



**AGENDA
POWHATAN COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
SEPTEMBER 28, 2020
6:30 PM CALL TO ORDER**

This meeting is being held in the Village Building Auditorium and is open to the public to attend in person, but several remote options remain available to participate or watch the meeting.

If you would like to participate in the meeting, go to <https://us02web.zoom.us/j/83998792911> by computer or smartphone with the Zoom app.

or by phone, dial 1-301-715-8592 or 1-312-626-6799 or 1-929-205-6099 or 1-253-215-8782 or 1-346-248-7799 or 1-669-900-6833

Type Webinar ID: 839 9879 2911

Or iPhone one-tap :

US: +13017158592, 83998792911# or +13126266799, 83998792911#

**During the public comment period, you may raise your hand using the zoom controls on your screen or press *9 on your phone. Visit the Zoom Help Center for more information.

If you would like to watch in real-time, use this link: <http://powhatanva.gov/432/Live-Stream-of-Powhatan-County-Meetings>

If you would like to watch the meeting at your convenience later use this link: <http://powhatanva.gov/433/County-Meetings-and-Workshop-Videos-On-D>

Public comments may also be submitted to administration@powhatanva.gov. Any comments received up until 5:00 PM of the day of the meeting shall be entered into the meeting minutes.

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Invocation**
- 4. Requests to Postpone Agenda Items and Additions, Deletions or Changes in the Order of Presentation**
- 5. Formal Approval of Agenda**
- 6. County Administrator Updates- Certificates of Appreciation, Special Resolutions, Proclamations and Presentations**
 - a. Recognition of PSC Officers for Graduation from Basic Dispatch School
 - b. Proclamations Recognizing Fire and Rescue Volunteers for 50 Years of Service Page 5
 - c. Proclamation P-2020-10 Recognizing Fire Prevention Week and the Members of Powhatan County Fire and Rescue Page 9
 - d. Proclamation P-2020-11 Recognizing Domestic Violence Awareness Month October 2020 Page 11
 - e. Update from Virginia Department of Transportation (VDOT)
- 7. Public Comment** (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)
- 8. Consent Agenda**
 - a. Minutes May 18, 2020 Regular Meeting Page 15
 - b. Minutes June 11, 2020 Special Joint Meeting with Powhatan County School Board Page 29
 - c. Minutes June 15, 2020 Special Meeting Page 42
 - d. Update on 2016 and 2018 Bonded Projects Page 49
 - e. Report on Treasurer’s Accountability Fund Page 51
 - f. Resolution R-2020-51 Appropriating the Second Quarter of the Operating Budget for FY2021 Page 65

- g. Resolution R-2020-52 Initiating a Zoning Text Amendment to Revise Permitted and Conditional Uses Within the Courthouse Square Center (CHSC Zoning District) Page 71
- h. Resolution R-2020-53 Amending the FY2021 Operating Budget by Budgeting and Appropriating \$5,636 in the General Fund for Additional State Library Aid Page 75
- i. Resolution R-2020-54 Authorizing the County Administrator to Execute Contract with the Most Responsive and Responsible Offeror for ERP Replacement (RFP 2019-01) Upon County Attorney Approval Page 79

9. New Business

- a. Report on FY2020 Pre-Audit Financials Page 83

10. Public Hearings

- a. Ordinance O-2020-13 (Case #20-02-AZ) Elimination of Single Cut Subdivisions Page 101
- b. Ordinance O-2020-14 (Case #20-02-CUP) Robert and Josephine Pendergraph (District #1: Subletts/Manakin/Flat Rock) Page 117

11. Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)

12. County Attorney Comments

13. County Administrator Comments

14. Board Comments

15. Closed Meeting as authorized by the Code of Virginia, Section 2.2-3711(A) to Discuss Goals and Priorities of the County Administrator

16. Certification of Closed Meeting

- a. Discussion of Goals and Priorities of the County Administrator

17. Adjournment



AGENDA ITEM 6

County Administrator Updates- Certificates of Appreciation, Special Resolutions, Proclamations and Presentations

Board of Supervisors
David T. Williams, Chairman
Karin M. Carmack, Vice Chairman
Larry J. Nordvig
Michael W. Byerly
Bill L. Cox



County Administrator
Ned Smither
3834 Old Buckingham Road
Powhatan VA 23139

The County of
Powhatan

**PROCLAMATION
RECOGNIZING JOHN WAYNE COSNER
ON HIS 50 YEARS OF VOLUNTEER SERVICE**

WHEREAS, service in the public trust requires of the citizen the sacrifice of personal interests for the common good; and

WHEREAS, long service on behalf of the public trust, being rare, designates the civic servant of long-standing as an individual worthy of both tribute and emulation; and

WHEREAS, Wayne has served the citizens of Powhatan County as a member of the Powhatan Volunteer Fire Department and Huguenot Volunteer Fire Department, since 1970; and

WHEREAS, throughout this career, Wayne worked tirelessly to promote the value needs and concerns of the volunteer fire department within Powhatan County; and

WHEREAS, Wayne has mentored many volunteer members and leaders enriching those who have been fortunate enough to have known and worked with him; and

WHEREAS, Wayne has completed 50 years of continuous volunteer service with Huguenot Volunteer Fire Department and continues to service his community wholeheartedly.

NOW, THEREFORE, BE IT PROCLAIMED that the Powhatan Board of Supervisors commends the exemplary civic service and leadership of John Wayne Cosner and extends on behalf of the citizens of Powhatan County, appreciation for his long service to the County.

ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON SEPTEMBER 28, 2020.

ATTEST:

Ned Smither, Clerk
Powhatan County Board of Supervisors

David T. Williams, Chairman
Powhatan County Board of Supervisors

Recorded Vote:

David T. Williams _____
Bill L. Cox _____

Larry J. Nordvig _____
Karin M. Carmack _____

Michael W. Byerly _____

Board of Supervisors
David T. Williams, Chairman
Karin M. Carmack, Vice Chairman
Larry J. Nordvig
Michael W. Byerly
Bill L. Cox



County Administrator
Ned Smither

3834 Old Buckingham Road
Powhatan VA 23139

The County of
Powhatan

**PROCLAMATION
RECOGNIZING FLOYD E. GREENE
ON HIS 50 YEARS OF VOLUNTEER SERVICE**

WHEREAS, service in the public trust requires of the citizen the sacrifice of personal interests for the common good; and

WHEREAS, long service on behalf of the public trust, being rare, designates the civic servant of long-standing as an individual worthy of both tribute and emulation; and

WHEREAS, Floyd Greene has served the citizens of Powhatan County as a founding member of the Huguenot Volunteer Fire Department, since 1970, served as County Fire Chief for 10 years; and

WHEREAS, throughout this career, Floyd worked tirelessly to promote the value needs and concerns of the volunteer fire department within Powhatan County; and

WHEREAS, Floyd has mentored many volunteer members and leaders enriching those who have been fortunate enough to have known and worked with him; and

WHEREAS, Floyd has completed 50 years of continuous volunteer service with Huguenot Volunteer Fire Department and continues to service his community wholeheartedly.

NOW, THEREFORE, BE IT PROCLAIMED that the Powhatan Board of Supervisors commends the exemplary civic service and leadership of Floyd E. Greene and extends on behalf of the citizens of Powhatan County, appreciation for his long service to the County.

ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON SEPTEMBER 28, 2020.

ATTEST:

Ned Smither, Clerk
Powhatan County Board of Supervisors

David T. Williams, Chairman
Powhatan County Board of Supervisors

Recorded Vote:

David T. Williams _____
Bill L. Cox _____

Larry J. Nordvig _____
Karin M. Carmack _____

Michael W. Byerly _____

Board of Supervisors
David T. Williams, Chairman
Karin M. Carmack, Vice Chairman
Larry J. Nordvig
Michael W. Byerly
Bill L. Cox



County Administrator
Ned Smither

3834 Old Buckingham Road
Powhatan VA 23139

The County of
Powhatan

**PROCLAMATION
RECOGNIZING SAMUEL LEWELLYN
ON HIS 50 YEARS OF VOLUNTEER SERVICE**

WHEREAS, service in the public trust requires of the citizen the sacrifice of personal interests for the common good; and

WHEREAS, long service on behalf of the public trust, being rare, designates the civic servant of long-standing as an individual worthy of both tribute and emulation; and

WHEREAS, Samuel has served the citizens of Powhatan County as a founding member of the Huguenot Volunteer Fire Department, since 1970; and

WHEREAS, throughout this career, Samuel worked tirelessly to promote the value needs and concerns of the volunteer fire department within Powhatan County; and

WHEREAS, Samuel has mentored many volunteer members and leaders enriching those who have been fortunate enough to have known and worked with him; and

WHEREAS, Samuel has completed 50 years of continuous volunteer service with Huguenot Volunteer Fire Department and continues to service his community wholeheartedly.

NOW, THEREFORE, BE IT PROCLAIMED that the Powhatan Board of Supervisors commends the exemplary civic service and leadership of Samuel Llewellyn and extends on behalf of the citizens of Powhatan County, appreciation for his long service to the County.

ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON SEPTEMBER 28, 2020.

ATTEST:

Ned Smither, Clerk
Powhatan County Board of Supervisors

David T. Williams, Chairman
Powhatan County Board of Supervisors

Recorded Vote:

David T. Williams _____
Bill L. Cox _____

Larry J. Nordvig _____
Karin M. Carmack _____

Michael W. Byerly _____

Board of Supervisors
David T. Williams, Chairman
Karin M. Carmack, Vice Chairman
Larry J. Nordvig
Michael W. Byerly
Bill L. Cox



County Administrator
Ned Smither
3834 Old Buckingham Road
Powhatan VA 23139

The County of
Powhatan

**PROCLAMATION
RECOGNIZING FRANCIS E. (CHUCK) URBINE
ON HIS 50 YEARS OF VOLUNTEER SERVICE**

WHEREAS, service in the public trust requires of the citizen the sacrifice of personal interests for the common good; and

WHEREAS, long service on behalf of the public trust, being rare, designates the civic servant of long-standing as an individual worthy of both tribute and emulation; and

WHEREAS, Chuck has served the citizens of Powhatan County as a founding member of the Huguenot Volunteer Fire Department, since 1970; and

WHEREAS, throughout this career, Chuck worked tirelessly to promote the value needs and concerns of the volunteer fire department within Powhatan County; and

WHEREAS, Chuck has mentored many volunteer members and leaders enriching those who have been fortunate enough to have known and worked with him; and

WHEREAS, Chuck has completed 50 years of continuous volunteer service with Huguenot Volunteer Fire Department and continues to service his community wholeheartedly.

NOW, THEREFORE, BE IT PROCLAIMED that the Powhatan Board of Supervisors commends the exemplary civic service and leadership of Chuck Urbine and extends on behalf of the citizens of Powhatan County, appreciation for his long service to the County.

ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON SEPTEMBER 28, 2020.

ATTEST:

Ned Smither, Clerk
Powhatan County Board of Supervisors

David T. Williams, Chairman
Powhatan County Board of Supervisors

Recorded Vote:

David T. Williams _____
Bill L. Cox _____

Larry J. Nordvig _____
Karin M. Carmack _____

Michael W. Byerly _____

Board of Supervisors
David T. Williams, Chairman
Karin M. Carmack, Vice Chairman
Larry J. Nordvig
Michael W. Byerly
Bill L. Cox



County Administrator
Ned Smither

3834 Old Buckingham Road
Powhatan VA 23139

The County of
Powhatan

PROCLAMATION
RECOGNIZING NATIONAL FIRE PREVENTION WEEK AND
THE MEMBERS OF POWHATAN COUNTY FIRE AND RESCUE

WHEREAS, the County of Powhatan is committed to ensuring the safety and security of all those living in and visiting Powhatan; and

WHEREAS, home fires in in Commonwealth of Virginia resulted in 61 civilian deaths in 2018; and

WHEREAS, newer homes are built with lightweight materials that burn faster than older home constructions; and

WHEREAS, many of today's products and furnishings produce toxic gases and smoke when burned, making it impossible to see and breathe within moments; and

WHEREAS, these conditions contribute to a much smaller window of time for people to escape a home fire safely, with people having as little as one to two minutes to escape from the time the smoke alarm sounds; and

WHEREAS, a home fire escape plan includes two exits from every room in the home; a path to the outside from each exit; smoke alarms in all required locations; and a meeting place outside where everyone in the home will meet upon exiting; and

WHEREAS, practicing a home fire escape plan twice a year ensures that everyone in the household knows what to do in a real fire situation; and

WHEREAS, Powhatan's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, the 2020 Fire Prevention Week theme, "Serve Up Fire Safety in the Kitchen," effectively serves to educate the public about the vital importance that cooking is the leading cause of home fires and home fire injuries in the United States.

NOW, THEREFORE, BE IT PROCLAIMED by the Board of Supervisors of Powhatan County that the week of October 4-10, 2020, is Fire Prevention Week throughout Powhatan County. We urge all the people of Powhatan to learn about the hazards of cooking and the dangers of unattended cooking, and join us in honoring the volunteer and career men and women of the Powhatan County Fire and Rescue Department, whose diligence and professionalism keep our county and citizens safe.

**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON
SEPTEMBER 28, 2020.**

**David T. Williams, Chairman
Powhatan County Board of Supervisors**

Recorded Vote:

David T. Williams _____
Larry J. Nordvig _____
Michael W. Byerly _____
Bill L. Cox _____
Karin M. Carmack _____

ATTEST:

**Ned Smither, Clerk
Powhatan County Board of Supervisors**

Board of Supervisors
David T. Williams, Chairman
Karin M. Carmack, Vice Chairman
Larry J. Nordvig
Michael W. Byerly
Bill L. Cox



County Administrator
Ned Smither

3834 Old Buckingham Road
Powhatan VA 23139

The County of
Powhatan

PROCLAMATION
RECOGNIZING DOMESTIC VIOLENCE AWARENESS MONTH
OCTOBER 2020

WHEREAS, domestic violence is a pattern of abusive behaviors used by one individual to exert power and control over another individual in the context of an intimate or family relationship; and

WHEREAS, domestic violence is widespread and is devastating to society as a whole, but particularly women and children; and

WHEREAS, one in three women and one in four men have been victims of physical violence by an intimate partner within their lifetime; and

WHEREAS, the impact of domestic violence on individuals, families and communities is recognized nationally during the month of October; and

WHEREAS, families are indispensable to a stable society, and they should be a place of support to instill responsibility and values in the next generation; and

WHEREAS, during this month, we honor the courage and strength of victims and survivors and pledge to provide continued support, advocacy and education for those affected by domestic violence and to empower them and their families to create a life that is safe, healthy and free of violence; and

WHEREAS, survivors should have access to the compassion, comfort, and healing they need.

NOW, THEREFORE, BE IT PROCLAIMED that the Powhatan County Board of Supervisors hereby recognizes October as Domestic Violence Awareness Month and supports the efforts and mission of the Powhatan Department of Social Services Domestic Violence Program in playing an active role to prevent domestic violence, and encourages all Powhatan County residents to promote community support and awareness of this important issue as we work to create a safer environment for all.

ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON
SEPTEMBER 28, 2020.

David T. Williams, Chairman
Powhatan County Board of Supervisors

Recorded Vote:

ATTEST:

David T. Williams _____
Larry J. Nordvig _____
Michael W. Byerly _____
Bill L. Cox _____
Karin M. Carmack _____

Ned Smither, Clerk
Powhatan County Board of Supervisors

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AGENDA ITEMS 8A-C

Minutes May 15, 2020 Regular Meeting

Minutes June 11, 2020 Special Joint Meeting

Minutes June 15, 2020 Special Meeting

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE POWHATAN VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, AND REMOTELY BY ELECTRONIC MEANS ON May 18, 2020, AT 6:30 P.M.

Board of Supervisors Present: David T. Williams, District 1, Chairman, present in the Village Building Auditorium
Larry J. Nordvig, District 2, present remotely from his residence
Michael W. Byerly, District 3, present in the Village Building Auditorium
Bill L. Cox, District 4, present remotely from the conference room
Karin M. Carmack, District 5, Vice Chairman, present in the Village Building Auditorium

Board of Supervisors Absent: None

County Staff Present: Bret Schardein, Interim County Administrator, present Remotely from his residence
Eric Lansing, Assistant County Attorney, present Remotely from his residence
Ramona Carter, Director of Public Works, present Remotely from her residence
Curt Nellis, Assistant Emergency Management Coordinator, present Remotely from his residence
Tom Nolan, Director of Public Safety Communications, present Remotely from his residence
Faye Barton, Treasurer, present Remotely from her residence
Andrew Pompei, Planning Director, present Remotely from his residence

Constitutional Officers Present:

Guests Present: Kyle Bates, VDOT Resident Engineer
Chris Shust, Attorney, Berk and ALP LLC

1. Call to Order

Chairman Williams called the meeting to order at 6:30 p.m.

- a. Identify Public Entity members physically and/or electronically present

Mr. Williams identified the Board members, and their locations.

- b. Identify the persons responsible for receiving public comment

County Administration staff will accept emailed comments at administration@powhatanva.gov. Any comments received until 6:30 pm, on the day of the meeting will be entered into the meeting minutes.

- c. Identify opportunities for the public to access the electronic meeting

The public was able to participate in the meeting by using: <https://zoom.us/j/398095011> by computer. Phone access was possible by dialing: US: 1-929-205-6099 or 1-312-626-6799. As always, the public could view the live feed from the County website. (edit link as needed)

- d. Identify opportunities for the public to participate in such an electronic meeting

The public was able to view and participate in the meeting live with the Zoom meeting link. During the public comment period, members of the public could raise their hands using the zoom controls on their screens, or press *9 on their phone.

2. Pledge of Allegiance

Mrs. Carmack led the Pledge of Allegiance

3. Invocation

Mr. Cox led the Invocation

4. Requests to Postpone Agenda Items and Additions, Deletions or Changes in the Order of Presentation

There were no requests to amend the agenda.

5. Formal Approval of Agenda

Mr. Cox moved to approve the agenda as presented.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

VOTE 5-0
MOTION Passed

6. Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)

Chairman Williams opened the first public comment period.

Mr. Mike Asip, 3673 Old Buckingham Road, Powhatan, is continuing the May 14th meeting about the school budget where the Board requested the transfer of 90% of the requested rate. Asks to make sure that we get concrete information and numbers before cutting school funding that will affect the quality of teachers.

Chairman Williams closed the first public comment period.

7. Consent Agenda

- a. Approval of March 4, 2019 Special Board of Supervisors corrected Meeting Minutes Page 4
- b. Approval of February 24, 2020 Regular Board of Supervisors corrected Meeting Minutes Page 9
- c. Approval of March 2, 2020 Special Board of Supervisors corrected Meeting Minutes Page 17
- d. Approval of March 5, 2020 Special Board of Supervisors corrected Meeting Minutes Page 23
- e. Approval of March 9, 2020 Special Board of Supervisors corrected Meeting Minutes Page 29
- f. Resolution R-2020-30 Amending the Fiscal Year 2020 Powhatan County Operating Budget by Budgeting and Appropriating \$19,359.81 in Insurance Recoveries, Sheriff Reimbursables and Passport Revenue in the General Fund and \$21,440.94 in Additional Grants and Donations in the Grants Fund Page 36
- g. Resolution R-2020-31 Amending the FY 2020 Powhatan County Operating Budget by Budgeting and Appropriating \$216,110 in CSBG Emergency COVID Grant Money Page 39

Mrs. Carmack moved to approve the Consent Agenda as presented. Mr. Byerly seconded the motion.

Mr. Williams called for a roll call vote.

Mr. Schardein conducted a roll call vote:

Mr. Williams Aye
Mr. Nordvig Aye
Mr. Byerly Aye
Mr. Cox Aye
Mrs. Carmack Aye

VOTE 5-0
MOTION Passed

8. Appointments to Boards, Commissions, Committees, etc

a. Appointment to Library Trustees

Mr. Cox moves to reappoint Mr. Randy Schulkers for the open position of Treasurer. Mrs. Carmack seconded motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

VOTE 5-0
MOTION Passed

9. Presentations

a. Bonded Projects Update

Mr. Nolan gave a status update to the Board. He stated that they have great progress. There's a carrier very interested in the tower on Cook Road. It should help with coverage and hopes to have the tower built this year. Microwave systems have been ordered. New radios and handheld mobile equipment are currently being tested. A fleetmap has been developed. A fleetmap is a roadmap with channels called talk groups that allows them to communicate internally and with county partners. Mr. Nolan expressed some concerns about the 7-site design. The tower that was on State Police property, that was part of coverage sign, was torn down. A replacement has been found but they are behind on the Detailed Design Element. A few months have been lost and will be made up for.

Ms. Ramona Carter presented details of her four projects to the Board. The first project presented is the courthouse parking lot expansion. Ms. Carter stated that the expansion has been designed by an Engineer and has been submitted for approval. Ms. Carter is waiting for Board approval before getting bids. The second project is the East Convenience Center. An engineer has been hired to find five potential sites. Three sites were selected by the county and two were selected by the Engineer. This has been completed but not yet reviewed. They will not proceed with design until it's safe for the budget. The third project to be presented is the Athletic Field Lighting Project. This project has been completed and closed. Last, the Pocahontas Gymnasium and Landmark Center Project should be completed in 30 days.

4 of 14

Plumbing, cameras, and installing phones are the last items to be finished. They are hoping to use the school's services.

b. Treasurer's Report as of 03/31/2020

Mrs. Faye Barton presented the balance sheet to the Board as required by the state code. Mrs. Barton explained the different accounts and the different monies collected and which accounts they go to to the Board. She asks the Board to look at the Uncollectable Taxes. Mrs. Barton explained that they are working really hard on getting the collections of these accounts down. The county receives 96-98% of the taxes every year.

Mr. Nordvig asked Mrs. Barton if she feels like the current COVID-19 situation will have any effect on the collections rate. Mrs. Barton responded by saying that they have 2-3 weeks left, so it's too soon to tell. Mrs. Barton stated that she ran all the numbers and they are right on track with last year's numbers as well as Personal Property taxes. Mrs. Barton stated that next month's meeting, she'll be able to give a more accurate figure. Mr. Nordvig then asks Mrs. Barton what's the closest date to the next meeting for up-to-date information. Mrs. Barton stated June 15th.

Mr. Byerly asked Mrs. Barton if she has any idea how the current COVID-19 situation will affect the November/December tax collections. Mrs. Barton states that if COVID-19 continues on into the fall, some residents may have to file for bankruptcy as some did in the 2008 recession. Mr. Byerly asked what the collection rate was for 2008 recession. Mrs. Barton states that she thinks it only dropped 4%.

c. VDOT Safety Study Update

Mr. Kyle Bates VDOT resident engineer thanked the Board for the time to give updates on VDOT projects. Mr. Bates states that it's business as usual for the seven-area headquarters in the Chesterfield residency. He states that social distancing is causing them to move a little slower, but due to less traffic being on the roads, some timelines have been moved up. Mr. Bates stated that the Route 13, Old Buckingham Road closure has commenced and they hope to finish up by the start of the school year. The detour for this closure was thought out, planned, and determined to be the safest route to take.

Mr. Bates stated that the recent fatality on Route 711 has cause citizens to give lots of feedback. He stated that the citizens are requesting a lower speed limit. Mr. Bates stated that a study was done in 2017. The study looked at 85% of the traffic and what speed they were travelling from Maiden's Road to Manakin Town Ferry Road. Mr. Bates encouraged the Board to view the speed study. He stated that from the survey, he pulled the crash rates from 2011-2016 and found the fatality and injury numbers to be below average on secondary roads in the state. Mr. Bates feels as though the speed limit shouldn't be lowered. He feels like extra speed enforcement is what's needed. He stated that majority of the crashes are fixed object, off road crashes. It was decided to prioritize the 6-year plan and add shoulder hardening to select areas.

Route 711 is going to be resurfaced and restriped starting this very evening. Mr. Bates suggested a full safety study.

Mrs. Carmack asked Mr. Bates for the Route 60 study that was supposed to have finished up in March. Mr. Bates responded that they have finished the study and are currently finalizing the report.

Mr. Nordvig stated that he doesn't want to wait until there are enough crashes on an excel spreadsheet before taking action. Mr. Nordvig said that he listened to the residents that drive the roads every day. He sides with the residents. Mr. Nordvig stated that he supports the speed limit drop.

Mr. Williams asked Mr. Bates if Route 711 has a posted speed limit. Mr. Bates stated that it's a statutory 55 mph with trucks at 45 mph. Mr. Williams then asked Mr. Bates why we couldn't get the speed limit posted. Mr. Bates stated that he will look into this. Mr. Williams asked Mr. Bates to see the safety study. Mr. Williams stated that when the Board tried to submit a Smart Scale Project that it wouldn't score. The 6-year funds will not cover it and asked Mr. Bates for suggestions. Mr. Bates would like to wait to answer the question for the Smart Scale Meeting. Mr. Williams asked that Mr. Bates find some money for the speed limit signage.

Mr. Byerly asked if it's possible to put in a flashing light to warn of the Fire Department on east and westbound Route 711. Mr. Bates stated that it's a possibility and that there may be other options as well. Mr. Byerly stated that law enforcement officers don't have much space for running radar, according to Sheriff Nunnally. Mr. Byerly asked Mr. Bates if VDOT would consider making an extra shoulder or a right-of-way. Mr. Bates stated that due to the expense, would need to be a full on project. Mr. Byerly asked the Board to draft a letter to the 1st Sargent of the Virginia State Police in area 6, to ask for more enforcement of Route 711. Mr. Byerly asked Mr. Bates if he could look into a possible speed reduction on Route 522 at Three Bridge due to the Solar Farm being built soon and the increase in truck traffic at the request of a resident. Mr. Bates stated that he'll look into it.

Mr. Nordvig commented that there is an attendee present that has offered her driveway to law enforcement officers.

Mr. Williams called for a poll of the Board to move forward with the letter to the Virginia State Police requesting assistance.

Mr. Williams requested Mr. Schardein draft the Virginia State Police letter.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

VOTE 5-0
MOTION Passed

6 of 14

d. COVID-19 Update

Mr. Nellis gave an update on the COVID-19 situation in the Commonwealth. Mr. Nellis reviewed the latest statistics as of May 18, 2020. He noted that there is a 2 % case increase since April 16, 2020. Mr. Nellis explained that the 7 day monitoring average is in a downward decline. Mr. Nellis presented the General Location Map that shows where the cases are located. He noted that there are no pockets of cases in any particular area. Mr. Nellis then reviewed the seven critical lifelines. He noted that there is an improvement in Food & Water and Medical. Mr. Nellis stated that there are no changes in the Leader Intent Goals and Public Safety call volumes. The County is operating on a virtual Monday-Friday 8-5 basis. Conference calls have been scaled back to 2 weeks. Mr. Nellis expressed concerns over maintaining PPE supplies and when would be an appropriate time to resume normal operations. Mr. Nellis hopes to close virtual EOC by the end of May. He recommended to continue with the State of Emergency through the end of December similar to surrounding localities for purchasing of PPE ability.

Mr. Nordvig asked Mr. Nellis if we need to be more aggressive in obtaining PPE supplies. Mr. Nellis stated that purchasing PPE will be ramped up in anticipation of the county employees coming back to work. He noted that they have been stock piling. Mr. Nordvig stated that Mr. Nellis can contact Mr. Williams or Mr. Schardein if any help is needed.

Mr. Schardein stated that Powhatan, with the 24th case diagnosed today, was 86th of 133 for total cases and 95th of 133 per capita. Mr. Schardein noted that unemployment figures spiked around April 4th and has since decreased from 391 to 81 as of May 9th. Mr. Schardein went on to explain that the numbers are still high for Powhatan and the continuing claims are rising. As of May 9th, Powhatan has 996 unemployment claims. Mr. Schardein stated that the state is in Phase 1 and doing well. The Economic Development office will continue to work with businesses. Mr. Schardein explained that Powhatan will be receiving \$ 2,587, 023 from the Cares Act. Mr. Schardein submitted the certification. Mr. Schardein stated that he was given guidance that we will need to use the CARES Act money before using any FEMA funds or Hero Act (should we qualify). Documenting and cataloging all reimbursable funds is crucial. Mr. Schardein stated that he is aiming to move into Phase 1 on June 1st.

Mr. Williams stated that he wants people to know that Powhatan doesn't have free reign over the CARES Act money. There are many conditions and guidelines that must be followed. Mr. Williams reiterated that the CARES Act money is not added to our budget. Mr. Schardein agreed with Mr. Williams and added that this money doesn't make up for any shortages in taxes. Mr. Williams stated that he spoke with Representative Spanberger about not having anything at the local level to replace property taxes. Mr. Williams said that Representative Spanberger was trying to work on something for the rural counties like Powhatan.

10. Public Hearings

- a. Ordinance #O-2020-08 (Case #20-01-REZC): Berk and Alp LLC (District #2: Powhatan Station/Graceland) requests the

Page 87

7 of 14

amendment of the proffer statement for three parcels (Tax Map Parcels #43-33, 43-33A, and 43-35) zoned Light Industrial (I-1) with proffered conditions and Commerce Center (CC) with proffered conditions (Case #18-04-REZC: Ordinance #O-2018-28).

Mr. Pompei gave an overview of the case. He stated that Berk and Alp LLC is requesting that proffer number 1 be revised to a new Conceptual Plan. The new plan has a right in, right out entrance to that is further west than shown on the current Conceptual Plan. The Planning Commission reviewed this request on May 5, 2020. The vote was 3-2 with staff recommending this approval as well.

Mr. Shust explained that this entire project is in 2 Phases. Phase 1 is the I-1 zoning piece. Phase 2 is commercial zoning that is to the east. The change is to be a right in, right out, no crossover, 200-foot right turn lane. VDOT had requested the turn lane be extended and then install a 12 to 1 connection back to the existing lane. Entrances to the west and east of the property will be cross accessed. There will be an acceleration lane in the front of the property for merging. Mr. Shust stated that Mr. Pompei and the Planning Commission have moved access over to show a 90-degree alignment all the way around.

