



**BOARD OF SUPERVISORS
BUSINESS MEETING
Tuesday, September 20, 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. August Board Meeting Minutes Approval (Staff Contact: Kaylyn M. McCluster)
 - b. County's 2022 August Bill List Approval (online); (Staff Contact: Kimberly G. Van Der Hyde)
 - c. Lisa Tuite Certificate Approval (Retirement); (Staff Contact: Kaylyn M. McCluster)
 - d. Purchase of Service Weapon Approval (Deputy James R. Abbott Retirement); (Contact: Sheriff Taylor)
 - e. Appointment: Southern Area Agency on Aging (Teresa Easley); (Full Board Appointment); (Staff Contact: Kaylyn M. McCluster)
 - f. Certificate Approval (Honoring C. Monday's Interim County Administrator Service); (Staff Contact: Kaylyn M. McCluster)
 - g. Resolution # 2022-09-01 Adoption (Honoring Gregory Robinson, James Webb Space Telescope Program Director); (Staff Contact: Kaylyn M. McCluster)
 - h. K. McCluster Certificate Approval (Certified Municipal Clerk Designation); (Staff Contact: Clarence C. Monday)

- i. Revised County Facility Alcohol Policy Approval (Staff Contact: Christopher C. Slemp)
- j. County Internet Service Provider Partnership Contract Approval (Staff Contact: Dave F. Arnold)
- k. Acknowledgment of Lease Transfer and Agreement to Amend Exhibit "B" to Lease Agreement Approval (RiverStreet); (Staff Contact: Dave F. Arnold)
- l. Open Space Land Use Renewal Contract Renewal Approval (Cedars Country Club, Inc.); (Contact: Robin C. Goard)

8. PRESENTATIONS

- a. General Presentations (Board of Supervisors)
- b. School's 1% Sales Tax Referendum Presentation (Presenter: Dr. Jones)
- c. Dr. Jerry Wallace Introduction (DCC President); (Contact: Board of Supervisors)

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-22-026; Charles Thomas; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. The Planning Commission recommended, by an 8-0 vote, with opposition, that the Petitioner's request be granted. (Supervisor Ingram)

Case 2: Public Hearing: Case R-22-027; Ceasar Investment, LLC; Rezoning from R-1, Residential Suburban Subdivision District, to RPD, Residential Planned Unit Development District. The Planning Commission recommended, by an 8-0 vote, with no opposition, that the Petitioner's request be denied (Supervisor Barksdale)

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: 2023 County Budget Amendments Approval (Staff Contact: Kimberly G. Van Der Hyde)

11. UNFINISHED BUSINESS

12. NEW BUSINESS

- a. Hurt Partners Landfill Amended Tipping Fee Waiver Approval (Staff Contact: Matthew D. Rowe)
- b. Petition for Writ of Special Election Filing Approval (Staff Contact: J. Vaden Hunt, Esq.)

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:	August Board Meeting Minutes Approval (Staff Contact: Kaylyn M. McCluster)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	September 20, 2022	Item Number:	7.a
Attachment(s):	08-16-2022 Work Session - DRAFT 08-16-2022 Business Meeting - DRAFT		
Reviewed By:			

SUMMARY:

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

- (1) 08/16/2022 (Work Session); and
- (2) 08/16/2022 (Business Meeting).

FINANCIAL IMPACT AND FUNDING SOURCE:

Not applicable.

RECOMMENDATION:

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

MOTION:

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

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS
WORK SESSION
August 16, 2022

VIRGINIA: The Pittsylvania County Board of Supervisors' Work Session was held on August 16, 2022, in the Board Meeting Room, 39 Bank Street, SE, Chatham, Virginia 24531.

CALL TO ORDER (4:30 PM)

Ingram called the Meeting to Order at 4:30 PM.

ROLL CALL

The following members were present:

Attendee Name	Title	Status	Arrived
William V. ("Vic") Ingram	Chairman - Tunstall District	Present	4:15 PM
Jessie L. Barksdale	Vice Chairman - Banister District	Present	3:55 PM
Tim Chesher	Supervisor - Dan River District	Present	3:56 PM
Darrell Dalton	Supervisor - Callands-Gretna District	Present	3:56 PM
Timothy W. Dudley	Supervisor - Staunton River District	Present	4:20 PM
Ronald S. Scearce	Supervisor - Westover District	Present	4:23 PM
Robert ("Bob") W. Warren	Supervisor - Chatham-Blairs District	Present	4:22 PM

AGENDA ITEMS TO BE ADDED

Motion to remove DSS Bylaws from item 8(c) from the Agenda.

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

APPROVAL OF AGENDA

Motion to approve Agenda.

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

PRESENTATIONS

None.

STAFF, COMMITTEE, AND/OR CONSTITUTIONAL OFFICER REPORTS

None.

BUSINESS MEETING DISCUSSION ITEMS

None.

Attachment: 08-16-2022 Work Session - DRAFT (3353 : August Board Meeting Minutes Approval (Staff Contact: Kaylyn M. McCluster))

Board of Supervisors
August 16, 2022
Work Session

CLOSED SESSION

The Board entered Closed Session at 4:40 PM.

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

- a. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. (Staff Contact: Christopher C. Slemp)
- (1) Legal Authority: Virginia Code § 2.2-3711(A)(3)
Subject Matter: Potential Property Disposition/Acquisition
Purpose: Potential Disposition/Acquisition of Publicly Owned Property Related to Gospel Tabernacle Outreach Center, Southside Soccer Club, and /or Jail
- b. 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
- c. 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: Rock Festival Offsite Parking SUP
Purpose: Legal Consultation/Legal Advice Regarding the Same

RETURN TO OPEN SESSION & CLOSED SESSION CERTIFICATION

The Board returned to Open Session at 6:48 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 August 16, 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

**Board of Supervisors
August 16, 2022
Work Session**

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. Searce	Yes
Robert W. ("Bob") Warren	Yes
Jessie L. Barksdale	Yes
William V. ("Vic") Ingram	Yes

ADJOURNMENT

Ingram adjourned the Meeting at 6:49 PM.

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS
BUSINESS MEETING
August 16, 2022

VIRGINIA: The Pittsylvania County Board of Supervisors' ("Board") Business Meeting was held on August 16, 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 present:

Attendee Name	Title	Status	Arrived
William V. ("Vic") Ingram	Chairman - Tunstall District	Present	6:49 PM
Jessie L. Barksdale	Vice Chairman - Banister District	Present	6:50 PM
Tim Chesher	Supervisor - Dan River District	Present	6:44 PM
Darrell Dalton	Supervisor - Callands-Gretna District	Present	6:49 PM
Timothy W. Dudley	Supervisor - Staunton River District	Present	6:44 PM
Ronald S. Scearce	Supervisor - Westover District	Present	6:49 PM
Robert ("Bob") W. Warren	Supervisor - Chatham-Blairs District	Present	6:45 PM

AGENDA ITEMS TO BE ADDED

Motion to remove item 7(h), Shell Building Moral Obligation Support Agreement, from Agenda, for further consideration and development from County Staff.

RESULT:	ADOPTED [6 TO 0]
MOVER:	Warren
SECONDER:	Chesher
AYES:	Ingram, Barksdale, Chesher, Dalton, Scearce, Warren
AWAY:	Dudley

APPROVAL OF AGENDA

Motion to approve Agenda.

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

CONSENT AGENDA

Motion to approve Consent Agenda.

Attachment: 08-16-2022 Business Meeting - DRAFT (3353 : August Board Meeting Minutes Approval (Staff Contact: Kaylyn M. McCluster))

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

- a. July Board Meeting Minutes Approval (Staff Contact: Kaylyn M. McCluster)
- b. County's 2022 July Bill List Approval (online); (Staff Contact: Kimberly G. Van Der Hyde)
- c. Amended Resolution # 2022-07-03 (Support for Naming the Route 685 Chalk Level Road Bridge over US Highway 29 in Pittsylvania County, the “Deputy Sheriff J. Holland Thomas, Sr., Memorial Bridge”) Adoption (Staff Contact: Kaylyn M. McCluster)
- d. Rescue Squad Assistance Fund Application Submission Approval (Ambulance Remount); (Staff Contact: Christopher Key)
- e. Public Safety Answering Point Grant Application Submission Approval (911 Training) (Staff Contact: Christopher Key)
- f. Rescue Billing Year-End Appropriation Approval (Staff Contact: Kimberly G. Van Der Hyde)
- g. Resolution # 2022-08-01 (Additional Rural Rustics Road Designations) Adoption (Supervisor Dalton)
- h. Internet Service Provider Partnership Designation (Future Grants); (Staff Contact: Dave F. Arnold)

ITEMS REMOVED FROM CONSENT AGENDA

- i. Shell Building Moral Obligation Support Agreement Approval (Staff Contact: Matthew D. Rowe)

PRESENTATIONS

a. General Presentations (Board of Supervisors)

The Tunstall Robotics team was present to accept their Certificate of Excellence.

b. County Interns’ Certificates Presentations (Staff Contact: Caleb Ayers/Dana Wilson)

Ingram presented Certificates to students who participated in the County Summer Internship Program.

c. Danville-Pittsylvania County Chamber of Commerce Update (Staff Contact: Clarence C. Monday); (Presenter: Anne Moore-Sparks)

Anne Moore-Sparks, Danville-Pittsylvania County Chamber of Commerce President and CEO, introduced herself and presented their request of \$25,000 for their RevUp program.

d. School’s 1% Sales Tax Referendum Presentation (Presenter: Dr. Jones)

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Gayle Barts, Pittsylvanians for a Brighter Future, spoke in support of the 1% Sales Tax Referendum. She stated that this 1% local sales tax increase would generate \$3.8 million yearly. This sales tax increase does have exceptions and it does not apply to groceries or prescription medications. Anyone who desires to assist with getting the message out to the citizens of the County may volunteer to assist by emailing voteyes4pcs@gmail.com.

HEARING OF THE CITIZENS

Jim Scarce, Westover District, stated he was nominated and appointed to the DSS Board. At the last DSS Board Meeting, there was an item on the Agenda to revise the DSS Bylaws to correct a non-compliant issue that was identified earlier in the year. He stated there was a vote taken to table the vote to allow the Board of Supervisors time to correct this issue in their Bylaws, and Scarce voiced his concerns regarding such.

Bob Carlberg, Staunton River District, also stated his concerns regarding the DSS Bylaws.

Chuck Angier, Callands-Gretna District, stated that the Whitehorn Solar Project in Gretna is a disgrace to the County and an embarrassment to the Solar Industry. He stated the vegetation has been overtaken by weeds and the weeds are even climbing over the fence. Gretna Fire had difficulty getting into this location for a battery fire due to mud, vegetation, access, and lack of training. He asked the Board to look at what is going on out there and to try to prevent it from going on somewhere else.

Barbara Hancock, Callands-Gretna District, spoke on the negative effects of the COVID vaccine and highlighted symptoms that can result from the vaccine. She provided recommendations for those who may be experiencing these symptoms.

Stephen Barrow, Dan River District, wanted to introduce himself to the Board and stated he has started up a business called Hammer Hill Computers in the Dan River District. They offer a program for those who have been recently released from incarceration to allow them to find jobs and keep them out of the criminal system. He is new to the area and plans to be involved and encouraged the Board to reach out if there were any concerns or suggestions for him.

PUBLIC HEARINGS

Rezoning Public Hearings

Case 1: Public Hearing: Case R-22-020: Lisa Wilkinson; Rezoning from R-1, Residential Suburban Subdivision 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 Chesher)

In Case R-22-020, Lisa Wilkinson (“Petitioner”) has petitioned to rezone 0.617 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (*to allow the property to be consolidated with adjacent property zoned A-1*). The subject property is located on State Road 968/Sandy Creek Church Road, in the Dan River Election District, and shown on the Tax

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Maps as part of GPIN # 2357-86-7262. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-178 are permitted. On July 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 7:55 PM. No one signed up to speak and Ingram closed the Public Hearing at 7:56 PM.

Motion to approve the rezoning of 0.617 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow the property to be consolidated with an adjacent parcel zoned A-1.

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

Case 2: Public Hearing: Case R-22-022: Donnie Devall, Jr.; Rezoning from R-1, Residential Suburban Subdivision 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 Scarce)

In Case R-22-022, Donnie Devall, Jr. ("Petitioner") has petitioned to rezone a total of 4.6 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (*to allow the property to be consolidated with adjacent property zoned A-1*). The subject property is located on State Road 870/Vandola Road, in the Westover Election District, and shown on the Tax Maps as GPIN #s 1386-71-5326 and 1386-71-6471. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-178 are permitted. On July 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 7:56 PM. Donnie Devall was present to represent the Petition. No one signed up to speak and Ingram closed the Public Hearing at 7:57 PM.

Motion to approve the rezoning of 4.6 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow the property to be consolidated with an adjacent parcel zoned A-1.

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

Case 3: Public Hearing: Case R-22-024: William and Kristy Astin; Rezoning from R-1, Residential Suburban 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 Chesher)

In Case R-22-024, William and Kristy Astin (“Petitioners”) have petitioned to rezone a total of 3.65 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (*to allow for future consolidation with an adjacent property zoned A-1*). The subject property is located on State Road 989/Airport Road, in the Dan River Election District, and shown on the Tax Maps as GPIN #s 2336-52-4576, 2336-52-7352, and 2336-52-7571. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-178 are permitted. On July 5, 2022, the Planning Commission recommended, by an 8-0 vote, with no opposition, that the Petitioners’ request be granted.

Ingram opened the Public Hearing at 7:58 PM. William Astin was present to represent the Petition. No one signed up to speak and Ingram closed the Public Hearing at 7:59 PM.

Motion to approve the rezoning of 3.65 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow the properties to be consolidated with an adjacent parcel zoned A-1.

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

Case 4: Public Hearing: Case R-22-025: Charles Turner and Michael Turner; Rezoning from R-1, Residential Suburban 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-22-025, Charles Turner and Michael Turner (“Petitioners”) have petitioned to rezone 1.0 acre from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (*to allow the property to be consolidated with an adjacent property zoned A-1*). The subject property is located on State Road 851/Sugartree Church Road, in the Tunstall Election District, and shown on the Tax Maps as GPIN # 1460-61-9629. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-178 are permitted. On July 5, 2022, the Planning Commission recommended, by an 8-0 vote, with no opposition, that the Petitioners’ request be granted.

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Ingram opened the Public Hearing at 8:00 PM. Charles Turner was present to represent the Petition. No one signed up to speak and Ingram closed the Public Hearing at 8:01 PM.

Motion to approve the rezoning of 1.0 acre from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow the property to be consolidated with an adjacent parcel zoned A-1.

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

Other Public Hearings

1. Public Hearing: FY 2022 County Budget Amendments (Staff Contact: Kimberly G. Van Der Hyde)

Annually, Departmental/Fund Budgets are reviewed to determine if sufficient Budget amounts exist to cover expenses until year-end. Most of these items are bookkeeping entries required by the County's Auditors. Prior to approval of the FY 2022 County Budget Amendments, per the Virginia Code, a Public Hearing is required to be held.

Ingram opened the Public Hearing at 8:03 PM. No one signed up to speak and Ingram closed the Public Hearing at 8:03 PM.

Motion to approve the FY 2022 County Budget Amendments as attached and presented.

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

2. Public Hearing: PCC § 8-7 (Precincts) Revisions (Staff Contact: Kelly A. Keese)

Last year, the Board approved Redistricting Plan "A" and the Office of the Attorney General of the Commonwealth of Virginia approved the changes to the polling place boundaries and the request to relocate the Hurt Elementary School Voting Precinct to the New Prospect Family Life Center as listed in the plan.

