a written request therefore within the then applicable time period.

SEC. 4-37. ADDITIONAL AUTHORITY.

In addition to the authority delegated to the Code Official in this chapter, the Code Official shall have all of the authority extended to the Code Official in the Virginia Uniform Statewide Building Code, as well as to take appropriate action on behalf of the County in an emergency to abate, raze, or remove any dangerous structure which constitutes a public nuisance under the provisions of §15.2-900 of the Code of Virginia, 1950; as amended.

Adopted by the BOS on Monday, June 7, 2004 and became effective immediately upon its passage; Article I, Sec. 4-1 Adopted by the BOS on Monday, June 21, 2005 and became effective July 1, 2005; Amended by the BOS 10-16-2012; Amended by the BOS 4-18-2017.



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	First Pentecostal Holiness Church Real Estate Tax Refund (Staff Contact: R. Goard/V. Hunt)		
Staff Contact(s):	Commissioner Goard and Attorney Hunt		
Agenda Date:	June 21, 2022	Item Number:	11.a
Attachment(s):			
Reviewed By:	VH		

SUMMARY:

At the April 19, 2022, Board of Supervisors' ("Board") Meeting, the Board unanimously voted to grant a real estate tax exemption to First Pentecostal Holiness Church ("Church"), an IRS 501(c)(3) owned property. At said Meeting, a Church representative asked for a refund of prior year's tax payments, if appropriate. Recently, County Staff was advised by the County's Commissioner of the Revenue's ("COR") Office that no refunds are given for this type of exemption (it just becomes effective on the date the Board approves it prospectively). According to Virginia Code, the only time a refund is granted by the COR for previously paid tax years is if there was an erroneous tax situation. In that case, the COR can refund up to three (3) years past taxes paid. If the Board so desires, it possesses the legal authority to authorize the Treasurer to refund the Church back taxes.

FINANCIAL IMPACT AND FUNDING SOURCE:

\$2,933.22 annual tax revenue (or \$8,799.66 tax revenue loss if three (3) year refund is granted).

RECOMMENDATION:

County Staff presents this item to the Board for its review and consideration.

MOTION:

For the Board's review and consideration.



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Fire and Rescue Service Agreement (Staff Contact: Chris Key)		
Staff Contact(s):	Chris Key		
Agenda Date:	June 21, 2022	Item Number:	11.b
Attachment(s):	FY23 Fire and Rescue Service agreement - DRAFT		
Reviewed By:			

SUMMARY:

The County's Public Safety Department requires County Volunteer Fire and Rescue Agencies sign an annual Service Agreement that details expectations of both parties. At the Board's May Meeting, the Board reviewed the Service Agreement and sent it back to the Fire and Rescue Commission ("FRC") requesting two (2) changes. One (1) change added a clause to Section 6(b) of the Service Agreement regarding how dual service Agencies would be credited with getting the additional funding when it answers over seventy percent (70%) of calls in one (1) service but are under seventy percent (70%) in another service. The second change involved volunteers being cleared to return to active duty following a serious medical condition. The FRC discussed the issue and is working on it through a County Standard Operating Procedure ("SOP"), instead of adding it to the Service Agreement. The Service Agreement does require all Agencies to follow County SOPs and guidelines.

The FRC recommended the Board approve the attached, revised FY23 Service Agreement.

FINANCIAL IMPACT AND FUNDING SOURCE:

Not applicable.

RECOMMENDATION:

County Staff recommends the Board approve the attached, revised Service Agreement

MOTION:

"I make a Motion to approve the attached, revised Service Agreement."

FY 23 FIRE AND EMS DEPARTMENT SERVICE MEMORANDUM OF AGREEMENT

This Fire and EMS Department Service Memorandum of Agreement (the “MOA”) is hereby made and entered into on the ___ day of _____, 2022, by and between the County of Pittsylvania, Virginia (the “County”), and _____ (the “Volunteer Agency”); (individually the “Party,” collectively the “Parties”).

A. PURPOSE:

The purpose of this MOA is to outline in reasonable detail the mutual obligations of the County and the Volunteer Agency in regard to the eligibility by the Volunteer Agency for County funds/contributions related to Fire and EMS provision/response in the County.

The Parties to this MOA hereby agree to be fully legally bound in all aspects to the below terms and conditions contained in this MOA.