Mrs. Carmack asked Mr. Shust if the commercial development will have a second entrance. Mr. Shust explained that it will have a second entrance but that will be in Phase 2.

Mr. Williams asked Mr. Shust if the first entrance to the east is a left in, right in, right out and if it was approved. Mr. Shust stated that is what the entrance is. Mr. Williams then asked what the distance between the newly proposed entrance and the current entrance. Mr. Williams asked if the entrance measured a 625 foot to meet the current access management standard. Mr. Shust stated that was correct.

Mr. Williams asked Mr. Pompei if this is a new entrance added to the already approved entrance. Mr. Pompei explained that as part of the original zoning case, they had proffered a conceptual plan for the industrial portion, which would be using an entrance that's farther east so they originally didn't show a shared entrance with a parcel to the west. There is 1,400 ft. between this entrance and County Line Road. The minimum is 625 feet. This way they could fit another entrance, should they choose to. Mr. Williams asked Mr. Pompei if they are asking for a second entrance. Mr. Pompei responds by saying that they are asking to access Route 60 at this location.

Mr. Cox clarified by stating that the Board is looking at the whole project and that they are here to change a portion of that. That led Mr. Cox to ask Mr. Shust why he's reducing the Conceptual Plan. Mr. Shust replied that he was just trying to zero in on this part to provide more detail. Mr. Cox then stated that he would like some clarity on the spacing of the crossover. Mr. Cox goes on to state that the crossover requirements are 2640 feet. Mr. Shust exclaimed that the requirement was 1390 feet because this is a partial access, not full access. Mr. Cox asks Mr. Pompei what the requirements are. Mr. Pompei explained that for intersections it's 625 feet and that Powhatan County doesn't differentiate partial and full

crossovers. VDOT has different measurements. Mr. Shust agreed to make the change and coordinate it.

Mr. Williams opened public comment.

Mr. Schardein presented a letter. Debra Weir, of 1501 Paige Rd, Powhatan. Mrs. Weir wrote that she understands commercial development is needed. She states that the rhythm structure in the eastern end of Powhatan cannot support this new entrance to the commercial development. VDOT will not put in a traffic light even though it is warranted. Mrs. Weir expressed concerns over the traffic safety and the U-turns that will need to be made on the already long wait to turn onto Paige Road. Mrs. Weir stated that she would like a new entrance plan be created for the commerce center part of the project and if not asks that VDOT consider lengthening the turn lanes.

Mr. Nordvig commented that he has been working with Mr. Shust and the property owner, Mr. Tony Kilic, for two years. Mr. Nordvig stated that he feels like the entrances will work and that the business will not have much traffic. Mr. Nordvig invited the owner, Mr. Kilic, to speak on traffic volume.

Mr. Kilic stated that he only owns 7 trucks that leave in a staggered pattern throughout the day. The business sees anywhere from 20-40 customers per week.

Mr. Cox asked Mr. Shust if he needs a month to correct the Conceptual Plan. Mr. Shust stated that he thought that was an adequate amount of time. Mr. Cox expressed concerns about future entrances and preserving the Conceptual Plan. Mr. Kilic explained that the plan will take place, but it will take time.

Ms. Carmack asked Mr. Williams and Mr. Lansing if the Board could pass this tonight. Mr. Lansing responded saying that a re-advertisement would need to be done. Mr. Williams asked Mr. Lansing if they needed another public hearing to get it passed? Mr. Lansing replied that if the Board were to defer, yes. Mr. Schardein explained that they couldn't adopt something less stringent than originally proposed. Mr. Lansing agreed with Mr. Schardein and the ordinance could in fact be passed at this meeting. Mr. Williams asked Mr. Schardein if a waiver to access management was needed. Mr. Schardein deferred that question to Mr. Pompei. Mr. Schardein asked for clarity on the crossover that'll be proposed. The information needed is if the distance to the existing Paige Road/County Line Road crossover will require a future Access Management Waiver. Mr. Pompei responded that he needs to research it a bit and even think about an R-cut. Mr. Williams asked if the R-cut is now what's needed. Mr. Pompei stated that it would have to be something for VDOT to answer but as of now, there is no plans for an R-cut.

Mr. Byerly expressed concerns at making U-turns at Oakridge and the overall traffic. Mr. Byerly asked for an extension on the auxiliary lane past the Veterinary office. Mr. Byerly asked Mr. Shust if there is enough room for tractor trailers to turn in safely. Mr. Shust stated that there is indeed room for tractor trailers. Mr. Byerly asked Mr. Shust if he would ask Mr. Kilic to consider adding to the westbound Route 60 turn lane. Mr. Shust explained to Mr. Kilic

that he's being asked to extend the stacking from 128 feet to 200 feet. Mr. Kilic asked for a cost. Mr. Shust replied that the cost would be in the \$50,000 to \$70,000 range. Mr. Kilic agreed to add to the extension.

Mr. Cox stated that he would like some clarification on what and when it be there in regard to the westbound cutover. Mr. Cox asked if it'd be possible to have a revised conceptual plan that eliminates, just for today, the entrances to the commercial side. Ms. Carmack and Mr. Cox discussed that they are just looking for a way to have this done tonight. Mr. Lansing reiterated that as long as they are making it more restrictive and not less, that it could be done tonight. If less restrictive, they would have to hold a public hearing. Mrs. Carmack and Mr. Lansing agreed that adding the commercial side back into the Conceptual Plan would make it more restrictive and legal.

Mr. Shust asked for clarification on what is being finalized. Mr. Byerly clarified his question saying he would like to extend the turn lane. Mr. Shust spoke for Mr. Kilic in asking what the benefit would be for this. Mr. Byerly responded with saying that they could approve it tonight. Mr. Kilic agreed to do what is needed. Mr. Shust asked the Board if there would be anything lost by taking it off the exhibit.

Mr. Williams asked what the crossover would look like, what VDOT would approve, and how would it affect the Access Management Standards. Mr. Williams explained that he would like more time to look over and finalize what they want done and would like to get information from VDOT. Mr. Shust responded that he is motivated in getting this done as soon as possible. Mr. Shust asks for Mr. Nordvig's opinion. Mr. Nordvig stated that the Board wants to do what is right. This is adding another layer of difficulty and that Mr. Kilic has been very accommodating. Mr. Nordvig stated that he would like to move forward tonight but wants to make sure that the Board is satisfied in the decision. Mr. Schardein, Mr. Williams, Mr. Cox all agreed that they felt comfortable moving forward tonight.

Mr. Shust asked for clarification on what is being agreed to. Mr. Nordvig explained that they are focusing on the new right in/off of 60 going eastbound, knowing that later the Conceptual Plan will have to be worked out.

Mr. Williams asked Mr. Schardein if the crossover was approved in the first re-zoning. Mr. Schardein stated yes. Mr. Schardein explained that if an Access Management Waiver is needed, that would have to be done prior to the site plan approval. Mr. Williams stated that he would like a Conceptual Plan that shows the entire property and it be sent to all Board members.

Mr. Cox asked if we go forward, are we legally bound by what is approved. Mr. Lansing responded by saying that Mr. Cox is asking for a new proffer because it will have to be in writing. Mr. Williams asked Mr. Lansing for clarification. Mr. Lansing asked to give Mr. Lacheny a call for clarification. Mr. Williams expressed concerns over doing this correctly.

Mr. Nordvig expressed concerns over the way this is being handled and agreed with Mr. Williams. Mr. Nordvig expressed that Mr. Kilic and Mr. Shust have been doing everything

right and checking beforehand, so he apologizes to Mr. Kilic and Mr. Shust. Mr. Cox agreed with Mr. Nordvig.

Mr. Byerly explained that the western entrance is fine, but the issue is the eastern entrance that will be developed years down the road. He goes on to state that they don't know if it'll meet the Access Management Standards unless the Board authorized a waiver. If this goes through tonight, they will still have to come back to the Board and the Planning Commission to get approval. Mr. Williams stated that it's an amendment to one of the proffered additions.

Mr. Lansing stated that he's heard back from Mr. Lacheny. He stated that what is being proposed is a proffered amendment and it would have to be written. Mr. Lacheny recommended putting this off for another 30 days.

Mr. Williams and Mrs. Carmack agree to defer.

Mr. Shardein stated that Mr. Kilic sent a message agreeing to the deferral.

Mr. Williams stated that the Board will be ready next meeting.

Mr. Nordvig motioned to defer Ordinance #O-2020-08 (Case #20-01-REZC): Berk and Alp LLC to June 22, 2020.

Mrs. Carmack seconded the motion.

Mr. Williams called for a roll call.

Mr. Williams called for a roll call vote.

Mr. Schardein conducted a roll call vote:

Mr. Williams Aye

Mr. Nordvig Aye

Mr. Byerly Aye

Mr. Cox Aye

Mrs. Carmack Aye

**VOTE 5-0
MOTION Passed**

- b. Resolution R-2020-32 Approving the Secondary System Construction Budget Priority List for Fiscal Year 2021 and the Secondary Six Year Road Plan for Fiscal Years 2021 – 2026.

Page 127

Mr. Schardein presented Resolution R-2020-32 Approving the Secondary System Construction Budget Priority List for Fiscal Year 2021 and the Secondary Six Year Road Plan for Fiscal Years 2021 – 2026. Mr. Schardein stated that he has reviewed this with Mr. Bates and there are no new changes.

Chairman Williams opened the Public Comment period.

Seeing no other speakers, Chairman Williams closed Public Comment period.

Mr. Lansing noted that the wording on the Agenda stated that the public hearing was held in the Village Building Auditorium and not Online as it should state and recommended that it be amended by a motion.

Mr. Williams asked Mr. Lansing if all they needed to do was amend to correct the wording. Mr. Lansing responded yes.

Mr. Lansing: The motion is to approve R-2020-32 in the Agenda with the exception of the last “whereas.” The phrase “In the Powhatan County Village Building Auditorium” would be replaced with “Online”.

Mr. Byerly made the motion.

Mr. Williams seconded the motion.

Chairman Williams calls for a roll call vote.
Mr. Schardein conducted a roll call vote:

Mr. Williams Aye
Mr. Nordvig Aye
Mr. Byerly Aye
Mr. Cox Aye
Mrs. Carmack Aye

VOTE 5-0
MOTION Passed

- c. Public Hearing for Re-adoption of the Emergency Ordinance Amending Chapter 80 (Water and Wastewater), Article III (Fees and Charges) Section 80-78 of the Code of the County of Powhatan allowing waiving of penalties and interest on past due water and wastewater accounts during a declared emergency. Page 132

Mr. Lansing stated that according to Virginia State Code, this ordinance can last only 60 days and will need to be revisited unless the Board moves to strike the last paragraph in the Ordinance.

Mr. Schardein asked if the intent is to make the Ordinance last longer because we don't know how long the state of emergency will last.

Mr. Williams stated that he would like to keep the Ordinance as is.

Mr. Byerly moved to adopt Ordinance #O- 2020-20-07 Emergency Ordinance Amending Chapter 80 (Water and Wastewater), Article III (Fees and Charges).

Mrs. Carmack seconded this motion.

Chairman Williams called for a roll call vote.

Mr. Schardein called roll vote:

Mr. Williams Aye

Mr. Nordvig Aye

Mr. Byerly Aye

Mr. Cox Aye

Mrs. Carmack Aye

**VOTE 5-0
MOTION Passed**

- 11. Public Comment** (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)

Chairman Williams opened the second public comment period.

Mr. Schardein stated that Ms. Stephanie Sellers left comments but couldn't stay. Mr. Schardein added that he will email the comments to the Board.

Chairman Williams closed the second public comment period.

- 12. County Attorney Comments**

The County Attorney had no comments.

- 13. County Administrator Comments**

The Interim County Administrator had no comments.

- 14. Board Comments**

The Board had no comments.

15. Adjournment

Chairman Williams adjourned the meeting at 9:24 PM.

These minutes were approved on September 28, 2020, by the Powhatan County Board of Supervisors.

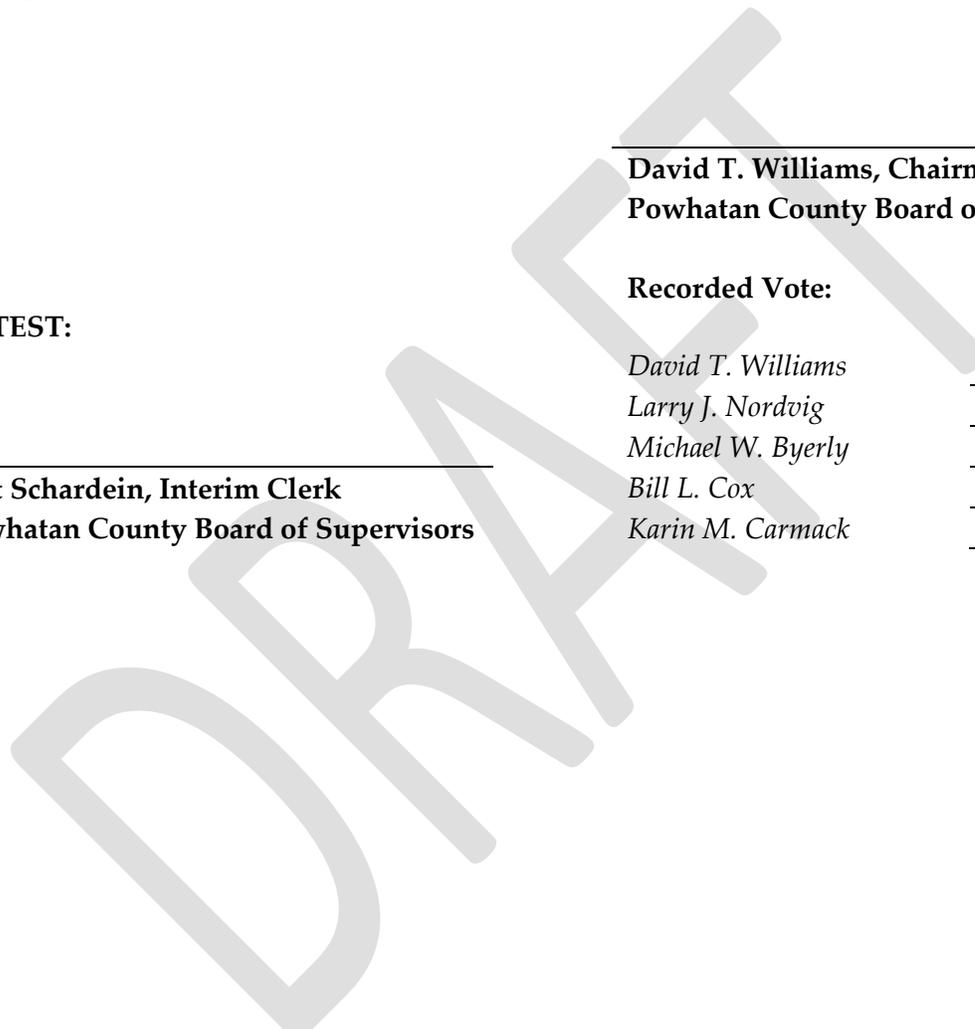
David T. Williams, Chairman
Powhatan County Board of Supervisors

Recorded Vote:

David T. Williams _____
Larry J. Nordvig _____
Michael W. Byerly _____
Bill L. Cox _____
Karin M. Carmack _____

ATTEST:

Bret Schardein, Interim Clerk
Powhatan County Board of Supervisors



VIRGINIA: AT A SPECIAL JOINT MEETING OF THE BOARD OF SUPERVISORS AND THE POWHATAN COUNTY SCHOOL BOARD HELD IN THE POCAHONTAS LANDMARK CENTER, 4290 ANDERSON HIGHWAY IN POWHATAN COUNTY, VIRGINIA, AND REMOTELY BY ELECTRONIC MEANS ON JUNE 11, 2020, AT 6:30 P.M.

Board of Supervisors Present: David T. Williams, District 1, Chairman, present in the Pocahontas Landmark Center
Larry J. Nordvig, District 2, present in the Pocahontas Landmark Center
Michael W. Byerly, District 3, present in the Pocahontas Landmark Center
Bill L. Cox, District 4, present in the Pocahontas Landmark Center
Karin M. Carmack, District 5, Vice Chairman, present in the Pocahontas Landmark Center

Board of Supervisors Absent: None

County Staff Present: Bret Schardein, Interim County Administrator, present in the Pocahontas Landmark Center

Powhatan County Public School Board Present: Rick Cole, District 1, present in the Pocahontas Landmark Center
Susan Smith, District 2, present in the Pocahontas Landmark Center
Valarie Ayers, District 3, present in the Pocahontas Landmark Center
Joe Walters, District 4, Chairman, present in the Pocahontas Landmark Center
Kim D. Hymel, District 5, Vice Chairman, present in the Pocahontas Landmark Center

Powhatan County Public School Board Absent: None

Powhatan County Public School Staff: Dr. Jason Tibbs, Director of Facilities, present in the Pocahontas Landmark Center

1. Call to Order

Chairman Williams called the meeting to order at 6:30 p.m.

- a. Identify Public Entity members physically and/or electronically present

Mr. Williams identified the Board members, and Mr. Schardein, and their locations.

Mr. Walters called the meeting to order at 6:30 p.m.

- a. Identify Public Entity members physically and/or electronically present

Mr. Walters identified the School Board members, and Dr. Tibbs, and their locations.

- b. Identify the persons responsible for receiving public comment

County Administration staff will accept emailed comments at administration@powhatanva.gov. Any comments received until 6:30 pm, on the day of the meeting will be entered into the meeting minutes.

- c. Identify opportunities for the public to access the electronic meeting

The public was able to participate in the meeting by using: <https://us02web.zoom.us/j/83998792911> by computer. Phone access was possible by dialing: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833. Or iPhone one-tap : US: +13017158592,,83998792911# or +13126266799,,83998792911#.. As always, the public could view the live feed from the County website. (edit link as needed)

- d. Identify opportunities for the public to participate in such an electronic meeting

The public was able to view and participate in the meeting live with the Zoom meeting link. During the public comment period, members of the public could raise their hands using the zoom controls on their screens, or press *9 on their phone.

2. Pledge of Allegiance

Mr. Cox led the Pledge of Allegiance.

3. Invocation

Mr. Walters led the Invocation

2 of 13

4. Requests to Postpone Agenda Items and Additions, Deletions or Changes in the Order of Presentation

There were no requests to amend the Agenda.

5. Formal Approval of Agenda

Mr. Byerly moved to approve the Board of Supervisors agenda as presented. Mr. Nordvig seconded the motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

**VOTE 5-0
MOTION Passed**

Mrs. Ayers moved to approve the School Board agenda as presented. Mrs. Hymel seconded the motion.

Mr. Cole, Mrs. Smith, Mrs. Ayers, Mr. Walters, Mrs. Hymel voted AYE

**VOTE 5-0
MOTION Passed**

6. Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)

Chairman Williams opened the first public comment period.

Mr. Mike Asip, 3673 Old Buckingham Road, wanted to thank the Board members for working together. He stated that with the current budget and keeping the tax rate as it is, with the collection of 94% of taxes, that the school budget could be funded fully. He asked the Board not to cut tax rate. He asked that the Board fully fund the PCPS School Budget now and make reductions later if necessary. He noted that the Board had already approved a plan to fund the school's needs based on a quarterly review of revenue with changes to come later. Mr. Asip stated that the schools are fantastic. He then added that cutting staff, eliminating extracurriculars would sap the vitality of our school system. Mr. Asip noted that Powhatan County Public Schools is ranked 101 out of 132 localities, for local funds budgeted to the school system. putting Powhatan at the bottom. He stated that the Powhatan Schools are already running lean and efficiently. He noted that the taxpayers can be proud. He stated that we have already cut 1.4 million off the proposed budget for 2021. Mr. Asip explained that even a penny reduction to the budget is a loss of school and essential services. He hoped that that the Boards would reach the resolution to fully fund the schools.

Chairman Williams closed the second public comment period.

3 of 13

7. New Business

a. FY20 Year End Savings

Dr. Jones Presented. He stated that he had discussed, and listened to meetings, regarding what's to be done about the FY20 savings. He recommended the savings, of just under a million dollars, go into a Revenue Stabilization Operation Fund. He asked that the savings be used next year since there's so much uncertainty and it would offset unanticipated decreases in revenue.

Mr. Williams stated that Dr. Jones had shared his thoughts with him. Mr. Williams noted that all other jurisdictions have a Revenue Stabilization Fund. Mr. Williams explained that the purpose of the Stabilization Fund is when revenues don't come in as the Board has planned, and you have something to get you through the rest of the year. That way, taxes won't be raised and there would be no need for borrowing money. He stated that we need a Stabilization Fund. Mr. Williams recommended that the FY20 savings be moved to the County for the creation of the Stabilization Fund. Mr. Williams explained that the Board is fearful because they do not know what the November tax collections will look like. He then explained that moving the FY20 money over to the County will mean that the schools, Sheriff's Department, and Fire and Rescue will have access to the FY20 savings. The FY20 savings can be allocated as it is needed to the different county entities. Mr. Williams added that we are one county and not just a series of departments. Mr. Williams stated that he would like to suspend the previous agreement policy temporarily and reinstate the policy at the end of the year. Mr. Williams thanked the School Board for their stewardship of the savings over the previous years. Mr. Williams concluded that with the pandemic, the Governors requirement that we close schools, and because of a lack of a Revenue Stabilization Fund, that the Revenue Stabilization Fund will be his recommendation.

Mr. Nordvig agreed with Mr. Williams about the need for a Revenue Stabilization Fund. Mr. Nordvig stated that the County has a Rainy-day Fund already, with a 15% reserve. Mr. Nordvig explained that if the Rainy-day Fund is used, you will lose your Bond Rating, and you lose credit, and it would cost more to borrow money, so it's not really a Rainy-day Fund at all. Mr. Nordvig stated that he would like to make sure that the County isn't laying anyone off, sacrificing anything from Fire and Rescue, Sheriff's Office, or Social Services, just to save some cash. Mr. Nordvig stated that he is very much in favor of the Revenue Stabilization Fund. Mr. Nordvig noted that he will be paying attention to the timing, amount, and where the FY20 savings is placed.

Mr. Byerly stated that the errors of the County's past, where a Revenue Stabilization Fund wasn't made, shouldn't be held at the expense of the schools. Mr. Byerly stated that both of the Boards made an agreement and that was that any money saved by the Schools goes back to the Schools. Mr. Byerly added that he is happy to have a conversation about how they can work the system to where they can benefit from the FY20 savings. He explained that when times are tight, people are losing jobs, businesses are closing or closed, the Revenue

Stabilization Fund is a great idea. Mr. Byerly ended by stating that the FY20 savings should be put in a Revenue Stabilization Fund but to start with \$50,000 to \$100,000, not the full amount.

Mr. Williams stated that in reference to the 15% Rainy-day Fund, Powhatan has the lowest Fund balance in the Richmond Regional Planning District. Mr. Williams explained that only in the very worst of times to reach into this Rainy-day Fund. Mr. Williams clarified that the Revenue Stabilization Fund is not going to be used as part of a normal operating budget and that it's money on the side. He stated that it is the closing of the schools that created the FY20 savings and not savings being raised. Mr. Williams admitted to making the mistake of not having a Revenue Stabilization Fund in the past. Mr. Williams stated that this COVID-19 FY20 savings situation has never happened before, but it does afford us the ability to have a safety net throughout the year. He stated that the Board needs to fund a quality education, fund public health, and fund essential services to the County, and to make sure that we can get through the fiscal year, all in the midst of a pandemic. Mr. Williams explained that the current agreement with the schools is that half of the funds committed will be spent on non-reoccurring needs of the Powhatan County Public Schools with only half going to capital projects. He stated that he felt as though the FY20 savings would be better spent on the creation of the Revenue Stabilization Fund that under pins the County, so that the Board can have the FY20 savings to transfer in case of unknown expenses, and taxes would not have to be raised in the middle of the year.

Mrs. Smith and Mr. Williams discussed whether there are guidelines for using the Revenue Stabilization Fund.

Mrs. Ayers asked Mr. Williams if creating a Revenue Stabilization Fund would mean that the current policy would have to be changed. Mr. Williams confirmed that was correct. Mrs. Ayers noted that in the past, the money the Schools saved would go to the County Fund instead of the Schools Fund. Mr. Williams stated that the FY20 savings will not be part of the normal Operation Fund and a one-time deal. Mrs. Ayers then asked what the Rainy-day fund of 15% equates to in dollars. Mr. Byerly responded by stating that the figure is in the neighborhood of 12 million dollars. Mr. Williams added that most counties have 20-25%.

Mr. Cox remarked that it wasn't long ago that Powhatan had to borrow money. Mr. Cox stated they never want to be in that position again. He also stated that he feels as though the Revenue Stabilization Fund is imperative. Mr. Cox explained that they have the money to fund the School's budget right now but doesn't know what will happen in November. He stated that the Revenue Stabilization Fund is the most prudent and safest way to move forward.

Mr. Nordvig added that he feels like adding triggers, or guidelines, and ratios to the requirements would be wise. He stated that both Boards should be in agreement on those triggers.

Mr. Williams concluded by stating that the Board of Supervisors will continue to work with both Boards and staff to draft an agreement that would govern the Revenue Stabilization Fund.

Mr. Cole expressed that he is in favor of putting the money where it will best benefit the County so long as this is a one-time deal. Mr. Cole added that he liked the idea of adding ratio requirements to the Revenue Stabilization Fund. He expressed concern about being careful when making the Agreement. Mr. Cole expressed that he thinks that both Boards having this conversation is a positive move for the County.

b. FY20 Local Transfer of School's Budget

Dr. Jones presented the FY20 Local Transfer of School's Budget. Dr. Jones stated that the County is in Phase Two and hopes to be in Phase Three by the start of the school year. Phase Three will allow face to face instruction with students. Dr. Jones noted that this is going to be complex and difficult. He stated that there is no date on when Phase Four will occur. Dr. Jones explained that in the Fall the students would be on a hybrid schedule. The schedule would consist of having half the students going on certain days and the other half of the students going the other days, with some virtual learning in between. Dr. Jones expressed concern for having the students sit six feet apart on the busses as that would limit the number of students to ten per bus ride. Dr. Jones stated that the bus drivers would have to make seven different trips to drop kids off. Dr. Jones noted that the cost would be substantial, and he has been lobbying to see if the Schools can get funding elsewhere. Dr. Jones stated that the State Department of Education has signaled a willingness to do some waivers.

Mrs. Carmack, Dr. Jones, Mr. Cox, and Mr. Nordvig discussed the difficulty from a logistical and financial standpoint. Dr. Jones stated that parents can reach out to the Governor's Office and the Secretary of Education with their concerns.

Dr. Jones expressed concerns over parents pulling their children from schools and homeschooling them. He stated that it would be a big financial hit to the Schools, as the Schools receive \$4,200 per child from the State in ADM money.

Mrs. Ayers stated that parents have been contacting her and are willing to take their children to school. Mrs. Ayers thanked parents for their kindness in offering but expressed concerns over drop off lines.

Mrs. Hymel expressed concerns having the children wear masks all day and the loss of money from losing students.

Mrs. Smith asked if there is a legal way to push our own agenda with the government and state to make these changes more affordable. Dr. Jones responded by saying that some school divisions are discussing lawsuits. Dr. Jones stated that he would check with the School Board Attorney to explore the options.

Dr. Jones addressed the Board of Supervisors request to look at how the impact of cuts at different percentage levels. Dr. Jones stated that he was asked to look at 2%, 5%, 8%, and 10% and those percentages would amount to \$466,000 to \$2.3 million dollars in cuts.

Mr. Cox explained that at the May 14th School Budget meeting, it was decided by the Board of Supervisors, that it was best to look at how the impact of the different percentages of cuts would make per request by the Board of Supervisors.

Mrs. Hymel asked Dr. Jones to clarify some of the technology and planning that our schools have done. Dr. Jones responded that Powhatan County Public Schools has invested in technology over the last five to six years, which has allowed every student to have use of a Chromebook. Dr. Jones stated that without these investments, the schools would not have been able to do distance learning. Dr. Jones added that the schools have just completed the Solar Project and the TRANE project which he hopes will yield significant savings for the schools.

Dr. Jones stated that cuts to the budget it would be divided into two groups; non-personnel eliminations and personnel eliminations. Dr. Jones explained that with 10% cut out of the non-personnel category that meant that \$29,000 would be cut by restricting travel, \$97,000 would be cut from supplies, \$74,000 by eliminating Field Trips, \$299,000 by eliminating extra-curriculars.

Mrs. Carmack, Dr. Jones, and Mr. Nordvig discussed the particulars of eliminating extra-curriculars.

Dr. Jones stated that the personnel group at a 5% reduction, if you eliminated all of the non-personnel options, the School Board would still have to come up with \$668,000. Dr. Jones added that \$668,000 would cost the jobs of 13 teachers or 36 instructional assistants.

Mrs. Carmack asked Dr. Jones to explain the ADM figures. Dr. Jones responded by stating that the Schools receive state funding from ADM which is the Average Daily Membership. Dr. Jones explained that based on how many students we have enrolled in schools; we receive about \$4,500 dollars per student. He added that the schools budget based on those projections.

Mr. Byerly asked Dr. Jones how would laying off 13 teachers equate to if you chose to do a pay cut instead. Dr. Jones responded by saying that if the teachers were to take a furlough day, it would cost \$161,000 and an extra \$10,000 if central staff is included.

Mr. Nordvig asked Dr. Jones about offering some teachers early retirement. Dr. Jones replied that there are some that have decided to retire but it is a small number.