Following a lawfully advertised and conducted Public Hearing, the Board is legally required to vote to amend Pittsylvania County Code ("PCC") § 8-7 to formally implement the Registrar's voting precinct relocation recommendation. The proposed Voting Precinct relocation Public Hearing Notice was advertised in the *Danville Register and Bee* on August 4, 2022, and August 11, 2022.

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

**Board of Supervisors
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Business Meeting**

Public Hearing at 8:05 PM.

Motion to approve the amendments to PCC § 8-7 as presented.

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

UNFINISHED BUSINESS

a. Revised FY 2023 Fire and Rescue Service Agreement Approval (Staff Contact: Christopher Key)

The County requires Volunteer Fire and Rescue Agencies sign an Annual Service Agreement (“Service Agreement”) that details expectations of both parties. Supervisor Warren and the Fire and Rescue Association reviewed the Service Agreement and requested changes to it. The Fire and Rescue Commission has reviewed the revised Service Agreement and recommends the Board approve the revised FY 2023 Service Agreement.

Scarce stated he would be voting against this item for the same reason he voted against it last month; lack of accountability.

Motion to approve the attached, revised FY 2023 Fire and Rescue Service agreement as presented, with the funding for the increase of EMS pay per call contingent upon appropriation by the Board.

RESULT:	APPROVED [6 TO 1]
MOVER:	Warren
SECONDER:	Dudley
AYES:	Ingram, Barksdale, Chesher, Dalton, Dudley, Warren
NAYS:	Scarce

NEW BUSINESS

None.

MATTERS FROM WORK SESSION (IF ANY)

None.

BOARD MEMBER REPORTS

- Chesher thanked everyone for being in attendance and stated he has finished his last chemo treatment and received a report of no cancer. He also thanked everyone for the prayers, cards, and support that he has received throughout this period.

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- Dudley thanked everyone for coming out and being involved and he also spoke on Angier's comments earlier in the meeting regarding solar facilities in the County.
- Warren expressed heartfelt sympathy and prayers to the Harville family during the loss of Coy Harville, a previous Board Member for the Westover District.
- Dalton thanked everyone for coming out tonight and echoed Warren's sentiments about Harville.
- Barksdale stated he was glad that everyone is here.
- Scarce echoed Warren's earlier comments regarding the School's Sales Tax Referendum and thanked the school representatives for coming out to speak in support of this item.
- Ingram recognized the Tunstall Robotics team and the interns, as well as Fire and Rescue, and the School System. He also recognized Harville and expressed sympathy for his passing. He stated there would be a bridge dedication ceremony on Friday naming two (2) bridges in county after two State Troopers who were killed in the line of duty.

COUNTY ADMINISTRATOR REPORTS

Monday thanked the Board for providing the funding for the internship program. He stated that is the future of the County and he is glad to see the Board support that project, and he is hopeful they will support this program again. He also thanked all Departments that were willing to have interns.

Hunt echoed the statements about Harville and always thought that he was one of the greatest politicians that he ever knew on any level, and the County is a better place for him serving on this Board.

ADJOURNMENT

Ingram adjourned the Meeting at 8:23 PM.



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	County's 2022 August Bill List Approval (online); (Staff Contact: Kimberly G. Van Der Hyde)		
Staff Contact(s):	Kimberly G. Van Der Hyde		
Agenda Date:	September 20, 2022	Item Number:	7.b
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 August Bill List is found at the below link:

<https://weblink.pittgov.net/WebLink/Browse.aspx?id=458258&dbid=0&repo=PittGovDocs>

FINANCIAL IMPACT AND FUNDING SOURCE:

Not applicable.

RECOMMENDATION:

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

MOTION:

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



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Lisa Tuite Certificate Approval (Retirement); (Staff Contact: Kaylyn M. McCluster)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	September 20, 2022	Item Number:	7.c
Attachment(s):	Lisa Tuite - Certificate		
Reviewed By:	VH		

SUMMARY:

After ten (10) years of working with the County, Lisa Tuite, Library Director, is retiring effective October 1, 2022. Tuite has had many accomplishments as Library Director and the Board expresses its sincere appreciation to her for her service to the County.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends the Board approve the attached Certificate of Appreciation honoring Tuite's retirement.

MOTION:

"I make a Motion to approve the attached Certificate of Appreciation honoring Tuite's retirement."

Certificate of Appreciation

The Pittsylvania County Board of Supervisors expresses its sincere appreciation to you for your service to the County. During your ten year career, you have many accomplishments to be proud of. Some of which include the relocation and expansion of the Mt. Hermon branch library, the renovation of the Gretna branch and addition of new outdoor amenities, upgrades of all computers, partnerships with other organizations to offer events and services, and implementing virtual story times and curbside pickup to continue library services through the COVID-19 pandemic. We thank you for your hard work and dedication, and we wish you the best in your retirement.

Lisa Tuite

Given this 20th day of September, 2022

PITTSYLVANIA
COUNTY, VIRGINIA

Darrell W. Dalton
Callands-Gretna District

William "Vic" Ingram
Chairman



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Purchase of Service Weapon Approval (Deputy James R. Abbott Retirement); (Contact: Sheriff Taylor)		
Staff Contact(s):	Sheriff Taylor		
Agenda Date:	September 20, 2022	Item Number:	7.d
Attachment(s):	J ABBOTT		
Reviewed By:			

SUMMARY:

Over the years, the Board has approved requests from retiring Sheriff's Deputies to purchase their service weapons, if the Deputy meets the requirements of Virginia Code § 59.1-148.3. For the Board's review and consideration, attached please find a letter from Deputy James R. Abbott ("Abbott") requesting to purchase his service weapon upon his recent retirement that was effective August 1, 2022. For the Board's review and consideration, related documentation is attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

The service weapon will be purchased for \$1.00.

RECOMMENDATION:

As authorized by the Virginia Code, County Staff recommends the Board approve Sheriff Taylor's transfer of the above-described service weapon to Abbott for \$1.00.

MOTION:

"I make a Motion to approve Sheriff Taylor's transfer of the above-described service weapon to Abbott for \$1.00."

June 30, 2022

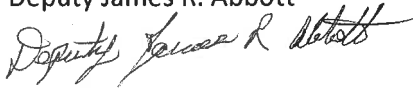
Sheriff Mike Taylor,

This letter is to inform you that I intend to retire from the Pittsylvania County Sheriff's office effective August 1, 2022. It has been a privilege to work for you for these past years.

I would like to purchase my issued side firearm for \$1.00 according to VA Code 59.1-148.3 upon my retirement. Please find the enclosed \$1.00 for sale purchase.

Best regards,

Deputy James R. Abbott



CC:
Lieutenant Colonel Tommy Nicholson
CPT Oscar Meeks
Board of Supervisors

Attachment: J ABBOTT (3354 : Purchase of Service Weapon Approval (Deputy James R. Abbott Retirement); (Contact: Sheriff)



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Appointment: Southern Area Agency on Aging (Teresa Easley); (Full Board Appointment); (Staff Contact: Kaylyn M. McCluster)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	September 20, 2022	Item Number:	7.e
Attachment(s):	09-13-2022 Teresa Easley - Southern Area Agency on Aging Board		
Reviewed By:	VH		

SUMMARY:

Jack Gates, Jr., tendered his resignation and can no longer serve on the Southern Area Agency on Aging Board of Directors. Teresa Easley has expressed interest in serving on this Board and her interest form is attached. This is a full Board appointment.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends the Board appoint Teresa Easley to the Southern Area Agency on Aging Board of Directors for a three (3)-year term beginning on September 20, 2022, and expiring on September 20, 2025.

MOTION:

“I make a Motion to appoint Teresa Easley to the Southern Area Agency on Aging Board of Directors for a three (3)-year term beginning on September 20, 2022, and expiring on September 20, 2025.”

* Full Name
Teresa Easley

* Full Address
634 South Main
Chatham Va 24531

* Election District
Banister

* Phone
(434) 489-1083

* **Email**
teresaeasley51@gmail.com

* Board, Committee, or Commission of Interest
Southern Area Agency on Aging Board

Disclaimer*

Members of the Board of Zoning Appeals are appointed by a local judge. The Board of Supervisors can make recommendations, but a judge actually makes the appointment.

Resume or Cover Letter

SKIPPED

*** Education Background**

Chatham High school Chowan Jr College Averett university

*** Occupation**

Retired Treasurer Pittsylvania County

*** Why do you want to serve on this Board?**

I am looking for local community involvement that I can be a part of

*** What special skills/interests/qualifications would benefit you in this appointment?**

Interested in this because of my aged parents, who are now deceased. To help the aged to have the best quality of life that can be afforded to them

Paragraph Text

SKIPPED

Paragraph Text

SKIPPED

Attachment

SKIPPED

I agree that if appointed to any Committee, Board, or Commission I will complete the required Conflict of Interest Annual Filings and will adhere to the [Code of Ethics/Model of Excellence](#) as included in the Pittsylvania County Board of Supervisors bylaws.

* Code of Ethics/Model of Excellence

Yes

Read-Only Content

Read-Only Content

Read-Only Text

Read-Only Content

Read-Only Content

Read-Only Content

Read-Only Content

Attachment

SKIPPED

Attachment

SKIPPED

I agree that if appointed to any Committee, Board, or Commission I will complete the required Conflict of Interest Annual Filings and will adhere to the [Code of Ethics/Model of Excellence](#) as included in the Pittsylvania County Board of Supervisors bylaws.

* Code of Ethics/Model of Excellence
Yes

DISCLAIMER: The Pittsylvania County Board of Supervisors reserves the absolute legal right to appoint an individual to any Committee, Board, or Commission. Moreover, completion and submission of the Citizen Committee Interest Form does not guarantee an appointment to a committee by the Pittsylvania County Board of Supervisors.

Attachment: 09-13-2022 Teresa Easley - Southern Area Agency on Aging Board (3359 : Appointment: Southern Area Agency on Aging (Teresa



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Certificate Approval (Honoring C. Monday's Interim County Administrator Service); (Staff Contact: Kaylyn M. McCluster)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	September 20, 2022	Item Number:	7.f
Attachment(s):	Clarence Monday - Certificate		
Reviewed By:			

SUMMARY:

Clarence C. Monday has served as the County's Interim County Administrator from February 1, 2022, until September 21, 2022. The Board thanks him for his exemplary service to the County and wishes him the best in all his future endeavors.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends the Board approve the attached Certificate honoring Monday's service to the County.

MOTION:

"I make a Motion to approve the attached Certificate honoring Monday's service to the County."

Certificate of Appreciation

The Pittsylvania County Board of Supervisors expresses its sincere appreciation to you for your service to the County as Interim County Administrator. Your time and dedication to the County allowed operations to continue and the Budget to be passed. We thank you for your exemplary service to the County and we wish you the best in your future endeavors.

Clarence C. Monday

Given this 20th day of September, 2022

PITTSYLVANIA
COUNTY, VIRGINIA

William "Vic" Ingram
Chairman



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Resolution # 2022-09-01 Adoption (Honoring Gregory Robinson, James Webb Space Telescope Program Director); (Staff Contact: Kaylyn M. McCluster)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	September 20, 2022	Item Number:	7.g
Attachment(s):	2022-09-01 Gregory Robinson - NASA		
Reviewed By:	VH		

SUMMARY:

Gregory L. Robinson, a County native, graduated from Dan River High School in 1978. He later earned two (2) Bachelor's Degrees and began his career with NASA. After thirty-three (33) years of NASA service, Robinson retired on July 29, 2022. The Board congratulates Robinson on his retirement and wishes him the best in all his future endeavors. For the Board's review and consideration, Resolution # 2022-09-01 honoring Robinson's retirement is attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends the Board adopt Resolution # 2022-09-01 as attached.

MOTION:

"I make a Motion to adopt Resolution # 2022-09-01 as attached."

**PITTSYLVANIA COUNTY BOARD OF SUPERVISORS
RESOLUTION # 2022-09-01**

**HONORING GREGORY ROBINSON’S RETIREMENT AS THE
JAMES WEBB SPACE TELESCOPE PROGRAM DIRECTOR**

VIRGINIA: At the Pittsylvania County Board of Supervisors’ (“Board”) Business Meeting on Tuesday, September 20, 2022, in the Board Meeting Room, the following Resolution was presented and adopted:

WHEREAS, Gregory L. Robinson (“Robinson”) is a County native and graduated from Dan River High School in 1978; and

WHEREAS, Robinson was the ninth (9th) of eleven (11) children born to a family of sharecroppers, and he was the only sibling to pursue a STEM-related field; and

WHEREAS, he earned a Bachelor’s Degree in math from Virginia Union University and a Bachelor’s Degree in electrical engineering from Howard University; and

WHEREAS, Robinson has been working for NASA since 1989 and became the Director of the James Webb Space Telescope Program in 2018; and

WHEREAS, after more than thirty (30) years of service at NASA, Robinson retired on July 29, 2022; and

WHEREAS, during his thirty-three (33) years at NASA, Robinson held several Senior Executive positions, including Deputy Director at the Agency’s Glenn Research Center in Cleveland, Ohio, from February 2013 to February 2015, where he helped lead a major reorganization of the Center to improve project performance, while continuing world class research and technology development; and

WHEREAS, Robinson is the recipient of numerous accolades, including the NASA Presidential Rank Distinguished Executive, the NASA Meritorious Senior Professionals and Executives Award, and the 2022 “Management Excellence” Finalist for the Samuel J. Heyman Service to America Medals.; He was also named to the TIME 100’s Most Influential People of 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Board does hereby express their deepest congratulations to Robinson on his retirement and wish him the best in his future endeavors.

Timothy W. Chesher (Dan River District)
Pittsylvania County Board of Supervisors

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:	K. McCluster Certificate Approval (Certified Municipal Clerk Designation); (Staff Contact: Clarence C. Monday)		
Staff Contact(s):	Clarence C. Monday		
Agenda Date:	September 20, 2022	Item Number:	7.h
Attachment(s):	Kaylyn McCluster - Certificate		
Reviewed By:			

SUMMARY:

As of August 1, 2022, Kaylyn M. McCluster, County Deputy Clerk, completed all education and experience requirements prescribed by the International Institute of Municipal Clerks (“IIMC”) for Certification. IIMC grants the Certified Municipal Clerk (“CMC”) designation only to those Municipal Clerks who complete demanding education requirements, and who have a record of significant contributions to their local government, their community, and State. In Virginia there are 206 Clerks registered with the Virginia Municipal Clerks Association, and out of those, only 57 (27%) have obtained their certification. The Board applauds McCluster’s educational accomplishments and achievement of this milestone and congratulates her on the pursuit of professional excellence. 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 attached Certificate of Excellence recognizing McCluster.

MOTION:

“I make a Motion to approve the attached Certificate of Excellence recognizing McCluster.”

Certificate of Excellence

The Pittsylvania County Board of Supervisors expresses its sincere congratulations to you for you being awarded the International Institute of Municipal Clerks' ("IIMC") designation of Certified Municipal Clerk ("CMC"). IIMC grants the CMC designation only to those Municipal Clerks who complete demanding education requirements; and who have a record of significant contributions to their local government, their community, and State. In Virginia there are 206 Clerks registered with the Virginia Municipal Clerks Association, and out of those, only 57 (27%) have their certification. We applaud your educational accomplishments and achievement of this milestone and congratulate you on your pursuit of professional excellence.