B. THE COUNTY/VOLUNTEER AGENCY’S OBLIGATIONS:

1. The County shall provide property and casualty insurance for the Volunteer Agency; however, the County will only cover the cost of insuring those apparatus recommended by the County’s Public Safety Department.
2. The County shall maintain accident and sickness insurance coverage on the Volunteer Agency’s Members.
3. The County shall allocate direct funds/contributions to the Volunteer Agency in three (3) allocations as described more fully below.
4. The County’s first (1st) fiscal year allocation of funds/contributions to the Volunteer Agency shall occur in August and contain fifty percent (50%) of the Volunteer Agency’s annual funds/contributions. Said first (1st) allocation shall only be given to the Volunteer Agency by the County, if the following conditions/milestones are fully and completely met and satisfied:
 - a. The Volunteer Agency has maintained a current roster on file with the County’s Public Safety Department with the name, current certifications, and radio number of each Member.
 - b. The Volunteer Agency is current with all applicable State and Federal laws, Virginia Office of EMS Rules and Regulation, and the County’s standard operating guidelines and procedures.

- c. The Volunteer Agency is in good standing as determined by the County's Fire and Rescue Commission.
 - d. It is recommended the volunteer agency be an active participant in the County's Fire and Rescue Association.
5. The County's second (2nd) fiscal year allocation of funds/contributions to the Volunteer Agency shall occur in January and contain thirty-five percent (35%) of the Volunteer Agency's annual funds/contributions. Said second (2nd) allocation shall only be given to the Volunteer Agency by the County, if the following conditions/milestones are fully and completely met:
- a. The Volunteer Agency is in compliance with the conditions/milestones contained in Section B(4) herein.
 - b. All the Volunteer Agency's equipment and apparatus is maintained in good working order and a readiness condition.
 - c. When the County Capital Improvement Plan is used to purchase equipment for the Volunteer Agency, it fully and completely complies with the Virginia Public Procurement Act and all other County Purchasing guidelines.
 - d. The Volunteer Agency, if it conducts EMS response, will have an annual review with the County's appointee of the EMS Agency's Response Plan as provided to the Virginia Office of EMS.
 - e. The Volunteer Agency practices the proper Incident Command System while responding to and mitigating emergency scenes.
 - f. The Volunteer Agency maintains on file with the Public Safety Department copies of updated training records of all members of the agency. These records shall be maintained on a continuous basis.
 - g. The Volunteer Agency is participating in any Countywide records and response reporting system.
6. The County's third (3rd) fiscal year allocation of funds/contributions to the Volunteer Agency shall occur in June and contain fifteen percent (15%) of the Volunteer Agency's annual funds/contributions. Said third (3rd) allocation shall only be given to the Volunteer Agency by the County, if the following conditions/milestones are fully and completely met:

- a. The Volunteer Agency continues to comply with all provisions/conditions contained in Sections B(4) and(B)(5) herein.
- b. To date in the current fiscal year, the Volunteer Agency has responded to at least seventy percent (70%) of its first due calls (agencies that provide both fire and EMS service who fail to obtain the seventy percent (70%) response rate overall can receive fifty percent (50%) of their fund if it maintains a seventy percent (70%) response rate in either the fire service or the EMS service and **is not below a 50% response rate in either service**; (credit for calls is given when an agency responds with the appropriate apparatus and certified personnel) and
- c. To date in the current fiscal year, for a dispatched call, the Volunteer Agency must respond with the appropriate ambulance or fire truck (depending on the type call) within eight (8) minutes of the call being dispatched to the Agency.
- 7. The County shall also reimburse EMS Transport Agencies fifteen dollars (\$15.00) per call responded to on a quarterly basis.
- 8. The Volunteer Agency shall complete and submit to the County a financial reporting form accounting for County allocated monies received by the agency. The report shall be submitted to the county no later than July 15, 2023.

C. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:

- 1. ENTIRE AGREEMENT/MODIFICATION. This MOU contains the entire agreement of the Parties with respect to the subject matter of this MOU, and supersedes all prior negotiations, agreements, and understandings with respect thereto. This MOU may only be amended/modified by a written document duly executed by all Parties.
- 2. PRINCIPAL CONTACTS. The principal contacts for this MOA are: Pittsylvania County Administrator c/o the Pittsylvania County Public Safety Director (for the County), and _____ (for the Volunteer Agency).
- 3. COMMENCEMENT/EXPIRATION DATE/TERMINATION. This MOA is executed as of the date of the last signature below and is effective through June 30, 2023, at which time it will expire, unless extended for another fiscal year. Either party may terminate this MOA by providing 60 days’ notice to the other Party. In the event that said termination notice provided by _____ is during a current fiscal year, _____ shall reimburse to County any unexpended funds allocated to it within thirty (30) days’ receipt by County of termination notice.