Mrs. Carmack emphasized that the Board of Supervisors has nothing to do with where the cuts come from. She addressed the parents to say that the Board of Supervisors has been a very good partner to the Schools. Mrs. Carmack stated that schools have received a 17% increase in funding, with a -3% student enrollment over the past decade, and the schools get 58% of the County's budget. The County also have to service the schools debt service, which adds another 6.5 million dollars a year that the County needs to pay. Mrs. Carmack stated that raising taxes is not an easy fix to cover costs. She added that she is concerned for the lower and fixed income folks that get hit the hardest. Mrs. Carmack hopes for a reasonable solution that does not include raising taxes.

Mr. Cox stated that if you look at the Audit reports, in the last 5 years, the schools have reduced 26 employees, gained 70 children, and added \$800,000 to their Capital Reserve Fund. Mr. Cox added that he thinks that the schools are doing a very interesting job at managing their resources. Mr. Cox noted that the schools here have an excellent reputation of a quality education.

Dr. Jones remarked that funding comes from local, state, and federal resources. He also stated that there's been mandatory increases in the retirement system, salary mandates, health care increases, as well as federally mandated increases in special needs staff. Dr. Jones added that it's important to know where all those increases go.

Mrs. Hymel asked how much money the County will receive from the CARES Act and how much the schools will receive of that money. Mrs. Hymel also asked how much money could be received from the GEAR Act. Dr. Jones responded by stating that the County received 2.5 million dollars from the CARES Act and the Schools have received \$235,000 of that money. Dr. Jones stated that he will look into the GEARS Act. Mrs. Hymel stated that 66.8 million dollars would go to the state of Virginia. Mrs. Hymel asked how many counties are in the state of Virginia. Dr. Jones replied that there are 132 counties in the state of Virginia. Mrs. Hymel then asked why the schools only got only \$235,000. Mr. Schardein explained that there are stipulations on what that money can be used for. He noted that the money is for needs that arose from the COVID-19 pandemic. Mrs. Hymel asked as to why her teachers are not getting money for having to go from classrooms to distance learning. Mr. Schardein responded that the State of Virginia does not view it that way since they are still teaching and that would not be reimbursable. Mr. Schardein stated that the County has not allocated any of the money yet and that it is not free money. Mr. Schardein added that the County is still receiving guidance on how to spend and there are numerous strings attached. He stated that if the expenses do not fall under the guidelines or the State takes issue with the expenses, then that is money that the County will have to pay back. Mrs. Hymel asked if PPE and extra cleaning of the school is included as reimbursable expenses for the Fall. Mr. Schardein responded with yes and funding goes through until December. Dr. Tibbs explained that the only sanitization outside of the schools' contract would be if the schools opened up sports and locker rooms which would need to be cleaned. He also stated that there would be extra labor costs for cleaning of classrooms. Mr. Williams stated that the CARES Act money cannot be used for anything that we have already been doing but anything new. Mr. Schardein clarified that one of the stipulations is that items that are in our current budget cannot be used for CARES Act. Mr. Williams asked Dr. Jones to identify those needs and seize the opportunity to expend the CARES Act funds. Dr. Jones stated that he is collecting and sending all COVID related expenses to County employees, Mrs. Shubert and Mr. Nellis.

Mrs. Ayers mentioned that the constituents that are reaching out to the Board members are asking them not to cut funding for programs, are asking the Board not to cut the budget.

Mr. Nordvig addressed the fact that the Board of Supervisors is not legally allowed to touch school line items and therefore hasn't cut anything. Mr. Nordvig explained that the revenue neutral rate is at 80% for the budget, and the budget is currently at 88% tax rate, so that would mean an 8% tax raise if the School's budget is not cut. Mr. Nordvig thanked both Boards for coming together and making wise decisions in the effort to get it right.

Mrs. Ayers clarified that the School Board cut 1.3 million dollars off of their proposed budget to the State of Virginia.

Mr. Williams expressed his optimism in seeing these two Boards come together to still be able to work out a solution. Mr. Williams thanked both Boards for their participation.

Mr. Walters remarked that the collaboration of the two Boards is critical. He stated that the Boards are elected to serve the best interests of all of the people who live and work in the County of Powhatan. Mr. Walters stated that the quality of the teachers is what makes quality education for the Schools in this county. He also stated that he would like to make sure that the good quality teachers stay in Powhatan. Mr. Walters thanked the Board and Chairman Williams for the opportunity to come together for the citizens.

Mr. Cole expressed some concerns for the folks on fixed incomes and stated that he would be in favor of some form of tax relief. Mr. Cole stated that the School Boards are facing cuts and the citizens need to know the potential impact of those cuts. He also noted that he wants citizen involvement and applauds those who have done so.

Mr. Byerly expressed some concerns for the November tax collection and rates. He asked Mr. Schardein if we get the money from the federal government, is there a possibility that the money could be called back? Mr. Schardein responded that he doesn't think that's a possibility. He noted that the federal government can strictly audit us. He also stated that this is the reason why the County has to be so careful in spending.

Mr. Nordvig asked Dr. Jones if before the June 29th meeting of the Board of Supervisors he felt like they needed a compiled version of the various reports. Dr. Jones responded that the numbers may not be in from the State at that point, but he would share anything he can with both Boards.

Mrs. Hymel asked if the Board of Supervisors will make their final decision on June 29th. Mr. Williams responded by saying that they will indeed and they have 18 days to adopt the budget.

9. Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)

Mr. Nicholas Snead, 3710 Maidens Road, District 5, thanked everyone for their time and for both of the boards coming together. Mr. Snead stated that this is a matter of destiny for every student and teacher who comes through Powhatan County Public Schools. He also stated that students should have the opportunity to have a great quality education. Mr. Snead asked the

Board to continue to work together, to fully fund the school budget, and to keep the tax rate the same.

Mr. Andrew Lessner, 3335 South Meadow Cir, District 3, stated that the Schools savings wasn't really a true savings but due to COVID 19. He added that some of the savings should be attributed back to the School's budget. Mr. Lessner asked if it's possible to put some of the money into the CIP budget reserve. Mr. Lessner noted that he pays 5-10 times more for a business license in the surrounding counties. He also stated that the residents and the business owners share in the cost of the operation of the County.

Mrs. Paula Duncan, 5903 Derwent Road, District 5, stated that it is a huge mistake to convert land along Rt 60 from commercial to agriculture. Mr. Duncan stated that she does not want Powhatan to be a Midlothian corridor, however, it affected her family as they have had to paid commercial taxes for years. She added that her family did get a tax cut, but our county needs that revenue. She added that commercial tax revenue that could be gained without a tax increase and she thinks that is the smart way to go about it.

Mr. William Bryan stated that no one has a clue what is going to happen in November regarding tax collection. He explained that people will not be paying their mortgages, due to taking the government extension, and banks will not be disbursing the escrow funding for that reason, and the county will not be getting any funding. Mr. Bryan then added that the Schools cannot get what monies the County does not have. Mr. Bryan expressed concern for the fact that Powhatan's county tax is higher than Henrico and Goochland counties.

Mr. Greg Ownby, 2233 Mountain View Rd, District 3, thanked the Boards for all of their efforts. Mr. Ownby asked if any other departments in the County had to come up with the same budget cuts as the schools are expected to cut.

Mrs. Jennifer Oliver, 316 Petersburg Rd, District 2, stated that parents are not babysitters and are actually very involved in extra-curriculars.

Mr. Curtis Newton, 2000 Judes Ferry Rd, expressed concern for the 88% tax rate. Mr. Newton stated that everyone is going to have to sacrifice and if the School Budget is fully funded, then that is not really sacrificing.

Mr. Andrew Snead, 2914 Edith Lane, district 3, thanked both Boards for their passion for Powhatan County and for the thoughtful conversation between the two Boards. Mr. Snead explained that we are setting up these children to be citizens of the world and that it's imperative that we offer our children the very best we can, as they are our most precious resource. He also stated that investing in public education has no depreciation.

Ms. Rebecca Courtwright, 3032 Mill Mount Lane, stated that she wanted to represent the Special Education Community. Mrs. Courtwright remarked that the reason why she moved to Powhatan was because of the extra support the Special Needs kids had here. She expressed concern over the suffering of the Special Needs children over budget cuts.

Mr. Will Carver, 4245 Sterger Creek Drive, thanked the Boards for their collaboration. He stated that he appreciates that the Board is establishing funding in stages to support the Schools as much as possible. Mr. Carver also stated that he appreciates the Board for establishing funding reserves.

Mrs. Jessie Burnett, 2300 Barley Farms Lane, asked what happens after the cuts are made this year. Mrs. Burnett asked if the County has an insurance that they can borrow against. She stated that as a small business owner, she is going without a paycheck to make sure that her employees get paid. Mrs. Burnett asked all the Board members if they are cutting their own paychecks or being furloughed to make sure that the County is getting what it needs.

Chairman Williams closed the second public comment period.

9. County Administrator and Superintendent Comments

Dr. Jones thanked the Boards for sharing. He stated that he looks forward to future discussions. He noted that he and his staff are available to answer any questions and he will get to them as soon as possible.

Mr. Schardein thanked both Boards for continuing work and communication. Mr. Schardein mentioned that this June 11th meeting had 211 participants across the various formats.

10. Board Comments

Mrs. Carmack stated that the Board asked Mr. Schardein to look at a 2% budget cut, and Mr. Byerly a 4% budget cut. Mrs. Carmack stated that those figures would include the salary of Board members.

Mr. Nordvig explained that the Board members are not allowed to engage in back and forth discussions with the public during the Question and Comment period. He stated that that time was for the people. Mr. Nordvig explained the 90% funding to the schools that was approved, was just so that the School Board could get the teachers contracts out before May 15th. He stated that the other 10% would be discussed at a later date. Mr. Nordvig stated that he admired Mrs. Burnett for sacrificing her paycheck and it's inspired him to give half of his paycheck to donate to the Schools.

Mrs. Smith stated that the County has a difficult road ahead and that it is imperative that both Boards work together. She added that there is much work to be done in planning for the schools, and to resolve the money issues. Mrs. Smith stated that she would support any legal action to push back on some of the guidelines the Governor has set forth. Mrs. Smith asked the citizens to get involved. She asked the citizens to contact the Governor and state representatives to make these concerns known. She then asked the citizens to complete their 2020 census.

Mr. Walters thanked the teachers and staff for investing in and creating ways to celebrate the students during the COVID social distancing period. Mr. Walters also thanked parents for trying hard to help make the students year a success. Walters stated that he wants the parents to know that the staff is committed to providing a safe environment for the children. Mr. Walters commended the Board on a very vigorous dialog and collaborative experience.

Mrs. Hymel thanked the Board of Supervisors for the meeting the previous night on Broadband. She appreciates the effort to bring broadband to the county and her district. She also addressed a question that came in at public comment period about her asking at a previous meeting what the savings would be if the teachers were furloughed for a day. She clarified this included the School Administration and the School Board as well. She would be willing to donate half of a days pay like Mr. Nordvig. Mrs. Hymel also wanted to clarify a misconception she noted on social media about the School Board making \$100,000 which is not correct.

Mrs. Ayers congratulated all the students on moving up to the next grade level and thanked all the teachers, students and parents for all working together during this difficult time.

Mr. Byerly congratulated the class of 2020. Mr. Byerly stated that no matter the outcome of the School Budget, the Schools will do wonderfully. He added that the reason for that is the wonderful people that the schools are run by and they will not let the County down.

Mr. Williams thanked the School Board for hosting the Board. He then thanked everyone for their efforts of behalf of the County of Powhatan.

11. Adjournment

Chairman Walters asked for a motion to adjourn. Mr. Cole motioned to adjourn, and Mrs. Ayers seconded the motion.

Mr. Cole, Mrs. Smith, Mrs. Ayers, Mr. Walters, Mrs. Hymel voted AYE

VOTE 5-0
MOTION Passed

Chairman Walters adjourned the meeting at 9:11 pm.

These minutes were approved on September 28, 2020, by the Powhatan County Board of Supervisors.

David T. Williams, Chairman
Powhatan County Board of Supervisors

ATTEST:

Bret Schardein, Interim Clerk
Powhatan County Board of Supervisors

Recorded Vote:

David T. Williams _____
Larry J. Nordvig _____
Michael W. Byerly _____
Bill L. Cox _____
Karin M. Carmack _____

DRAFT

VIRGINIA: AT A WORKSHOP MEETING OF THE BOARD OF SUPERVISORS HELD IN THE POWHATAN VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, AND REMOTELY BY ELECTRONIC MEANS ON June 15, 2020, AT 6:30 P.M.

Board of Supervisors Present: David T. Williams, District 1, Chairman, present in the Village Building Auditorium
Larry J. Nordvig, District 2, present in the Village Building Auditorium
Michael W. Byerly, District 3, present in the Village Building Auditorium
Bill L. Cox, District 4, present remotely from the Village Building Conference Room
Karin M. Carmack, District 5, Vice Chairman, present in the Village Building Auditorium

Board of Supervisors Absent: None

County Staff Present: Bret Schardein, Interim County Administrator, present in the Village Building Auditorium
Charla Schubert, Director of Finance, present in the Village Building Auditorium

1. Call to Order

Chairman Williams called the meeting to order at 6:32 p.m.

- a. Identify Public Entity members physically and/or electronically present

Mr. Williams identified the Board members, and Mr. Schardein,

- b. Identify the persons responsible for receiving public comment

County Administration staff will accept emailed comments at administration@powhatanva.gov. Any comments received until 6:30 pm, on the day of the meeting will be entered into the meeting minutes.

- c. Identify opportunities for the public to access the electronic meeting

The public was able to participate in the meeting by using: <https://us02web.zoom.us/j/83998792911> by computer or smartphone with the Zoom app. By phone, dial 1-301-715-8592 or 1-312-626-6799 or 1-929-205-6099 or 1-253-215-8782 or 1-346-248-7799 or 1-669-900-6833, Or iPhone one-tap : US: +13017158592,,83998792911# or +13126266799,83998792911# . As always, the public could view the live feed from the County website.

- d. Identify opportunities for the public to participate in such an electronic meeting

The public was able to view and participate in the meeting live with the Zoom meeting link. During the public comment period, members of the public could raise their hands using the zoom controls on their screens, or press *9 on their phone.

2. Pledge of Allegiance

Mr. Schardein led the Pledge of Allegiance.

3. Invocation

Mr. Nordvig gave the Invocation.

4. Requests to Postpone Agenda Items and Additions, Deletions or Changes in the Order of Presentation

None

5. Formal Approval of Agenda

Mrs. Carmack motioned to approve the agenda as presented. Mr. Nordvig seconded the motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

**VOTE 5-0
MOTION Passed**

6. Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)

Chairman Williams opened the first public comment period.

Linwood Challenor, 2496 Red Lane Rd, stated that his family would like to see the tax rate set at 84% per 100%. He added that he is aware that the neutral tax rate is 80% of 100%.

Chairman Williams closed the second public comment period

2 of 6

7. Public Hearing

a. FY21 Proposed Tax Rate

Mr. Schardein presented the FY21 Proposed Tax Rate. Mr. Schardein stated that the current advertised 88% tax rate is meant to be advertised as a 'do not exceed limit' tax rate. He noted that the County would like to provide as much tax relief as possible, while providing quality services, and being prepared for an uncertain future. Mr. Schardein explained that this meeting is a public meeting to receive feedback from the advertised 88% document.

Chairman Williams opened the public comment period.

Mr. Jim Carver, 4245 Sterger Creek Dr., thanked the Board for the opportunity to comment. Mr. Carver stated that he supports a revenue tax neutral rate. He adds that he would welcome a lower than neutral tax rate as well. Mr. Carver strongly opposed going above the revenue neutral rate. He explained that there is no new known significant increase in expenditures that would warrant an increase.

Chairman Williams closed the public comment period at 6:40 pm.

8. Old Business

a. FY21 Budget Discussion

Mr. Schardein presented the FY21 Budget Discussion. Mr. Schardein stated that the Board provided some direction to staff to look at reductions at a two and four percentage rate reduction from the Fiscal Year 2020 budget. Mr. Schardein mentioned that he and Mrs. Schubert have been looking into providing those numbers to the Board. Mr. Schardein stated that by the close of business on June the 16th, they hope to have some preliminary ideas for budget cuts. He explained that there will be a menu of things that could be reduced as well as expenditures that the Board will be able to choose from. Mr. Schardein suggested that Board members schedule a meeting with him and Mrs. Schubert to answer any questions, and help the Board with their own individual proposals over the next week. He stated that individual proposals are to be ready for the June 22nd regular board meeting, so that the Board will be prepared for the June 29th special meeting finalizing the budget.

Mrs. Carmack asked if there will be enough time to add the individual proposals to the regular meeting on June the 22nd. Mr. Schardein replied that the meeting will have a very manageable agenda.

Mr. Cox asked Mr. Schardein if the two to four percent cuts are only on the expenditure side. Mr. Schardein responded by saying that Mr. Cox is correct. Mr. Cox added that they may need some projections of revenue before dealing with how much to spend.

Mr. Williams addressed the Board members stating that Mr. Schardein will provide different budgets, and those budgets will have different scenarios with different collection rates. He explained that each board member can patch together their own version of what they want the budget to look like from the menu that Mr. Schardein provided, and present it at the June 22nd regular board meeting.

Mrs. Carmack asked Mr. Schardein if he and Mrs. Shubert had discussed a projected collection rate for November. Mr. Schardein noted that no one knows for sure what the collection rate for November will look like, however, they are looking at between 90-94%. Mrs. Carmack then asked if the collection rate could go lower than 94%. Mr. Schardein responded that there is a possibility. He noted that if we look at our current unemployment, it is higher than the 2008 recession unemployment numbers.

Mr. Cox stated that he would like to know what is going to happen with Broadband as it is in the County's top three objectives. Mrs. Carmack suggested that the Board ask the Schools for help with the funding for Broadband. Mr. Cox added that the Broadband Fund has \$200,000. He stated that Broadband funding needs a plan.

Mr. Nordvig and Mr. Cox discussed the logistics of adding Broadband funding to the budget.

9. Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)

Chairman Williams opened the second public comment period.

Mr. Brian Courtright, 3033 Mill Mount Ln, stated that he doesn't think that it's a prudent time to cut the budget and welcomes a deeper discussion.

10. County Administrator Comments

Mr. Schardein mentioned that today was the first day the County had their Phase One transition and everything seems to be going smoothly so far.

11. Board Comments

Mrs. Carmack stated that she would like to ask some of the other localities if they would like to join us in writing a letter to the Governor. The letter would be in regards to opposing some of the regulations the Governor has put on the schools.

Mr. Nordvig agreed with Mrs. Carmack. He added that contacting VECCO, Plan RVA, and Thomas Jefferson PDA, might be another way of reaching out for help. Mr. Nordvig stated that he encourages the public to participate a bit more when it comes to the tax rate discussion.

Mr. Williams stated that he contacted Chairman Walters of the School Board about a collaboration to send letters to the Governor, our elected officials, and Dr. Lane, head of the Department of Education. He remarked that the letters would be to express frustration in the reopening of schools, and the financial implications. Mr. Williams added that he is hearing the same issues from other localities.

Mr. Williams announced that the County will be getting a Safety Study on the Route 711 and Huguenot Trail Road. VDOT will be funding the study at \$75,000 and the study should wrap up by the end of this year.

Mr. Williams was pleased to announce that on June 16th, the Board would be interviewing for the position of County Administrator.

12. Adjournment

Chairman Williams adjourned the meeting at 7:03 pm.

These minutes were approved on September 28, 2020, by the Powhatan County Board of Supervisors.

David T. Williams, Chairman
Powhatan County Board of Supervisors

Recorded Vote:

ATTEST:

David T. Williams _____
Larry J. Nordvig _____
Michael W. Byerly _____
Bill L. Cox _____
Karin M. Carmack _____

Bret Schardein, Interim Clerk
Powhatan County Board of Supervisors

DRAFT



AGENDA ITEM 8D

Update on 2016 and 2018 Bonded
Projects

County of Powhatan
Status of Bonded Projects
As of September 21, 2020

2016 Bonded Projects:

Project Name	Original Budget	Revised Budget	Interest Earnings	Expenditures to Date	Complete Date
New Middle School	35,127,120.00	34,900,995.52	-	34,900,995.52	5/2019
Village Water Tower	3,000,000.00	1,999,558.21	-	1,999,558.21	5/2019
Joint Transportation Facility	4,156,000.00	4,609,656.39	-	4,609,656.39	9/2019
Courthouse Expansion	2,700,000.00	3,923,000.00	-	3,923,000.00	12/2019
Field Improvements	710,000.00	709,876.47	-	709,876.47	12/2019
Public Safety Radio System	9,325,000.00	10,785,535.08	(1,460,535.08)	3,391,863.36	ongoing
CAD System	750,000.00	962,000.00	-	882,126.59	ongoing
Radio Towers	1,035,000.00	1,035,000.00	-	9,310.00	ongoing

2018 Bonded Projects:

Athletic Field Improvements	1,258,000.00	1,258,000.00	-	1,258,000.00	11/2019
East Convenience Center	1,750,000.00	1,527,300.00	-	20,400.00	ongoing
Skaggs Rd Building Renovation	360,000.00	612,700.00	-	227,972.78	ongoing
Courthouse Expansion Parking	430,000.00	430,000.00	-	22,374.66	ongoing
PMS Repurpose	1,284,000.00	1,384,000.00	(93,262.00)	1,164,319.70	ongoing
Elementary EPC Project*	2,945,000.00	3,445,000.00	-	3,251,702.95	ongoing
ERP Replacement	1,500,000.00	1,500,000.00	-	82,905.00	ongoing
Contingency	406,117.00	399,379.06	-	-	ongoing

* Waiting on finalization of project, but there should be no additional costs

POWHATAN COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
SEPTEMBER 28, 2020



AGENDA ITEM 8E

Report on Treasurer's Accountability
Fund

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
TREASURER'S ACCOUNTABILTY FUND					
CASH AND INVESTMENTS					
100-0101	Cash In Office-Treasurer	1,000.00			1,000.00
100-0102	Petty Cash-County Administrator	50.00			50.00
100-0109	NSF Checks	7,959.35	88.09	3,973.57-	4,073.87
100-0111	Bank of Powhatan - Regular Account	24,940,601.05	4,150,400.35	8,085,561.24-	21,005,440.16
100-0113	BOP- Federal Asset Forfeiture Acct	7,837.39	.60		7,837.99
100-0114	Bank of Powhatan - School Food	1,193,040.55	1,663.80		1,194,704.35
100-0115	Bank of Powhatan-Ambulance Account	657,179.81	39,360.39		696,540.20
100-0116	BB&T Fire Truck Lease				
100-0117	Bank of Essex - PGCAA	341,177.49	30.85		341,208.34
100-0118	Signature Bank - Lease				
100-0123	Wachovia - Assets Forfeiture Acct.				
100-0124	Bank of Essex State Asset Forfeitu	17,863.63		552.50-	17,311.13
100-0126	LGIP (Local Government Invest Pool	17,819.08	4.85		17,823.93
100-0128	Bank of Powhatan-Spec Welfare Acct				
100-0129	School Finance/Capital Project Fun	5.25			5.25
100-0131	CVB - Regular (MMA)				
100-0133	CVB-PSA (Pub Serv Auth) Savings CD				
100-0134	CVB - Regular Savings	17,444.90			17,444.90
100-0135	CVB-PSA (Public Serv Auth) Savings				
100-0138	Bank of America				
100-0139	Virginia SNAP 046 - VRA				
100-0140	Escrow Acct Lease Pur Telephone Sy				
100-0141	VRA SNAP 047				
100-0142	US Bank - 2015 Refunding	496.86			496.86
100-0143	US Bank - VRA2014C refunding				
100-0144	US Bank - 2016 Bonds	9,919,078.66		11,465.19-	9,907,613.47
100-0145	US Bank 2017 A Refunding				
100-0146	SNAP - 2018 Bonds	4,274,468.57		36,915.57-	4,237,553.00
100-0147	US Bank - 2019C Lease				
100-0148	US Bank - 2019C Refunding				
100-0151	Signt 1995B Bnd Dbt Resrv(Cty)\$2.2				
100-0154	SNAP Adjusting Entries				
100-0155	New Horizon CD - Purchase 8/2016	500,000.00			500,000.00
100-0156	New Horizon CD 8/2011	500,000.00			500,000.00
100-0157	Bank of Essex - CD Purchase	1,500,000.00			1,500,000.00
100-0179	Virginia SNAP 90 50 New Elem Schoo				
100-0180	Virginia SNAP 90 51 Elem School In				
100-0181	Morgan Keegan Wire Account				
100-0182	24M Lease Rev SNAP 52				
100-0183	Interest Account Snap 53				
100-0184	US Bank Capitalized Interest Acct				
100-0185	VA Snap 90-56 Water/Sewer Prin 201				
100-0186	VA Snap 90-57 Water/Sewer Int. 201				
100-0187	VA Snap 90-58 PS/B Prin 2010A				
100-0188	VA Snap 90-59 PS/B Int 2010A				
100-0189	BB&T-155299673-HPSBVFD-Project Fun				

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
100-0190	BB&T-HPSBVFD 155299673-Cap Interes				
100-0191	2011 Rev Refinance (new)				
100-0192	2011 Lease Rev Refinance (new)				
	CASH AND INVESTMENTS	43,896,022.59	4,191,548.93	8,138,468.07-	39,949,103.45
112-0100-0	Crime Solvers Fund				
	Crime Solvers Fund				
	TOTAL ASSETS	43,896,022.59	4,191,548.93	8,138,468.07-	39,949,103.45
	Fund Balances				
300-0001	Beginning Fund Balances				
300-0100	General Fund	28,734,010.92-	3,314,448.67	1,778,006.49-	27,197,568.74-
300-0102	VPA Fund	119,964.98	164,471.54	124,252.07-	160,184.45
300-0103	PEG Fund	34,374.51-			34,374.51-
300-0104	Comprehensive Services Act Fund	300,562.58	235,808.10	115,389.72-	420,980.96
300-0105	Bldg Permit Surcharge Acct	7,475.16-		1,260.61-	8,735.77-
300-0106	Delinquent Tax Collection Fee Acct	2,618.25-			2,618.25-
300-0107	Powhatan PSA Account				
300-0109	Tourism Fund	37,795.37-			37,795.37-
300-0110	Cash Proffer Fund	878,443.05-		11,431.25-	889,874.30-
300-0112	Crime Solvers Account				
300-0115	Telecommunication Tower				
300-0116	Grants Fund	2,502,740.36-	51,895.87	26,460.08-	2,477,304.57-
300-0117	PGCAA Distribution to PCCAA-deposi				
300-0120	Fire and Rescue Fund	548,201.73-	112,227.28	39,360.39-	475,334.84-
300-0121	Trial Jurors/ Witnesses				
300-0205	School Fund	4,908,262.45	3,794,259.21	1,815,080.18-	6,887,441.48
300-0207	School Food Fund	342,206.04	58,140.02	51,522.06-	348,824.00
300-0209	SRP Fund				
300-0213	E911 Fund				
300-0215	Forfeited Asset Fund	1,938.00-		4,972.46-	6,910.46-
300-0216	Forfeiture Asset Proceeds	1.40-		.60-	2.00-
300-0301	General Capital Projects Fund	16,172,944.88-	153,624.10	50,000.00-	16,069,320.78-
300-0302	General Obligation Bond Fund				
300-0305	School Construction Fund				
300-0401	Special Welfare Fund	42,050.48-	3,807.66	3,456.81-	41,699.63-
300-0402	Federal Rev Max Program-Social Ser				
300-0405	Bond Escrow Fund	396,227.37-		50,340.00-	446,567.37-
300-0410	PGCAA Fund	324,873.81-	5,612.84	30.85-	319,291.82-
300-0501	Water & Sewer Fund	699,878.68	132,485.10	6,607.21-	825,756.57
300-0502	Utilities Capital Projects	586,997.31-		8,100.00-	595,097.31-
300-0700	VRS Retirement Trust Fund				
300-0800	Debt Service Fund				
	Fund Balances	43,899,817.87-	8,026,780.39	4,086,270.78-	39,959,308.26-
	TOTAL PRIOR YR FUND BALANCE	43,899,817.87-	8,026,780.39	4,086,270.78-	39,959,308.26-
	TOTAL REVENUE				
	TOTAL EXPENDITURE				
	TOTAL CURRENT FUND BALANCE				
	TOTAL LIABILITIES AND FUND BALANCE	43,899,817.87-	8,026,780.39	4,086,270.78-	39,959,308.26-