Kaylyn M. McCluster

Given this 20th day of September, 2022

PITTSYLVANIA
COUNTY, VIRGINIA

William "Vic" Ingram
Chairman



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Revised County Facility Alcohol Policy Approval (Staff Contact: Christopher C. Slemph)		
Staff Contact(s):	Christopher C. Slemph		
Agenda Date:	September 20, 2022	Item Number:	7.i
Attachment(s):			
Reviewed By:	CH		

SUMMARY:

County Staff has recently been questioned regarding third-party usage of County properties and the serving of alcoholic beverages thereon. To date, the County has not adopted an alcoholic beverage policy regarding outside individuals and groups. County Staff is recommending a minor change in the County's current Policy Manual, under section 12 (Drug and Alcohol-Free Workplace), that would be consistent with the County's current policy of a drug and alcohol-free workplace.

For the Board's review and consideration, attached is the suggested revision:

12.1. Purpose

The County is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug and alcohol-free workplace program that balances our respect for individuals with the needs to maintain a drug and alcohol-free environment. *The County prohibits the use or possession of alcohol and illegal drugs on County property.* The County encourages employees to voluntarily seek help with drug and alcohol.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends the Board adopt the revised Policy as presented.

MOTION:

"I make a Motion to adopt the revised Policy as presented."



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	County Internet Service Provider Partnership Contract Approval (Staff Contact: Dave F. Arnold)		
Staff Contact(s):	David F. Arnold		
Agenda Date:	September 20, 2022	Item Number:	7.j
Attachment(s):	Contract RiverStreet Networks		
Reviewed By:			

SUMMARY:

After reviewing proposals from internet service providers in response to RFP #2022-0613 (Broadband Expansion), County Staff recommends partnering with RiverStreet Networks (“RiverStreet”) on future Federal and State Grant applications related to broadband expansion. For the Board’s review and consideration, attached is a broadband expansion contract (“Contract”) with RiverStreet, establishing it as the County’s internet service provider partner for future Federal and State broadband Grant applications until September 30, 2025.

FINANCIAL IMPACT AND FUNDING SOURCE:

The County is under no obligation to offer a direct local match on any future broadband Grant applications.

RECOMMENDATION:

County Staff recommends the Board approve awarding the attached Contract to RiverStreet.

MOTION:

“I make a Motion to approve awarding the attached Contract to RiverStreet.”

PITTSYLVANIA

COUNTY, VIRGINIA

Contract Number: 09202022

This contract entered into this 20th day of September, by RiverStreet Networks; hereinafter called the "Partnering Internet Service Provider (ISP)" and County of Pittsylvania called the "Partnering Locality."

WITNESSETH that the Contractor and the Purchasing Agency, in consideration of the mutual covenants, promises and agreements herein contained, agree as follows:

SCOPE OF SERVICES: The Contractor shall provide the services to the County of Pittsylvania as set forth in the RFP 2022-0613 and proposal received. The Partnering Locality and the Partnering ISP will partner on federal and state grant applications to facilitate funding for the Partnering ISP to provide high-speed internet service to unserved and underserved locations. The Partnering Locality is under no obligation to provide a direct local match on grant applications for the duration of this contract, and the Partnering ISP's financial commitment to any grant application may vary depending on number of passings and infrastructure needs of the areas targeted in the grant application. Furthermore, the minimum number of passings requirement has been waived as the criteria defining what constitutes high-speed internet and the scope of broadband grant programs are subject to change.

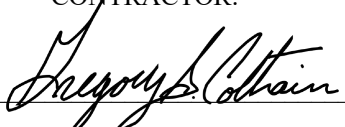
PERIOD OF PERFORMANCE: **PERIOD OF PERFORMANCE:** From: 9/20/2022 through 9/30/2025

The contract documents shall consist of:

- A. This signed form;
- B. The following portions of the Request for Proposals dated 06/13/22:
 - (1) Scope of services, of the RFP
 - (2) Pittsylvania County General Terms and Conditions "revised" see attached
 - (3) Pittsylvania County Special Terms and Condition "revised" see attached
- C. The Provider's Proposal dated 7/12/2022

IN WITNESS WHEREOF, the parties have caused this Contract to be duly executed intending to be bound thereby.

CONTRACTOR: PURCHASING AGENCY:

By:  By: _____

Title: VP Business Development Title: _____

Note: This public body does not discriminate against faith-based organizations in accordance with the Code of Virginia, § 2.2-4343.1 or against a bidder or offeror because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment.

Attachment: Contract RiverStreet Networks (3355 : County Internet Service Provider Partnership Contract Approval)



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Acknowledgment of Lease Transfer and Agreement to Amend Exhibit "B" to Lease Agreement Approval (RiverStreet); (Staff Contact: Dave F. Arnold)		
Staff Contact(s):	David F. Arnold		
Agenda Date:	September 20, 2022	Item Number:	7.k
Attachment(s):	Acknowledgment and Amendment of Lease 7082022 JJ07262022 DCHv3		
Reviewed By:	VH		

SUMMARY:

As of March 1, 2020, the County entered into a Lease Agreement ("Lease") with AcelaNet, LLC, a Virginia limited liability company that did business under the name SCS Broadband ("AcelaNet"). Pursuant to the Lease the County granted certain rights to AcelaNet to co-locate equipment on certain communications Towers owned by the County. On January 1, 2021, RiverStreet Management Services, LLC ("RiverStreet"), acquired one hundred percent (100%) of the membership interests of AcelaNet. Effective February 1, 2021, AcelaNet merged into RSWVA, with RSWVA being the surviving entity. By virtue of the merger, RiverStreet acquired the Lease between the County and AcelaNet. Now, the County and RiverStreet desire to amend Exhibit "B" to the Lease to accurately reflect the activation dates of the equipment on certain Towers.

Accordingly, for the Board's review and consideration, attached is an Amendment that assigns the Lease from "ACELANET LLC D/B/A SCS BROADBAND" to "RIVERSTREET WIRELESS OF VIRGINIA, INC. D/B/A RIVERSTREET NETWORKS" as Lessee, as well as includes the activation of equipment at two (2) additional tower locations: Rockford School and Brosville.

FINANCIAL IMPACT AND FUNDING SOURCE:

This Amendment includes two (2) additional tower locations; which will increase the Lessee's lease payment.

RECOMMENDATION:

County Staff recommends the Board approve the Amendment as attached.

MOTION:

"I make a Motion to approve the execution of the Amendment as attached."

**ACKNOWLEDGMENT OF LEASE TRANSFER AND AGREEMENT
TO AMEND EXHIBIT "B" TO LEASE AGREEMENT**

THIS ACKNOWLEDGMENT OF LEASE TRANSFER AND AGREEMENT TO AMEND EXHIBIT "B" TO LEASE AGREEMENT (the "Acknowledgment") is hereby made and entered into as of the ____ day of _____, 2022 by and between Pittsylvania County, a political subdivision of the Commonwealth of Virginia ("County" or "Lessor"), and RiverStreet Wireless of Virginia, Inc. d/b/a RiverStreet Networks, a Virginia corporation ("RSWVA" or "Lessee"). Each of the County and RSWVA may be referred to herein individually as a "Party" and collectively as the "Parties."

RECITALS

Whereas, effective as of March 1, 2020, the County entered into a Lease Agreement ("Lease") with AcelaNet, LLC, a Virginia limited liability company that did business under the name SCS Broadband ("AcelaNet");

Whereas, pursuant to the Lease the County granted certain rights to AcelaNet to co-locate Equipment on certain communications Towers owned by the County;

Whereas, on January 1, 2021, RiverStreet Management Services, LLC acquired 100% of the membership interests of AcelaNet;

Whereas, effective February 1, 2021, AcelaNet merged into RSWVA with RSWVA being the surviving entity;

Whereas, by virtue of the merger RSN acquired the Lease between the County and AcelaNet; and

Whereas, the Parties desire to amend Exhibit B to the Lease to accurately reflect the activation dates of the Equipment on certain Towers

NOW, THEREFORE, for and in consideration of the foregoing, and other good and valuable consideration and the premises and covenants hereinafter set forth, the receipt and sufficiency of which is hereby acknowledged, Lessor and Lessee agree as follows:

1. Incorporation of Recitals. The foregoing recitals are true and correct and are expressly incorporated herein by this reference.
2. Definitions. All capitalized terms used in this Acknowledgment that are not otherwise defined herein shall have the meanings assigned to such terms in the Lease.
3. Acknowledgement of Transfer of Lease Agreement. The Parties hereby acknowledge that by the merger of AcelaNet into RSWVA, RSWVA acquired the Lease and that RSWVA became responsible as of February 1, 2021, for AcelaNet's obligations under the Lease, to the same extent as if RSWVA were named as the Lessee under the Lease.

4. Agreement of the Parties. County and RSWVA hereby expressly agree as follows:

- A. As successor to AcelaNet RSWVA is the current holder of the Lessee's interest under the Lease.
- B. The Lease is in full force and effect.
- C. A true and correct copy of the Lease and all amendments, if any, is attached hereto as **Exhibit "C"** and incorporated herein by this reference. Except as otherwise set out in this Agreement, the Lease, and all amendments, if any, constitute the entire agreement between Lessor and Lessee with respect to the Leased Space. There are no present outstanding defaults pursuant to the terms and provisions of the Lease by either Lessor or Lessee, and no Party has knowledge of any facts which, with the giving of notice, passage of time, or both, would constitute a default by any Party under the Lease.

D. **Exhibit "B"** to the Lease is hereby revised and amended, as shown in the attached Amended Exhibit B, to accurately reflect

5. Binding Agreement. This Acknowledgment constitutes the entire agreement between the Parties hereto with respect to the transfer of the Lease to RSWVA and supersedes all prior understandings or agreements between the Parties relative to such matter.

6. Notices. Any notice, communication, request, reply or advise (hereinafter severally and collectively, "Notice") regarding this Acknowledgment or the Lease shall be given as provided for in Section 24 of the Lease, and shall be sent to the Parties at the following addresses:

Lessor: Board of Supervisors of Pittsylvania County, Virginia
 Attn.: County Administrator
 1 Center Street
 PO Box 426
 Chatham, Virginia 24531

Lessee: RiverStreet Wireless of Virginia, Inc.
 Attn.: Lease Administration
 1400 River Street
 Wilkesboro, NC 28697
 E-mail: LeaseAdministration@myriverstreet.net

7. Board of Supervisors Approval. At its regular meeting on _____, 2022, the Pittsylvania County Board of Supervisors voted unanimously to approve this Acknowledgment and Agreement.

Signatures on following page

IN WITNESS WHEREOF, the Parties have executed this Acknowledgment and Agreement as of the date and year first written above.

County of Pittsylvania, Virginia

By: _____
Print Name: _____
Title: _____

RiverStreet Wireless of Virginia, Inc. d/b/a RiverStreet Networks

By: _____
Print Name: Stephen Morris
Title: Director – Wireless Operations

Attachment: Acknowledgment and Amendment of Lease 7082022 JJ07262022 DCHv3 (3371 : Acknowledgment of Lease Transfer and

ACKNOWLEDGEMENT

Commonwealth of Virginia
County of Pittsylvania

On this, the ____ day of _____, 2022 before me, the undersigned officer in and for the above-stated jurisdiction, personally appeared Robert W. Warren, Chairman of the Pittsylvania County Board of Supervisors, known to me (or satisfactorily proven) to be the person(s) whose name(s) is subscribed to the within Acknowledgment and Agreement, and acknowledged that he executed the same for the purposes therein contained on behalf of said County.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

Attachment: Acknowledgment and Amendment of Lease 7082022 JJ07262022 DCHV3 (3371 : Acknowledgment of Lease Transfer and

ACKNOWLEDGEMENT

State of South Carolina
County of York

On this, the ____ day of _____, 2022, before me, the undersigned officer in and for the above-stated jurisdiction, personally appeared Stephen Morris, who acknowledged him/herself to be the Director – Wireless Operations of **RiverStreet Wireless of Virginia, Inc.**, a Virginia corporation, and that he, being authorized to do so, executed the foregoing Acknowledgment and Agreement for the purposes therein contained on its behalf.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

Attachment: Acknowledgment and Amendment of Lease 7082022 JJ07262022 DCHv3 (3371 : Acknowledgment of Lease Transfer and

AMENDED EXHIBIT "B"

TOWER	DATE ACTIVATED	CURRENT DATE	NUMBER OF MONTHS	AMOUNT DUE
Callands	6/1/19	9/1/22		
Grit	4/1/19	9/1/22		
Mt. Airy	3/6/19	9/1/22		
Rockford School	3/31/2022	9/1/22	5	\$300.00
White Oak	1/1/18	9/1/22		
Brosville	3/31/2022	9/1/22	5	\$300.00
Dan River Middle School	12/1/19	9/1/22		
TOTALS				\$600.00

Attachment: Acknowledgment and Amendment of Lease 7082022 JJ07262022 DCHv3 (3371 : Acknowledgment of Lease Transfer and

**EXHIBIT C
COPY OF THE LEASE AGREEMENT**

Attachment: Acknowledgment and Amendment of Lease 7082022 JJ07262022 DCHv3 (3371 : Acknowledgment of Lease Transfer and

LEASE AGREEMENT

THIS LEASE AGREEMENT ("Lease"), made and effective as of the 1st day of March, 2020, between THE BOARD OF SUPERVISORS OF PITTSYLVANIA COUNTY, VIRGINIA ("Lessor"), and ACELANET LLC D/B/A SCS BROADBAND, a Virginia limited liability company ("Lessee").

WHEREAS, Lessor is the owner of certain real properties located in Pittsylvania County, Virginia, each more particularly described on Exhibit "A," attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, Lessee desires to lease from Lessor certain space on Lessor's communications towers (the "Towers") on said Property for the placement and operation of Lessee's communications equipment (the "Equipment"); and

NOW, THEREFORE, for valuable consideration, the receipt, adequacy, and sufficiency of which is hereby acknowledged by the parties hereto, the parties hereby agree as follows:

1. **Demise.**

Lessor hereby leases to Lessee and Lessee hereby leases from Lessor space on Lessor's Towers the placement thereon of Lessee's Equipment (the "Leased Space").

2. **Use.**

Lessee shall be permitted the non-exclusive right to install, maintain, and service its Equipment on Lessor's Towers, which Equipment shall be utilized for the transmission and reception of cellular communications. These shall be the only permissible uses under this Lease.

3. **Conditions Precedent to Commencement Date.**

(a) **Approvals.** Lessee's ability to use the Leased Space is contingent upon its obtaining, after the execution date of this Lease, all certificates, permits, licenses, and other approvals that may be required by any federal, state, or local authorities (the "Approval(s)"). Lessor shall cooperate with Lessee in its effort to obtain such Approvals. If Lessee notifies Lessor that (i) any application for an Approval is rejected; (ii) an Approval is canceled, expires, lapses, or is otherwise withdrawn or terminated for any reason whatsoever prior to installation of the Equipment by Lessee; or (iii) any radio frequency propagation tests are found to be unsatisfactory so that Lessee, in its sole discretion, will be unable to use the Leased Space for its intended purposes, Lessee shall have the right to terminate this Lease with no further obligation on the part of either party.

4. **Term.**

(a) **Commencement Date.** Provided Lessor has obtained evidence of the Approvals described above, the Lease term shall begin on the date of execution of this Lease (the "Commencement Date") and shall continue for a period of three (3) years (the "Initial Term"). Lessee shall have the option of extending this Lease for three (3), one (1) year terms (the "Renewal Terms"). Such renewal options shall be exercisable by Lessee by notifying Lessor in writing at

the address shown below at least six (6) months prior to expiration of the then current term.

(b) **Termination by Lessee.** Notwithstanding anything to the contrary contained herein, Lessee shall be entitled to terminate this Lease after the Commencement Date with written notice to Lessor in the event:

- (i) any Approval is canceled, expires, lapses, or is otherwise withdrawn or terminated for any reason whatsoever; or
- (ii) any notice by Lessor of relocation of Lessee's Equipment pursuant to Section 9 is unacceptable to Lessee.