Attachment: FY23 Fire and Rescue Service agreement - DRAFT (3239 : Fire and Rescue Service Agreement (Staff Contact: Chris Key))

4. GOVERNING LAW, VENUE, MEDIATION, LEGAL FEES/COSTS:

- a. Governing Law: This MOA shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia.
- b. Venue: If legal action by either party is necessary for or with respect to the enforcement of any or all of the terms and conditions hereof, then exclusive venue therefore shall lie in the County of Pittsylvania, Virginia.
- c. Mediation:
 - i. Good faith mediation shall be a condition precedent to the filing of any litigation in law or equity by either Party against the other Party relating to this MOA. Before the remedies provided for in this Section may be exercised by either Party, such Party shall give written notice to the other Party that such Party believes that an event of default or impasse under this MOA may have occurred, specifying the circumstances constituting the event of default or impasse in sufficient detail that the other Party will be fully advised of the nature of the event of default or impasse. The responding Party shall prepare and serve a written response thereto within ten (10) business days of receipt of such notice. A meeting shall be held within ten (10) business days after the response between the Parties to attempt in good faith to negotiate a resolution of the dispute.
 - ii. If the Parties are unable to resolve the dispute through the above- process, the Parties shall attempt to resolve the controversy by engaging a single mediator, experienced in the subject matter, to mediate the dispute. The mediator shall be mutually selected by the Parties, to the controversy and conduct mediation at a location to be agreed upon by the Parties or absent agreement, by the mediator. Within two (2) business days of selection, the mediator shall be furnished copies of the notice, this MOA, response, and any other documents exchanged by the Parties. If the Parties and the mediator are unable to settle the same within thirty (30) days from selection, or such other time as the Parties agree, the mediator shall make a written recommendation as to the resolution of the dispute. Each Party, in its sole discretion, shall accept or reject such recommendation in writing within ten (10) days. Should the Parties be unable to agree upon a single mediator within five (5) business days of the written response of the responding Party, the Parties jointly, shall agree upon the selection of a neutral third-party agreed upon by the Parties, to appoint a mediator, experienced and knowledgeable in the matters which are the subject of the dispute. The costs of the Mediator and the mediation shall be shared equally by the Parties to the dispute.

iii. Notwithstanding the preceding paragraphs, the Parties reserve the right to file suit or pursue litigation. The Parties consent to selection of a mediator by any Court shall not constitute consent to jurisdiction of such court or waiver of defenses as to venue or jurisdiction.

d. Legal Fees/Costs: At all times under this MOA, each Party shall be responsible for its own legal fees and costs.

5. WAIVER OF BREACH. The failure of the County to enforce one (1) or more of the terms or conditions of the MOA, from time-to-time, shall not constitute a waiver of such terms or conditions upon subsequent or continuing breach.

6. BENEFIT. This MOA shall inure to the benefit of, and shall bind the heirs, successors, and assigns of the Parties.

IN WITNESS WHEREOF, the parties hereto have executed this MOA as of the last date written below. Witness following signatures and seals:

THE COUNTY OF PITTSYLVANIA, VIRGINIA

By: _____

Title: _____

Print Name: _____

COMMONWEALTH OF VIRGINIA

County of Pittsylvania, to-wit:

I, _____, a Notary Public for the Commonwealth of Virginia at large, do hereby certify that _____, whose name is signed to the foregoing MOA, bearing date of the ____ day of _____, 2022, has acknowledged the same before me in the jurisdiction aforesaid.

Given under my hand this ____ day of _____, 2022.

Notary Public

My commission expires: _____

APPROVED AS TO FORM

J. Vaden Hunt, Esq.
Pittsylvania County Attorney

DEPARTMENT:

By: _____

Title: _____

Print Name: _____

COMMONWEALTH OF VIRGINIA

County of Pittsylvania, to-wit:

I, _____, a Notary Public for the Commonwealth of Virginia at large, do hereby certify that _____, whose name is signed to the foregoing MOA, bearing date of the ____ day of _____, 2022, has acknowledged the same before me in the jurisdiction aforesaid.

Given under my hand this ____ day of _____, 2022.

Notary Public

My commission expires: _____

Attachment: FY23 Fire and Rescue Service agreement - DRAFT (3239 : Fire and Rescue Service Agreement (Staff Contact: Chris Key))