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
	Other Accounts				
400-0101	Treas Deferred Acct - Heath				
400-0102	Cash (Short) And Over				
400-0103	Utility Overpayments	2,392.90-			2,392.90-
400-0105	Overpayments	9,072.00-	16,685.15	8,933.67-	1,320.52-
400-0121	CVA - Current Debit Acct	4,370.90	244.88	241.45-	4,374.33
400-0122	CVA - Current Credit Acct	913.00-	102,502.00	102,676.00-	1,087.00-
400-0123	CVA - Unclaimed Property				
400-0125	Employee Escrow Account				
400-0151	Prepaid Taxes - RE	30,856.94		4,458.35-	26,398.59
400-0152	Prepaid Taxes - PP	18,533.10-	6,384.80	3,097.83-	15,246.13-
400-9999	Prepay Property Taxes Reserve				
	Other Accounts	4,316.84	125,816.83	119,407.30-	10,726.37
460-2015	State Income 2015	18,245.00			18,245.00
460-2016	State Income - 2016	5,412.17			5,412.17
460-2017	State Income 2017				
460-2018	State Income - 2018				
460-2019	State Income - 2019	4,249.00	8,976.00	8,515.00-	4,710.00
460-9999	Reserve - State Income - State	27,906.17-	8,515.00	8,976.00-	28,367.17-
	State Income 2015		17,491.00	17,491.00-	
465-2015	Estimated Taxes - 2015	1,286,604.59-			1,286,604.59-
465-2016	Estimated Income 2016	1,595,821.25-			1,595,821.25-
465-2017	Estimated Taxes 2017	1,525,215.51-			1,525,215.51-
465-2018	Estimated Taxes - 2018	1,090,478.00-			1,090,478.00-
465-2019	Estimated Taxes - 2019	1,163,418.76-			1,163,418.76-
465-2020	Estimated Taxes - 2020	358,257.50-		94,161.00-	452,418.50-
465-9999	Reserve - Estimated Taxes - State	7,019,795.61	94,161.00		7,113,956.61
	Estimated Taxes - 2015		94,161.00	94,161.00-	
490-0001	Sheriff's Fees - State	132,096.69-			132,096.69-
490-0002	Penalty - State Income - State	6,081.62-			6,081.62-
490-0003	Interest - State Income - State	533.29-			533.29-
490-9999	Reserve - State	138,711.60			138,711.60
	Sheriff's Fees - State				
		4,316.84	237,468.83	231,059.30-	10,726.37
501-0001	WATER RECEIVABLES	17,111.40	27,348.86	862.38-	43,597.88
501-0002	SEWER RECEIVABLES	15,026.57	33,565.63	3,282.43-	45,309.77
501-0003	PENALTY & INTEREST RECEIVABLES	1,088.06		6,603.84-	5,515.78-
501-9999	RESERVE-WATER,SEWER & PENALTY-INT.	33,747.59-	10,748.65	60,914.49-	83,913.43-
	WATER RECEIVABLES	521.56-	71,663.14	71,663.14-	521.56-
		521.56-	71,663.14	71,663.14-	521.56-
	Uncollected County Taxes				

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
601-0000	*REAL ESTATE TAXES*				
601-0097	Real Estate Taxes - 1997				
601-0098	Real Estate Taxes - 1998				
601-0099	Real Estate Taxes - 1999				
601-1999	Reserve - Real Estate Taxes	1,598.17			1,598.17
601-2000	Real Estate Taxes - 2000	1,424,193.37-	328,420.64	1,069.22-	1,096,841.95-
601-2001	Real Estate Taxes - 2001	1,760.01			1,760.01
601-2002	Real Estate Taxes - 2002	2,012.31			2,012.31
601-2003	Real Estate Taxes - 2003	3,260.48			3,260.48
601-2004	Real Estate Taxes - 2004	21,947.52-			21,947.52-
601-2005	Real Estate Taxes - 2005	23,112.55-			23,112.55-
601-2006	Real Estate Taxes - 2006	22,855.16-			22,855.16-
601-2007	Real Estate Taxes - 2007	13,516.10-			13,516.10-
601-2008	Real Estate Taxes - 2008	5,425.89			5,425.89
601-2009	Real Estate Taxes - 2009	6,724.41			6,724.41
601-2010	Real Estate - 2010	8,215.41			8,215.41
601-2011	Real Estate Taxes - 2011	9,337.62		216.26-	9,121.36
601-2012	Real Estate Taxes - 2012	10,429.61			10,429.61
601-2013	Real Estate Taxes - 2013	14,331.89		258.52-	14,073.37
601-2014	Real Estate Taxes - 2014	17,513.85			17,513.85
601-2015	Real Estate Taxes - 2015	10,120.21			10,120.21
601-2016	Real Estate Taxes - 2016	22,205.04		125.61-	22,079.43
601-2017	Real Estate Taxes - Fiscal Year 2017	28,858.36		171.74-	28,686.62
601-2018	Real Estate Taxes - Fiscal Year 2018	41,388.20	32.40	2,970.48-	38,450.12
601-2019	Real Estate - Fiscal Year 2019	90,732.04	31.86	17,650.11-	73,113.79
601-2020	Real Estate - Fiscal Year 2020	204,638.33	31.68	27,731.03-	176,938.98
	REAL ESTATE TAXES	1,027,072.87	1,843.96	280,167.57-	748,749.26
			330,360.54	330,360.54-	
602-0000	PERSONAL PROPERTY TAXES				
602-1999	Reserve - PP Taxes	6,500,515.82-	508,618.00	16,414.02-	6,008,311.84-
602-2012	Personal Property Taxes - 2012				
602-2013	Personal Property Taxes - 2013				
602-2014	Personal Property Taxes - 2014	42,418.70			42,418.70
602-2015	Personal Property Taxes - 2015	47,420.30	.07	326.42-	47,093.95
602-2016	Personal Property Taxes - 2016	61,966.84		708.15-	61,258.69
602-2017	Personal Property Taxes - 2017	76,438.17	51.20	2,172.70-	74,316.67
602-2018	Personal Property Taxes - 2018	138,521.18	1,233.98	8,951.11-	130,804.05
602-2019	PERSONAL PROPERTY TAXES - 2019	547,449.18	5,076.39	146,338.68-	406,186.89
602-2020	PERSONAL PROPERTY TAXES - 2020	5,586,301.45	11,169.47	351,238.03-	5,246,232.89
	PERSONAL PROPERTY TAXES		526,149.11	526,149.11-	
603-0000	PUBLIC SERVICE CORP TAXES				
603-0099	Reserve - PSC Taxes	22.34-			22.34-
603-2015	Public Service - 2015				
603-2016	Public Service Taxes 2016	81.08			81.08
603-2017	Public Service 2017				
603-2018	Public Service - 2018				
603-2019	Public Service 2019	58.74-			58.74-
	PUBLIC SERVICE CORP TAXES				

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
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604-0001	Rollback Taxes - Payment	1,209,133.29-			1,209,133.29-
604-1999	Reserve - Rollback Taxes	1,209,133.29			1,209,133.29
	Rollback Taxes - Payment				
605-0000	PPTRA ABATEMENT MADE AFTER REQUEST				
605-0099	1999 Possible C/W Reimbursement				
605-1999	Reserve PPTRA-Possible Reimbursemn	27,213,003.68-	33,589.75		27,179,413.93-
605-2012	PPTRA Abatement Made After Request	3,152,759.58			3,152,759.58
605-2013	PPTRA Abatement Made After Request	2,989,904.75			2,989,904.75
605-2014	PPTRA Abatement made after request	2,932,602.27			2,932,602.27
605-2015	PPTRA Abatements Made After Reques	3,027,618.61			3,027,618.61
605-2016	PPTRA Abatements made after reques	3,059,767.02		29.12-	3,059,737.90
605-2017	PPTRA Abatements Made After Reques	3,062,201.62		64.08-	3,062,137.54
605-2018	PPTRA Abatements Made After Reques	2,864,017.45		330.49-	2,863,686.96
605-2019	PPTRA ABATEMENTS MADE AFTER REQUES	3,078,873.13		1,668.66-	3,077,204.47
605-2020	PPTRA ABATEMENTS MADE AFTER REQUES	3,045,259.25		31,497.40-	3,013,761.85
	PPTRA ABATEMENT MADE AFTER REQUES		33,589.75	33,589.75-	
606-0000	Manual STOPS	50.00	50.00		100.00
606-1999	Reserve for Manual STOPS	50.00-		50.00-	100.00-
	Manual STOPS		50.00	50.00-	
			890,149.40	890,149.40-	
	LTD OBLIGATIONS				
801-0005	Literary Loans - \$1.7- Pow ES #1				
801-0006	Literary Loans - \$5 million				
801-0007	2002 VPSA 7,084,114.00				
801-0008	Literary Loan Anticipation Note				
801-9999	Reserve for Literary Loan Payables				
	Literary Loans - \$1.7- Pow ES #1				
802-0004	1985B School Bonds-\$2.3M, 10-1-85				
802-0010	2005 Lease Revenue Bonds 775,750				
802-0011	2003 Lease Revenue Bond 1,015,000				
802-0012	2002 Lease Revenue Bond 14,135,000				
802-0013	2001 Gen Obl School Bond 27,370,00				
802-0014	2000 Lease Revenue Bond 5,808,405				
802-0015	1999 VRA Lease Rev Bond 2,386,274				
802-0016	1997 Gen Obl Ref Bonds 1,300,000				
802-0017	1995 Lease Rev Bonds 2,200,000				
802-0018	2004 VPSA 4,043,402.95				
802-0019	1996A VPSA 485,000				
802-0020	1994B VPSA 4,046,592				
802-0021	1994A VPSA 4,000,000				
802-0022	1992B VPSA 700,000				
802-0023	6,680,000 VRA Water and Sewer 05/0				
802-0024	2005 Bond Anticipation Note 374k				

8/25/20
FUND #-999

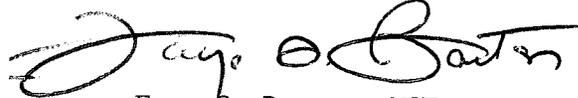
GL070
TREASURER'S ACCOUNTABILTY FUND

COUNTY OF POWHATAN
BALANCE SHEET
7/31/2020

PAGE 6
TIME 8:49

ACCOUNT NUMBER -----	ACCOUNT DESCRIPTION -----	PREVIOUS BALANCE -----	DEBIT -----	CREDIT -----	ENDING BALANCE -----
802-0025	24m Lease Rev Issue 2007				
802-0026	2010A VRA Bonds - Route 60				
802-9999	Reserve for General Oblig Bonds 1985B School Bonds-\$2.3M, 10-1-85				
804-0001	Capital Leases - School - Equipmen	524,975.00			524,975.00
804-0006	\$643,500 Bus Lease 2005	524,975.00-			524,975.00-
804-0007	County Vehicle Lease 12/2005				
804-9999	Reserve for Capital Lease Oblig. Capital Leases - School - Equipme				

Respectfully Submitted,



Faye G. Barton, MGT
Treasurer of Powhatan

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
TREASURER'S ACCOUNTABILTY FUND					
CASH AND INVESTMENTS					
100-0101	Cash In Office-Treasurer	1,000.00			1,000.00
100-0102	Petty Cash-County Administrator	50.00			50.00
100-0109	NSF Checks	4,073.87	1,634.11	1,608.96-	4,099.02
100-0111	Bank of Powhatan - Regular Account	21,005,440.16	6,443,087.73	10,521,071.74-	16,927,456.15
100-0113	BOP- Federal Asset Forfeiture Acct	7,837.99	.67		7,838.66
100-0114	Bank of Powhatan - School Food	1,194,704.35	6,714.98		1,201,419.33
100-0115	Bank of Powhatan-Ambulance Account	696,540.20	45,307.65		741,847.85
100-0116	BB&T Fire Truck Lease				
100-0117	Bank of Essex - PGCAA	341,208.34	27.11		341,235.45
100-0118	Signature Bank - Lease				
100-0123	Wachovia - Assets Forfeiture Acct.				
100-0124	Bank of Essex State Asset Forfeitu	17,311.13			17,311.13
100-0126	LGIP (Local Government Invest Pool	17,823.93	3.89		17,827.82
100-0128	Bank of Powhatan-Spec Welfare Acct				
100-0129	School Finance/Capital Project Fun	5.25			5.25
100-0131	CVB - Regular (MMA)				
100-0133	CVB-PSA (Pub Serv Auth) Savings CD				
100-0134	CVB - Regular Savings	17,444.90			17,444.90
100-0135	CVB-PSA (Public Serv Auth) Savings				
100-0138	Bank of America				
100-0139	Virginia SNAP 046 - VRA				
100-0140	Escrow Acct Lease Pur Telephone Sy				
100-0141	VRA SNAP 047				
100-0142	US Bank - 2015 Refunding	496.86			496.86
100-0143	US Bank - VRA2014C refunding				
100-0144	US Bank - 2016 Bonds	9,907,613.47			9,907,613.47
100-0145	US Bank 2017 A Refunding				
100-0146	SNAP - 2018 Bonds	4,237,553.00			4,237,553.00
100-0147	US Bank - 2019C Lease				
100-0148	US Bank - 2019C Refunding				
100-0151	Sigt 1995B Bnd Dbt Resrv(Cty)\$2.2				
100-0154	SNAP Adjusting Entries				
100-0155	New Horizon CD - Purchase 8/2016	500,000.00			500,000.00
100-0156	New Horizon CD 8/2011	500,000.00			500,000.00
100-0157	Bank of Essex - CD Purchase	1,500,000.00			1,500,000.00
100-0179	Virginia SNAP 90 50 New Elem Schoo				
100-0180	Virginia SNAP 90 51 Elem School In				
100-0181	Morgan Keegan Wire Account				
100-0182	24M Lease Rev SNAP 52				
100-0183	Interest Account Snap 53				
100-0184	US Bank Capitalized Interest Acct				
100-0185	VA Snap 90-56 Water/Sewer Prin 201				
100-0186	VA Snap 90-57 Water/Sewer Int. 201				
100-0187	VA Snap 90-58 PS/B Prin 2010A				
100-0188	VA Snap 90-59 PS/B Int 2010A				
100-0189	BB&T-155299673-HPSBVFD-Project Fun				

9/17/20
FUND #-999

GL070
TREASURER'S ACCOUNTABILITY FUND

COUNTY OF POWHATAN
BALANCE SHEET
8/31/2020

PAGE 2
TIME 9:36

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
100-0190	BB&T-HPSBVFD 155299673-Cap Interes				
100-0191	2011 Rev Refinance (new)				
100-0192	2011 Lease Rev Refinance (new)				
	CASH AND INVESTMENTS	39,949,103.45	6,496,776.14	10,522,680.70-	35,923,198.89
112-0100-0	Crime Solvers Fund				
	Crime Solvers Fund				
	TOTAL ASSETS	39,949,103.45	6,496,776.14	10,522,680.70-	35,923,198.89
	Fund Balances				
300-0001	Beginning Fund Balances				
300-0100	General Fund	27,197,568.74-	3,270,998.37	1,370,162.47-	25,296,732.84-
300-0102	VPA Fund	160,184.45	141,089.84	122,604.58-	178,669.71
300-0103	PEG Fund	34,374.51-		8,386.95-	42,761.46-
300-0104	Comprehensive Services Act Fund	420,980.96	99,213.28	132,259.23-	387,935.01
300-0105	Bldg Permit Surcharge Acct	8,735.77-		969.82-	9,705.59-
300-0106	Delinquent Tax Collection Fee Acct	2,618.25-			2,618.25-
300-0107	Powhatan PSA Account				37,795.37-
300-0109	Tourism Fund	37,795.37-			37,795.37-
300-0110	Cash Proffer Fund	889,874.30-		8,519.54-	898,393.84-
300-0112	Crime Solvers Account				
300-0115	Telecommunication Tower				
300-0116	Grants Fund	2,477,304.57-	928,380.65	2,602,793.35-	4,151,717.27-
300-0117	PGCAA Distribution to PCCAA-deposi				
300-0120	Fire and Rescue Fund	475,334.84-	40,046.61	45,356.61-	480,644.84-
300-0121	Trial Jurors/ Witnesses				
300-0205	School Fund	6,887,441.48	5,831,421.74	1,855,915.80-	10,862,947.42
300-0207	School Food Fund	348,824.00	80,013.15	63,224.10-	365,613.05
300-0209	SRP Fund				
300-0213	E911 Fund				6,910.46-
300-0215	Forfeited Asset Fund	6,910.46-			6,910.46-
300-0216	Forfeiture Asset Proceeds	2.00-		.67-	2.67-
300-0301	General Capital Projects Fund	16,069,320.78-	67,658.95	18,801.00-	16,020,462.83-
300-0302	General Obligation Bond Fund				
300-0305	School Construction Fund				29,190.86-
300-0401	Special Welfare Fund	41,699.63-	12,508.77		
300-0402	Federal Rev Max Program-Social Ser				
300-0405	Bond Escrow Fund	446,567.37-		185,504.31-	632,071.68-
300-0410	PGCAA Fund	319,291.82-		27.11-	319,318.93-
300-0501	Water & Sewer Fund	825,756.57	54,195.94	63,865.05-	816,087.46
300-0502	Utilities Capital Projects	595,097.31-		8,100.00-	603,197.31-
300-0700	VRS Retirement Trust Fund				
300-0800	Debt Service Fund				
	Fund Balances	39,959,308.26-	10,525,527.30	6,486,490.59-	35,920,271.55-
	TOTAL PRIOR YR FUND BALANCE	39,959,308.26-	10,525,527.30	6,486,490.59-	35,920,271.55-
	TOTAL REVENUE				
	TOTAL EXPENDITURE				
	TOTAL CURRENT FUND BALANCE				
	TOTAL LIABILITIES AND FUND BALANCE	39,959,308.26-	10,525,527.30	6,486,490.59-	35,920,271.55-

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
	Other Accounts				
400-0101	Treas Deferred Acct - Heath				
400-0102	Cash (Short) And Over				
400-0103	Utility Overpayments	2,392.90-			2,392.90-
400-0105	Overpayments	1,320.52-	1,809.97	1,809.97-	1,320.52-
400-0121	CVA - Current Debit Acct	4,374.33		20.09-	4,354.24
400-0122	CVA - Current Credit Acct	1,087.00-	23,482.16	22,645.16-	250.00-
400-0123	CVA - Unclaimed Property				
400-0125	Employee Escrow Account			11,887.88-	14,510.71
400-0151	Prepaid Taxes - RE	26,398.59		2,061.18-	17,307.31-
400-0152	Prepaid Taxes - PP	15,246.13-			
400-9999	Prepay Property Taxes Reserve				
	Other Accounts	10,726.37	25,292.13	38,424.28-	2,405.78-
460-2015	State Income 2015	18,245.00			18,245.00
460-2016	State Income - 2016	5,412.17			5,412.17
460-2017	State Income 2017				
460-2018	State Income - 2018				
460-2019	State Income - 2019	4,710.00	3,518.00	3,978.00-	4,250.00
460-9999	Reserve - State Income - State	28,367.17-	3,978.00	3,518.00-	27,907.17-
	State Income 2015		7,496.00	7,496.00-	
465-2015	Estimated Taxes - 2015	1,286,604.59-			1,286,604.59-
465-2016	Estimated Income 2016	1,595,821.25-			1,595,821.25-
465-2017	Estimated Taxes 2017	1,525,215.51-			1,525,215.51-
465-2018	Estimated Taxes - 2018	1,090,478.00-			1,090,478.00-
465-2019	Estimated Taxes - 2019	1,163,418.76-			1,163,418.76-
465-2020	Estimated Taxes - 2020	452,418.50-		18,148.00-	470,566.50-
465-9999	Reserve - Estimated Taxes - State	7,113,956.61	18,148.00	18,148.00-	7,132,104.61
	Estimated Taxes - 2015		18,148.00	18,148.00-	
490-0001	Sheriff's Fees - State	132,096.69-	302.97	518.00-	132,311.72-
490-0002	Penalty - State Income - State	6,081.62-		.06-	6,081.68-
490-0003	Interest - State Income - State	533.29-		1.10-	534.39-
490-9999	Reserve - State	138,711.60	519.16	302.97-	138,927.79
	Sheriff's Fees - State		822.13	822.13-	
		10,726.37	51,758.26	64,890.41-	2,405.78-
501-0001	WATER RECEIVABLES	43,597.88		25,129.73-	18,468.15
501-0002	SEWER RECEIVABLES	45,309.77		37,145.85-	8,163.92
501-0003	PENALTY & INTEREST RECEIVABLES	5,515.78-	5,586.58		70.80
501-9999	RESERVE-WATER, SEWER & PENALTY-INT.	83,913.43-	56,689.00		27,224.43-
	WATER RECEIVABLES	521.56-	62,275.58	62,275.58-	521.56-
		521.56-	62,275.58	62,275.58-	521.56-
	Uncollected County Taxes				

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
601-0000	*REAL ESTATE TAXES*				
601-0097	Real Estate Taxes - 1997				
601-0098	Real Estate Taxes - 1998				
601-0099	Real Estate Taxes - 1999	1,598.17			1,598.17
601-1999	Reserve - Real Estate Taxes	1,096,841.95-	150,358.50	2,291.32-	948,774.77-
601-2000	Real Estate Taxes - 2000	1,760.01			1,760.01
601-2001	Real Estate Taxes - 2001	2,012.31			2,012.31
601-2002	Real Estate Taxes - 2002	3,260.48			3,260.48
601-2003	Real Estate Taxes - 2003	21,947.52-			21,947.52-
601-2004	Real Estate Taxes - 2004	23,112.55-			23,112.55-
601-2005	Real Estate Taxes - 2005	22,855.16-			22,855.16-
601-2006	Real Estate Taxes - 2006	13,516.10-			13,516.10-
601-2007	Real Estate Taxes - 2007	5,425.89			5,425.89
601-2008	Real Estate Taxes - 2008	6,724.41			6,724.41
601-2009	Real Estate Taxes - 2009	8,215.41		142.00-	8,073.41
601-2010	Real Estate - 2010	9,121.36		371.59-	8,749.77
601-2011	Real Estate Taxes - 2011	10,429.61		152.33-	10,277.28
601-2012	Real Estate Taxes - 2012	14,073.37		132.69-	13,940.68
601-2013	Real Estate Taxes - 2013	17,513.85		128.23-	17,385.62
601-2014	Real Estate Taxes 2014	10,120.21		828.61-	9,291.60
601-2015	Real Estate Taxes - 2015	22,079.43		474.45-	21,604.98
601-2016	Real Estate Taxes - 2016	28,686.62			28,686.62
601-2017	Real Estate Taxes-Fiscal Year 2017	38,450.12		2,048.96-	36,401.16
601-2018	Real Estate Taxes -Fiscal Year 201	73,113.79	291.16	7,413.81-	65,991.14
601-2019	Real Estate - Fiscal Year 2019	176,938.98	286.00	11,727.83-	165,497.15
601-2020	Real Estate 2020 - Fiscal Year	748,749.26	1,714.16	126,938.00-	623,525.42
601-2021	Real Estate 2021 - Fiscal Year				
	REAL ESTATE TAXES		152,649.82	152,649.82-	
602-0000	PERSONAL PROPERTY TAXES				
602-1999	Reserve - PP Taxes	6,008,311.84-	192,417.90	7,233.37-	5,823,127.31-
602-2012	Personal Property Taxes - 2012				
602-2013	Personal Property Taxes - 2013				
602-2014	Personal Property Taxes - 2014	42,418.70			42,418.70
602-2015	Personal Property Taxes - 2015	47,093.95		457.20-	46,636.75
602-2016	Personal Property Taxes - 2016	61,258.69		511.84-	60,746.85
602-2017	Personal Property Taxes - 2017	74,316.67	9.16	460.04-	73,865.79
602-2018	Personal Property Taxes - 2018	130,804.05	461.18	3,498.55-	127,766.68
602-2019	PERSONAL PROPERTY TAXES - 2019	406,186.89	2,209.77	27,381.35-	381,015.31
602-2020	PERSONAL PROPERTY TAXES - 2020	5,246,232.89	5,578.05	161,133.71-	5,090,677.23
	PERSONAL PROPERTY TAXES		200,676.06	200,676.06-	
603-0000	PUBLIC SERVICE CORP TAXES				
603-0099	Reserve - PSC Taxes	22.34-			22.34-
603-2015	Public Service - 2015				
603-2016	Public Service Taxes 2016	81.08			81.08
603-2017	Public Service 2017				
603-2018	Public Service - 2018				

9/17/20
FUND # -999

GL070
TREASURER'S ACCOUNTABILTY FUND

COUNTY OF POWHATAN
BALANCE SHEET
8/31/2020

PAGE 5
TIME 9:36

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BALANCE	DEBIT	CREDIT	ENDING BALANCE
603-2019	Public Service 2019 PUBLIC SERVICE CORP TAXES	58.74-			58.74-
604-0001	Rollback Taxes - Payment	1,209,133.29-		5,543.68-	1,214,676.97-
604-1999	Reserve - Rollback Taxes Rollback Taxes - Payment	1,209,133.29	5,543.68 5,543.68	5,543.68-	1,214,676.97
605-0000	PPTRA ABATEMENT MADE AFTER REQUEST				
605-0099	1999 Possible C/W Reimbursement				
605-1999	Reserve PPTRA-Possible Reimbursemn	27,179,413.93-	31,495.40		27,147,918.53-
605-2012	PPTRA Abatement Made After Request	3,152,759.58			3,152,759.58
605-2013	PPTRA Abatement Made After Request	2,989,904.75			2,989,904.75
605-2014	PPTRA Abatement made after request	2,932,602.27			2,932,602.27
605-2015	PPTRA Abatements Made After Reques	3,027,618.61			3,027,618.61
605-2016	PPTRA Abatements made after reques	3,059,737.90			3,059,737.90
605-2017	PPTRA Abatements Made After Reques	3,062,137.54			3,062,137.54
605-2018	PPTRA Abatements Made After Reques	2,863,686.96		198.23-	2,863,488.73
605-2019	PPTRA ABATEMENTS MADE AFTER REQUES	3,077,204.47		751.95-	3,076,452.52
605-2020	PPTRA ABATEMENTS MADE AFTER REQUES PPTRA ABATEMENT MADE AFTER REQUES	3,013,761.85	31,495.40	30,545.22- 31,495.40-	2,983,216.63
606-0000	Manual STOPS	100.00	100.00		200.00
606-1999	Reserve for Manual STOPS Manual STOPS	100.00-	100.00	100.00- 100.00-	200.00-
			390,464.96	390,464.96-	
	LTD OBLIGATIONS				
801-0005	Literary Loans - \$1.7- Pow ES #1				
801-0006	Literary Loans - \$5 million				
801-0007	2002 VPSA 7,084,114.00				
801-0008	Literary Loan Anticipation Note				
801-9999	Reserve for Literary Loan Payables Literary Loans - \$1.7- Pow ES #1				
802-0004	1985B School Bonds-\$2.3M, 10-1-85				
802-0010	2005 Lease Revenue Bonds 775,750				
802-0011	2003 Lease Revenue Bond 1,015,000				
802-0012	2002 Lease Revenue Bond 14,135,000				
802-0013	2001 Gen Obl School Bond 27,370,00				
802-0014	2000 Lease Revenue Bond 5,808,405				
802-0015	1999 VRA Lease Rev Bond 2,386,274				
802-0016	1997 Gen Obl Ref Bonds 1,300,000				
802-0017	1995 Lease Rev Bonds 2,200,000				
802-0018	2004 VPSA 4,043,402.95				
802-0019	1996A VPSA 485,000				
802-0020	1994B VPSA 4,046,592				
802-0021	1994A VPSA 4,000,000				

9/17/20
FUND #-999

GL070
TREASURER'S ACCOUNTABILTY FUND

COUNTY OF POWHATAN
BALANCE SHEET
8/31/2020

PAGE 6
TIME 9:36

ACCOUNT NUMBER -----	ACCOUNT DESCRIPTION -----	PREVIOUS BALANCE -----	DEBIT -----	CREDIT -----	ENDING BALANCE -----
802-0022	1992B VPSA 700,000				
802-0023	6,680,000 VRA Water and Sewer 05/0				
802-0024	2005 Bond Anticipation Note 374k				
802-0025	24m Lease Rev Issue 2007				
802-0026	2010A VRA Bonds - Route 60				
802-9999	Reserve for General Oblig Bonds 1985B School Bonds-\$2.3M, 10-1-85				
804-0001	Capital Leases - School - Equipmen	524,975.00			524,975.00
804-0006	\$643,500 Bus Lease 2005	524,975.00-			524,975.00-
804-0007	County Vehicle Lease 12/2005				
804-9999	Reserve for Capital Lease Oblig. Capital Leases - School - Equipme				

Respectfully Submitted,



Faye G. Barton, MGT
Treasurer of Powhatan

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AGENDA ITEM 8F

Resolution R-2020-51 Appropriating the
Second Quarter of the Operating Budget
for FY2021



Powhatan County Board of Supervisors Agenda Item

Meeting Date: September 28, 2020

Agenda Item Title: **Resolutions R-2020-51** Appropriating the Second Quarter of the Fiscal Year 2021 Operating Budget

Motion: Move to approve Resolution R-2020-51

Dates Previously
Considered by Board: N/A

Summary of Item: The Board of Supervisors (BOS) adopted the budget on June 29, 2020. The BOS approved on May 14, 2020 for the appropriation of the budget to be made on a quarterly basis. This appropriation is the second appropriation of the FY2021 Operating Budget.

These resolutions appropriate these funds.

Staff: X Approve Disapprove See Comments

Commission/Board: N/A Approve Disapprove See Comments

Comments: None

Budget/Fiscal Impact: Second quarter appropriation of the FY 2021 Operating Budget

Attachments: Resolution

Staff/Contact: Ned Smither, County Administrator, 804-598-5612, nsmither@powhatanva.gov
Charla W. Schubert, Director of Finance, 804-598-5780, cschubert@powhatanva.gov

If Board members have questions, please call the staff / contact prior to the meeting.

RESOLUTION R-2020-51**APPROPRIATING THE SECOND QUARTER OF THE OPERATING BUDGET FOR
THE FISCAL YEAR
BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021 (FY 2021)**

WHEREAS, the Powhatan County Board of Supervisors adopted the FY 2021 Operating Budget;
and

WHEREAS, the Board of Supervisors approved for quarterly appropriations on May 14, 2020.