Any such termination by Lessee shall be effective thirty (30) days after receipt of written notice by Lessor. Upon such termination, this Lease shall terminate and be of no further force and effect, and except for any indemnity obligations and Lessee's obligations to remove the Equipment from the Property, the parties hereto shall be released from all duties, obligations, liabilities, and responsibilities under this Lease.

(c) **Termination by Lessor.** Lessor shall have the right to terminate this Lease upon ninety (90) days' prior written notice to Lessee. Upon such termination, subject to all terms contained herein, Lessor and Lessee shall thereafter be released from all further liability under this Agreement.

5. Rent; One-Time Back Rent Payment; Taxes.

(a) **Base Rent.** For the Initial Term, Lessee shall pay as rent **FIFTY DOLLARS AND NO CENTS (\$50.00)** per Tower, per month to Lessor. Base rent for each Tower shall only commence when the Lessor's Equipment is operational on that Tower. Rental payments shall be mailed to the Lessor at the address set forth herein, or to such other person, firm, or place as the Lessor may from time-to-time designate in writing. Lessor and Lessee shall negotiate the base rent for all Renewal Terms upon said occurrence.

(b) **One-Time Back Rent Payment.** Upon execution of this Lease, Lessee shall pay Lessor **THREE THOUSAND DOLLARS (\$3,000.00)** as a one-time payment for back rent for use of the Towers and/or Lease Space. An accounting of said payment is attached hereto as Exhibit "B" and made a part hereof.

(c) **Taxes.** Lessee shall be responsible for the reporting and payment when due of any and all applicable taxes, fees, or other costs, directly related to ownership or operation of the Equipment on the Leased Space. If applicable, Lessee shall additionally pay Lessor for any increase to Lessor's property taxes assessed on the Property specifically as a result of the placement of its Equipment on the Lease Space.

6. Relocation of Equipment on Leased Space.

Lessor reserves the right to change the location of Lessee's Equipment on the Leased Space upon sixty (60) days' written notice to Lessee. Lessee shall relocate or remove the Equipment, at Lessor's expense, within sixty (60) days of receipt of any such notice by Lessor.

7. Access; Ingress and Egress.

Lessor hereby grants to Lessee an easement for the term hereof for ingress, egress, and access to the Property adequate to service the Equipment on the Leased Space. Lessee or Lessee's qualified contractors or persons under Lessee's direct supervision shall have access to the Towers and Lessee's equipment upon twenty-four (24) hours' notice to Lessor and the availability, at Lessor's option, of Lessor's field personnel to provide an escort and/or supervision. Lessee shall maintain all access codes to the Leased Space as confidential.

8. Utilities.

Lessor hereby grants to Lessee an easement for the term hereof to permanently place any utilities on or to bring utilities across the Property in order to service Lessee's Equipment on the Leased Space, subject to Lessor's prior written approval of the design and installation method and procedures. Lessee shall pay the cost of all utility service necessary to install, maintain, and operate its Equipment on the Leased Space. Where practicable, a separate meter will be installed for Lessee's use. If no meter is available, the parties shall prorate such charges based on approximate actual use within thirty (30) days of receipt by Lessor of an invoice from an applicable utility company. Lessee shall obtain and pay the cost of telephone connections. Installation of telephone service shall follow the procedures for installation and maintenance of the Equipment on the Leased Space as set forth below.

9. Lessee's Covenants.

Lessee covenants that the Facilities, and all installation, operation and maintenance associated therewith, will:

(a) In no way damage Lessor's Towers, Leased Space, or any other structure or accessories thereto, normal wear and tear excepted. If damage, other than normal wear and tear occurs, then Lessee shall be liable for repair or reimbursement of repair for said damages;

(b) Not interfere with the operation of Lessor's equipment, authorized frequency spectrum, signal strength or the equipment of other existing lessees ("Prior Lessee"), if any, on the Towers. In the event there is interference, Lessor shall have a third (3rd) party, chosen by Lessor in its sole discretion, evaluate such interference problems. In the event such third (3rd) party determines, in its sole discretion, that Lessee's Equipment is interfering with the operation of Lessor's or a Prior Lessee's equipment, Lessee shall immediately take all steps recommended by such third (3rd) party necessary to eliminate the interference including, if required, cutting off power to the objectionable Equipment. If Lessee cannot immediately eliminate the interference, Lessee will remove the objectionable Equipment;

(c) Not interfere with the maintenance of Lessor's Towers and the Towers lighting systems;

(d) Keep the Equipment in a state of repair acceptable to Lessor;

(e) Identify the Equipment with metal tags fastened securely to its bracket on the Towers and to each transmission line(s);

(f) Comply with all applicable rules and regulations of the Federal Communications Commission ("FCC") and all federal, state, and local laws governing use of the Leased Space;

(g) Occur in compliance with all applicable laws and ordinances and promptly discharge any lien for labor or material within fifteen (15) days of filing same;

(h) Upon expiration of this Lease, remove all Equipment from the Leased Space and restore the Leased Space to its original condition, normal wear and tear excepted. If Lessee has not removed its Equipment at the time of expiration or termination of the Lease, Lessee shall pay rent at the then existing monthly rate or on the existing monthly pro-rata basis if based upon a longer payment term until such time as the removal of the Equipment is completed. If Lessee does not remove its Equipment at the time of expiration or termination of this Lease, Lessor shall have the right to remove and store the Equipment, at Lessee's sole expense, and Lessee shall reimburse Lessor for such expenses upon demand. If Lessor removes the Equipment, Lessor shall not be responsible for any damage to the Leased Space during the removal and storage thereof, unless caused by the negligence of Lessor.

10. Lessor's Covenants.

Lessor covenants that during the term of this Lease it shall:

(a) Maintain the Towers and Leased Space and surrounding areas in a safe condition;

(b) Except as otherwise set forth in this Lease, take no action which would adversely affect the Lessee's proposed use of the Leased Space;

(c) Upon Lessee's payment of rent and performance of its covenants, ensure Lessee's quiet use and enjoyment of the Leased Space.

11. Compliance with Laws.

(a) Lessor acknowledges that it is aware of its obligations under Section 303 of the Communications Act of 1934 (47 U.S.C. 303) to maintain the painting and illumination of the Towers and/or Leased Space as prescribed by the FCC. Lessor further acknowledges that it is aware that it is subject to forfeitures assessed by the FCC for violations of such rules and requirements. Lessor further acknowledges that it, and not Lessee, shall be responsible for compliance with all Towers or building marking and lighting requirements which may be required by the Federal Aviation Administration ("FAA") or the FCC. To the extent allowed by Virginia law, Lessor shall indemnify and hold harmless Lessee from any fines or other liabilities caused by Lessor's failure to comply with such requirements. Further, should Lessee be cited by either the FCC or FAA because the Towers are not in compliance within the time frame allowed by the citing agency, Lessee may terminate this Lease immediately upon notice to the Lessor.

(b) Lessor is not aware of, and has not received notice of the disposal, release, or

presence of Hazardous Substances on the Property. "Hazardous Substances" means any hazardous material or substance which is or becomes defined as a hazardous substance, pollutant, or contaminant subject to reporting, investigation or remediation pursuant to any federal, state, or local law, regulation, or order; and any substance which is or becomes regulated by any federal, state, or local governmental authority; and any oil, petroleum products and their by-products.

12. Assignment or Subletting: No Liens.

(a) Lessee shall not assign, convey, sublet, or transfer its interest in the Lease without first (1st) obtaining Lessor's written approval, which approval shall not be unreasonably withheld.

(b) Lessee shall keep the Leased Space and Equipment free from any liens arising from any work performed, materials furnished, or obligations incurred by or at the request of Lessee. All person either contracting with lessee or furnishing or rendering labor and materials to Lessee shall be notified in writing by Lessee that they must look only to Lessee for payment for any labor or materials. If any lien is filed against the Equipment or Leased Space as a result of the acts or omissions of Lessee, its employees, agents or contractors, Lessee shall discharge it within twenty (20) days after Lessee learns that the lien has been filed.

13. Insurance: Risk of Loss.

(a) Insurance. Prior to installation of the Equipment and to having access to the Leased Space and at all times during the term of this Lease, Lessee shall provide proof of insurance, as outlined below, satisfactory to Lessor, and maintain the coverages specified below during the term hereof and until all Equipment is removed from the Leased Space following termination hereof:

- Comprehensive General Liability Insurance in an aggregate amount of \$2,000,000.;
- Workers' Compensation coverage in the statutory amount. Employers Liability Occupational Disease and Bodily Injury, Combined Single Limit of \$1,000,000;
- Automobile Liability for Owned and Non-Owned Autos, Combined Single Limit of \$1,000,000; and
- All Risk Insurance with Standard Extended Coverage, Replacement Value, Without Coinsurance factor for Full Replacement Value of Lessee's Equipment and personal property located on the Property.

(b) Additional Insured. Lessor shall be named as additional insured on the policy or policies. Lessee may satisfy this requirement by obtaining appropriate endorsements to any master

or blanket policy of liability insurance Lessee may maintain. No policy may be cancelable or subject to reduction of coverage except after thirty (30) days prior written notice to Lessor.

(c) **Third (3rd) Parties.** Lessee shall require its contractors and subcontractors to carry workers' compensation insurance and adequate liability insurance in conformity with the minimum requirements listed above.

(d) **Destruction; Force Majeure; Risk of Loss; Limitation of Liability.** Notwithstanding anything herein to the contrary, Lessee shall bear the risk of loss of or damage to the Leased Space during the term of this Lease. Except for the gross negligence of Lessor, Lessor shall not be liable for any damage to the Leased Space. Notwithstanding anything herein to the contrary, Lessor shall not be liable for any consequential or incidental damages incurred by Lessee due to any malfunction, vandalism, acts of God (including, without limitation, lightning, wind, rain, hail, fire, or storms) or any other damage resulting from any reason. If the Towers or other portions of the Leased Space are destroyed or so damaged as to be unusable, the Lessor or Lessee shall be entitled to elect to cancel and terminate this Lease, or in the alternative may elect to restore the Leased Space, in which case the Lessee shall remain bound hereby but shall be entitled to an abatement of rent during the loss of use, if the Lessee has not elected to cancel this Lease. In no event shall the leasehold or other interest created hereby be specifically enforceable and in no event shall Lessor be responsible to any party for lost profits or market share.

14. Indemnification.

Lessee does hereby agree to indemnify and save Lessor harmless from any and all claims, demands, or causes of action for property damage or personal injuries caused by Lessee, Lessee's agents, employees, contractors, and customers, arising out of Lessee's occupancy of the Leased Space or the installation, maintenance, and operation of the Equipment.

15. Default.

Each of the following shall be considered a default by the Lessee:

(a) The failure to pay any rent required hereunder within thirty (30) days after receipt of Lessor's written notice of such failure;

(b) The failure to cure, within (30) days after receipt of Lessor's written notice thereof, any breach of any other term hereof (except for promises relating to interference as set forth in Section 9(b) hereof);

(c) Abandonment of the Leased Space; or

(d) The failure of Lessee to eliminate interference problems as set forth in Section 9(b).

Upon default of this Lease by Lessee, in addition to all other remedies provided at law or in equity, Lessor may, at its option:

(i) elect to remove all the Equipment, without notice and without being guilty or liable in any manner for trespass, thereby terminating this Lease, and store the Equipment at Lessee's

expense, payable upon demand by Lessor.

(ii) elect to treat this Lease in full force and effect and shall be entitled to collect the rent provided for hereunder.

16. Condemnation.

If the whole of the Towers or Leased Space which are subject of this Lease or so much thereof as to interfere with the use thereof shall be taken or condemned by any competent authority for any public or quasi-public use or purpose, this Lease shall terminate as of the date when possession is taken. In such event, Lessor shall be under no liability to Lessee, and Lessee shall be entitled to no part of any condemnation award except so much thereof as the condemning authority expressly allocates to moving or relocation expenses incurred by Lessee. Lessor shall provide Lessee with notice in writing of any actual or threatened condemnation proceedings promptly after receiving notice thereof.

17. Arbitration.

ANY DISPUTE AS TO THE INTERPRETATION OR ENFORCEMENT OF THIS LEASE SHALL BE SUBJECT TO BINDING ARBITRATION PURSUANT TO THE RULES AND REGULATIONS OF THE AMERICAN ARBITRATION ASSOCIATION. EACH PARTY WAIVES ALL RIGHT TO TRIAL, AND JUDGMENT MAYBE ENTERED UPON THE ARBITRATION AWARD UPON PETITION TO THE APPROPRIATE COURT.

18. Mortgage by Lessor.

This Lease is and shall be subject to a security interest or mortgage which might now or hereafter constitute a lien upon the Towers/Leased Space. This Lease is and shall be subject and subordinate in all respects to any and all such mortgages on the same and to all renewals, modifications, consolidations, replacements, and extensions thereof. If any proceedings are brought for foreclosure, or in the event of the exercise of the power of sale under any mortgage covering the Towers/Leased Space, the Lessee shall attorn to the purchaser upon any such foreclosure or sale and recognize such purchaser as the Lessor under this Lease; provided that so long as the Lessee is not in default hereunder, this Lease shall remain in full force and effect.

19. Title to Equipment.

Lessee shall always retain title to its Equipment or personal property installed and operated by Lessee pursuant to this Lease.

20. Entirety.

This writing constitutes the entire agreement between Lessor and Lessee and any modification hereof must, to be effective, be in writing, signed by authorized representatives of each party.

21. Waiver.

Failure or delay on the part of either party to exercise any right, power, privilege, or remedy hereunder shall not operate as a waiver thereof; nor, shall any single or partial exercise of any right under this Lease preclude any other or further exercise thereof or the exercise of any other right.

22. Binding Effect.

This Lease shall extend to and bind the heirs, persons, representatives, successors, assigns, or its successors in interest of the parties hereto.

23. Governing Law; Venue; Litigation Expenses.

This Lease and performance hereunder shall be governed, interpreted, construed, and regulated by the laws of the Commonwealth of Virginia. Venue shall be in the appropriate court in Pittsylvania County, Virginia, or the nearest appropriate Federal Court. In any litigation or arbitration resulting from anything contained herein, each party shall pay for all of its own litigation expenses and fees.

24. Notice.

All notice and payments due hereunder shall be deemed validly given if sent by certified mail, return receipt requested, or with a nationally recognized courier who provides notice of receipt, postage fully prepaid, addressed as follows, or to such other addresses as may be given from either party in writing to the other:

Lessor: Board of Supervisors of Pittsylvania County, Virginia
Attn: County Administrator
1 Center Street
P.O. Box 426
Chatham, Virginia 24531

Lessee: AcelaNet LLC d/b/a SCS Broadband
Clay AcelaNet LLC d/b/a SCS Broadband Stewart
COO
654 Thomas Nelson Highway
Arrington, Virginia 22922

25. Headings.

Section headings in this Lease are included for the convenience of reference only and shall not constitute a part of this Lease for any other purpose.

26. Rules of Interpretation.

If this Lease requires interpretation, such interpretation shall not presume that the terms hereof shall be more strictly construed against one party by reason of any rule of construction than a document is to be construed more strictly against the party who prepared the same.

27. Brokerage.

Each party warrants and represents to the other that it has not dealt with a real estate agent or broker with respect to this Lease, and, to the extent allowed by Virginia law, shall hold the other party harmless against all claims by any real estate agent or broker claiming a commission hereunder on behalf of the indemnifying party.

28. Memorandum of Lease.

At the request of Lessee, Lessor hereby agrees to execute a Memorandum of Lease, in form satisfactory for recording, and such Memorandum of Lease may be filed of record by the Lessee, at Lessee's sole cost, including taxes or assessments incurred in connection therewith. The parties understand and agree that this Lease shall not be recorded of record.