NOW, THEREFORE, BE IT RESOLVED that Powhatan County Board of Supervisors does hereby appropriate the second quarter of the FY 2021 Operating Budget:

Estimated Revenues

<hr/>	
General Fund	
Property Taxes	11,182,705
Other Taxes	1,419,625
Other Local Sources	327,626
State	1,576,877
Federal	49,855
Total General Fund	<hr/> 14,556,688 <hr/>

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Estimated Revenues (Continued)

Social Services Fund	
State	97,527
Federal	196,470
Transfer from General Fund	164,027
Total Social Services Fund	<u>458,024</u>
CSA Fund	
State	275,538
Transfer from General Fund	210,492
Total CSA Fund	<u>486,030</u>
Fire and Rescue Fund	
Other Local	139,550
State	32,269
Total Fire and Rescue Fund	<u>171,819</u>
Utilities Fund	
Other Local	101,863
Transfer from General Fund	885,139
Transfer from Utilities Capital Projects	41,500
Total Utilities Fund	<u>1,028,502</u>
Utilities Capital Projects Fund	
Other Local	41,500
Total Utilities Capital Projects Fund	<u>41,500</u>
School Operating Fund	
Other Local	113,788
State	5,912,660
Federal	331,311
Transfer from General Fund	5,789,687
Total School Operating Fund	<u>12,147,446</u>
School Food Service Fund	
Other Local	211,238
State	6,449
Federal	126,843
Transfer from School Operating	12,500
Total School Food Service Fund	<u>357,030</u>
Total - Estimated Revenues and Transfers	<u>29,247,039</u>
Less Interfund Transfers from Other Funds	
Social Services Fund	164,027
CSA Fund	210,492
Utilities Fund	885,139
Utilities Capital Projects Fund	41,500
Capital Projects Fund	-
School Operating Fund	5,789,687
School Food Service	12,500
Total Transfers from Other Funds	<u>7,103,345</u>
Total Estimated Revenues without Transfers	<u>22,143,694</u>

Expenditures

General Fund	
Expenditures	7,507,343
Transfers to Other Funds	7,049,345
Total General Fund Expenditures & Transfers	<u>14,556,688</u>
Total Social Services Fund Expenditures	458,024
Total CSA Fund Expenditures	486,030
Total Fire and Rescue Fund Expenditures	171,819
Total Utilities Fund Expenditures	1,028,502
Total Utilities Capital Projects Fund Expenditures	41,500
Total Capital Projects Fund Expenditures	-
School Operating Fund	
Expenditures	12,134,946
Transfer to School Food Service Fund	12,500
Total School Fund Expenditures & Transfers	<u>12,147,446</u>
Total School Food Service Fund Expenditures	357,030
Total - Expenditures and Transfers	<u><u>29,247,039</u></u>
Less Inter-fund Transfers to Other Funds	
General Fund	7,049,345
Utilities Capital Projects	41,500
School Operating Fund	12,500
Total Transfers to Other Funds	<u>7,103,345</u>
Total Expenditures without Transfers	<u><u>22,143,694</u></u>

ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON SEPTEMBER 28, 2020.

David T. Williams, Chairman
Powhatan County Board of Supervisors

Recorded Vote:

David T. Williams _____
Larry J. Nordvoig _____
Michael W. Byerly _____
Bill L. Cox _____
Karin M. Carmack _____

ATTEST:

Ned Smither, Clerk
Powhatan County Board of Supervisors

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AGENDA ITEM 8G

Resolution R-2020-52 Initiating a Zoning
Text Amendment to Revise Permitted
and Conditional Uses Within the
Courthouse Square Center (CHSC)
Zoning District



Powhatan County Board of Supervisors Agenda Item

Meeting Date: September 28, 2020

Agenda Item Title: **Resolution #R-2020-52** Resolution Initiating a Zoning Text Amendment to Revise Permitted and Conditional Uses within the Courthouse Square Center (CHSC) Zoning District.

Motion: In accordance with public necessity, convenience, general welfare, and good planning practices, the Powhatan County Board of Supervisors (*approves / denies / defers*) Resolution #R-2020-52.

Dates Previously Considered by Board: N/A

Summary of Item: This resolution would initiate a zoning text amendment that would involve changes to permitted and conditional uses within the Courthouse Square Center (CHSC) zoning district. If this resolution is approved, the Department of Community Development and Planning Commission will review current regulations associated with that zoning district and prepare a draft zoning text amendment, which will be reviewed by the Board of Supervisors at a future date.

Staff: X Approve Disapprove See Comments

Commission/Board: N/A Approve Disapprove See Comments

Comments:

Budget/Fiscal Impact:

Attachments: Draft Resolution
Memo

Staff/Contact: Andrew J. Pompei, AICP, CZA (Planning Director)
(804) 598-5621 ext. 2006
apompei@powhatanva.gov

If Board members have questions, please call the staff / contact prior to the meeting.

Board of Supervisors
David T. Williams
Larry J. Nordvig
Michael W. Byerly
William L. Cox
Karin M. Carmack



County Administrator
Ned Smither

The County Of
Powhatan

TO: Powhatan County Board of Supervisors
FROM: Andrew Pompei (Planning Director)
DATE: September 16, 2020
SUBJECT: Potential Changes to the Courthouse Square Center (CHSC) Zoning District

Current Situation

The Courthouse Village accommodates mixed-use development within a compact area. There are a variety of commercial, residential, and institutional uses within existing buildings located along and near State Route 13 (Old Buckingham Road).

The CHSC zoning district accommodates mixed-use development within the Courthouse Village. It is currently applied to 41 parcels, which total 17.25 acres.

The CHSC zoning district is classified as a *Transition Base District*. Per Sec. 83-340, properties zoned to a *Transition Base District* should gradually be rezoned to one of the *Village Growth Area Districts*.

Potential Changes

As part of Case #18-01-AZ (Ordinance #O-2018-06: Approved August 27, 2018), the list of uses permitted by-right or with a conditional use permit within the CHSC zoning district was changed. With that ordinance amendment, some existing uses became *nonconforming*. *Nonconforming uses* cannot be expanded [Sec. 83-501]. Staff proposes amending the list of permitted and conditional uses to:

- Ensure that existing uses are permitted (no longer *nonconforming*); and
- Add uses that are compatible with existing uses and the character of the Courthouse Village, accommodating continued economic growth and investment in the area.

Staff also proposes:

- Changing the CHSC zoning district from being a *Transition Base District* to a *Village Growth Area Base District*. The CHSC zoning district accommodates mixed-use development within the Courthouse Village, which aligns with recommendations made in the *2019 Long-Range Comprehensive Plan*.
- Initiating a rezoning of two parcels (Tax Map Parcels #26B2-3-8B and #26B2-3-10) that are currently zoned General Commercial (C) within the Courthouse Village, but are surrounded by properties zoned CHSC.

A resolution initiating an ordinance amendment will be considered by the Board of Supervisors on September 28, 2020.

3834 Old Buckingham Road · Suite A · Powhatan, VA 23139
Phone: 804-598-5612
Fax: 804-598-7835
Website: www.powhatanva.gov

RESOLUTION R-2020-52

A RESOLUTION INITIATING A ZONING TEXT AMENDMENT TO REVISE PERMITTED AND CONDITIONAL USES WITHIN THE COURTHOUSE SQUARE CENTER (CHSC) ZONING DISTRICT

WHEREAS, Chapter 83 (Zoning Ordinance) establishes standards regarding the use of properties throughout Powhatan County; and

WHEREAS, Sec. 83-123(b) establishes procedures by which the text of Chapter 83 (Zoning Ordinance) may be amended, whenever the public necessity, convenience, general welfare, and/or good zoning practice require doing so; and

WHEREAS, a previous zoning text amendment, which changed the list of permitted and conditional uses within the CHSC zoning district, resulted in some existing businesses within the Courthouse Village becoming *nonconforming uses*, as described in Sec. 83-501 and Sec. 83-521 of the County Code, limiting the ability of these businesses to expand and property owners’ ability to reinvest in existing buildings; and

WHEREAS, the *2019 Long-Range Comprehensive Plan* states that the Courthouse Village should “accommodate a mix of uses, creating a walkable community in close proximity to public facilities” (p. 120).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby initiates a zoning text amendment, in accordance with Sec. 83-123(b), to revise the list of permitted and conditional uses within the CHSC zoning district, directing the Department of Community Development and Planning Commission to review current regulations associated with that zoning district, prepare a draft zoning text amendment for future review by the Board of Supervisors, and investigate whether existing properties within the core Courthouse Village that are not zoned CHSC (Tax Map Parcels #26B2-3-8B and #26B2-3-10) should be rezoned to the CHSC zoning district.

ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON SEPTEMBER 28, 2020.

David T. Williams, Chairman
Powhatan County Board of Supervisors

ATTEST:

Recorded Vote:

Ned Smither, Clerk
Powhatan County Board of Supervisors

David T. Williams _____
Larry J. Nordvig _____
Michael W. Byerly _____
Bill L. Cox _____
Karin M. Carmack _____



AGENDA ITEM 8H

Resolution R-2020-53 Amending the
FY2021 Operating Budget by Budgeting
and Appropriating \$5,636 in the General
Fund for Additional State Library Aid



Powhatan County Board of Supervisors Agenda Item

Meeting Date: September 28, 2020

Agenda Item Title: **Resolution R-2020-53** Amending the Fiscal Year 2021 Powhatan County Operating Budget by Budgeting and Appropriating \$5,636 in the General Fund for Additional State Library Aid

Motion: Move to approve Resolution R-2020-53 as presented

Dates Previously
Considered by Board: N/A

Summary of Item: The County received an additional \$5,636 in state library aid. This resolution budgets and appropriates these funds.

Staff: X Approve Disapprove See Comments

Commission/Board: N/A Approve Disapprove See Comments

Comments:

Budget/Fiscal Impact: Budget and Appropriate \$5,636

Attachments: Resolution

Staff/Contact: Charla W. Schubert, Director of Finance, 804-598-5780, cschubert@powhatanva.gov

If Board members have questions, please call the staff / contact prior to the meeting.

RESOLUTION R-2020-53

**AMENDING THE FISCAL YEAR 2021 POWHATAN COUNTY OPERATING BUDGET
BY BUDGETING AND APPROPRIATING \$5,636 IN THE GENERAL FUND FOR
ADDITIONAL STATE LIBRARY AID**

WHEREAS, on May 14, 2020 and June 29, 2020, the Powhatan County Board of Supervisors adopted Resolution R-2020-29 and R-2020-38, respectively, which adopted the Fiscal Year 2021 Powhatan Operating Budget in the amount of \$112,844,944; and

WHEREAS, the Code of Virginia Section 15.2-2507 states that any locality may amend its budget and must first hold a public hearing which is advertised once in the newspaper if any such amendment exceeds one percent of the total expenditures of the currently adopted budget; and

WHEREAS, the amendment of the budget in this resolution in the amount of \$5,636 (.005%) does not exceed one percent of the adopted budget and therefore a public hearing was not held.

NOW, THEREFORE, BE IT RESOLVED that the FY 2021 Powhatan County Operating Budget is hereby amended and the funds appropriated as shown:

GENERAL FUND

REVENUES

State Library Aid	3-100-024040-0008	\$	5,636.00
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EXPENDITURES

Books and Subscriptions	4-100-073100-6012	\$	5,636.00
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**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON
SEPTEMBER 28, 2020.**

David T. Williams, Chairman
Powhatan County Board of Supervisors

ATTEST:

Ned Smither, Clerk
Powhatan County Board of Supervisors

Recorded Vote:

<i>David T. Williams</i>	_____
<i>Larry J. Nordvig</i>	_____
<i>Michael W. Byerly</i>	_____
<i>Bill L. Cox</i>	_____
<i>Karin M. Carmack</i>	_____

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AGENDA ITEM 8I

Resolution R-2020-54 Authorizing the County Administrator to Execute Contract with the Most Responsive and Responsible Offeror for ERP Replacement (RFP 2019-01) Upon County Attorney Approval



Powhatan County Board of Supervisors Agenda Item

Meeting Date: September 28, 2020

Agenda Item Title: **Resolution R-2020-54** Authorizing the County Administrator to execute a contract with the most responsive offeror to RFP-2019-01 ERP Replacement Upon County Attorney Approval

Motion: Move to approve Resolution R-2020-54 as presented

Summary of Item: The Board of Supervisors as part of the FY2019 Capital Improvement Plan \$1,500,000 for the replacement of the Enterprise Resource Planning (ERP) software. This resolution allows the County Administrator to execute a contract upon County Attorney Approval.

Staff: X Approve Disapprove See Comments

Commission/Board: N/A Approve Disapprove See Comments

Comments: N/A

Fiscal Impact: \$1,500,000 budgeted in Bond Projects FY18

Attachments: Resolution

Contact: Charla W. Schubert, Director of Finance; cschubert@powhatanva.gov 804-598-5780

If Board members have questions, please call the contact prior to the meeting.

RESOLUTION R-2020-54

AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH THE MOST RESPONSIVE AND RESPONSIBLE OFFEROR FOR ERP REPLACEMENT (RFP 2019-01) UPON COUNTY ATTORNEY APPROVAL

WHEREAS, the Board of Supervisors approved the FY19 Capital Improvement Plan which included \$1,500,000 for the replacement of the Enterprise Resource Planning system (ERP); and

WHEREAS, pursuant to the Virginia Public Procurement Act, Powhatan County issued a Request for Proposals (RFP 2019-01) and received five offers on November 1, 2019; and

WHEREAS, staff has met and evaluated the bids received and determined the most responsible responsive proposal using best value procurement procedures; and

WHEREAS, staff is reviewing reference information and project history for the most responsive and responsible offeror.

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is authorized to execute a contract with the most responsive and responsible offeror to RFP 2019-01 upon approval by the County Attorney.

ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON SEPTEMBER 28, 2020.

David T. Williams, Chairman
Powhatan County Board of Supervisors

Recorded Vote:

David T. Williams _____
Larry J. Nordvig _____
Michael W. Byerly _____
Bill L. Cox _____
Karin M. Carmack _____

ATTEST:

Ned Smither, Clerk
Powhatan County Board of Supervisors

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POWHATAN COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
SEPTEMBER 28, 2020



AGENDA ITEM 9A

Report on FY2020 Pre-Audit Financials



Powhatan County Board of Supervisors Agenda Item

Meeting Date: September 28, 2020

Agenda Item Title: Pre-Audit Financials

Motion: Informational Item Only, No Action Required

Dates Previously
Considered by Board: N/A

Summary of Item: The pre-audit financials are presented for the fiscal year ended June 30, 2020 to allow the Board to review the fund balance after all year end entries have been recorded. This report presents the unassigned fund balance of \$13,037,132 which represents 15% of operating revenues less transfers in accordance with Board of Supervisors fund balance policy. The fund balance in total for FY2020 is \$19,890,700 which represents 22.9% of FY20 operating revenues less transfers.

Staff: N/A Approve Disapprove See Comments

Commission/Board: N/A Approve Disapprove See Comments

Comments: None

Budget/Fiscal Impact: Establishment of Revenue Stabilization Reserve from excess fund balance and School return of funds. At a future date an appropriation will be requested from capital maintenance reserve for additional capital needs.

Attachments: Pre-audit financials

Staff/Contact: Charla W. Schubert, Director of Finance, 804-598-5610, cschubert@powhatanva.gov

If Board members have questions, please call the staff / contact prior to the meeting.

Powhatan County
Fund Balances
June 30, 2020

PRE-AUDIT

Fund	Fund Balance July 1, 2019	Revenues	Expenditures	Pre-Audit Fund Balance June 30, 2020
General Fund - 100	\$ 16,530,977	\$ 59,442,927	\$ 56,442,452 (1)	\$ 19,531,452
VPA Fund - 102	-	1,754,879	1,754,879	-
PEG Fund - 103	102,080	31,318	99,024	34,374
CSA Fund - 104	-	1,646,960	1,646,960	-
PGCAA Fund - 410	114,146	250,182	39,454	324,874
Total General Fund	\$ 16,747,203	\$ 63,126,266	\$ 59,982,769	\$ 19,890,700
Fire and Rescue Fund - 120	424,271	722,247	651,062	495,456
Tourism Fund - 109	23,709	16,006	-	39,715
Utility Capital Projects - 502	1,270,017	357,258	270,038	1,357,237
Water and Sewer Fund -501	5,826,193	3,345,447	3,318,319	5,853,321
Unassigned				\$ 13,037,132
Assigned - Revenue Stabilization Reserve				2,472,530
Nonspendable				362,987
Carryforwards				200,448
Capital Maintenance Reserve - Schools				840,216
Capital Maintenance Reserve - Transportation				150,000
Capital Maintenance Reserve - Broadband Capital Investment				200,000
Capital Maintenance Reserve - Economic Development Incentive				10,000
Capital Maintenance Reserve - County				2,617,388
Total General Fund Fund Balance				\$ 19,890,700

(1) Includes use of Capital Maintenance Reserve

Powhatan County
FY 2020 Revenues - PRE-AUDIT
Revenue Summary - Pre-Audit

	FY2020 Adopted	FY2020 Amended	Pre-Audit	Budget - Actual Variance
GENERAL FUND 100				
Real Estate Property Taxes	\$ 32,025,300	\$ 32,025,300	\$ 32,564,402	\$ 539,102
Personal Property Taxes	9,250,750	9,250,750	9,597,125	346,375
Penalties & Interest	525,000	525,000	579,927	54,927
GENERAL PROPERTY TAXES	\$ 41,801,050	\$ 41,801,050	\$ 42,741,454	\$ 940,404
Local Sales Tax	\$ 3,400,000	\$ 3,400,000	\$ 3,845,645	\$ 445,645
All Other	2,500,500	2,500,500	2,892,710	392,210
OTHER LOCAL TAXES	\$ 5,900,500	\$ 5,900,500	\$ 6,738,355	\$ 837,855
Planning & Zoning Fees	\$ 121,300	\$ 121,300	\$ 100,500	\$ (20,800)
Building Permits	537,800	537,800	943,217	405,417
All Other	14,000	14,000	14,701	701
PERMITS, FEES, & LICENSES	\$ 673,100	\$ 673,100	\$ 1,058,418	\$ 385,318
FINES & FORFEITURES	\$ 148,000	\$ 148,000	\$ 127,046	\$ (20,954)
USE OF MONEY & PROPERTY	\$ 173,521	\$ 173,521	\$ 256,333	\$ 82,812
All Other	180,850	203,138	184,156	(18,982)
CHARGES FOR SERVICES	\$ 180,850	\$ 203,138	\$ 184,156	\$ (18,982)
OTHER	\$ 72,000	\$ 757,236	\$ 818,799	\$ 61,563
PPTRA	\$ 3,022,470	\$ 3,022,470	\$ 3,022,472	\$ 2
All Other	1,004,500	1,004,500	1,018,751	14,251
STATE NON-CATEGORICAL	\$ 4,026,970	\$ 4,026,970	\$ 4,041,223	\$ 14,253
STATE SHARED EXPENSES	\$ 2,054,551	\$ 2,084,105	\$ 2,105,332	\$ 21,227
STATE CATEGORICAL AID	\$ 225,540	\$ 231,688	\$ 248,626	\$ 16,938
FEDERAL CATEGORICAL AID	\$ 96,938	\$ 555,782	\$ 417,967	\$ (137,815)
TOTAL GENERAL FUND 100	\$ 55,353,020	\$ 56,555,090	\$ 59,442,927	2,182,619

Powhatan County
FY 2020 Revenues - PRE-AUDIT
Revenue Summary - Pre-Audit

	FY2020 Adopted	FY2020 Amended	Pre-Audit	Budget - Actual Variance
TOTAL VPA FUND 102	\$ 1,763,874	\$ 1,767,142	\$ 1,754,879	\$ (12,263)
TOTAL CSA FUND 104	\$ 1,827,846	\$ 1,827,846	\$ 1,646,960	\$ (180,886)
TOTAL GRANTS FUND 116	\$ 3,500	\$ 3,148,001	\$ 1,158,732	\$ (1,989,269)
TOTAL FIRE AND RESCUE FUND - 120	\$ 687,275	\$ 692,347	\$ 59,349	\$ 29,899
TOTAL CAPITAL PROJECTS FUND - 301	\$ 899,000	\$ 2,199,139	\$ 2,129,139	\$ (70,000)
PGCAA Fund - 410	\$ -	\$ -	\$ 250,182	\$ 250,182
TOTAL WATER AND SEWER FUND - 501	\$ 2,667,712	\$ 2,668,553	\$ 3,345,447	\$ 676,894
TOTAL UTILITY CAPITAL PROJECTS - 502	\$ 188,000	\$ 188,000	\$ 357,258	\$ 169,258

Powhatan County
FY 2020 Revenues - PRE-AUDIT
Revenue Detail - Pre-Audit

Account Description	FY2020 Adopted	FY2020 Amended	Pre-Audit	Budget - Actual Variance
General Fund - 100				
Delinquent RE Taxes	\$ 800,000.00	\$ 800,000.00	\$ 825,490.00	\$ 25,490.00
RE Taxes - 2020	29,840,300.00	29,840,300.00	30,185,835.00	345,535.00
Total Delinquent RE Taxes	<u>\$ 800,000.00</u>	<u>\$ 800,000.00</u>	<u>\$ 825,490.00</u>	<u>\$ 25,490.00</u>
Total Current Real Estate Taxes	<u>\$ 29,840,300.00</u>	<u>\$ 29,840,300.00</u>	<u>\$ 30,185,835.00</u>	<u>\$ 345,535.00</u>
Roll Back Taxes	\$ 25,000.00	\$ 25,000.00	\$ 116,208.00	\$ 91,208.00
Tax Relief for the Elderly	410,000.00	410,000.00	\$ 486,860.00	76,860.00
Total Other RE Taxes	<u>\$ 435,000.00</u>	<u>\$ 435,000.00</u>	<u>\$ 603,068.00</u>	<u>\$ 168,068.00</u>
PSC Taxes	950,000.00	950,000.00	950,009.00	9.00
Total PSC	<u>\$ 950,000.00</u>	<u>\$ 950,000.00</u>	<u>\$ 950,009.00</u>	<u>\$ 9.00</u>
Total Real Estate Taxes	<u>\$ 32,025,300.00</u>	<u>\$ 32,025,300.00</u>	<u>\$ 32,564,402.00</u>	<u>\$ 539,102.00</u>
PP Taxes - Delinquent	-	-	222,723.00	222,723.00
PP Taxes - 2019	3,795,570.00	3,795,570.00	4,560,835.00	765,265.00
PP Taxes - 2020	4,034,380.00	4,034,380.00	3,269,179.00	(765,201.00)
MH Taxes - Delinquent	-	-	541.00	541.00
MH Taxes - 2019	3,500.00	3,500.00	3,313.00	(187.00)
MH Taxes - 2020	3,500.00	3,500.00	1,545.00	(1,955.00)
Motor Carrier Tax - Delinquent	-	-	1,080.00	1,080.00
Motor Carrier Tax - 2019	27,900.00	27,900.00	39,700.00	11,800.00
Motor Carrier Tax - 2020	27,900.00	27,900.00	28,131.00	231.00
M & T Taxes - Delinquent	-	-	5,906.00	5,906.00
M & T Taxes - 2019	189,000.00	189,000.00	217,691.00	28,691.00
M & T Taxes - 2020	189,000.00	189,000.00	209,358.00	20,358.00
Business PP Taxes - Delinquent	-	-	4,425.00	4,425.00
Business PP Taxes - 2019	490,000.00	490,000.00	522,321.00	32,321.00
Business PP Taxes - 2020	490,000.00	490,000.00	510,377.00	20,377.00
TOTAL PERSONAL PROP TAXES	<u>\$ 9,250,750.00</u>	<u>\$ 9,250,750.00</u>	<u>\$ 9,597,125.00</u>	<u>\$ 346,375.00</u>
Penalties	\$ 275,000.00	\$ 275,000.00	\$ 320,900.00	\$ 45,900.00
Interest	250,000.00	250,000.00	\$ 259,027.00	9,027.00
TOTAL PENALTIES & INTEREST	<u>\$ 525,000.00</u>	<u>\$ 525,000.00</u>	<u>\$ 579,927.00</u>	<u>\$ 54,927.00</u>
TOTAL PROPERTY TAXES	<u>\$ 41,801,050.00</u>	<u>\$ 41,801,050.00</u>	<u>\$ 42,741,454.00</u>	<u>\$ 940,404.00</u>
Local Sales and Use Taxes	<u>\$ 3,400,000.00</u>	<u>\$ 3,400,000.00</u>	<u>\$ 3,845,645.00</u>	<u>445,645.00</u>
Moped ATV Sales Tax	-	-	32,523.00	32,523.00
Consumer's Utility Taxes	625,000.00	625,000.00	616,128.00	(8,872.00)
Consumption Tax	104,000.00	104,000.00	92,327.00	(11,673.00)
Business License Taxes	105,000.00	105,000.00	97,651.00	(7,349.00)
Franchise License Taxes	185,000.00	185,000.00	277,071.00	92,071.00
Motor Vehicle License prior years	-	-	253,866.00	253,866.00
Motor Vehicle License 2020	1,055,000.00	1,055,000.00	917,753.00	(137,247.00)
Local Tax on Deeds	400,000.00	400,000.00	582,100.00	182,100.00
Tax on Wills	5,500.00	5,500.00	5,199.00	(301.00)
Transient Occupancy Tax	15,000.00	15,000.00	12,188.00	(2,812.00)
Short Term Rental	6,000.00	6,000.00	5,904.00	(96.00)
TOTAL OTHER LOCAL TAXES	<u>\$ 5,900,500.00</u>	<u>\$ 5,900,500.00</u>	<u>\$ 6,738,355.00</u>	<u>\$ 837,855.00</u>

Powhatan County
FY 2020 Revenues - PRE-AUDIT
Revenue Detail - Pre-Audit

Account Description	FY2020 Adopted	FY2020 Amended	Pre-Audit	Budget - Actual Variance
Dog Tag Sales prior years	\$ -	\$ -	\$ 5,499.00	\$ 5,499.00
Dog Tag Sales 2019	14,000.00	14,000.00	9,202.00	(4,798.00)
Land Use Application Fees	900.00	900.00	980.00	80.00
Transfer Fees	1,000.00	1,000.00	1,227.00	227.00
Zoning Permits	29,500.00	29,500.00	45,063.00	15,563.00
Building Permits	402,000.00	402,000.00	666,323.00	264,323.00
Inspection Fees	800.00	800.00	4,827.00	4,027.00
Electrical Permits	53,000.00	53,000.00	97,854.00	44,854.00
Plumbing Permits	30,000.00	30,000.00	65,333.00	35,333.00
Mechanical Permits	50,000.00	50,000.00	87,479.00	37,479.00
Building Permit-Administration	1,000.00	1,000.00	20,001.00	19,001.00
Burn Permits	1,000.00	1,000.00	1,400.00	400.00
Temporary Business/Planning	200.00	200.00	450.00	250.00
Gas Permits	16,000.00	16,000.00	-	(16,000.00)
Other Permits	4,400.00	4,400.00	-	(4,400.00)
Erosion/Sediment Control	42,000.00	42,000.00	40,402.00	(1,598.00)
Events Permit	500.00	500.00	553.00	53.00
Conditional Use Permits	10,500.00	10,500.00	4,800.00	(5,700.00)
Rezoning Permits	10,500.00	10,500.00	-	(10,500.00)
Subdivision - Preliminary	600.00	600.00	-	(600.00)
Subdivision - Final Plats	2,500.00	2,500.00	5,725.00	3,225.00
Private Road Inspections	200.00	200.00	1,300.00	1,100.00
Non-Subdivision Plat	2,500.00	2,500.00	-	(2,500.00)
TOTAL PERMITS, FEES, LICENSES	\$ 673,100.00	\$ 673,100.00	\$ 1,058,418.00	\$ 385,318.00
Local Fines- Clerk of Circuit Crt	\$ 135,000.00	\$ 135,000.00	\$ 120,419.00	\$ (14,581.00)
Interest on Court Fines/Forf	2,500.00	2,500.00	2,230.00	(270.00)
E-Summons Fee	3,500.00	3,500.00	238.00	(3,262.00)
Library Fines -Lost Books,	7,000.00	7,000.00	4,159.00	(2,841.00)
TOTAL FINES & FORFEITURES	\$ 148,000.00	\$ 148,000.00	\$ 127,046.00	\$ (20,954.00)
Interest - CVB (Regular)	\$ -	\$ -	\$ 12.00	\$ 12.00
Interest CVB - MMA	-	-	1.00	1.00
Interest - BOP -Employee Escrow	-	-	16,545.00	16,545.00
Interest on New Horizon \$500	10,000.00	10,000.00	8,289.00	(1,711.00)
Investment Interest	101.00	101.00	56,983.00	56,882.00
Interest - Bank of Powhatan	15,000.00	15,000.00	17,587.00	2,587.00
Interest Earned Bank Deposits	-	-	-	-
New Horixon CD	-	-	7,218.00	7,218.00
Bank of Essex CD - Interest	6,000.00	6,000.00	-	(6,000.00)
Rent - CSB	66,150.00	66,150.00	66,152.00	2.00
Rent - Use of Comm Buildings	-	-	3,035.00	3,035.00
Rent - Health Dept	12,370.00	12,370.00	12,373.00	3.00
Rent - SPRINT (TOWER)	29,200.00	29,200.00	33,581.00	4,381.00
Library Sales & Services	7,200.00	7,200.00	4,585.00	(2,615.00)
Rent - NEXTEL Tower	16,000.00	16,000.00	17,953.00	1,953.00
Rent - Verizon	5,800.00	5,800.00	6,019.00	219.00
Tower rent - AcelaNet	5,700.00	5,700.00	6,000.00	300.00
TOTAL USE MONEY & PROPERTY	\$ 173,521.00	\$ 173,521.00	\$ 256,333.00	\$ 82,812.00
Sheriff's Fees	\$ 850.00	\$ 850.00	\$ 891.00	\$ 41.00