29. Counterparts.

This Lease may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute but one instrument.

30. Severability.

If any provision of this Lease conflicts with any applicable statute, rule of law, or regulation, then such provision shall be deemed to be null and void to the extent that it may conflict therewith but without invalidating the remaining provisions hereof.

31. Authority.

Each party hereby represents and warrants to the other that all necessary corporate authorizations required for execution and performance of this Lease have been given and that the undersigned officer is duly authorized to execute this Lease and bind the party for this it signs.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written.

LESSOR:

**THE BOARD OF SUPERVISORS OF PITTSYLVANIA
COUNTY, VIRGINIA**

By: Robert W. Warren

Name: Robert "Bob" W. Warren

Title: Chairman

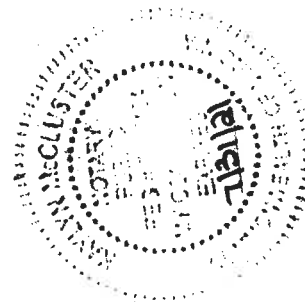
State of Virginia:

County of Pittsylvania to wit:

The foregoing instrument was acknowledged before me this 18th day of March 2020,
by Robert W. Warren.

Kathryn McClester
Notary Public

My Commission Expires: July 31, 2021



Approved as to Form:

J. Vaden Hunt

J. Vaden Hunt, Esq.
Pittsylvania County Attorney

Attachment: Acknowledgment and Amendment of Lease 7082022 JJ07262022 DCHV3 (3371 : Acknowledgment of Lease Transfer and

LESSEE:

ACELANET LLC D/B/A SCS BROADBAND

By: _____
Name: Clay Stewart
Title: COO

State of Virginia

County/City of _____, to wit:

The foregoing instrument was acknowledged before me this ___ day of _____, 2020,
by _____.

Notary Public

My Commission Expires: _____

Attachment: Acknowledgment and Amendment of Lease 7082022 JJ07262022 DCHv3 (3371 : Acknowledgment of Lease Transfer and

Exhibit "A"**Callands Compactor Tower**

20400 Franklin Turnpike
Chatham, Virginia 24531

Grit Road Tower

3710 Wards Road
Hurt, Virginia 24563

Mt. Airy Tower

120 Renan Road
Chatham, Virginia 24557

Rockford School Road Tower

6300 Rockford School Road
Gretna, Virginia 24557

White Oak Tower

533 Tower Lane
Blairs, Virginia 24527

Brosville Tower

95 Cascade Road
Cascade, Virginia 24069

Dan River Middle School Tower

325 Dodson Lane
Ringgold, Virginia 24586

EXHIBIT "B"

TOWER	DATE ACTIVATED	CURRENT DATE	NUMBER OF MONTHS	AMOUNT DUE
Callands	6/1/19	3/1/20	9	\$450.00
Grit	4/1/19	3/1/20	11	\$550.00
Mt. Airy	3/6/19	3/1/20	11	\$550.00
Rockford School	N/A	N/A	N/A	N/A
Whitie Oak	1/1/18	3/1/20	26	\$1,300.00
Brosville	N/A	N/A	N/A	N/A
Dan River Middle School	12/1/19	3/1/20	3	\$150.00
TOTALS				\$3,000.00



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Open Space Land Use Renewal Contract Renewal Approval (Cedars Country Club, Inc.); (Contact: Robin C. Goard)		
Staff Contact(s):	Robin C. Goard		
Agenda Date:	September 20, 2022	Item Number:	7.1
Attachment(s):	Open Space Land Use Renewal Contract - Cedars Country Club		
Reviewed By:	RH		

SUMMARY:

Cedars Country Club, Inc., currently has an Open Space Use Agreement (“Agreement”) for a golf course expiring on December 31, 2022. The County’s Land Use Ordinance requires a renewal application be submitted to the Commissioner of the Revenue’s office every six (6) years if the landowner wishes to remain in the Land Use Program. For the Board’s review and consideration, related documentation is attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

If the Agreement Renewal is granted, the Honorable Robin C. Goard has submitted the County’s deferred tax revenue will be \$1,090.58 annually.

RECOMMENDATION:

County Staff recommends the Board approve the attached Agreement Renewal and authorize the execution of any related necessary documentation.

MOTION:

“I make a Motion to approve the attached Agreement Renewal and authorize the execution of any related necessary documentation.”



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

August 26, 2022

Mr. Clarence Monday
 Pittsylvania County Interim Administrator
 PO Box 426
 Chatham, VA 24531

RE: Open Space Land Use Renewal Contract

Dear Mr. Monday:

As of December 31, 2022, the Open Space Land Use Contract for Cedars Country Club INC will expire. The Pittsylvania County Code requires renewal every six years. The Revalidation forms for the parcels in the program are current, so we are submitting the signed Open Space Use Agreement for consideration by the Board.

Please review and as soon as possible, render the decision of the Board as to whether the parcels will qualify for Land Use taxation. We have kept a copy of the agreement; however, request the original Open Space Use Agreement be returned to our office once a decision has been made.

Thank you for your prompt attention.

Regards,

Robin C Goard
 Commissioner of the Revenue

RCG/mfa

Enclosures

cc: J. Vaden Hunt, County Attorney

OPEN-SPACE USE AGREEMENT

THIS agreement, made this 1ST day of JANUARY 2023 between CEDARS COUNTRY CLUB INC hereinafter called the owner, and the County of Pittsylvania, a political subdivision of the Commonwealth of Virginia, hereinafter called the County, recites and provides as follows:

RECITALS

1. The owner is the owner of certain real estate, described below, hereinafter called the property; and
2. The County is the local governing body having real estate tax jurisdiction over the property; and
3. The County has determined:
 - A. That it is in the public interest that the property should be provided or preserved for one or more of the following Open-Space uses: (indicate one or more) Park or recreational purposes; Conservation of land; Conservation of other natural resource; other use which serves the public interest by the preservation of open-space land as provided in the Land-Use Plan; and
 - B. That the property meets the applicable criteria for real estate devoted to open space use as prescribed in Article 4 (§ 58.1-3230 et seq.) of Chapter 32 of Title 58.1 of the Code of Virginia, and the standards for classifying such real estate prescribed by the director of the Virginia Department of Conservation and Historic Resources; and
 - C. That the provisions of this agreement meet the requirements and standards prescribed under § 58.1-3233 of the Code of Virginia for commitments by landowners not to change open-Space use to a non-qualifying use; and
4. The owner is willing to make a written commitment to preserve and protect the open space uses of the property during the term of this agreement in order for the property to be taxed on the basis of a use assessment and the owner has submitted an application for such taxation to the Commissioner of the Revenue of the County pursuant to § 58.1-3234 of the Code of Virginia and County Code 6-12.1-9 of the Pittsylvania County Code to provide for the special assessment of agricultural, horticultural, forest and open space; and
5. The County is willing to extend the tax for the property on the basis of a use assessment commencing with the next succeeding tax year and continuing for the term of this agreement, in consideration of the owner's commitment to preserve and protect the open-space uses of the property, and on the condition that the owner's

application is satisfactory and that all other requirements of Article 4, Chapter 32, Title 58.1 of the Code of Virginia and County Code 6-12 of the Pittsylvania County Code to provide for the special assessment of agricultural, horticultural, forest and open space are complied with.

NOW, Therefore, in consideration of the recital and the mutual benefits, covenants and terms herein contained the parties hereby covenant and agree as follows:

1. This agreement shall apply to all of the following described real estate:

2418-44-0824; 2418-34-8438; 2418-35-3385

2. The owner agrees that during the term of this agreement:

- A) There shall be no change in the use or uses of the property that exists as of the date of this agreement to any use that would not qualify as an open space use.
- B) There shall be no display of billboards, signs or other advertisements on the property, except to (i) state solely the name of the owner and the address of the property; (ii) advertise the sale or lease of the property; (iii) advertise the sale of goods or services produced pursuant to the permitted use of the property; or (iv) provide warnings. No sign shall exceed four feet by four feet.
- C) There shall be no construction, placement or maintenance of any structure on the property unless such structure is either:
 - i) On the property as of the date of this agreement; or
 - ii) Related to and compatible with the open-space uses of the property which this agreement is intended to protect or provide for.
- D) There shall be no accumulations of trash, garbage, ashes, waste, junk, abandoned property or other unsightly or offensive material on this property.
- E) There shall be no filling, excavating, mining, drilling, removal of topsoil, sand, gravel, rock, minerals or other materials which alters the topography of the property, except as required in the construction of permissible buildings, structures and features under this agreement.

- F) There shall be no construction or placement of fences, screens, hedges, walls or other similar barriers which materially obstruct the public's view of scenic areas of the property.
 - G) There shall be no cutting of trees other than selective cutting and salvage of dead or dying trees anywhere on the property. However, the property owner may remove vegetation which constitutes a safety, a health or an ecological hazard.
 - H) There shall be no alteration or manipulation of natural water courses, shores, marshes, swamps, wetlands or other water bodies, nor any activities or uses which adversely affect water quality, level or flow.
 - I) On areas of the property that are being provided or preserved for conservation of land, floodways or other natural resources, or that are to be left in a relatively natural or undeveloped state, there shall be no operation of dune buggies, all-terrain vehicles, motorcycles, motorbikes, snowmobiles or other motor vehicles, except to the extent necessary to inspect, protect or preserve the area. Properties which are to be provided or preserved for natural areas are to be left in undeveloped state.
 - J) There shall be no industrial or commercial activities conducted on the property; or activities that are conducted in a residence or an associated outbuilding such as a garage, smokehouse, small shop or similar structure which is permitted on the property.
 - K) There shall be no separation or split-off of lots, pieces or parcels from the property. The property may be sold or transferred during the term of this agreement only as the same entire parcel that is the subject of this agreement; provided, however, that the owner may grant to a public body or bodies open-space conservation or historic preservation easements which apply to all or part of the property.
3. This agreement shall be effective upon acceptance by the County and with all proper recordation fees paid by the applicant; provided, however, that the real estate tax for the property shall not be extended on the basis of its use value until the next succeeding tax year following timely application of the owner for use assessment and taxation in accordance with the Pittsylvania County Code. Thereafter, this agreement shall remain in effect for a term of six consecutive years.
 4. Nothing contained herein shall be construed as giving to the public a right to enter upon or to use the property or any portion thereof, except as the owner may otherwise allow, consistent with the provisions of this agreement.

5. The Commissioner of the Revenue, or his designee, shall have the right at all reasonable times to enter the property to determine whether the owner is complying with the provisions of the agreement.
6. Nothing in this agreement shall be construed to create in the public or any member thereof a right to maintain a suit for any damages against the owner for any violation of this agreement.
7. Nothing in the agreement shall be construed to permit the owner to conduct any activity or to build or maintain any improvement which is otherwise prohibited by law.
8. If any provision of this agreement is determined to be invalid by a court of competent jurisdiction, the remainder of the agreement shall not be affected hereby.
9. The provisions of this agreement shall run with the land and be binding upon the parties, their successors, assigns, personal representatives, and heirs.
10. Words of one gender used herein shall include the other gender, and words in the singular shall include words in the plural, whenever the sense requires.
11. This agreement may be terminated by either party.
12. Upon termination of this agreement, the property shall thereafter be assessed and taxed at its fair market value, regardless of its actual use, unless the County determines otherwise in accordance with applicable law.
13. NOTICE: At such time that the Open-Space Use or uses by which the property qualified for assessment and taxation on the basis of use changes to a nonqualifying use or uses, or when the zoning for the property changes to a more intensive use at the request of the owner, the property, or such portion of the property which no longer qualifies, shall be subject to roll-back taxes in accordance with §58.1-3237 of the Code of Virginia. The owner shall be subject to all of the obligations and liabilities of said code section.
14. This agreement is subject to an annual revalidation, of which the Commissioner of Revenue for Pittsylvania County will provide the proper documentation on which to attest their review and acceptance of all properties listed thereon.

15. This agreement shall begin on JANUARY 1, 2023, and expire on DECEMBER 31, 2028.

(Seal)

(Seal)

Cedars Country Club
By: Nonald E. Gomez Jr : President
Owner(s)

(Seal)

Sworn to and subscribed before me on this 26th day of August in the year 2022

Lauren McGregor Ragsdale

Registration # 7743458

Notary

My commissioner expires on October 31, 2025



BY

County Administrator
Official Designee of the Pittsylvania County Board of Supervisors
Pittsylvania County, Virginia

Comments

Attachment: Open Space Land Use Renewal Contract - Cedars Country Club (3356 : Open Space Land Use Renewal Contract Renewal Approval

Open-Space Use Application Addendum

Property owner(s):

CEDARS COUNTRY CLUB INC

1029 ANDERSON MILL RD

CHATHAM, VA 24531

Parcel ID Number:

2418-44-0824; 2418-34-8438; 2418-35-3385

Open Space Use: (check one or more)

- 1. Park or Recreational purposes
- 2. Conservation of Land
- 3. Conservation of other natural resource
- 4. other use which serves the public interest by the preservation of open space land

Detail Description of the use:

*Family Entertainment for Golf, Tennis
& Hiking*

Date: *8-16-2022*

Final acceptance in Land use program is subject to Board of Supervisors approval of Open Space Agreement. Upon approval, fee will be due and payable to Treasurer of Pittsylvania County.



Board of Supervisors
EXECUTIVE SUMMARY
INFORMATION ITEM

Agenda Title:	General Presentations (Board of Supervisors)		
Staff Contact(s):	Kaylyn M. McCluster		
Agenda Date:	September 20, 2022	Item Number:	8.a
Attachment(s):			
Reviewed By:	VH		

The Board will present any Proclamations, Resolutions, and/or Certificates approved/adopted on the September Consent Agenda or at previous Meetings.



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:	September 20, 2022	Item Number:	8.b
Attachment(s):			
Reviewed By:			

Dr. Mark Jones, Pittsylvania County Schools Superintendent, or his designee, will provide the Board a County School's 1% Sales Tax Referendum Campaign Committee update.



Board of Supervisors
EXECUTIVE SUMMARY
INFORMATION ITEM

Agenda Title:	Dr. Jerry Wallace Introduction (DCC President); (Contact: Board of Supervisors)		
Staff Contact(s):	Board of Supervisors		
Agenda Date:	September 20, 2022	Item Number:	8.c
Attachment(s):	DCC Presentation		
Reviewed By:	<i>WH</i>		

Dr. Jerry Wallace, Danville Community College (“DCC”) President, will introduce himself to the Board and provide DCC updates that pertain to Pittsylvania County.

New Danville Community College President

- Dr. Jerry Wallace Bio
- DCC Update (First 60 Days)
- Cybersecurity Workforce Training
- PCTC Collaboration/Program Expansion
- Aviation Maintenance
- Averett University Partnership



THANK YOU

Jerry.wallace@danville.edu

DCC

Danville Comm



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Public Hearing: Case R-22-026; Charles Thomas; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District. The Planning Commission recommended, by an 8-0 vote, with opposition, that the Petitioner's request be granted. (Supervisor Ingram)		
Staff Contact(s):	Emily S. Ragsdale		
Agenda Date:	September 20, 2022	Item Number:	10.A.1
Attachment(s):	R-22-026 Charles Thomas App R-22-026 Charles Thomas Map		
Reviewed By:	VH		

SUMMARY:

In Case R-22-026, Charles Thomas (“Petitioner”) has petitioned to rezone 13.4 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (*to allow for a Class B Home Occupation*). The subject property is located on State Road 722/Oakwood Drive, in the Tunstall Election District, and shown on the Tax Maps as GPIN # 1368-28-8195. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-178 are permitted. On August 2, 2022, the Planning Commission recommended, by an 8-0 vote, with 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-22-026 as presented. The subject property is adjacent to other properties currently zoned A-1, Agricultural District, and the rezoning would be consistent with the County’s Comprehensive Plan.