Powhatan County
FY 2020 Revenues - PRE-AUDIT
Revenue Detail - Pre-Audit

Account Description	FY2020 Adopted	FY2020 Amended	Pre-Audit	Budget - Actual Variance
Court Appointed Atty Fees	2,000.00	2,000.00	3,311.00	1,311.00
Courthouse Maintenance Fees	\$ 8,000.00	\$ 8,000.00	\$ 7,065.00	\$ (935.00)
Clerk Other Local Costs	18,000.00	18,000.00	30,044.00	12,044.00
Sheriff's Fees - Local ONLY	-	-	91.00	91.00
Courthouse Security Fund	32,000.00	32,000.00	28,764.00	(3,236.00)
Jail Admission Fee	2,000.00	2,000.00	1,803.00	(197.00)
Blood Test/ DNA Fee	250.00	250.00	335.00	85.00
Parking Tickets	-	-	20.00	20.00
E-Summons - General Dist Ct	15,000.00	15,000.00	9,471.00	(5,529.00)
Passport Revenue	-	22,288.00	23,163.00	875.00
Courthouse Construction Fee	12,000.00	12,000.00	10,608.00	(1,392.00)
Commonwealth's Atty Fees	1,500.00	1,500.00	1,316.00	(184.00)
Animal Protection	2,000.00	2,000.00	2,195.00	195.00
False Alarm Fines	1,000.00	1,000.00	301.00	(699.00)
Animal Adoption-Spayed/Neuter	750.00	750.00	889.00	139.00
Donations-Sheriff's Dept K-9	-	-	1,844.00	1,844.00
Waste Collections/Disposal	65,000.00	65,000.00	46,513.00	(18,487.00)
Recreation Fees - Parks & Rec	9,000.00	9,000.00	6,985.00	(2,015.00)
Facility Use Fees - Parks and Rec	4,000.00	4,000.00	3,847.00	(153.00)
Travel Ball Field fees	6,000.00	6,000.00	2,760.00	(3,240.00)
Non-resident fees	1,000.00	1,000.00	-	(1,000.00)
Sale of Maps, Plats, Surveys	500.00	500.00	40.00	(460.00)
Agriculture Exemption	-	-	1,900.00	1,900.00
TOTAL CHARGES FOR SERVICES	\$ 180,850.00	\$ 203,138.00	\$ 184,156.00	\$ (18,982.00)
Sheriff - Reimbursables	\$ -	\$ 24,350.00	\$ 24,350.00	\$ -
E/R - Social Services	-	-	3,505.00	3,505.00
E/R - Schools	40,000.00	65,000.00	65,000.00	-
E/R - Other	-	-	1,061.00	1,061.00
E/R - Health Dept	4,000.00	4,000.00	4,654.00	654.00
Administrative Fee-Treasurer	20,000.00	20,000.00	30,193.00	10,193.00
Sale of Equipment	-	-	2,891.00	2,891.00
Donations - Library	-	-	4,467.00	4,467.00
Credit Card Fees	-	-	17,051.00	17,051.00
D.A.R.E.(Drug Awareness)	-	-	200.00	200.00
Solicitor's Permit	-	-	600.00	600.00
Training class fees	-	-	914.00	914.00
Returned Check Fees	-	-	1,411.00	1,411.00
Clerk Miscellaneous Fees	8,000.00	8,000.00	6,036.00	(1,964.00)
Restitution Payments	-	-	2,696.00	2,696.00
Miscellaneous	-	-	17,884.00	17,884.00
TOTAL OTHER	\$ 72,000.00	\$ 121,350.00	\$ 182,913.00	\$ 61,563.00
Recordation Taxes-State Fax	\$ 125,000.00	\$ 125,000.00	\$ 110,506.00	\$ (14,494.00)
Mobile Home Titling Taxes	4,800.00	4,800.00	14,309.00	9,509.00
Tax on Deeds (Grantor's Tax)	100,000.00	100,000.00	132,510.00	32,510.00
Railroad Rolling Stock Taxes	9,700.00	9,700.00	18,788.00	9,088.00
Auto Rental Tax	\$ 30,000.00	\$ 30,000.00	\$ 28,857.00	\$ (1,143.00)
PPTRA - State Reimbursement	3,022,470.00	3,022,470.00	3,022,472.00	2.00
Communications Tax	735,000.00	735,000.00	713,781.00	(21,219.00)
TOTAL NON-CAT STATE	\$ 4,026,970.00	\$ 4,026,970.00	\$ 4,041,223.00	\$ 14,253.00

Powhatan County
FY 2020 Revenues - PRE-AUDIT
Revenue Detail - Pre-Audit

Account Description	FY2020 Adopted	FY2020 Amended	Pre-Audit	Budget - Actual Variance
Commonwealth's Attorney	\$ 267,495.00	\$ 267,495.00	\$ 268,102.00	607.00
Sheriff	1,257,221.00	1,257,221.00	1,237,350.00	(19,871.00)
Commissioner of the Revenue	122,196.00	122,196.00	122,814.00	618.00
Treasurer	117,881.00	117,881.00	117,280.00	(601.00)
Registrar/Electoral Boards	42,000.00	42,000.00	63,331.00	21,331.00
Clerk of the Circuit Court	247,758.00	277,312.00	296,455.00	19,143.00
TOTAL SHARED STATE	\$ 2,054,551.00	\$ 2,084,105.00	\$ 2,105,332.00	\$ 21,227.00
Miscellaneous State Revenue	\$ 1,500.00	\$ 1,500.00	\$ 3,090.00	1,590.00
Animal Funds (spay/neuter)	-	-	223.00	223.00
Library State Aid - Quarterly	120,433.00	126,581.00	126,581.00	-
Animal Friendly License Plates	-	-	837.00	837.00
Victim/Witness Assistance	15,232.00	15,232.00	13,190.00	(2,042.00)
CSA	-	-	10,787.00	10,787.00
VJCCA Grant (State)	8,375.00	8,375.00	8,468.00	93.00
E911 Wireless	80,000.00	80,000.00	85,450.00	5,450.00
TOTAL CATEGORICAL STATE	\$ 225,540.00	\$ 231,688.00	\$ 248,626.00	\$ 16,938.00
Victim Witness	\$ 45,696.00	\$ 45,696.00	\$ 39,573.00	\$ (6,123.00)
FEMA	-	-	39,130.00	39,130.00
TANF Funds (PCCAA)	15,000.00	93,750.00	93,568.00	(182.00)
CSBG Funds (PCCAA) Federal	36,242.00	200,226.00	162,447.00	(37,779.00)
CSBG - Emergency COVID	-	216,110.00	83,249.00	(132,861.00)
TOTAL CATEGORICAL FEDERAL	\$ 96,938.00	\$ 555,782.00	\$ 417,967.00	\$ (137,815.00)
Insurance Recoveries	\$ -	\$ 38,376.00	\$ 38,376.00	\$ -
Bond Proceeds	-	597,510.00	597,510.00	-
TOTAL OTHER	\$ -	\$ 635,886.00	\$ 635,886.00	\$ -
Transfer From Grants Fund	\$ -	\$ -	\$ 705,218.00	\$ 705,218.00
TOTAL TRANSFERS IN	\$ -	\$ -	\$ 705,218.00	\$ 705,218.00
TOTAL GENERAL FUND 100	\$ 55,353,020.00	\$ 56,555,090.00	\$ 59,442,927.00	\$ 2,887,837.00

Powhatan County
FY 2020 Revenues - PRE-AUDIT
Revenue Detail - Pre-Audit

Account Description	FY2020 Adopted	FY2020 Amended	Pre-Audit	Budget - Actual Variance
Va Public Assist Fund - 102				
Local Revenue	\$ -	\$ -	\$ 434.00	434.00
State Revenue	410,696.00	410,696.00	325,855.00	(84,841.00)
Federal Revenue	745,974.00	745,974.00	882,162.00	136,188.00
Transfer from General Fund	607,204.00	610,472.00	546,428.00	(64,044.00)
TOTAL VA PUBLIC ASSIST FUND 102	\$ 1,763,874.00	\$ 1,767,142.00	\$ 1,754,879.00	\$ (12,263.00)
CSA Fund - 104				
State Revenue	\$ 931,181.00	\$ 931,181.00	\$ 825,550.00	\$ (105,631.00)
Transfer from General Fund	896,665.00	896,665.00	821,410.00	(75,255.00)
TOTAL CSA FUND - 104	\$ 1,827,846.00	\$ 1,827,846.00	\$ 1,646,960.00	\$ (180,886.00)
Grants Fund - 116				
Revenues	\$ 3,500.00	\$ 3,148,001.00	\$ 1,158,732.00	\$ (1,989,269.00)
TOTAL GRANTS FUND - 116	\$ 3,500.00	\$ 3,148,001.00	\$ 1,158,732.00	\$ (1,989,269.00)
Fire and Rescue Fund - 120				
Transport fees	\$ 558,199.00	\$ 558,199.00	\$ 600,863.00	\$ 42,664.00
State Revenue	129,076.00	134,148.00	102,148.00	(32,000.00)
Federal Revenue	-	-	19,235.00	19,235.00
TOTAL FIRE AND RESCUE FUND - 120	\$ 687,275.00	\$ 692,347.00	\$ 722,246.00	\$ 29,899.00
Capital Projects Fund - 301				
Interest	\$ -	\$ 208,098.00	\$ 208,098.00	\$ -
Bond Proceeds	-	-	-	-
Insurance recoveries	-	17,050.00	17,050.00	-
Lease Proceeds	-	-	-	-
Revenue from Commonwealth	-	70,000.00	-	(70,000.00)
Transfer from General Fund	899,000.00	1,903,991.00	1,903,991.00	-
TOTAL CAPITAL PROJECTS FUND - 301	\$ 899,000.00	\$ 2,199,139.00	\$ 2,129,139.00	\$ (70,000.00)
PGCAA Fund - 410				
Revenues	\$ -	\$ -	\$ 250,182.00	\$ 250,182.00
TOTAL PGCAA FUND - 410	\$ -	\$ -	\$ 250,182.00	\$ 250,182.00

Powhatan County
FY 2020 Revenues - PRE-AUDIT
Revenue Detail - Pre-Audit

Account Description	FY2020 Adopted	FY2020 Amended	Pre-Audit	Budget - Actual Variance
Water and Sewer Fund - 501				
Revenues	\$ 407,450.00	\$ 407,450.00	\$ 995,338.00	\$ 587,888.00
Capital Contributions	-	-	88,000.00	88,000.00
Transfer from Utility Capital Projects	166,000.00	166,000.00	166,000.00	-
Transfer from Grants Fund	-	-	1,006.00	1,006.00
Transfer from General Fund	2,094,262.00	2,095,103.00	2,095,103.00	-
TOTAL WATER AND SEWER FUND - 501	\$ 2,667,712.00	\$ 2,668,553.00	\$ 3,345,447.00	\$ 676,894.00
Utilities Capital Projects - 502				
Connection Fees	\$ 166,000.00	\$ 166,000.00	\$ 200,258.00	\$ 34,258.00
Transfer from General Fund	22,000.00	22,000.00	157,000.00	135,000.00
TOTAL UTILITY CAPITAL PROJECTS - 50	\$ 188,000.00	\$ 188,000.00	\$ 357,258.00	\$ 169,258.00

Powhatan County
FY 2020 Expenditures - PRE-AUDIT
Expenditure Summary - Pre-Audit

	FY2020 Adopted	FY2020 Amended	Pre-Audit	Budget - Actual Variance
Administration				
Board of Supervisors	\$ 87,594	\$ 102,094	\$ 83,780	\$ 18,314
County Administrator	364,553	366,184	366,171	13
Finance	427,356	423,777	418,364	5,413
County Attorney	121,800	121,800	121,673	127
Human Resources	233,188	228,468	208,116	20,352
Commissioner Revenue	553,859	555,525	555,524	1
Reassessment	223,000	223,000	199,986	23,014
Treasurer	592,656	602,151	602,150	1
Information Technology	585,824	586,257	558,787	27,470
Risk Management	166,500	166,500	163,602	2,898
Electoral Board/Registrar	251,300	251,300	227,485	23,815
Tax Relief for the Elderly	410,000	410,000	486,860	(76,860)
Subtotal	\$ 4,017,630	\$ 4,037,056	\$ 3,992,498	\$ 44,558
Judicial				
Circuit Court	\$ 16,600	\$ 16,600	\$ 11,334	\$ 5,266
General District Court	17,000	17,000	9,159	7,841
Clerk of the Circuit Court	451,266	510,648	493,453	17,195
Commonwealth's Attorney	501,761	501,761	498,595	3,166
Juvenile Court Services	21,949	21,949	17,725	4,224
Detention	714,120	714,120	673,067	41,053
Subtotal	\$ 1,722,696	\$ 1,782,078	\$ 1,703,333	\$ 78,745
Public Safety				
Sheriff's Office	\$ 3,893,354	\$ 4,042,333	\$ 3,913,703	\$ 128,630
E911 Dispatch	1,254,086	1,273,578	1,255,647	17,931
Victim Witness Grant	87,645	87,645	80,023	7,622
Animal Control	347,725	361,590	361,555	35
Medical Examiner	2,000	2,000	160	1,840
Fire & Rescue	1,896,829	2,137,751	2,137,751	-
Company 1 Fire Station	41,630	44,410	40,142	4,268
Company 2 Fire Station	73,700	68,700	67,287	1,413
Emergency Management	46,143	52,061	50,808	1,253
Subtotal	\$ 7,643,112	\$ 8,070,068	\$ 7,907,076	\$ 162,992

Powhatan County
FY 2020 Expenditures - PRE-AUDIT
Expenditure Summary - Pre-Audit

	FY2020 Adopted	FY2020 Amended	Pre-Audit	Budget - Actual Variance
Public Works				
Facilities	\$ 787,338	\$ 756,343	\$ 756,343	\$ -
Convenience Center	626,542	697,866	697,866	-
Public Works Administration	433,077	425,077	424,776	301
Grounds/Parks	351,067	340,301	326,792	13,509
Athletic Fields	171,000	171,000	142,547	28,453
Recreation	\$ 120,127	\$ 120,323	\$ 97,855	\$ 22,468
Subtotal	\$ 2,489,151	\$ 2,510,910	\$ 2,446,179	\$ 64,731
Health and Welfare				
Health Department	\$ 215,520	\$ 217,638	\$ 217,638	\$ -
Free Clinic Nurse	-	255	254	1
CSB	281,860	279,742	278,791	951
Social Services Board	5,160	4,905	2,153	2,752
PCAA	51,242	510,086	339,264	170,822
Subtotal	\$ 553,782	\$ 1,012,626	\$ 838,100	\$ 174,526
Community Development				
Economic Development	\$ 277,641	\$ 277,641	\$ 267,743	\$ 9,898
Planning and Zoning	522,591	528,141	509,763	18,378
Building Inspections	371,801	374,074	360,941	13,133
Code Enforcement	15,000	15,000	13,900	1,100
GIS	150,126	150,126	95,436	54,690
Subtotal	\$ 1,337,159	\$ 1,344,982	\$ 1,247,783	\$ 97,199
Cultural / Other				
Library	\$ 486,125	\$ 497,834	\$ 473,435	\$ 24,399
Extension Service	86,355	86,355	81,025	5,330
Contributions	201,830	201,830	198,952	2,878
Salary Adjustments/payouts	166,069	-	-	-
Contingency Fund	84,459	41,516	-	41,516
Subtotal	\$ 1,024,838	\$ 827,535	\$ 753,412	\$ 74,123
Debt Service	\$ 9,711,771	\$ 10,086,245	\$ 10,086,244	\$ 1
Subtotal	9,711,771	10,086,245	10,086,244	1
Total without transfers	\$ 28,500,139	\$ 29,671,500	\$ 28,974,625	\$ 696,875

Powhatan County
FY 2020 Expenditures - PRE-AUDIT
Expenditure Summary - Pre-Audit

	FY2020 Adopted	FY2020 Amended	Pre-Audit	Budget - Actual Variance
Transfers:				
Transfer to VPA Fund	\$ 607,204	\$ 610,472	\$ 546,298	\$ 64,174
Transfer to CSA Fund	896,665	896,665	821,410	75,255
Transfer to Grants Fund	-	500	-	500
Transfer to School Fund	23,346,750	23,346,750	22,003,016	1,343,734
Transfer to Capital Projects	899,000	1,845,000	1,845,000	-
Transfer to Sewer Fund	2,094,262	2,095,103	2,095,103	-
Transfer to Utility Capital Project	22,000	157,000	157,000	-
Total Transfers	\$ 27,865,881	\$ 28,951,490	\$ 27,467,827	\$ 1,483,663
Total General Fund - 100	\$ 56,366,020	\$ 58,622,990	\$ 56,442,452	\$ 2,180,538
Total VPA Fund - 102	\$ 1,763,874	\$ 1,767,142	\$ 1,754,879	\$ 12,263
Total CSA Fund - 104	\$ 1,827,846	\$ 1,827,846	\$ 1,646,960	\$ 180,886
Total Grant Fund - 116	\$ 3,500	\$ 3,148,001	\$ 1,159,308	\$ 1,988,693
Total Fire and Rescue Fund - 120	\$ 687,275	\$ 829,516	\$ 651,062	\$ 178,454
Total Capital Projects Fund - 301	\$ 899,000	\$ 22,966,006	\$ 6,958,790	\$ 16,007,216
Total PGCAA Fund - 410	\$ -	\$ -	\$ 39,454	\$ (39,454)
Total Water and Sewer Fund - 501	\$ 2,667,712	\$ 2,668,553	\$ 3,318,319	\$ (649,766)
Total Utilities Capital Project - 502	\$ 188,000	\$ 733,144	\$ 270,038	\$ 463,106

**Powhatan County
Five Year History
Delinquent Real Estate Taxes**

	<u>FY 2020</u>	<u>FY 2019</u>	<u>FY 2018</u>	<u>FY 2017</u>	<u>FY 2016</u>
Delinquent Real Estate Taxes	825,490.58	913,296.50	826,094.20	801,372.71	1,173,360.23
Penalties	320,899.65	335,205.11	299,732.45	275,563.75	326,928.24
Interest	209,357.97	270,634.86	234,639.08	259,725.44	307,228.92

Powhatan County

PRE-AUDIT

General Fund

Fund Balance and Capital Maintenance Reserve

June 30, 2020

Board Policy: Fund Balance shall be 15% of the Operating Revenues of the Same Fiscal Year

<u>Fiscal Year 2020 Operating Revenue net of transfers:</u>	Pre-Audit
General Fund	\$ 58,737,709
Social Services Fund	1,208,451
CSA Fund	825,550
School Operating Fund	25,020,158
School Cafeteria Fund	1,122,342
Total Revenues (Net)	<u>\$ 86,914,210</u>
Fund Balance at June 30, 2020	\$ 19,890,700
Fund Balance as % of FY 2020 Operating Revenues	22.9%
Fund Balance at 15%	<u>13,037,132</u>
Fund Balance in excess of 15%	<u>\$ 6,853,569</u>
Less "Nonspendable" Fund Balance	\$ (362,987)
Less Carryforwards to FY 2021	(200,448)
Less Schools Capital Maintenance Reserve	(840,216)
Less Transportation Capital Maintenance Reserve	(150,000) *
Less Broadband Capital Investment Reserve	(200,000)
Less Economic Incentive Program	(10,000)
Less: Revenue Stabilization Fund	(2,472,530)
Capital Maintenance Reserve Fund	<u>\$ 2,617,388</u>

* This represents money set aside for Revenue Sharing matching funds for local VDOT projects

**Powhatan County
General Fund
Revenue Stabilization Reserve
June 30, 2020**

PRE-AUDIT

**Board Policy: Reserve shall be 3% of the General Fund budget,
plus non-local portion of the School Operating budget**

<u>Fiscal Year 2021 Budget:</u>	Pre-Audit
General Fund	\$ 55,608,505
School Operating Fund	26,809,156
Total Revenues (Net)	<u>\$ 82,417,661</u>
3% of FY 2021 Budget above	<u>\$ 2,472,530</u>

Powhatan County
Carryforward from FY 2020 Budget to FY 2021 Budget

Description	FY 2020 Budget	FY 2020 Pre-Audit	FY 2020 Unspent Budget	FY 2021 Requested Carryforwards Recurring	FY 2021 Requested Carryforward s One-time
General Fund:					
FY 2020 In Process:					
Passport PTE	\$ 27,836	\$ 26,070	\$ 1,766	\$ 1,766	\$ -
Other Identified Needs:					
Administration Building Painting	-	-	-	-	25,990
PCAA - Unspent Grant Funds	-	-	-	-	172,692
Total General Fund	<u>\$ 27,836</u>	<u>\$ 26,070</u>	<u>\$ 1,766</u>	<u>\$ 1,766</u>	<u>\$ 198,682</u>
Utility Fund					
Line Stop Repair	\$ -	\$ -	\$ -	\$ -	\$ 40,000
Meter Installation	-	-	-	-	30,000
Total Utility Fund	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 70,000</u>
				Total GF	<u>\$ 200,448</u>
				Total W&S Fund	<u>\$ 70,000</u>



AGENDA ITEM 10A

Ordinance O-2020-13 (Case #20-02-AZ)
Elimination of Single Cut Subdivisions



Powhatan County Board of Supervisors Agenda Item

Meeting Date: September 28, 2020

Agenda Item Title: **Ordinance O-2020-13 (Case #20-02-AZ):** The **County of Powhatan** requests the amendment of provisions set forth in several sections of Chapter 68 (Subdivision Ordinance) and Chapter 83 (Zoning Ordinance) to eliminate single cut subdivisions; remove references to single cut subdivisions within Chapter 68 (Subdivision Ordinance) and Chapter 83 (Zoning Ordinance); and to remove language within Chapter 68 (Subdivision Ordinance) and Chapter 83 (Zoning Ordinance) referring to parent tracts as parcels lawfully recorded prior to April 18, 1988.

Motion: In accordance with public necessity, convenience, general welfare, and good planning practices, the Powhatan County Board of Supervisors (*approves / denies / defers*) Ordinance #O-2020-13.

Dates Previously Considered by Board: N/A

Summary of Item: The proposed amendment would eliminate *single cut subdivisions* [Subdivision Ordinance: Sec. 68-114]. References to *single cut subdivisions* (and some references to *parent tracts*) would also be removed from other portions of the County Code.

A *single cut subdivision* involves the division of a *parent tract*, which is a parcel platted prior to April 18, 1988. If a parcel created prior to that date has not been divided or changed, an additional lot (at least two acres in size) may be created as part of a *single cut subdivision*. In most other instances (except for *family subdivisions*), the minimum lot area within the Agricultural-10 (A-10) zoning district (where most *single cut subdivisions* occur) is ten acres.

On September 1, 2020, the Planning Commission voted to **recommend approval** of this request (Vote: 4 – 1).

Staff: Approve Disapprove See Comments

Commission/Board: Approve Disapprove See Comments

Comments:

Budget/Fiscal Impact:

Attachments: Draft Ordinance
Staff Report

Staff/Contact: Andrew J. Pompei, AICP, CZA (Planning Director)
(804) 598-5621 ext. 2006
apompei@powhatanva.gov

If Board members have questions, please call the staff / contact prior to the meeting.



20-02-AZ

County of Powhatan

Amend the Powhatan County Subdivision Ordinance and Zoning Ordinance
to Eliminate Single Cut Subdivisions

Staff Report Prepared for the Board of Supervisors
September 28, 2020

I. PUBLIC MEETINGS

Planning Commission	February 4, 2020	Workshop
	March 3, 2020	Workshop
	August 18, 2020	Public Hearing (Deferred until Sept. 1, 2020: 5 – 0)
	September 1, 2020	Old Business (Recommended Approval: 4 – 1)
Board of Supervisors	September 28, 2020	Public Hearing

II. SUMMARY OF AMENDMENT

The proposed amendment would eliminate *single cut subdivisions* [Subdivision Ordinance: Sec. 68-114]. References to *single cut subdivisions* (and some references to *parent tracts*) would also be removed from other portions of the County Code.

III. ADDITIONAL INFORMATION

Current Situation

Overview: Single Cut Subdivisions

A *single cut subdivision* involves the division of a *parent tract*, which is a parcel platted prior to April 18, 1988.¹ If a parcel created prior to that date has not been divided or changed, an additional lot (at least two acres in size) may be created as part of a *single cut subdivision*. In most other instances (except for *family subdivisions*), the minimum lot area within the Agricultural-10 (A-10) zoning district (where most *single cut subdivisions* occur) is ten acres.²

¹ See Sec. 68-301 (Subdivision Ordinance: Definitions) and Sec. 83-521 (Zoning Ordinance: Definitions).

Ownership is not used to determine whether a parcel is a *parent tract* eligible for a *single cut subdivision*. A *parent tract* is a parcel that existed in its current configuration prior to April 18, 1988 (regardless of current or previous ownership).

² Sec. 83-107(b) states that the minimum lot size for a lot created as part of a *single cut subdivision* is two acres, with the residual parcel being two acres (if the parcel has frontage on a public road). Therefore, a *parent tract* as small as four (4) acres may be eligible for a *single cut subdivision*, if it has at least 430 feet of road frontage. Approximately 82.5% of Powhatan County is zoned A-10.

Number of Single Cut Subdivisions (2016 – 2019)				
Year	2016	2017	2018	2019
No. of Single Cut Subdivisions	15	13	5	3

Attachment #1 shows the location of *single cut subdivisions* that were approved in 2016, 2017, 2018, and 2019.³

Creating a Single Cut Subdivision

A parcel may be eligible for a *single cut subdivision*, if the following criteria are met:

- *Date of Existence*

The parcel being divided must be a *parent tract* that existed in its current configuration prior to April 18, 1988 (Note: Ownership is not used to determine whether a parcel is a *parent tract* eligible for a *single cut subdivision*).

- *Dimensional Standards*

If the *parent tract* is zoned A-10 and located on a public road, the parcel must have at least 430 feet of road frontage and be at least four acres in area. The newly-created lot and the residual parcel each must be at least two acres and have 215 feet of road frontage (and 215 feet of width at the building line).

If the *parent tract* is zoned A-10 and located on a private road, the parcel must have at least 430 feet of road frontage and be at least 12 acres in area. The newly-created lot must have at least 215 feet of road frontage and be at least two acres, while the residual parcel must have at 215 feet of road frontage and be at least 10 acres. The private road must be upgraded to state specifications to the newly-created lot.

If a *parent tract* is eligible to be divided as a *single cut subdivision*, the property owner would submit a non-subdivision application to the Department of Community Development for review. If the application is approved, the associated plat may be submitted to the Clerk of the Circuit Court for recordation.

Only one parcel can be created from a *parent tract* through a *single cut subdivision*.

³ Since the current Powhatan County Subdivision Ordinance was adopted in 2017, creating *flag lots* as part of *single cut divisions* has been prohibited. Sec. 68-300 states that *flag lots* “shall not be permitted except for family divisions and lots along a cul-de-sac's circular turnaround.” As part of Case #18-04-AZ, the Board of Supervisors considered allowing *flag lots* to be created as part of *single cut subdivisions*. On August 27, 2018, the proposed amendment was denied by the Board of Supervisors.

Example: Recorded Single Cut Subdivision	
	
Original Parcel (Parent Tract)	6.09 acres
Parcel A (Residual Parcel)	3.60 acres
Parcel B (Single Cut Subdivision)	2.49 acres
Approval Date	September 25, 2019

Proposed Amendment

The proposed amendment would eliminate *single cut subdivisions* [Subdivision Ordinance: Sec. 68-114].

Both the Powhatan County Subdivision Ordinance (Chapter 68) and the Powhatan County Zoning Ordinance (Chapter 83) establish requirements for *single cut subdivisions*. If Sec. 68-114 is repealed, references to *single cut subdivisions* (and some references to *parent tract*) in other parts of the County Code would have to be removed:

- Sec. 68-103(1)(i) (Director of Community Development)
- Sec. 68-108 (Certification and Recordation)
- Sec. 68-109(a) (Effect)
- Sec. 68-111(b)(1)(b) (Private Roads: Eligibility)
- Sec. 68-125 (Family Division)
- Sec. 68-236 (Subdivision Plat Requirements for Single Cut, Minor, and Family Div.)
- Sec. 68-301 (Definitions)
- Sec. 83-107(b) (Use Districts: Minimum Lot Size Reference Chart)
- Sec. 83-521 (Definitions)

IV. COMPREHENSIVE PLAN ANALYSIS

Many parcels zoned A-10 (where *single cut subdivisions* are permitted) are located within areas designated *Rural Preservation* and *Rural Residential*. These land use designations are intended to accommodate very low-density residential development (p. 58):

- *Rural Preservation*: 1 unit per 8 acres – 1 unit per 10 acres
- *Rural Residential*: 1 unit per 5 acres – 1 unit per 10 acres

Objective LU.2 states that “when development occurs in rural areas, the preferred form of development is conservation subdivisions, with smaller lots and preserved open space at an overall low-density consistent with a rural character” (p. 59).

Allowing additional lots as small as two (2) acres to be created in these areas (outside of conservation subdivisions) would not be consistent with the aforementioned recommendations.

V. STAFF RECOMMENDATION

The Department of Community Development **recommends approval** of the proposed amendment. Eliminating options for *single cut subdivisions* would:

- Align with recommendations made in the 2019 Long-Range Comprehensive Plan;
- Reduce development potential within rural areas (where additional residential development is discouraged); and
- Help ensure that newly-created lots are compatible with surrounding uses.⁴

VI. PLANNING COMMISSION REVIEW

Workshops

The Planning Commission discussed this issue at workshops on February 4, 2020 and March 3, 2020.

Public Hearing: August 18, 2020

A public hearing regarding this request was held on August 18, 2020. Five (5) members of the public expressed opposition to this request, citing the following concerns:

- Additional development restrictions (infringing on property rights).
- Potential negative financial impacts to property owners.

One member of the public submitted written comments to the Planning/Zoning Department opposing this request (Attachment #2).

After the public hearing, the Planning Commission discussed the following issues:

- Potential negative impacts to property owners.
- Public outreach and awareness regarding the proposed ordinance amendment.

⁴ Currently, the average lot size of parcels zoned A-10 is 17.85 acres, while the median lot size is 5.16 acres.

The Planning Commission voted to **defer** this request (Vote: 5 – 0) to the meeting on September 1, 2020, allowing additional time for members of the public to learn about the proposed ordinance amendment.