MOTION:

“In Case R-22-026, I make a Motion to approve the rezoning of 13.4 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for a Class B Home Occupation.”

STAFF SUMMARY

CASE R-22-026	ZONING REQUEST R-1 to A-1	CYCLE August 2022/September 2022
SUBJECT/PROPOSAL/REQUEST Charles Thomas is requesting to rezone the property from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District.		PLANNING COMMISSION: August 2, 2022
DISTRICT: Tunstall		BOARD OF SUPERVISORS: September 20, 2022
		ADVERTISED: July 20 & 27, 2022/August 24 & 31, 2022

SUBJECT

Requested by Charles Thomas, to rezone property located on State Road 722/Oakwood Drive, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1368-28-8195. The applicant is requesting to rezone 13.4 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for a Class B Home Occupation.

BACKGROUND/DISCUSSION

Charles Thomas is requesting to rezone 13.4 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow grooming and boarding business to operate on the property. The applicant is requesting to operate this business out of an accessory structure that will be placed on the property. While Pittsylvania County Code exempts commercial kennels that are operating as an accessory to a single-family dwelling from the definition of a Commercial Kennel, therefore, treating that use as a Home Occupation, a Class B Home Occupation is not a permitted use within the R-1, Residential Suburban Subdivision District. If the property is rezoned to A-1, Agricultural District, PCC § 35-178 would permit a Class B Home Occupation by right. The Zoning Ordinance defines a Class B Home Occupation as “an occupation conducted in a dwelling unity for profit, with or without the use of one or more accessory structures.” If rezoned, any structures placed on the property would be subject to the Uniform Statewide Building Code and would have to meet all applicable Zoning Ordinance requirements.

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 to High Density 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-22-026, submitted by Charles Thomas, requesting to rezone 13.4 acres located on State Road 722/Oakwood Drive, in the Tunstall Election District and shown on the Tax Maps as GPIN # 1368-28-8195. 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-22-026 as submitted.

2. Recommend denial of Case R-22-026 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

I, Charles Thomas, 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: Charles Thomas
Address: 1009 Oakwood Drive, Danville, VA 24541

2. Location of Property: 1009 Oakwood Drive

Telephone: 434-250-8641

3. Tax Map Numbers: 1368-28-8195

4. Election District: Tunstall

Total Amount: \$387.96
Taken By: ESA cash

5. Size of Property: 13.4 acres

6. Existing Land Use: Single Family Dwelling

Existing Zoning: R-1, Residential Suburban Subdivision District

7. Proposed Land Use: Kennel for boarding/grooming dogs

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.



Charles Thomas

OFFICE USE ONLY
Application Deadline: 05/26/22
Received By: ESR
B.O.S. Meeting Date: 09/20/22

Application No. R-22-026
P.C. Meeting Date: 08/02/22
Date Received: 6/09/22
Action: _____

Attachment: R-22-026 Charles Thomas App (3342 : Public Hearing: Case R-22-026; Charles Thomas)

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

13.4 acres of land, generally located)
at State Road 1058/1009 Oakwood Drive)
within the Tunstall Election District and)
Recorded as parcel ID # 1368-28-8195)
on the Pittsylvania County tax records)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:

WHEREAS, your Petitioner, Charles Thomas, 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,



Charles Thomas

Attachment: R-22-026 Charles Thomas App (3342 : Public Hearing: Case R-22-026; Charles Thomas)

July 5, 2022

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

Dear Mrs. Ragsdale:

I, Charles Thomas, as owner, would like to apply to the Planning Commission/Board of Supervisors to rezone 13.4 acres, GPIN # 1368-28-8195 located at 1009 Oakwood Drive in the Tunstall Election District.

I am requesting to rezone this parcel from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for a kennel for boarding/grooming dogs.

Sincerely,



Charles Thomas

Attachment: R-22-026 Charles Thomas App (3342 : Public Hearing: Case R-22-026; Charles Thomas)



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-22-026 Applicant [Signature] Date July 22, 2022

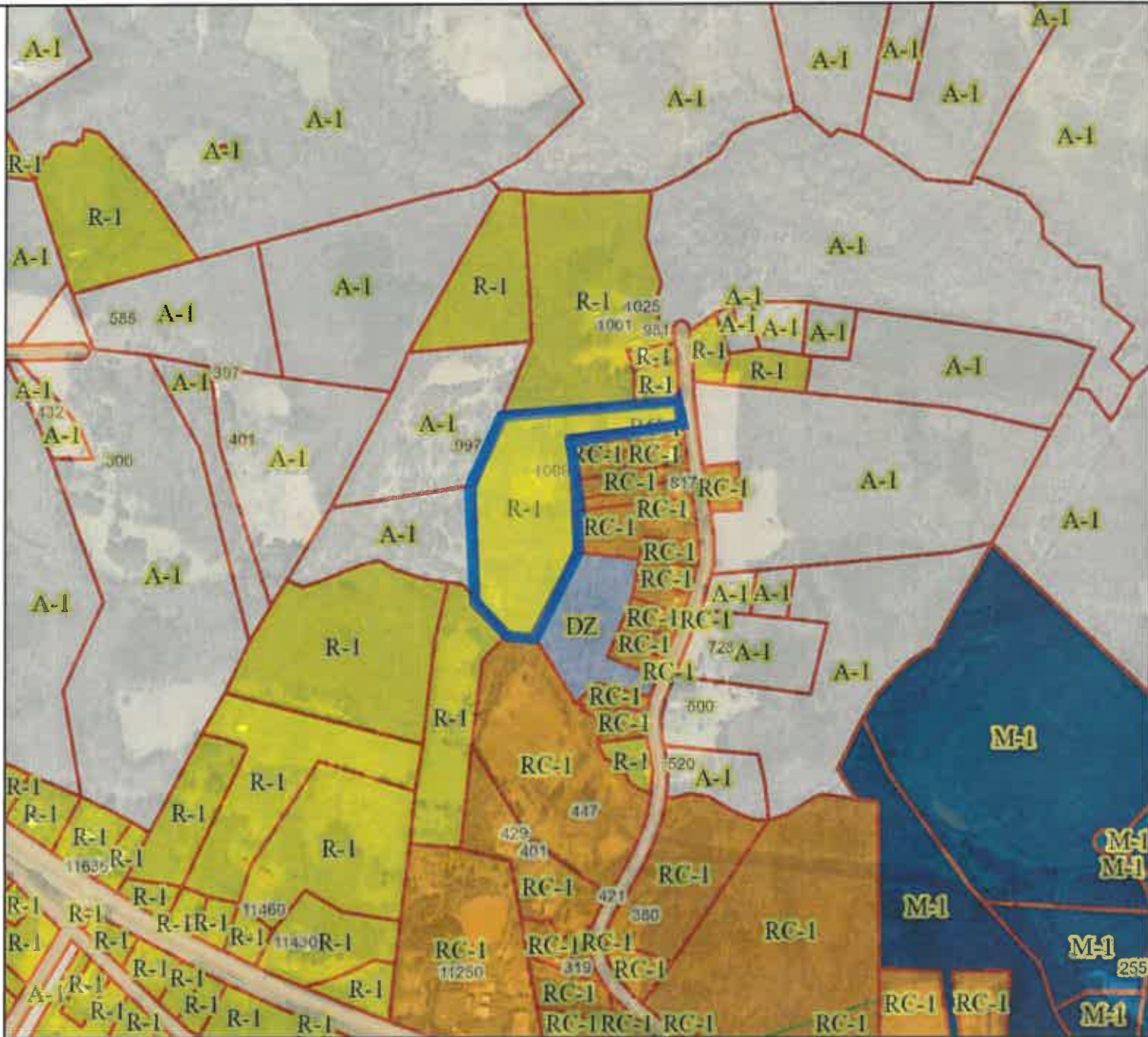
Attachment: R-22-026 Charles Thomas App (3342 : Public Hearing: Case R-22-026; Charles Thomas)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
1368-28-8195	THOMAS, CHARLES A	1009 OAKWOOD DRIVE	DANVILLE, VA 24541
1368-27-2905	BROWN, DEWEY L	7184 LEETON RIDGE RD	WARRENTON, VA 20186
1368-38-3289	BARKER, REUBEN W	817 OAKWOOD DR	DANVILLE, VA 24541
1368-38-4040	ERB, ROGER FREDERICK 2ND	781 OAKWOOD DRIVE	DANVILLE, VA 24541-8561
1368-27-4055	BROWN, PHYLLIS J	11250 MARTINSVILLE HWY	DANVILLE, VA 24541
1368-39-1275	JORDAN, ERNEST W	1025 OAKWOOD DRIVE	DANVILLE, VA 24541
1368-37-1556	MOORE, MARK L	645 OAKWOOD DR	DANVILLE, VA 24541
1368-48-5242	ADAMS, HOWARD GLEN	40 RADER ST #303	NORFOLK, VA 23510
1368-38-1493	JORDAN, BERNIE DWAYNE	941 OAKWOOD DR	DANVILLE, VA 24541
1368-38-5751	SWIGER, JEFFREY ALLEN	1013 OAKWOOD DR	DANVILLE, VA 24541
1368-38-5510	JORDAN, BOBBIE J	937 OAKWOOD DRIVE	DANVILLE, VA 24541
1368-38-4490	JOYNER, THOMAS WILLIAM	901 OAKWOOD DR	DANVILLE, VA 24541

R-22-026 CHARLES THOMAS

Legend

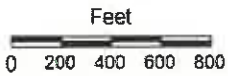
- Assessed Parcels
- Parcels
- Zoning**
- Unknown
- A-1 = Agricultural District
- B-1 = Business District, Limited
- B-2 = Business District, General
- C-1 = Conservation District
- DZ = Double Zoned Parcels
- M-1 = Industrial District, Light Industry
- M-2 = Industrial District, Heavy Industry
- MHP = 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: 6/14/2022

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 is.





Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Public Hearing: Case R-22-027; Ceasar Investment, LLC; Rezoning from R-1, Residential Suburban Subdivision District, to RPD, Residential Planned Unit Development District. The Planning Commission recommended, by an 8-0 vote, with no opposition, that the Petitioner's request be denied (Supervisor Barksdale)		
Staff Contact(s):	Emily S, Ragsdale		
Agenda Date:	September 20, 2022	Item Number:	10.A.2
Attachment(s):	R-22-027 Ceasar Inv App RE Rezoning case R-22-027 R-22-027 Ceasar Inv Map R-22-027 Ceasar Inv Concept		
Reviewed By:	VH		

SUMMARY:

In Case R-22-027, Ceasar Investments, LLC (“Petitioner”) has petitioned to rezone 11.21 acres from R-1, Residential Suburban Subdivision District, to RPD, Residential Planned Unit Development District (*to allow for multiple dwellings to be constructed on the property*). The subject property is located on State Road 792/Millstream Drive, in the Banister Election District, and shown on the Tax Maps as GPIN # 2530-49-4191. Once the property is rezoned to RPD, all uses listed under Pittsylvania County Code § 35-294 are permitted. On August 2, 2022, the Planning Commission recommended, by an 8-0 vote, with no opposition, that the Petitioner’s request be denied. For the Board’s review, the County Staff Summary is attached.

FINANCIAL IMPACT AND FUNDING SOURCE:

None.

RECOMMENDATION:

County Staff recommends denial of Case R-22-027. The subject property is not adjacent to any other properties currently zoned RPD, Residential Planned Unit Development District, and while the rezoning would be consistent with the Comprehensive Plan, County Staff can not recommend approval, unless VDOT feels that an appropriate entrance can be installed to accommodate the increased traffic. At this time, VDOT does not feel that an appropriate entrance can be installed as required.

MOTION:

“In Case R-22-027, I make a Motion to deny the rezoning of 11.21 acres from R-1, Residential Suburban Subdivision District, to RPD, Residential Planned Unit Development District, due to the inability at this location to meet VDOT’s entrance requirement for this type of development.”

STAFF SUMMARY

<p><u>CASE</u> R-22-027</p>	<p><u>ZONING REQUEST</u> R-1 to RPD</p>	<p><u>CYCLE</u> August 2022/September 2022</p>
<p><u>SUBJECT/PROPOSAL/REQUEST</u> Ceasar Investments, LLC, requesting to rezone the property from R-1, Residential Suburban Subdivision District, to RPD, Residential Planned Unit Development District.</p> <p>DISTRICT: Banister</p>	<p>PLANNING COMMISSION: August 2, 2022</p> <p>BOARD OF SUPERVISORS: September 20, 2022</p> <p>ADVERTISED: July 20 & 27, 2022/August 24 & 31, 2022</p>	

SUBJECT

Requested by Ceasar Investments LLC, to rezone property located on State Road 792/Millstream Drive, in the Banister Election District and shown on the Tax Maps as GPIN # 2530-49-4191. The applicant is requesting to rezone 11.21 acres, from R-1, Residential Suburban Subdivision District, to RPD, Residential Planned Unit Development District, to allow for multiple dwellings to be constructed on the property.

BACKGROUND/DISCUSSION

Ceasar Investments, LLC, is requesting to rezone 11.21 acres from R-1, Residential Suburban Subdivision District, to RPD-Residential Suburban Subdivision District, to allow for multiple dwellings on the property. The applicant is proposing to construct five (5) attached, one-story dwellings that will be used as rental properties. A conceptual plan has been included in the packet. If the rezoning is approved, a site plan will be required to be submitted and approved before building permits can be issued. All development would be governed by the Uniform Statewide Building Code and the Zoning Ordinance.

As with all rezoning cases, VDOT reviewed the request and determined that the entrance would need to meet the requirements for a moderate volume commercial entrance. A field review of the existing entrance determined that it does not have adequate sight distance for a moderate volume commercial entrance as required in the VDOT Access Management Regulations.

Once the property is rezoned to RPD, all uses listed under Section 35-294 are a permitted use.

FUTURE LAND USE DESIGNATION

The Comprehensive Plan designates the future land use as Medium to High Density 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 DENIAL of Case R-22-027, submitted by Ceasar Investments, LLC, requesting to rezone 11.21 acres located on State Road 792/Millstream Drive, in the Banister Election District and shown on the Tax Map as GPIN# 2530-49-4191. The subject property is not adjacent to any other properties currently zoned RPD, Residential Planned Unit Development District, and while the rezoning would be consistent with the Comprehensive Plan, Staff can not recommend approval unless VDOT feels that an appropriate entrance can be installed to accommodate the increased traffic.

Attachment: R-22-027 Ceasar Inv App (3343 : Public Hearing: Case R-22-027; Ceasar Investment, LLC)

PLANNING COMMISSION OPTIONS:

1. Recommend approval of Case R-22-027 as submitted.
2. Recommend denial of Case R-22-027 as submitted.

ATTACHMENTS:

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

PITTSYLVANIA COUNTY
APPLICATION FOR REZONING

Cesar Investments, LLC, 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: Cesar Investmenrs, LLC.
Address: 401 Piney Forest Road, Danville, VA 24540

2. Location of Property: State Road 792/Millstream Drive

Telephone: 336-587-1299

3. Tax Map Numbers: 2530-49-4191

4. Election District: Banister

Total Amount: \$395.29

Taken By: ESR check # 854

5. Size of Property: 11.21 acres

6. Existing Land Use: Vacant

Existing Zoning: R-1, Residential Suburban Subdivision District

7. Proposed Land Use: Multiple single-family dwellings

Proposed Zoning: RPD-Residential Planned Unit Development 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.