Old Business: September 1, 2020

On September 1, 2020, this request was discussed as *Old Business*.⁵

The Planning Commission discussed the option of continuing to allow *single cut subdivisions*, provided that the residual parcel meets the minimum lot area requirements for the applicable zoning district.

After further discussion, the Planning Commission ultimately voted to **recommend approval** of this request (Vote: 4 – 1).

VII. RESOLUTION

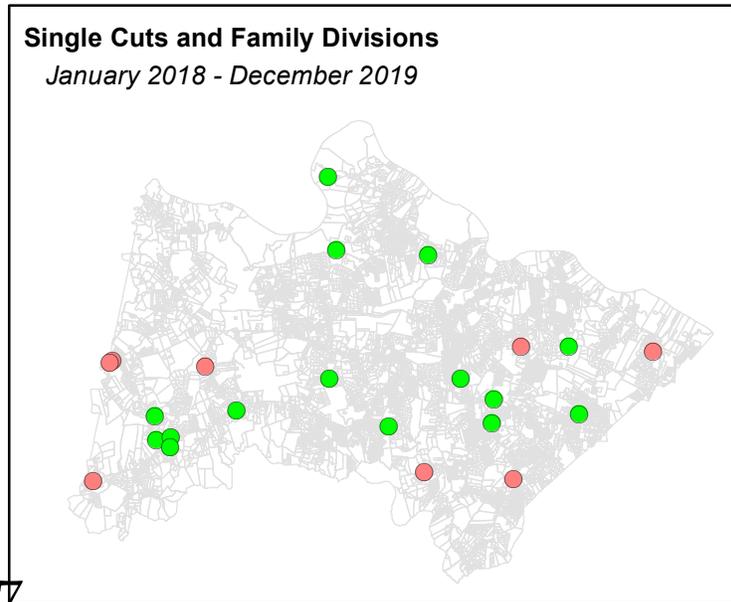
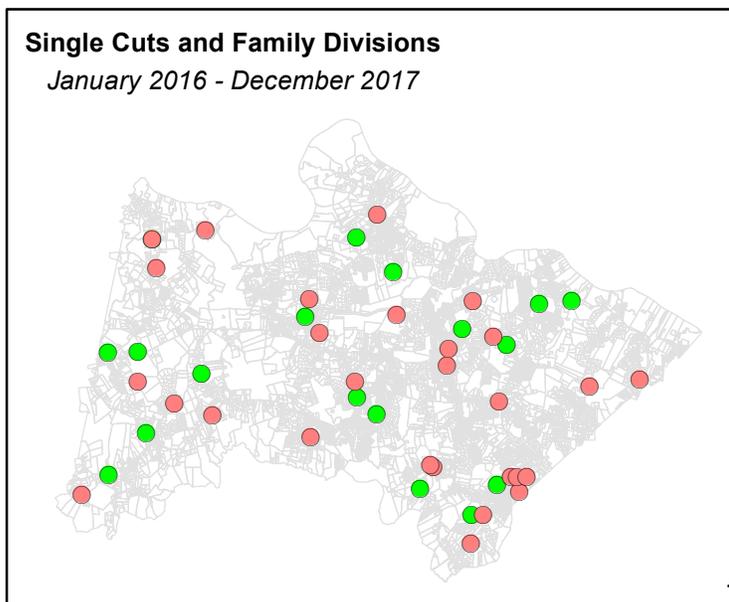
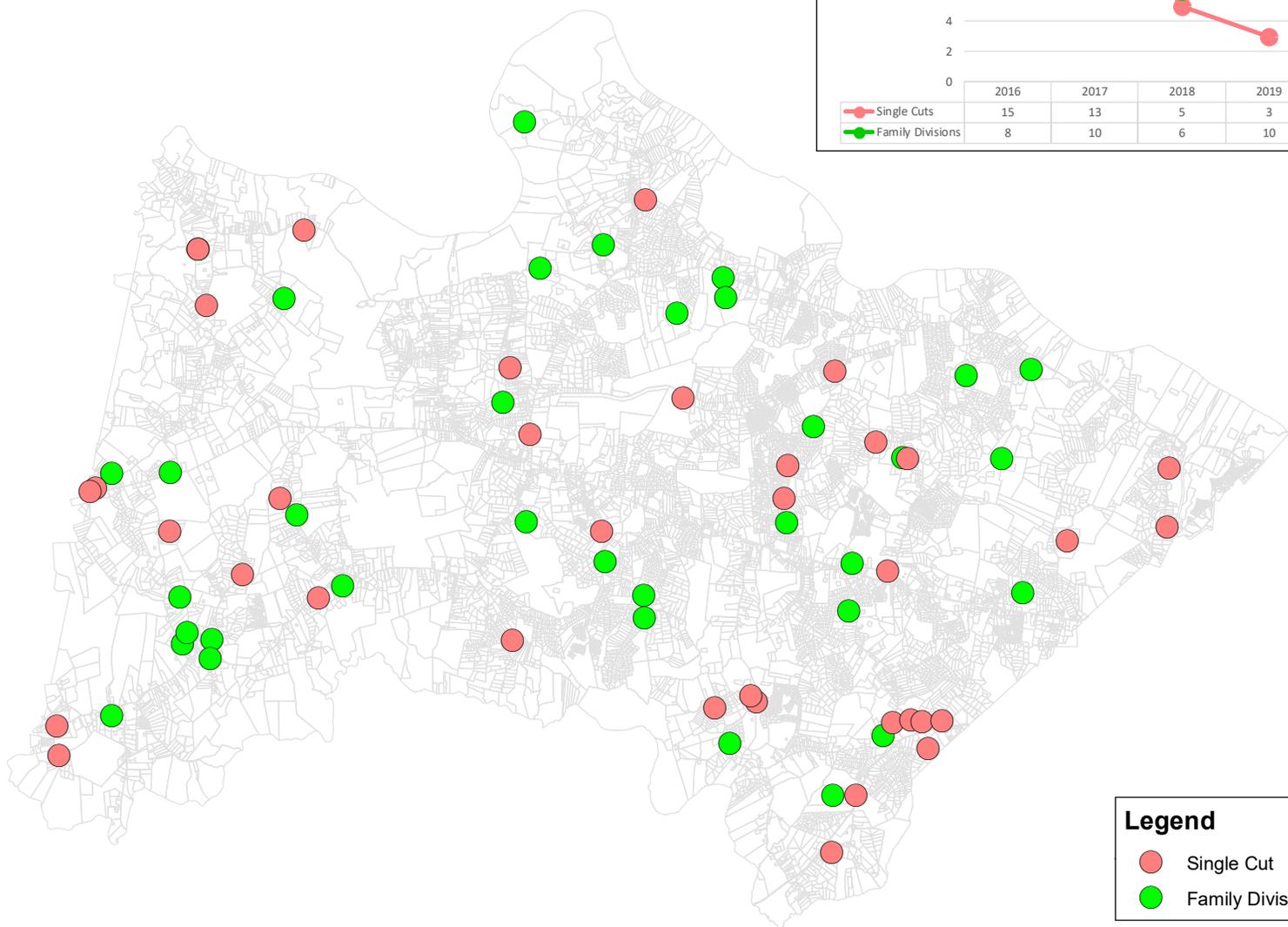
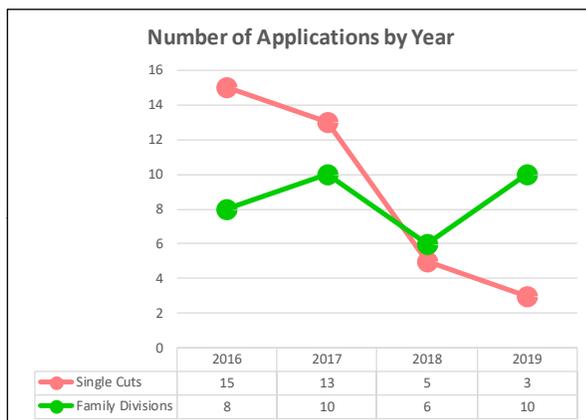
In accordance with public necessity, convenience, general welfare, and good planning practices, the Powhatan County Board of Supervisors (*approves / denies / defers*) the request submitted by the County of Powhatan to eliminate *single cut subdivisions*; remove references to *single cut subdivisions* within Chapter 68 (Subdivision Ordinance) and Chapter 83 (Zoning Ordinance); and to remove language within Chapter 68 (Subdivision Ordinance) and Chapter 83 (Zoning Ordinance) referring to *parent tracts* as parcels lawfully recorded prior to April 18, 1988.

Attachments

1. Map of Single Cut Divisions (2016 – 2019)
2. Public Comments Submitted Directly to the Planning/Zoning Department (prior to Sept. 17, 2020)

⁵ Since the public hearing was held on August 18, 2020 and was closed, two members of the public expressed opposition to this request during the general public comment period.

Single Cuts and Family Divisions (2016-2019)



Andrew Pompei, CZA, AICP

From: Joey Paquette <joey@joeypaquette.com>
Sent: Tuesday, August 18, 2020 3:19 PM
To: Andrew Pompei, CZA, AICP
Subject: 20-02-AZ comments

Hey Andrew, I will not be able to make the meeting tonight but would like to express my concerns with the proposed amendment. Could you please include this email to the PC.

This amendment will take away from the private property rights of the land owners of the county. Between the elimination of the flag lots and now another proposal making it that much more difficult to subdivide your land.

The costs of land and houses in Powhatan county continue to rise at an alarming rate due to the lack of inventory. There are currently 2 active houses for sale in Powhatan right now under 200k and both of those are fixer uppers that are sold as is. The first time home buyer would not be able to finance these.

Local businesses, land owners, builders and anyone who would hope to live in Powhatan county will be negatively affected by this proposal.

The recommendation says to pass this based on the future land use plan, however it is not consistent with the housing section of the comprehensive plan.

"Affordability- Maintaining quality affordable housing can help the county attract a diverse workforce. Traditionally, the Commonwealth characterizes affordable housing as that which residents with incomes at or below the area median income can afford, provided they pay no more than 30 percent of their gross income for gross housing costs, including utilities."

"Goals-Powhatan County will have a diverse range of housing that provides living opportunities for residents at all stages of their life."

In my opinion the county has done very little if anything to meet the housing goals listed in the comp plan. It would be nice if the leadership of this county would start exploring solutions to the housing issues, instead of continuing to take away private property rights. We have a glaring issue of housing affordability and a diversity of housing and this will only make matters worse.

Please vote against the proposed addendum. Thank you.

Joey Paquette
Associate Broker
Village Concepts Realty Group
2603 Anderson Highway
Powhatan VA 23139
Cell- (804) 698-9424
<https://www.facebook.com/joeypaquetterealestate/>

ORDINANCE O-2020-13

AN ORDINANCE AMENDING THE POWHATAN COUNTY CODE OF ORDINANCES TO AMEND PROVISIONS SET FORTH IN SEVERAL SECTIONS OF CHAPTER 68 (SUBDIVISION ORDINANCE) AND CHAPTER 83 (ZONING ORDINANCE) TO ELIMINATE SINGLE CUT SUBDIVISIONS; REMOVE REFERENCES TO SINGLE CUT SUBDIVISIONS WITHIN CHAPTER 68 (SUBDIVISION ORDINANCE) AND CHAPTER 83 (ZONING ORDINANCE); AND TO REMOVE LANGUAGE WITHIN CHAPTER 68 (SUBDIVISION ORDINANCE) AND CHAPTER 83 (ZONING ORDINANCE) REFERRING TO PARENT TRACTS AS PARCELS LAWFULLY RECORDED PRIOR TO APRIL 18, 1988.

WHEREAS, Sections 15.2-1427 and 15.2-1433 of the Code of Virginia, 1950, as amended, enable a local governing body to adopt, amend and codify ordinances or portions thereof; and

WHEREAS, Section 15.2-2240 of the Code of Virginia, 1950, as amended, mandates each local governing body to adopt a subdivision ordinance, pursuant to Sections 15.2-2240 through 15.2-2279 (Land Subdivision and Development) to assure the orderly subdivision of land and its development; and

WHEREAS, Sections 15.2-2280, 15.2-2285, and 15.2-2286 of the Code of Virginia, 1950, as amended, enables a local governing body to adopt and amend zoning ordinances; and

WHEREAS, the proposed amendments to Chapter 68 (Subdivision Ordinance) are intended to ensure that subdivisions and other development promote the health, safety, convenience, order, prosperity, and welfare of the present and future residents of the County; and

WHEREAS, the proposed amendments to Chapter 83 (Zoning Ordinance) are required to serve the public necessity, convenience, general welfare, and good zoning practice pursuant to Section 15.2-2286(A)(7) of the Code of Virginia, as amended; and

WHEREAS, the proposed amendment is intended to prevent the creation of non-conforming lots within rural areas, helping protect Powhatan County’s traditionally rural character; and

WHEREAS, the proper advertisement and public hearing was conducted as required by law; and

WHEREAS, the full text of this amendment was available for public inspection in the Department of Community Development, Powhatan County Administration Building, 3834 Old Buckingham Road, Powhatan, Virginia 23139.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF POWHATAN that the following sections of Chapter 68 (Subdivision Ordinance) and Chapter 83 (Zoning Ordinance) of the Code of the County of Powhatan, Virginia are amended and reenacted as follows:

**CODE OF THE COUNTY OF POWHATAN, VIRGINIA
CHAPTER 68. SUBDIVISION ORDINANCE**

...

ARTICLE I. – GENERAL PROVISIONS

...

Sec. 68-103. - Director of community development.

The director is designated by the county administrator to administer and enforce the provisions of the subdivision ordinance. The director, or his designee, shall have the following powers and duties under this subdivision ordinance:

- (1) To review and decide applications for the following:
 - a. Major subdivision plats;
 - b. Subdivision construction plans;
 - c. Final subdivision plats;
 - d. Minor subdivision plats;
 - e. Family divisions;
 - f. Non-subdivision plats;
 - g. Private roads (as permitted by section 68-111(b)(1)); and
 - h. Interpretations of chapter 68: Subdivisions; ~~and.~~
 - ~~i. Single cut subdivision plats.~~

...

ARTICLE II. – SPECIFIC REVIEW PROCEDURES

...

Sec. 68-108. - Certification and recordation.

If the application for a division is approved, the director shall enter on the plat a signed certification that the plat is approved by the county in accordance with this ordinance and ready for recordation, as well as any other certifications as may be appropriate. For family, ~~single cut~~, minor and major subdivisions, as well as non-subdivision plats, the subdivider shall file an approved and certified plat with the office of the clerk of the circuit court, and shall provide proof of recording to the director.

...

Sec. 68-109. - Effect.

- (a) ~~Single cut, f~~Family, minor subdivisions, final plats and non-subdivision plats approval, certification if required and recordation of the plat allows the subdivider to proceed with conveying the platted lots by reference to the recorded plat.

...

Sec. 68-114. - ~~Single cut subdivision~~Reserved.

- ~~(a) Purpose. The provisions of this article shall apply to single cut subdivisions. It is intended that platting and approval requirements for such subdivisions be restricted to the minimum necessary to ensure compliance with minimum lot size requirements of the zoning ordinance.~~
- ~~(b) Access. A single cut subdivision shall either abut a public road by a minimum of 30 feet or have access to a public road via a dedicated access right of way or easement at least 30 feet in width. Single cut subdivisions shall be prohibited on private roads where the main parcel does not front on a public road, unless provided in accordance with article II, section 68-111(b).~~
- ~~(c) Charitable division. A division of one parcel of land may be permitted for conveyance to a bona fide charitable organization subject to the following:~~

- ~~(1) May only be taken from agricultural zoned parcels;~~
- ~~(2) A charitable division taken from a parent tract shall not count as a division towards the property owner's division rights;~~
- ~~(3) A charitable division parcel shall be a minimum of two acres in size and shall produce a residual parcel of not less than ten acres in size. All other lot requirements shall follow the zoning ordinance provisions; and~~
- ~~(4) No application fee shall be charged for review and/or approval of the plat.~~

~~(d) Expiration. Approval shall expire if the plat is not recorded with the office of the clerk of the circuit court:~~

- ~~(1) Within six months after the date of the approval; or~~
- ~~(2) Within an extension of the applicable time period.~~

...

Sec. 68-111. - Private roads.

...

(b) *Eligibility.*

- (1) The director may approve the use of a private road subject to certification and recordation of a road maintenance agreement, compliant with this chapter, for the following:
 - a. Family divisions of no more than ten-lots; or
 - b. ~~Single cut or m~~Minor divisions of no more than two lots; or
 - c. Internal access roads for a commercial, business or industrial park.

...

Sec. 68-125. - Family division.

...

- (a) *Purpose.* The purpose of this section is to establish the procedure and standards for review of family divisions. Family division review is intended to ensure that proposed lots are appropriately and accurately delineated on a plat that serves as a permanent record of the subdivision.
- (b) *Family division review standards.* An application for family division approval shall be approved on a finding the applicant has demonstrated that:

...

~~(3) A family division taken from a parent tract shall not count as a division towards the property owner's division rights;~~

...

ARTICLE IV. – SPECIFICATIONS FOR PLANS AND PLATS

...

Sec. 68-236. - Subdivision plat requirements for ~~single cut,~~ minor and family divisions.

...

ARTICLE V. – DEFINITIONS

...

...

Sec. 68-301. - Definitions.

...

Monuments means markers placed on or in the land.

Parent tract means ~~with respect to the right to a single cut under this chapter, the term parent tract shall mean any lot or parcel which was lawfully recorded by a plat of subdivision and/or deed(s) in the office of the clerk of the circuit court of Powhatan County prior to April 18, 1988. In all other cases, Parent tract shall mean~~ the whole of the property from which a new parcel is being made or subdivided.

Performance guarantee means any security which may be accepted in lieu of a requirement that certain improvements be made before the approving body approves a plan, including performance bonds, escrow agreements, and other similar collateral or surety agreements.

...

Subdivision, preliminary plat (See section 68-110(a), Preliminary plat)

~~*Subdivision, single cut* means a subdivision of only two lots created by a single division of land from a parent tract.~~

Supervisors means the board of supervisors of Powhatan County, Virginia.

...

CHAPTER 83. ZONING ORDINANCE

...

ARTICLE I. – GENERAL PROVISIONS

...

Sec. 83-107. - Use districts.

...

(b) Minimum lot size.

Minimum Lot Size Reference Chart	
Scenario	Result
Minimum Lot Size (A-10 District)	10 acres
Lot Line Adjustment (A-10 District)	2 acres for parent tract on a public road; 10 acres for all other parcels; the result of the lot line adjustment may not create any additional non-conforming parcels

Lot Line Adjustment (RR District)	10 acres; parcels less than 10 acres may be increased but not decreased in size by the lot line adjustment
Single cut subdivision exception; main parcel on public road (A-10 District)	2 acres for the single cut parcel plus 2 acres for the residual parcel (4 acres total)
Single cut subdivision exception; main parcel on private road (A10 District)	2 acres for the single cut parcel plus 10 acres for the residual parcel (12 acres total); private road must be upgraded to state specifications from the state road to the single cut parcel; minimum lot size to be computed outside the 50' right of way
Family member division; main parcel on public road, or access provided to public road via main parcel (A-10 District)	2 acres for the family division parcel plus 2 acres for the residual parcel (4 acres total)

...

ARTICLE XI. – DEFINITIONS

...

Sec. 83-521. - Definitions.

...

~~Parent tract means any lot or parcel which was lawfully recorded by a plat of subdivision and/or deed(s) in the Office of the Clerk of the Circuit Court of Powhatan County prior to April 18, 1988. (See: Powhatan County Code, chapter 68 (Subdivisions).)~~

In all other respects the Code of the County of Powhatan shall remain unchanged and be in full force and effect.

This amendment shall take effect immediately upon passage.

**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON
SEPTEMBER 28, 2020.**

David T. Williams, Chairman
Powhatan County Board of Supervisors

Recorded Vote:

ATTEST:

David T. Williams _____
Larry J. Nordvig _____
Michael W. Byerly _____
Bill L. Cox _____
Karin M. Carmack _____

Ned Smither, Clerk
Powhatan County Board of Supervisors

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AGENDA ITEM 10B

Ordinance O-2020-14 (Case#20-02-CUP)
Robert and Josephine Pendergraph
Renewal of CUP for a Country Inn
(District #1: Subletts/Manakin/Flat Rock)



Powhatan County Board of Supervisors Agenda Item

Meeting Date: September 28, 2020

Agenda Item Title: **Ordinance #O-2020-14 (Case #20-04-CUP): Robert and Josephine Pendergraph (District #1: Subletts/Manakin/ Flat Rock)** request the renewal of a conditional use permit (CUP) to continue to operate a country inn within the Agricultural-10 (A-10) zoning district per Sec. 83-162 of the Zoning Ordinance of the County of Powhatan. The use is located on Tax Map Parcel #32-4-12D (2815 Huguenot Springs Road), which consists of 12.41 acres. The 2019 Long-Range Comprehensive Plan designates the subject property as Rural Residential and Natural Conservation on the Countywide Future Land Use Map. The originally-approved CUP (Case #18-01-CUP: Approved September 24, 2018) expires in September 2020.

Motion: In accordance with public necessity, convenience, general welfare, and good planning practices, the Powhatan County Board of Supervisors (*approves / denies / defers*) Ordinance #O-2020-14.

Dates Previously Considered by Board: N/A

Summary of Item: Robert and Josephine Pendergraph are requesting renewal of a conditional use permit (CUP) to allow continued operation of a country inn within the Agricultural-10 (A-10) zoning district (Zoning Ordinance: Sec. 83-162). The original CUP, which was approved in September 2018, included a condition that the CUP would expire two years following its approval. The applicants are now requesting that the CUP be renewed in advance of the upcoming expiration in September 2020. The existing country inn is located at 2815 Huguenot Springs Road (Tax Map Parcel #32-4-12D), which is approximately one-quarter mile south of State Route 711 (Huguenot Trail) in northeastern Powhatan County. The applicant is not proposing any changes to the original request and will continue to use the facility to host events, manage a small gift shop, and provide overnight accommodations for up to ten guests.

Staff: Approve Disapprove See Comments

Commission/Board: Approve Disapprove See Comments

Comments:

Budget/Fiscal Impact: None

Attachments: Draft Ordinance
Staff Report

Staff/Contact: Andrew J. Pompei, AICP, CZA: Planning Director
(804) 598-5621 x2006
apompei@powhatanva.gov

If Board members have questions, please call the staff / contact prior to the meeting.



20-04-CUP County of Powhatan

Request for a Conditional Use Permit (Renewal)
to Permit a *Country Inn*
within the Agricultural-10 (A-10) Zoning District
on Tax Map Parcel #34-4-12D
along State Route 607 (Huguenot Springs Road)
Staff Report Prepared for the Board of Supervisors
September 28, 2020

I. PUBLIC MEETINGS

Planning Commission	August 18, 2020	Public Hearing (Recommended Approval: 5-0)
Board of Supervisors	September 28, 2020	Public Hearing

II. GENERAL INFORMATION

Request	Conditional Use Permit Renewal (Original CUP: Case #18-01-CUP)
Proposed Use	Country Inn
Proposed Density	N/A (No Residential Units Proposed)
Existing Zoning	Agricultural-10 (A-10)
Parcel Size	12.41
Parcel ID#	32-4-12D
Applicant	Robert and Josephine Pendergraph
Owner	Robert and Josephine Pendergraph
Location of Property	2815 Huguenot Springs Road Located on the eastern side of State Route 607 (Huguenot Springs Road) approximately one-quarter mile south of its intersection with State Route 711 (Huguenot Trail)
Electoral District	(1) Subletts/Manakin/Flat Rock
2019 Land Use Plan Recommendation	Rural Preservation and Natural Conservation

III. EXECUTIVE SUMMARY

Robert and Josephine Pendergraph are requesting renewal of a conditional use permit (CUP) to continue to allow a *country inn* within the Agricultural-10 (A-10) zoning district (Zoning Ordinance: Sec. 83-162). The original CUP, which was approved in September 2018, included a condition that the CUP would expire two years following its approval. The applicants are now requesting that the CUP be renewed in advance of the upcoming expiration in September 2020. The existing country inn is located at 2815 Huguenot Springs Road (Tax Map Parcel #32-4-12D), which is approximately 0.25 miles south of State Route 711 (Huguenot Trail) in northeastern Powhatan County. The

applicant is not proposing any changes to the original request, and will continue to use the facility to host events, manage a small gift shop, and provide overnight accommodations for up to ten guests.

IV. REVIEW STANDARDS

Conditional Use (A-10): Country Inn
<i>Country inn</i> is listed as a conditional use within the A-10 zoning district [Sec. 83-162(49)].
Sec. 83-123(f)(4): Conditional Use Permit Review Standards
A Conditional Use Permit shall be approved if the applicant demonstrates the proposed conditional use: a) Is consistent with the purposes, goals, objectives, and policies of the comprehensive plan and other applicable county-adopted plans; b) Complies with all applicable zoning district-specific standards in Articles III through VI; c) Complies with all applicable use-specific standards Article VII: Use Standards; d) Complies with all applicable development and design standards in Article VIII: Development Standards; e) Complies with all relevant subdivision and infrastructure standards in Chapter 68: Subdivisions of the Powhatan County Code; f) Is appropriate for its location and is compatible with the general character of surrounding lands and the uses allowed in the zoning district where proposed; g) Adequately screens, buffers, or otherwise minimizes adverse visual impacts on adjacent lands; h) Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements; i) Avoids significant deterioration of water and air resources, scenic resources, and other natural resources; j) Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site; k) Complies with all other relevant county, state and federal laws and standards; and l) Is required by the public necessity, convenience, general welfare, or good zoning practice.
Sec. 83-123(f)(5): Expiration of a Conditional Use Permit
A Conditional Use Permit shall expire in accordance with any expiration date or provisions in a condition of its approval. A Conditional Use Permit shall automatically expire if a Building Permit, Site Plan, or other county approval, whichever occurs first, for the development granted by the Conditional Use Permit, is not obtained within two (2) years after the date of approval of the Conditional Use Permit, or if no subsequent county approval is required, the development is not completed and operational within two (2) years.
Sec. 83-521: Definitions
<i>Country inn</i> means a business operated in one or more structures which offers overnight accommodations of up to 20 rooms and may contain a full-service restaurant providing meals to guests and the general public with seating for no more than 50 guests, meeting rooms, and banquet/event facilities; and may include related accessory uses such as an antique or gift shop, sale of baked, packaged or canned food products prepared on the premises, and recreational uses for the sole use of guests at the inn. The owner may or may not live on the premises. A country inn is not a bed-and-breakfast lodging, motel, inn or other use defined or regulated elsewhere in this chapter.

V. PROPERTY DESCRIPTION

Location

Tax Map Parcel #32-4-12D (2815 Huguenot Springs Road) is located on State Route 607 (Huguenot Springs Road) approximately one-quarter mile south of State Route 711 (Huguenot Trail) in northeastern Powhatan County.

Existing Conditions

The property spans 12.347 acres. A historic single-family dwelling and associated outbuildings are located on the western portion of the property, with wooded areas and an intermittent stream on the eastern portion of the property. In the 1800s, there was a hotel (known as Huguenot Springs) and guest cottages on the property. The existing structures date to the 1800s.

Surrounding Properties

The properties surrounding the subject parcel are all zoned Agricultural-10 (A-10) and are occupied by single-family dwellings or are vacant. The entrance to the subject parcel also provides access to two adjacent single-family dwellings.

VI. PROJECT ANALYSIS

Current Zoning

The subject property is currently zoned Agricultural-10 (A-10).

Use

The applicant would like to continue operating a *country inn*, which is defined as follows [Sec. 83-521]:

Country inn means a business operated in one or more structures which offers overnight accommodations of up to 20 rooms and may contain a full-service restaurant providing meals to guests and the general public with seating for no more than 50 guests, meeting rooms, and banquet/event facilities; and may include related accessory uses such as an antique or gift shop, sale of baked, packaged or canned food products prepared on the premises, and recreational uses for the sole use of guests at the inn. The owner may or may not live on the premises. A country inn is not a bed-and-breakfast lodging, motel, inn or other use defined or regulated elsewhere in this chapter.

Country inn is a conditional use within the Agricultural-10 (A-10) zoning district [Sec. 83-162(49)]. A CUP was originally approved for a *country inn* on the subject property on September 24, 2018 (Case #18-01-CUP), with a condition stating that the CUP would expire two years after its approval.

If approved, renewal of the CUP will allow the applicants to continue to operate a country inn that can accommodate overnight guests and related accessory uses, including a limited number of large events (with 50 or more guests).

Per the applications, the existing single-family dwelling is used to accommodate overnight guests, as well as one of the outbuildings. Events are held inside or adjacent to

the existing single-family dwelling. A farm kitchen and art gallery may be open seasonally and by appointment.

The applicant submitted a recently-approved site plan (Case #19-07-SPA) with the application that shows recent improvements (additional plantings along the northwestern property line and the addition of a paved handicapped parking space), as well as the locations of where various activities associated with this use may occur on the property.

Land Use and Community Character

The surrounding area is rural in character, with single-family residential lots ranging in size from approximately two acres to more than ten acres.

Environment/Natural Resources

Agency Comments: Environmental Review (Powhatan County)
No comments or concerns at this time.

On-Site Environmental and Historic Features

- *Topography*
The existing single-family dwelling is located on the highest portion of the property. The area occupied by the existing drive and accessory structures is relatively flat. In the wooded area located on the western half of the property, the property slopes downward towards a ravine with an intermittent stream.
- *Streams and Wetlands*
The eastern half of the property is bisected by an intermittent stream that runs north to south.

Transportation

Agency Comments: Virginia Department of Transportation (VDOT)
The Virginia Department of Transportation takes no exception to this request for the identified proposed use of this property.

Local Road Network

The subject property has frontage on State Route 607 (Huguenot Springs Road), approximately one-quarter mile south of State Route 711 (Huguenot Trail).