Yolanda Cesar

OFFICE USE ONLY
Application Deadline: 06/30/22
Received By: ESR
B.O.S. Meeting Date: 09/20/22

Application No. R-22-027
P.C. Meeting Date: 08/02/22
Date Received: 6/08/22
Action: _____

Attachment: R-22-027 Cesar Inv App (3343 : Public Hearing: Case R-22-027; Cesar Investment, LLC)

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

11.21 acres of land, generally located)
on State Road 792/Millstream Drive)
within the Banister Election District and)
Recorded as parcel ID # 2530-49-4191)
on the Pittsylvania County tax records)

PETITION

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY:


WHEREAS, your Petitioner, Ceasar Investments, LLC, 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 RPD, Residential Planned Unit Development 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,



Yolanda Ceasar

Attachment: R-22-027 Ceasar Inv App (3343 : Public Hearing: Case R-22-027; Ceasar Investment, LLC)

July 15, 2022

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

Dear Mrs. Ragsdale:

Cesar Investments, LLC, as owner, would like to apply to the Planning Commission/Board of Supervisors to rezone 11.21 acres, GPIN # 2530-49-4191 located on State Road 792/Millstream Drive in the Banister Election District.

We are requesting to rezone this parcel from R-1, Residential Suburban Subdivision District, to RPD, Residential Planned Unit Development District, to allow for multiple single-family dwellings.

Sincerely,



Yolanda Ceasar

Attachment: R-22-027 Ceasar Inv App (3343 : Public Hearing: Case R-22-027; Ceasar Investment, LLC)

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-22-027 Applicant  Date 07/15/2022

Attachment: R-22-027 Ceasar Inv App (3343 : Public Hearing: Case R-22-027; Ceasar Investment, LLC)

GPIN	ACCOUNT_NAME1	ACCOUNT_ADDR1	ACCOUNT_CSZ
2530-48-0934	TRIVERS, JOSEPH ADDISON	P O BOX 1185	GRETNA, VA 24557
2530-48-7489	JONES, BEVERLY	PO BOX 296	GRETNA VA 24557
2530-48-2437	MEASE, LYDIA VELLA	2512 HENSON VALLEY WAY	FORT WASHINGTON, MD 20744
2530-48-1319	MEASE, JAMES	581 MILLSTREAM DR	GRETNA, VA 24557
2530-48-6850	MUSGROVE, HOWARD C	P O BOX 238	GRETNA, VA 24557
2530-48-0788	CLARK, RUBY ANN	4618 DR BEANS LEGACY CIRCLE	BOWIE, MD 20720
2530-48-7543	JONES, JANICE W	P O BOX 172	GRETNA, VA 24557
2530-59-2602	GIBSON LIVING TRUST DTD 10/19/2018 ET ALS	1220 E GRETNA RD	GRETNA, VA 24557
2530-49-1554	S & M PROPERTIES	118 COUNTRY CLUB DR	LYNCHBURG, VA 24503
2530-49-4191	CEASAR INVESTMENTS LLC	401 PINEY FOREST RD	DANVILLE, VA 24540
2530-48-3533	GILBERT, ELIZABETH W	16166 TACONIC CIRCLE	DUMFRIES, VA 22025
2530-48-4630	YOUNGER, BERNICE L	P O BOX 873	GRETNA, VA 24557
2530-49-0039	TRAVERS, WILLIAM	PO BOX 261	GRETNA, VA 24557
2530-48-1692	MEASE, LYDIA V	2512 HENSON VALLEY WAY	FORT WASHINGTON, MD 20744

R-22-027 CEASAR INVESTMENTS, LLC

Emily Ragsdale

From: Robin S. Vaughan
Sent: Friday, July 29, 2022 12:58 PM
To: 'Craddock, Joseph'
Cc: Emily Ragsdale
Subject: RE: Rezoning case R-22-027

Thank you so much Jay. Have a great weekend.

Robin S. Vaughan
 Senior Administrative Assistant
 Community Development



Tel. (434) 432-7755 | Fax. (434) 432-7919

53 North Main Street P.O. Drawer D
 Chatham, VA 24531

Robin.Vaughan@pittgov.org
www.pittsylvaniacountyva.gov



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From: Craddock, Joseph <joseph.craddock@vdot.virginia.gov>
Sent: Friday, July 29, 2022 12:00 PM
To: Robin S. Vaughan <Robin.Vaughan@pittgov.org>
Subject: Re: Rezoning case R-22-027

Attachment: RE Rezoning case R-22-027 (3343 : Public Hearing: Case R-22-027; Ceasar Investment, LLC)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Robin,

From the concept plan provided, it appears that the intent is to utilize the existing driveway that serves the house at 641 Millstream Drive. Therefore, after adding 5 additional housing units, the total number of dwellings using the driveway would be 6. This means that the entrance would need to meet the requirements for a moderate volume commercial entrance.

A field review of the existing entrance determined that it does not have adequate sight distance for a moderate volume commercial entrance as required in the VDOT Access Management Regulations. Please let me know if you have any questions or need any additional information. Also, please feel free to give my contact information to the applicant if she would like to discuss possible alternatives.

Thanks,

Jay Craddock
Assistant Resident Engineer - Land Use / Halifax Residency
Virginia Department of Transportation
434-433-3142
Joseph.Craddock@vdot.virginia.gov



On Wed, Jul 27, 2022 at 4:21 PM Robin S. Vaughan <Robin.Vaughan@pittgov.org> wrote:

I have attached documentation for rezoning case R-22-027 for Ceasar Investments, LLC. This is being rezoned from R-1, Residential Suburban Subdivision District to RPD-Residential Planned Unit Development District. Please let us know your thoughts on this case.

Thank you,

Robin

Attachment: RE Rezoning case R-22-027 (3343 : Public Hearing: Case R-22-027; Ceasar Investment, LLC)

Robin S. Vaughan
Senior Administrative Assistant
Community Development



Tel. (434) 432-7755 | Fax. (434) 432-7919

53 North Main Street P.O. Drawer D
Chatham, VA 24531

Robin.Vaughan@pittgov.org
www.pittsylvaniacountyva.gov



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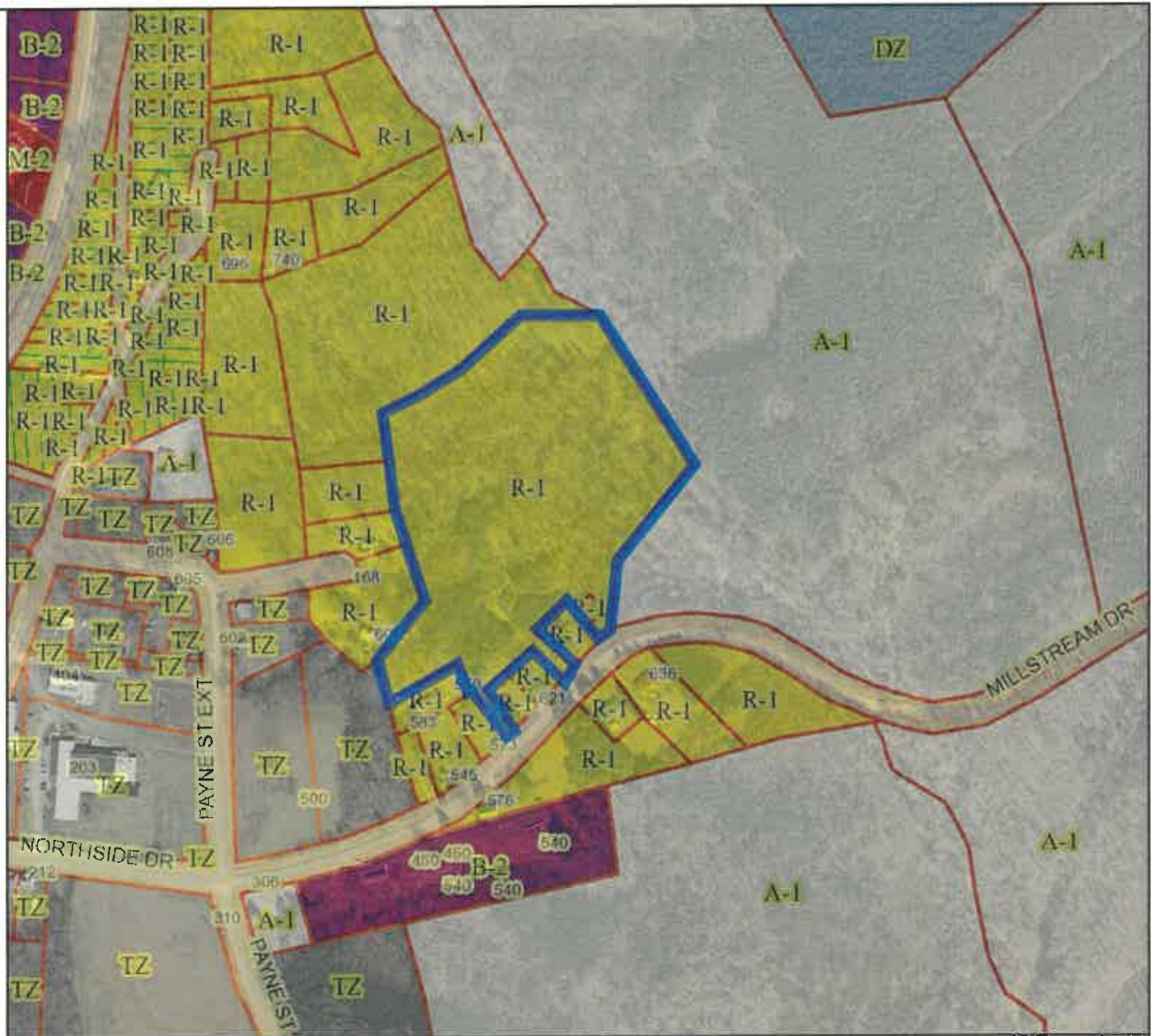
--
Jay Craddock
Assistant Resident Engineer - Land Use / Halifax Residency
Virginia Department of Transportation
434-433-3142
Joseph.Craddock@vdot.virginia.gov



Attachment: RE Rezoning case R-22-027 (3343 : Public Hearing: Case R-22-027; Ceasar Investment, LLC)

Legend

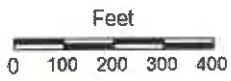
- Assessed Parcels
- Parcels
- Zoning**
- Unknown
- A-1 = Agricultural District
- B-1 = Business District, Limited
- B-2 = Business District, General
- C-1 = Conservation District
- DZ = Double Zoned Parcels
- M-1 = Industrial District, Light Industry
- M-2 = Industrial District, Heavy Industry
- MHP = 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: 6/14/2022

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 is.





CONCEPT PLAN

NOT TO SCALE

PARCEL INFORMATION

OWNER OF PARCEL: CEASAR INVESTMENTS LLC

① PARCEL ID: 2530-49-4191 - 11.21 AC.

SITE ADDRESS: MILLSTREAM DR. (ST. RD. 792)
 APPROX. .2MI FROM PAYNE ST.
 GRETNA VIRGINIA 24557
 CALLANDS-GRETNA MAGISTERIAL DISTRICT

PROPOSED SCOPE OF WORK:

DEVELOPMENT OF APPROX. .96 AC.
 FOR CONSTRUCTION OF (5) 1000 SF DWELLINGS
 IN ADDITION TO 12 PARKING SPACES AND
 DRIVEWAY FROM MILLSTREAM DR. ENTRANCE

ZONING

ZONE CODE-EXISTING:
 (R-1) RESIDENTIAL SUBURBAN

ZONE CODE-CHANGE REQUEST:
 (RMF) RESIDENTIAL MULTI-FAMILY

TRACT SIZE: 11.21 ACRES (71 UNITS MAX.) - DOES NOT EXCEED 50% OF ALLOWABLE UNITS.

ZONING DESIGNATION: RESIDENTIAL MULTI-FAMILY
 PITTSYLVANIA COUNTY ZONING CODE DIVISION 6
 RESIDENTIAL MULTI-FAMILY DISTRICT SEC. 35-289
 STATES "THE MAXIMUM NUMBER OF UNITS PER GROSS ACRE IS (13)."

NOTE: AERIAL IMAGE PROVIDED BY THE PITTSYLVANIA COUNTY GIS WEBSITE.

Wendy Bryant-Cook
DRAFTING BY DESIGN
 PHONE: 434-489-4781
 wendy.draftingbydesign@gmail.com

PROPOSED CONCEPT PLAN FOR:
CEASAR INVESTMENTS LLC
MILLSTREAM DR.
GRETNA VIRGINIA 24557
YOLANDA CEASAR 336-681-3545

SHEET
 SK-1 of 1
 DATE
 JULY 20, 2022
 FILE
 2022-34
 SCALE
 AS NOTED

Attachment: R-22-027 Ceasar Inv Concept (3343 : Public Hearing: Case R-22-027; Ceasar Investment, LLC)



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Public Hearing: 2023 County Budget Amendments Approval (Staff Contact: Kimberly G. Van Der Hyde)		
Staff Contact(s):	Kimberly G. Van Der Hyde		
Agenda Date:	September 20, 2022	Item Number:	10.B.1
Attachment(s):	2023 Budget Public Hearing with attachment		
Reviewed By:	VH		

SUMMARY:

Virginia Code § 15.2-2507 states that “Any locality may amend its budget to adjust the aggregate amount to be appropriated during the current fiscal year as shown in the currently adopted budget as prescribed by section 15.2-2504. However, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by publishing a notice of a meeting and a public hearing once in a newspaper having general circulation in that locality at least seven days prior to the meeting date.” An advertisement of the County Budget Amendments, attached, appeared in the *Chatham Star Tribune* on August 31, 2022, which satisfies the seven (7)-day legal notice requirement.

FINANCIAL IMPACT AND FUNDING SOURCE:

The County needs to make several Budget Amendments to the FY 2023 County Budget. A Budget Synopsis is attached showing both revenues and expenditures for the \$15,887,689.98, along with a detailed spreadsheet outlining the specific uses of these funds. These items were also discussed at today’s Finance Committee Meeting.

RECOMMENDATION:

County Staff recommends the Board approve an appropriation of \$15,887,689.98, following tonight’s legally required Public Hearing.

MOTION:

“I make a Motion to approve an appropriation of \$15,887,689.98, as presented tonight.”

PUBLIC HEARING NOTICE

Pursuant to §15.2-2507, Code of Virginia, 1950, as amended, the Pittsylvania County Board of Supervisors will hold a public hearing on Tuesday, September 20, 2022, at 7:00 p.m., in the Board Meeting Room, 39 Bank Street, SE, Chatham, Virginia, 24531, to receive citizen input on the proposed FY2023 Budget Amendments. Public hearing documents are available for public inspection Monday-Friday, 8 am – 5 pm, in the Pittsylvania County Administration Building, 1 Center Street, Chatham, Virginia, 24531, and on the County’s website, www.pittsylvaniacountyva.gov.

	Proposed Budget Amendments <u>2022-2023</u>
<u>REVENUES</u>	
Current Budgeted Revenues	\$226,369,162.12
Unassigned Fund Balance (Includes Carryovers)	8,569,876.88
General Fund Revenues	17,136.38
School Carryover	6,252,236.68
Grants Fund Revenue	18,905.87
Pet Center Fund Revenue	25,000.00
Capital Improvements Revenue	253,925.62
Economic Development Gants	598,569.90
Solid Waste Fund Revenues	136,175.65
Delinquent Fines Revenues	<u>15,863.00</u>
Proposed Amended Revenues	\$242,256,852.10
 <u>EXPENDITURES</u>	
Current Budgeted Expenditures	\$226,369,162.12
General Fund Operating Budget	8,587,013.26
School Operating Budget	6,252,236.68
Grants Fund Expense	18,905.87
Pet Center Fund Expense	25,000.00
Capital Improvements Projects	253,925.62
Economic Development Incentives	598,569.90
Solid Waste Capital Expense	136,175.65
Delinquent Fines-State Share	<u>15,863.00</u>
Proposed Amended Expenditures	\$242,256,852.10

Attachment: 2023 Budget Public Hearing with attachment (3346 : Public Hearing: 2023 County Budget Amendments Approval (Staff Contact:

Pittsylvania County
FY 2023 Budget Amendments

Department	Amount	Reason for Addition	Line Item Description	Account Number	Recommended Amount
COUNTY AMENDMENTS					
County Administration	7,000.00	Carryover funds requested to cover strategic management training	Training & Education	100-4-012100-5540	7,000.00
Reassessment	137,165.18	Carryover funds requested to cover the reassessment services	Consultants-Appraisers	100-4-012320-3160	137,165.18
Independent Audit	10,500.00	Carryover funds requested to cover increased audit fees for the coming year	Consultant-Auditor	100-4-012240-3120	10,500.00
Electoral Bd/Registrar-General Fund Side	153,925.62	Carryover funds requested to cover ADA updates to the ETC building	Transfers to Other Funds	100-4-091200-9104	153,925.62
Information Technology	30,000.00	Carryover of funds to cover the cost of a new vehicle	Capital Outlay-Vehicle	100-4-012510-8105	30,000.00
Information Management	19,656.00	Carryover of funds to cover unexpected cost of new IPADS for the Board and additional costs associated with billing software	IM-Software IM-IPADS	100-4-012515-5841 100-4-012515-6003	4,056.00 15,600.00
Clerk of Court	20,489.67	Carryover of Clerk's Office Contribution for Office Supplies	Office Supplies	100-4-021600-6001	20,489.67
Commonwealth's Attorney-General Fund Side	15,000.00	Carryover of funds from the CA's Budget to fund a local portion of the Victim Witness Grant and cover the vacation and sick payout for retiring coordinator	Transfer to Grants Fund	100-4-091200-9103	15,000.00
Sheriff	1,010.00	Carryover of Donations for Halloween	Halloween-Contributions	100-4-031200-5878	1,010.00
Sheriff	2.17	Carryover of Donations for Project Lifesaver Expenses	Project Lifesaver Expenses	100-4-031200-5882	2.17
Sheriff	15,487.75	Carryover of Donations for the Dare Program	DARE Supplies	100-4-031200-6002	15,487.75

Pittsylvania County
FY 2023 Budget Amendments

Department	Amount	Reason for Addition	Line Item Description	Account Number	Recommended Amount
Sheriff	19,442.89	Budget Balance Carryover	Police Supplies	100-4-031200-6010	19,442.89
Sheriff	309,563.00	Comp Bd Vacancy Savings	Overtime	100-4-031200-1200	309,563.00
Public Safety	174,500.00	Carryover of unspent General Budget Funds for the purpose of increasing per EMS call from \$15 to \$25 and to fund the requested increase to the Fire/Rescue Agency Matrix for FY2023	PS-EMS Supplement PS-Volunteer Contributions	100-4-032200-5664 100-4-032200-5661	77,500.00 97,000.00
FEMA-100-3-000000-180303	17,136.38	FEMA funds received to cover the FY2021 Icestorm Damage	PS-Natural Dis/Emergency Resp	100-4-032200-5670	17,136.38
Public Safety	10,220.38	Carryover FEMA funds to cover expenses incurred during Natural Disasters	PS-Natural Dis/Emergency Resp	100-4-032200-5670	10,220.38
Public Safety	99,261.22	Carryover - 640 Rescue Remaining Balance	640 Rescue-Variou	100-4-032214	99,261.22
J&D Court Services Unit	68,318.27	Carryover to cover the cost of FY22 W.W. Moore Detention Charges, the increased detention cost for FY2023 as well as the local match for the VJCCA Grant	Detention Charges	100-4-033300-3180 100-4-091200-9103	64,412.40 3,905.87
Animal Control	1,470.00	Carryover for the payment of Dangerous Dog Fees	Dangerous Dog Fees	100-4-035100-5899	1,470.00
Parks & Recreation	32,155.54	Carryover requested from unused Umpire Fees and Field maintenance to cover increased costs in the coming year and to request a part-time attendant to monitor weekend events at the Community Center	PR-Part-time Salaries FICA PR-Umpire Fees PR-Field Maintenance	PR-100-4-071100-1300 100-4-071100-2100 100-4-071100-5697 100-4-071100-6006	15,600.00 1,194.00 7,800.00 7,561.54
School Carryver-General Fund Side	6,252,236.68	School Carryovers	Transfers to Other Funds	100-4-091200-9102	6,252,236.68

Pittsylvania County
FY 2023 Budget Amendments

Department	Amount	Reason for Addition	Line Item Description	Account Number	Recommended Amount
Library-General Fund Side	100,000.00	Carryover of Unspent General Fund Budget Funds for the Purpose of Funding the Gretna Library Landscaping Project	Transfers to Other Funds	100-4-091200-9104	100,000.00
Community & Industrial Development (Community Donations)	28,000.00	Carryover to cover the FY22 Contribution to Pittsylvania County Soil and Water Conservation District	Soil and Water Conservation District	100-4-081200-5644	28,000.00
Community & Industrial Development (Community Donations)	25,000.00	Carryover to cover the FY22 Contribution to Danville-Pittsylvania Chamber of Commerce for new business awards	Danville-Pittsylvania Chamber of Commerce	100-4-081200-5645	25,000.00
Community Development	143,637.00	Carryover of unspent funds for removing dilapidated structures/Funds to Cover a part-time front desk clerk/Funds to purchase 2 vehicles	CD-Part-time Salaries CD-FICA CD-Capital Outlay-Vehicle CD-Dilapidated Structure Removal	100-4-081400-1300 100-4-081400-2100 100-4-081400-8105 100-4-081400-8142	18,148.00 1,389.00 64,100.00 60,000.00
VPI Extension	2,039.40	Carryover to cover the increased cost of rent at the ODAC for VPI Extension Office	Rent	100-4-083000-5420	2,039.40
Non-Departmental-COLA Salary Increases	562,214.48	Carryover of unspent funds to be used for County COLA/Merit Increases for FY2023	ND-COLA/Salary Increase	100-4-091200-1999	562,214.48
Non-Departmental-BCBS Co. Share	100,000.00	Carryover of unspent funds to be used for County Health Insurance Increases for FY2023	ND-BCBS Co. Share	100-4-091200-2300	100,000.00
Non-Departmental-Wellness Program	207,843.63	Carryover of unspent funds for County-wide wellness initiatives	ND-Wellness Program Expense	100-4-091200-31152	207,843.63
State Collection of Court Fines for FY2022	15,863.00	Carryover of court fine monies collected that must be remitted back to the State	Transfers to Other Funds	100-4-091200-9100	15,863.00

Pittsylvania County
FY 2023 Budget Amendments

Department	Amount	Reason for Addition	Line Item Description	Account Number	Recommended Amount
Debt & Interest Services-County	7,875.00	Carryover of unspent paying agent fees to be used to offset these fees for FY2023	Paying Agent Fee	100-4-095100-3164	7,875.00
TOTAL GENERAL FUND	8,587,013.26				8,587,013.26
SCHOOL AMENDMENTS					
Operations Carryover-Heating/Diesel Fuel	1,061,500.00	State Funds-Remained Unspent at 6/30	School Operating Fund	205	1,061,500.00
Project Graduation	49,466.08	State Grant Funds-Remained Unspent at 6/30	School Operating Fund	205	49,466.08
PBIS Grant	6,610.95	State Grant Funds-Remained Unspent at 6/30	School Operating Fund	205	6,610.95
PBIS/VTSS Grant	2,442.66	State Grant Funds-Remained Unspent at 6/30	School Operating Fund	205	2,442.66
Replacement Vehicles (2 SUV's, 2 Trucks, 4 Vans)	228,103.90	State Funds-Remained Unspent at 6/30	School Operating Fund	205	228,103.90
PCTC Grant-IDA Share	18,392.34	Local Funds-Remained Unspent at 6/30	School Operating Fund	205	18,392.34
Danville Regional Foundation-Stem Academy	56,868.41	Local Grant Funds-Remained Unspent at 6/30	School Operating Fund	205	56,868.41
Virginia Preschool Program	579,598.42	State Funds-Remained Unspent at 6/30	School Operating Fund	205	579,598.42
PALS Tutors	279,766.38	State Funds-Remained Unspent at 6/30	School Operating Fund	205	279,766.38
Textbooks	965,475.44	State/Local Funds-Remained Unspent at 6/30	School Operating Fund	205	965,475.44
Drainfield & Wastewater Expansion-KES	250,000.00	State Funds-Remained Unspent at 6/30	School Operating Fund	205	250,000.00
HS Ballfield Lighting Project	312,316.70	State Funds-Remained Unspent at 6/30	School Operating Fund	205	312,316.70
Roof-PCTC	1,636,200.00	State Funds-Remained Unspent at 6/30	School Operating Fund	205	1,636,200.00
Maintenance Warehouse Purchase/Repairs	180,916.50	FY2020 Carryover-Unspent at 6/30	School Operating Fund	205	180,916.50
On-going Contracted Maintenance Projects	283,455.88	State Funds-Remained Unspent at 6/30	School Operating Fund	205	283,455.88
On-going Vocational Projects	252,406.24	State/Local Funds-Remained Unspent at 6/30	School Operating Fund	205	252,406.24
On-going IT Projects	88,716.78	State/Local Funds-Remained Unspent at 6/30	School Operating Fund	205	88,716.78
TOTAL SCHOOL CARRYOVER	6,252,236.68		TOTAL SCHOOL CARRYOVER		6,252,236.68
TOTAL SCHOOLS	6,252,236.68				6,252,236.68

Pittsylvania County
FY 2023 Budget Amendments

Department	Amount	Reason for Addition	Line Item Description	Account Number	Recommended Amount
GRANTS FUND					
Commonwealth's Attorney-Grant Side	15,000.00	Carryover of funds from the CA's Budget to cover the local portion of the Victim Witness Grant and cover the vacation and sick payout for retiring coordinator	Victim Witness Grant-Federal (70%) Victim Witness Grant-State (30%) Transfer from General Fund	250-4-021900-Various (70%) 250-4-091201-Various (30%)	10,500.00 4,500.00
J&D Court Services Unit-Grant Side	3,905.87	Carryover funds needed to pay local match of VJCCCA Grant	Transfer from General Fund	250-4-021910-5830	3,905.87
TOTAL-GRANTS FUND	18,905.87				18,905.87
PET CENTER FUND					
Donation	25,000.00	Donation made to the Pet Center. The total doantion was \$100K. One quarter of this amount is being requested to be used for spays/nueters	Pet Center-Vet Exp-Spay/Nueter	245-4-035200-5849	25,000.00
TOTAL-PET CENTER FUND	25,000.00				25,000.00
CAPITAL IMPROVEMENTS FUND (CIP)					
Library-CIP Side	100,000.00	Carryover of General Fund Budget Funds for the Purpose of Funding the Gretna Library Landscaping Project	Gretna Landscaping Project	310-4-094150-819190	100,000.00
ETC Building Improvements-CIP Side	153,925.62	Carryover funds requested to cover ADA updates to the ETC building	B&G Improvements	310-4-094130-8158	153,925.62
TOTAL-CIP FUND	253,925.62				253,925.62

Pittsylvania County
FY 2023 Budget Amendments

Department	Amount	Reason for Addition	Line Item Description	Account Number	Recommended Amount
ECONOMIC DEVELOPMENT FUND (CYCLICAL)					
Tobacco Revitalization Opportunity Fund	79,569.90	Funds received from the Tobacco Commission's Opportunity Fund for PATHS, Inc.	Industrial Prospects	330-4-081500-8223	79,569.90
Tobacco Revitalization Opportunity Fund	19,000.00	Funds received from the Tobacco Commission's Opportunity Fund for Eastern Panel Manufacturing	Industrial Prospects	330-4-081500-8223	19,000.00
AFID Performance Grant	500,000.00	Funds received from the AFID Performance Grant for Tyson Farms	Industrial Prospects	330-4-081500-8223	500,000.00
TOTAL-ECONOMIC DEV FUND	598,569.90				598,569.90
SOLID WASTE FUND					
VACORP Insurance Check	136,175.65	VACORP insurance claim	Landfill Equipment/Trucks	520-4-094110-8125	136,175.65
TOTAL-SOLID WASTE FUND	136,175.65				136,175.65
COMMONWEALTH OF VA - CURRENT CREDIT FUND					
State Collection of Court Fines for FY2022 714-3-000000-410503	15,863.00	Carryover of court fine monies collected that must be remitted back to the State	Treasurer's Checks-Refunds	714-4-092000-5839	15,863.00
TOTAL-COMMONWEALTH OF VA-CUR CREDIT FUND	15,863.00				15,863.00
GRAND TOTAL - ALL FUNDS	15,887,689.98				15,887,689.98



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Hurt Partners Landfill Amended Tipping Fee Waiver Approval (Staff Contact: Matthew D. Rowe)		
Staff Contact(s):	Matthew D. Rowe		
Agenda Date:	September 20, 2022	Item Number:	12.a
Attachment(s):			
Reviewed By:			

SUMMARY:

Due to intense prospect interest at the Southern Virginia Multimodal Park (“SVMP”) in Hurt, Virginia, Hurt Partners, LLC, the property owners, 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 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.

At the June Business Meeting, as a Consent Agenda item, the Board previously agreed to waive County Landfill Tipping Fees for Hurt Partners’ cleanup, with an estimated revenue value of \$82,000. Hurt Partners is now seeking an additional waiver of related County Landfill Tipping Fees.

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 additional future Landfill Tipping Fees with an estimated revenue value of \$164,000 (total, includes the previously waived County Landfill Tipping Fees of \$72,325.64).

RECOMMENDATION:

County Economic Development Staff recommends the Board approve the Landfill Tipping Fee Waiver for Hurt Partners that is associated with the cleanup of non-hazardous construction debris at the SVMP.

MOTION:

County Staff submits this matter to the Board for its review and consideration.



Board of Supervisors
EXECUTIVE SUMMARY

ACTION ITEM

Agenda Title:	Petition for Writ of Special Election Filing Approval (Staff Contact: J. Vaden Hunt, Esq.)		
Staff Contact(s):	J. Vaden Hunt, Esq.		
Agenda Date:	September 20, 2022	Item Number:	12.b
Attachment(s):			
Reviewed By:	VH		

SUMMARY:

Virginia Code § 24.2-226 requires a governing body, within fifteen (15) days of the occurrence of a vacancy on the governing body, to petition the Circuit Court for its jurisdiction to issue a Writ of Special Election to fill the vacancy. Said Special Election is required to be held no later than the next General Election in November, unless the vacancy occurs within ninety (90) days of the next such General Election, in which event it shall be held promptly, but no later than the second such General Election. As the Board's Banister Electoral District vacancy occurred on September 13, 2022, which is within ninety (90) days of November 8, 2022, the date of the next General Election, the Special Election cannot occur at that time and must occur on or before November 7, 2023, the date of the second such General Election.

FINANCIAL IMPACT AND FUNDING SOURCE:

Unknown currently.

RECOMMENDATION:

County Staff recommends the Board authorize the County Attorney to petition the Pittsylvania County Circuit Court to issue a Writ of Special Election for a Special Election to be held on November 7, 2023, to fill the Board's Banister Electoral District vacancy.

MOTION:

"I make a Motion to authorize the County Attorney to petition the Pittsylvania County Circuit Court to issue a Writ of Special Election for a Special Election to be held on November 7, 2023, to fill the Board's Banister Electoral District vacancy."