Roadway Characteristic	State Route 607 (Huguenot Springs Road)
Functional Classification: VDOT	Major Collector
Functional Classification: Powhatan Co. Major Thoroughfare Plan	Rural Collector
Traffic Volume Estimates (VDOT: 2019)	170

Site Access

The site is accessed by a driveway off State Route 607 (Huguenot Springs Road). The first 215 +/- feet of the drive is shared by two other adjacent dwellings.

Utilities and Public Infrastructure

Agency Comments: Department of Public Works (Powhatan County)

The property is located outside of the County's Water and Wastewater Service District. The department has no further review comments.

Agency Comments: Virginia Department of Health

The Virginia Department of Health takes no exception with this request, subject to the same conditions and operating procedures of the original CUP renewal. Any expansion of the operation, including the addition of food service, would require additional review by the Department of Health.

The property is served by an on-site well and septic system. The Department of Health has deemed the septic system adequate, subject to the proposed event size and frequency limits set forth in recommended Condition #12.

Public Safety

Agency Comments: Building Inspections Department (Powhatan County)

This application is approved by the Building Department as submitted based on recent inspections at the property.

Agency Comments: Fire Department (Powhatan County)

The Fire Department has no concerns and approves of this CUP.

Agency Comments: Sheriff's Office (Powhatan County)

The Sheriff's Office has no comments at this time.

The applicant has worked with local public safety agencies during the site review process and has satisfied any concerns. It is not anticipated that this CUP renewal will negatively impact public safety.

Recommended Condition #13 provides additional regulations to protect public safety during larger events. Per this condition, events with 75 people or more must include at least one properly-qualified professional to provide traffic control on State Route 607 (Huguenot Springs Road), along with at least one internal parking attendant.

VII. COMPREHENSIVE PLAN ANALYSIS

Countywide Future Land Use Plan

The *2019 Long-Range Comprehensive Plan* designates the subject properties as *Rural Preservation* on the Countywide Future Land Use Plan.

Land Use: Rural Preservation

The *Rural Preservation* land use designation is described as follows (p. 68):

Rural Preservation areas will be rural in character, with preserved natural, cultural, and historic resources, including farms, agribusinesses and tourism, permanently-protected open spaces, permanent easement properties, hillsides, hilltops, floodplain, wooded and forested areas, historic landscapes, landmarks, and corridors. These areas will contribute to active agriculture, silviculture, agribusiness, equestrian operations, and tourism, with new residential development designed in such a way as to be balanced with the natural and existing manmade environment in order to minimize degradation of the rural, natural, cultural, and historic environment.

The *2019 Long-Range Comprehensive Plan* encourages the preservation of natural, cultural, and historic resources located within *Rural Preservation* areas, and further states that:

Agribusiness and tourism uses that are compatible with the character of Rural Preservation areas should be encouraged, upon demonstration that proposed uses will not negatively impact surrounding properties. Examples of such uses are equestrian centers and boarding facilities, nurseries, boutique or unique agribusinesses, conference centers, retreat and training facilities, camps, heritage and rural tourism destinations, farmers' markets, and bed and breakfasts.

This application complies with the recommendations made in the *2019 Long-Range Comprehensive Plan*, as the applicant has maintained the rural aesthetic of this historic property by preserving the existing tree line and maintaining the historic structures on the site.

VIII. PUBLIC COMMENTS

The Department of Community Development has not received any formal comments from members of the public on this request.

A public hearing was held on this request at the August 18, 2020 Planning Commission meeting. No members of the public spoke on this request.

IX. STAFF RECOMMENDATION

The Department of Community Development **recommends approval** of this request with the 14 conditions presented in this report. The recommended conditions minimize the potential negative impacts by limiting the size, frequency, and scope of events, as well as by ensuring the maintenance of on-site improvements.

X. PLANNING COMMISSION RECOMMENDATION

On August 18, 2020, the Planning Commission held a public hearing on this request. No members of the public spoke. Following the public hearing, the Planning Commission voted to **recommend approval** of the request as presented (5-0).

XI. RECOMMENDED CONDITIONS

If approved, the Planning Commission recommends that the conditions listed below be incorporated into this request. These conditions are proposed to minimize negative impacts on surrounding properties and reflect recommendations made in the *2019 Long-Range Comprehensive Plan*. The conditions listed below are redlined to show any discrepancies from the conditions approved with the original CUP (Case #18-01-CUP).

1. The applicant shall consent to annual administrative inspections by the Department of Community Development for compliance with the requirements of this CUP.
2. The applicant shall sign the list of adopted conditions for this CUP signifying acceptance and intent to comply with these conditions.
3. Failure to comply with the conditions of this CUP may result in the issuance of a Notice of Violation (NOV) by the Zoning Administrator. The Zoning Administrator may present this CUP to the Board of Supervisors for revocation if the NOV is not resolved as directed.
4. All activities associated with this CUP shall be in compliance with all local, state and federal laws.
5. This CUP shall permit a country inn to operate on the property, in accordance with Sec. 83-162(49) of the Powhatan County Zoning Ordinance, and related accessory uses identified within the definition of *country inn* listed in Sec. 83-521 of the Powhatan County Zoning Ordinance, including:
 - a. Meeting rooms and banquet/event facilities; and
 - b. A gift shop that does not exceed 1,200 square feet in floor area and may sell artwork, crafts, agricultural products, and/or other goods produced in Virginia.
- ~~6. A site plan shall be submitted to Powhatan County for review and approval, in accordance with Section 83-123(g) of the Powhatan County Zoning Ordinance.~~
6. All improvements shown on the approved Huguenot Springs Site Plan, dated April 3, 2019, revised October 16, 2019, and prepared by Timmons Group (Case #19-07-SPA), shall be maintained.
7. The location of activities associated with this use shall be in general conformance with the conceptual plan submitted with the CUP application.
8. Address numbers must be a minimum of four (4) inches in height, reflective, and located so they are highly visible from both directions of State Route 607 (Huguenot Springs Road).

- ~~9. The entrance from State Route 607 (Huguenot Springs Road) shall be designed and constructed to meet or exceed standards established by the Virginia Department of Transportation (VDOT) for commercial entrances.~~
- ~~10. Between State Route 607 (Huguenot Springs Road) and the driveway to 2819 Huguenot Springs Road, the driveway providing access to the property shall be constructed to meet standards for private roads serving three (3) to five (5) lots, as described in Sec. 68-175(E)(8)(b)(ii) of the Powhatan County Subdivision Ordinance.¹~~
- ~~11.9.~~ No sign shall be placed on the property that exceeds sixteen (16) square feet in area and eight (8) feet in height.
- ~~12.10.~~ The on-site septic system and well shall be designed and constructed to accommodate the proposed use, in accordance with standards established by the Virginia Department of Health.
- ~~13.11.~~ The county inn shall have no more than five (5) guest rooms for overnight accommodations, with a maximum of ten (10) overnight guests.
- ~~14.12.~~ Commercial events associated with the country inn shall be limited as follows:
- a. There shall be no more than fifty (50) events in a calendar year, of which no more than six (6) events shall have 50 or more guests.
 - b. Events include reunions; anniversary parties; engagement parties; weddings; holiday parties; receptions; house tours; catered luncheons and/or dinners; galas; corporate retreats, workshops, or other business meetings; meetings of non-profit organizations; exercise/fitness classes; art classes; cooking classes; and similar activities, as determined by the Zoning Administrator.
 - c. Any events held shall be limited to a maximum of 150 guests on the property at the same time.
 - d. A single event shall not last more than twenty-four (24) hours.
 - e. Events with 50 or more guests that are held outdoors shall begin no earlier than 11:00 a.m. and end no later than 10:00 p.m.
 - f. The use of amplified music, public address systems, or similar activities outside of a permanent, enclosed structure shall not be permitted.
- ~~15.13.~~ For events where there shall be 75 or more persons in attendance, the applicant shall be responsible for hiring:
- a. At least one (1) properly-qualified professional to provide traffic control on State Route 607 (Huguenot Springs Road). Traffic control shall be conducted in accordance with standards set forth by the Virginia Department of Transportation; and
 - b. At least one (1) parking attendant to ensure guests park in designated areas and do not block required emergency access.

¹ Conditions #9 and #10 were removed because these conditions are reflected in the approved site plan. Condition #6 was added to ensure that these improvements are maintained throughout the lifetime of the CUP.

~~16.14.~~ If a gift shop operates on the property, such use shall only be open to the public between 8:00 a.m. and 7:00 p.m.

~~17. This CUP is issued for a term of two (2) years from the date of approval by the Board of Supervisors. In order to request a continuation of the conditional use beyond the specified term, the Applicant(s) shall file an application for renewal at least 90 days prior to expiration of the CUP.~~

XII. PROPOSED RESOLUTION

In accordance with Section 83-123(f)(4) of the Powhatan County Zoning Ordinance and public necessity, convenience, general welfare, and good zoning practice, the Powhatan County Board of Supervisors (*approves / denies / defers*) of the request submitted by Robert and Josephine Pendergraph to permit a *country inn* on Tax Map Parcel #32-4-12D, subject to the conditions presented in this report.

Attachment(s)

1. Application
2. Vicinity Map
3. Zoning Map
4. Countywide Future Land Use Map (2019)
5. Site Plan



**County of Powhatan,
Virginia**
Conditional Use Permit
Application

For Office Use Only

Case Number

20-04-CUP

Powhatan County, Virginia
Department of Community Development
3834 Old Buckingham Road: Suite F
Powhatan, VA 23139

Applicant Information	
Name of Applicant	Robert and Josephine Pendergraph
Mailing Address	2570 Federal Hill Farms Road Powhatan, VA 23139
Phone Number	(804)497-9682, (804)502-2195
Email Address	Rhubarbrp@verizon.net, jjpendergraph@verizon.net

Owner Information (Complete this section if the applicant is not the current property owner)	
Name of Owner	same
Mailing Address	
Phone Number	
Email Address	

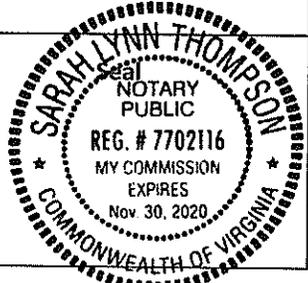
If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the application (see form entitled *Consent of Owner(s) to Request Rezoning*).

If there are multiple owners, all owners must sign the application or provide other documentation consenting to the

Applicant Representative (Complete this section if correspondence should be directed to someone other than the applicant)	
Name of Representative	na
Mailing Address	
Phone Number	
Email Address	

Parcel Information	
Tax Map Number	Tax map 32, parcel 120 32-4-12D
Physical Address	2815 Huguenot Springs Road, Midlothian, VA 23113
General Description of Property Location	Just south of Huguenot Trail/ Huguenot Springs Rd. intersection
Election District	District 1
Total Acreage	12.41
Current Zoning	A-10
Countywide Future Land Use: Land Use Designation	Rural Preservation
Proposed Use	
Proposed Use (Identify Use Listed in Zoning Ordinance)	"Country Inn"
Proposed Use: Detailed Description	-Farm Kitchen Shop and Gallery -Events, meetings and workshops -Overnight accommodations for up to 10 in the main house and 2 in the west cottage, primarily in conjunction with events and workshops
If this request is approved, will new structures be constructed?	No
Are there existing structures on the subject property?	Yes
Will the proposed use connect to public water and/or sewer?	No
Will the proposed use have direct access to a public road?	Yes

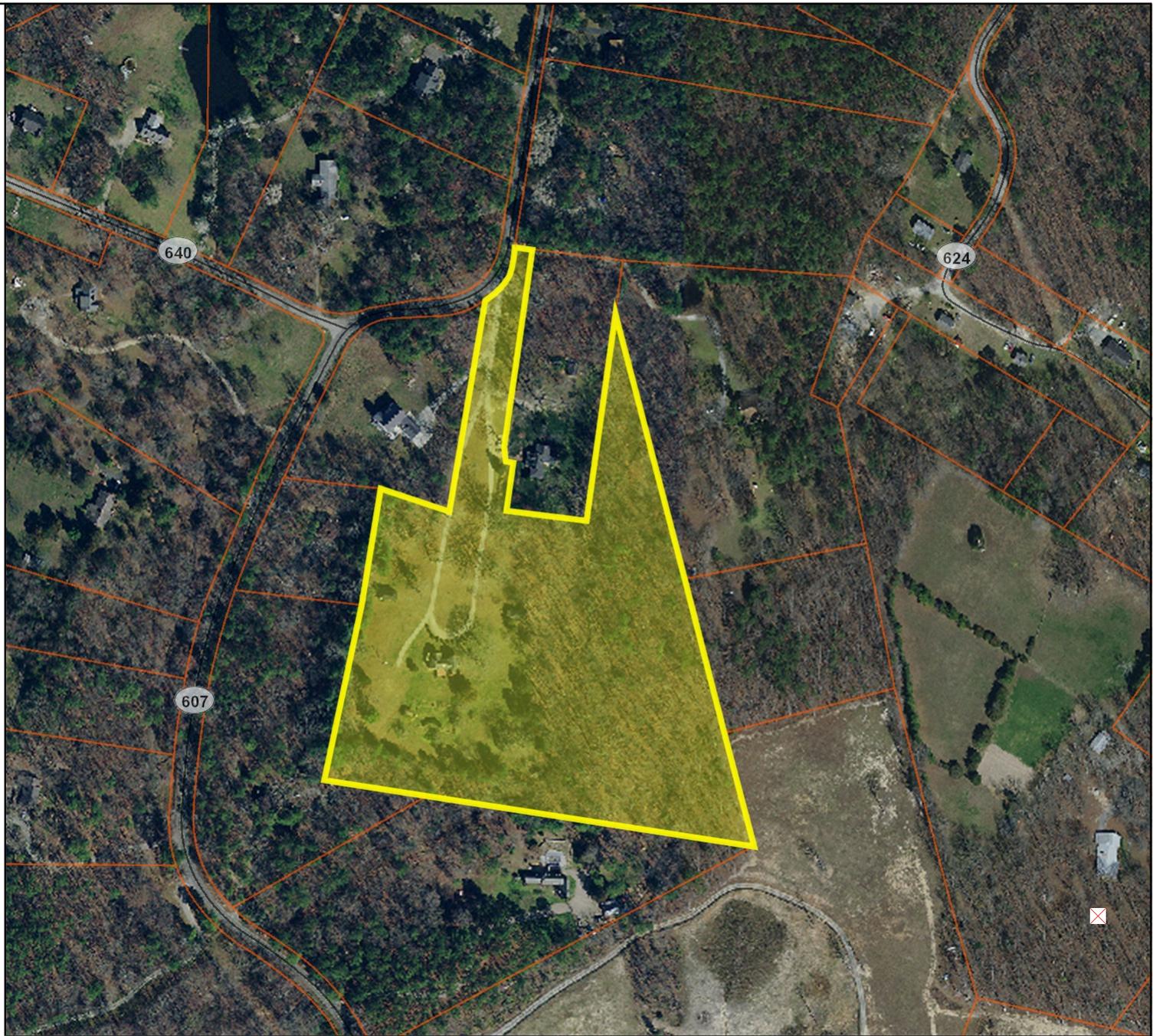
A conceptual plan that shows the general configuration of the proposed development, including land uses, building locations (existing and proposed), pedestrian and vehicular circulation, open space, and resource protection areas, should be submitted with the application. This plan should also include measurements on how far existing and proposed structures, parking areas, and other activities associated with the proposed use will be from property lines.

Statement of Validity of Information		
Every applicant shall sign the following document to substantiate the validity of submitted information.		
<p>I, being duly sworn, depose and say that I am the Lessee/Owner of the property involved in the application. If I am not the Lessee/Owner, I will provide written certification from the owner granting me the right to submit this application.</p> <p>I declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.</p>		
Signature of Applicant	<i>Robert M. Pendergraft Josephine Pendergraft</i>	
Name of Applicant (Printed)	Robert M. Pendergraft Josephine Pendergraft	
Commonwealth of Virginia County of <u>Powhatan</u> , to wit:		
Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by <u>Robert & Josephine Pendergraft</u> whose name is signed to the above, on this <u>19</u> day of <u>JUNE</u> 20 <u>20</u> .		
Notary Public	<i>Sarah Lynn Thompson</i>	
Commission Expires	NOV 30, 2020	
Notary Number	7702116	

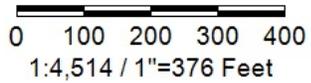
Powhatan County

Legend

- Parcels
- Streets Route Numbers



Feet



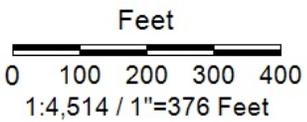
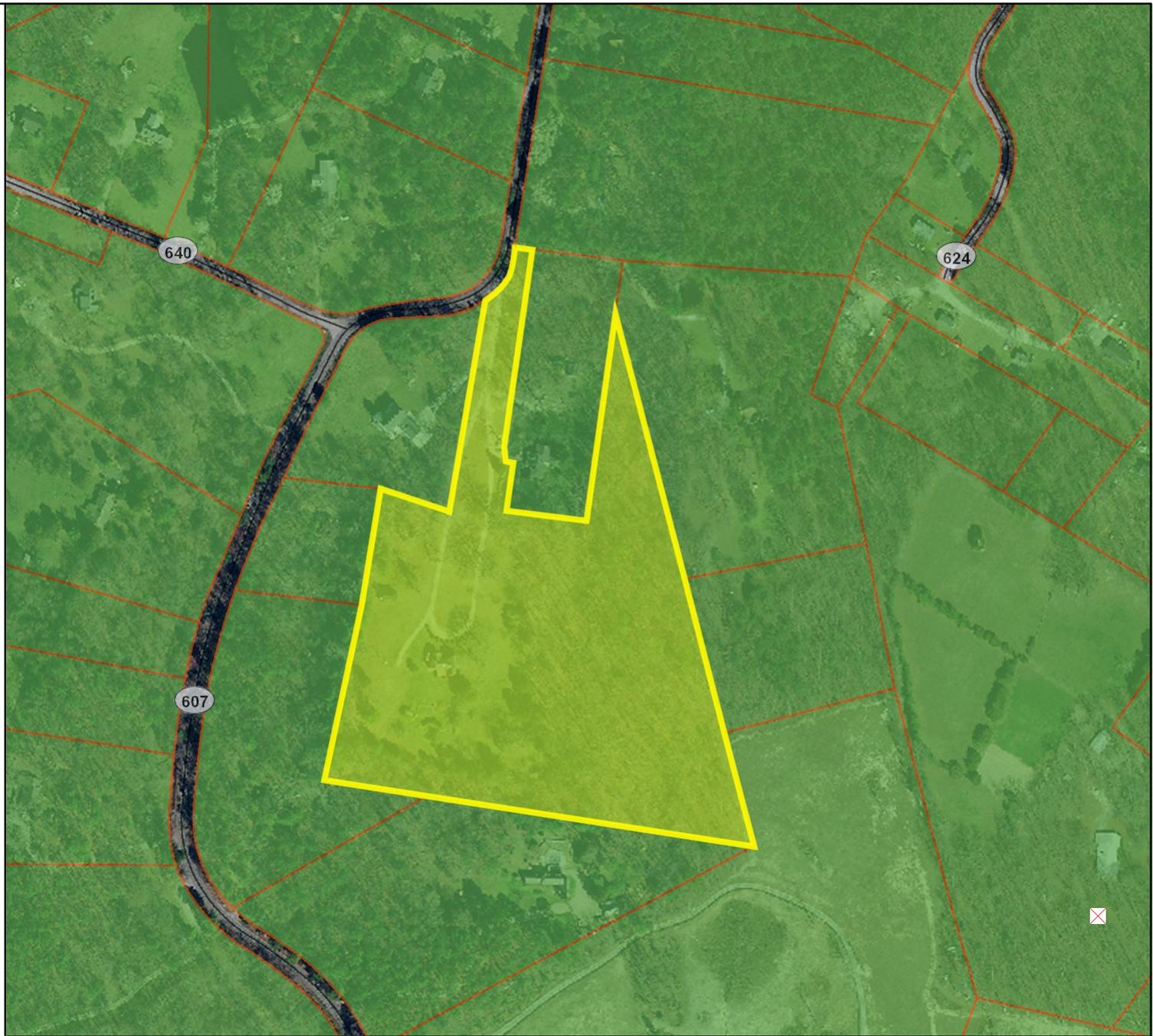
Title: 20-04-CUP Vicinity Map

DISCLAIMER: ALL INFORMATION DEPICTED ON THIS MAP SHALL BE TREATED AS CONFIDENTIAL INFORMATION AND SHALL ONLY BE USED FOR THE SOLE PURPOSE FOR WHICH IT WAS PROVIDED. ANY OTHER USE OF THIS MAP, OR THE INFORMATION INCLUDED THEREON, IS STRICTLY PROHIBITED. THE DATA SHOWN ON THIS MAP IS FOR INFORMATION PURPOSES ONLY. THIS MAP MAY NOT BE COPIED OR OTHERWISE MADE AVAILABLE TO ANY OTHER PARTY IN PAPER OR ELECTRONIC FORMAT.

Powhatan County

Legend

- Parcels
- Zoning**
- Agriculture A-10
- Agricultural/Animal Confinement
- Commerce Center Planned Development
- Commerce Center
- Commercial
- Courthouse Square Center
- Industrial - 1
- Industrial - 2
- Mining
- Office
- Residential - 2
- Rural Residential 5
- Residential Commercial
- Residential Utility
- Rural Residential
- Village Center Planned Development
- Village Center
- Streets Route Numbers



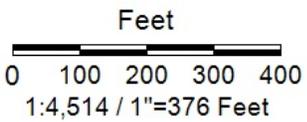
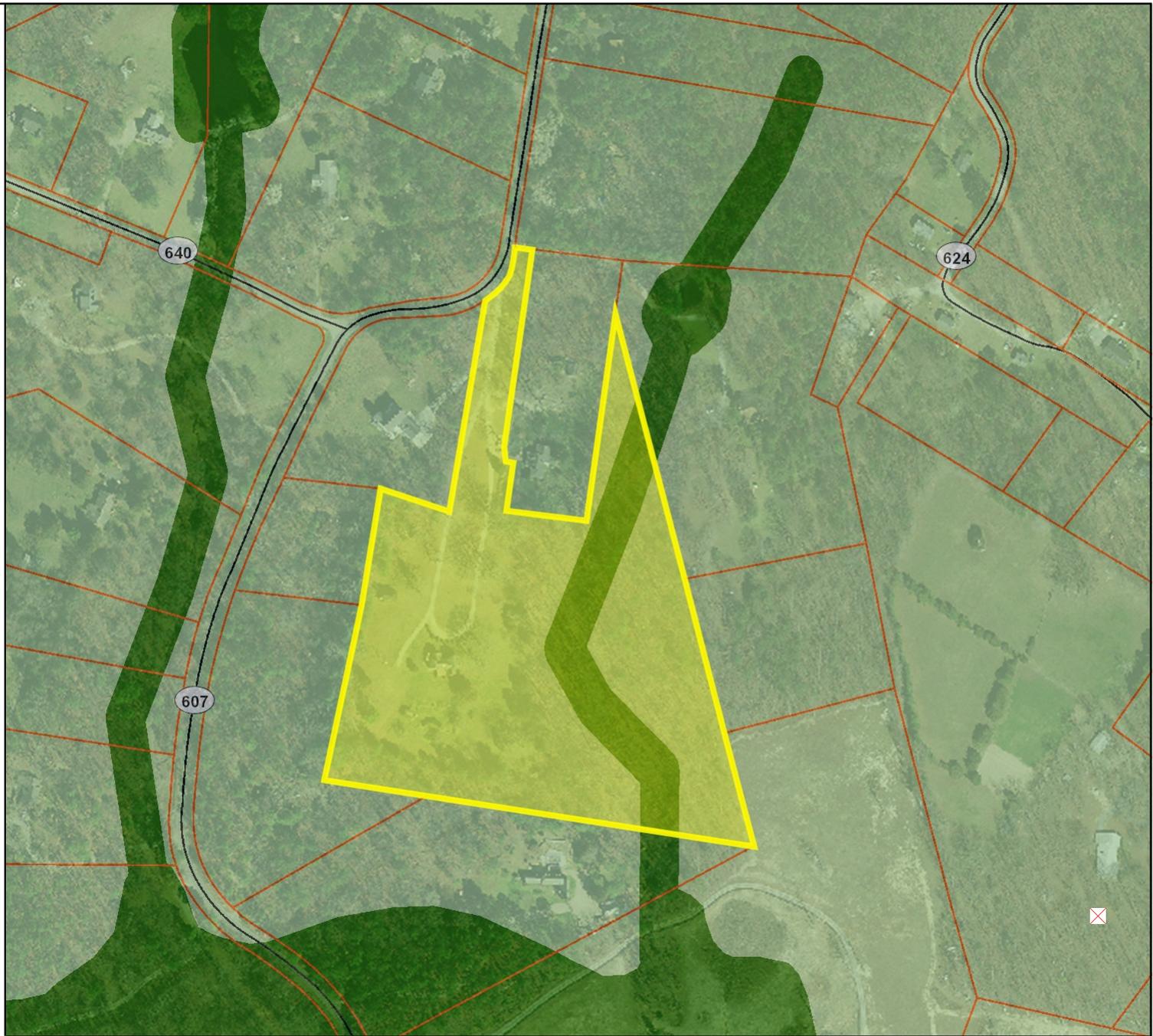
Title: 20-04-CUP Zoning

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Powhatan County

Legend

- Parcels
- Streets Route Numbers
- Crossroads
- Growth Area Boundaries
- Rural Enterprise Zone Boundary
- Future Land Use**
- Public Lands
- Natural Conservation
- Rural Preservation
- Rural Residential
- Low Density Residential
- Village Residential
- Village Center
- Commerce Center
- Economic Opportunity
- Industrial



Title: 20-04-CUP Future Land Use

DISCLAIMER: ALL INFORMATION DEPICTED ON THIS MAP SHALL BE TREATED AS CONFIDENTIAL INFORMATION AND SHALL ONLY BE USED FOR THE SOLE PURPOSE FOR WHICH IT WAS PROVIDED. ANY OTHER USE OF THIS MAP, OR THE INFORMATION INCLUDED THEREON, IS STRICTLY PROHIBITED. THE DATA SHOWN ON THIS MAP IS FOR INFORMATION PURPOSES ONLY. THIS MAP MAY NOT BE COPIED OR OTHERWISE MADE AVAILABLE TO ANY OTHER PARTY IN PAPER OR ELECTRONIC FORMAT.

PLANT SCHEDULE						
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	MIN. INSTALLED SIZE	ROOT	SPACING
CLE HUM	6	CLETHRA ALNIFOLIA 'HUMMINGBIRD'	SUMMERSWEET	18" SPRD.	CONTAINER	5' O.C.
KAL ELF	8	KALMIA LATIFOLIA 'ELF'	DWARF MOUNTAIN LAUREL	18" SPRD.	CONTAINER	5' O.C.

TRAFFIC IMPACT STATEMENT:
 THE PROPOSED 5-ROOM BED AND BREAKFAST (B&B) WILL GENERATE MINIMAL AMOUNTS OF TRAFFIC. RECENT VDOT COUNTS INDICATE HUGENOT SPRINGS ROAD CARRIES 850 A.D.T. THE PROPOSED USE WILL GENERATE AN ADDITIONAL 22 WHICH REPRESENTS A 2.6% OVERALL INCREASE. IN ADDITION, AM AND PM PEAK HOUR TRIPS 2 AND 2 RESPECTIVELY. DO NOT REPRESENT NOTABLE INCREASES AND WILL NOT WARRANT THE IMPROVEMENT OF ADJACENT ROADS NOR THE INSTALLATION OF AUXILIARY TURN LANES AT THE SITE ENTRANCE. BASED ON THIS INFORMATION, TYPICAL DAILY TRAFFIC GENERATED BY THE PROPOSED 5-ROOM B&B DOES NOT WARRANT FURTHER STUDY.

SITE DATA:
 PARCEL ID: 032-4-12D
 SITE ADDRESS: 2815 HUGENOT SPRINGS ROAD
 PARCEL AREA: 12.34 ACRES
 AMOUNT OF DISTURBANCE: 5,793 SF
 SOURCE OF BOUNDARY: BURRUS LAND SURVEY
 ZONING: A-10
 PARKING SPACES PROVIDED: 14 PERMANENT, 76 TEMPORARY/OVERFLOW TO BE LOCATED IN CENTER GRASS AREA BETWEEN DRIVEWAYS
 WATER: PRIVATE
 SEWER: PRIVATE
 EXISTING BUILDINGS SF: MAIN HOUSE - 3,042 SF
 COTTAGE - 512 SF
 COTTAGE - 512 SF
 SHED - 204 SF
 SHED - 60 SF
 TRIP GENERATION: DAILY - 31 TRIPS
 AM PEAK - 2 TRIPS (1 in, 1 out)
 PM PEAK - 4 TRIPS (2 in, 2 out)

WITH RESPECT TO SPECIAL EVENT TRAFFIC, THE OWNER HAS AGREED TO LIMIT THE FREQUENCY, SIZE, AND DURATION OF SUCH EVENTS. IN THOSE CASES WHERE ATTENDANCE IS ANTICIPATED TO BE GREATER THAN 75 PERSONS, THE OWNER HAS AGREED TO PROVIDE TRAFFIC CONTROL ON HUGENOT SPRINGS ROAD (ROUTE 607) AND ON-SITE TO ENSURE THE SAFETY OF THE TRAVELING PUBLIC AND PATRONS. ADDITIONALLY THE OWNER AGREES TO NOTIFY ALL POTENTIAL BUS TRAFFIC TO UTILIZE HUGENOT TRAIL (ROUTE 711) FOR ACCESS TO EVENTS.



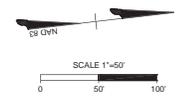
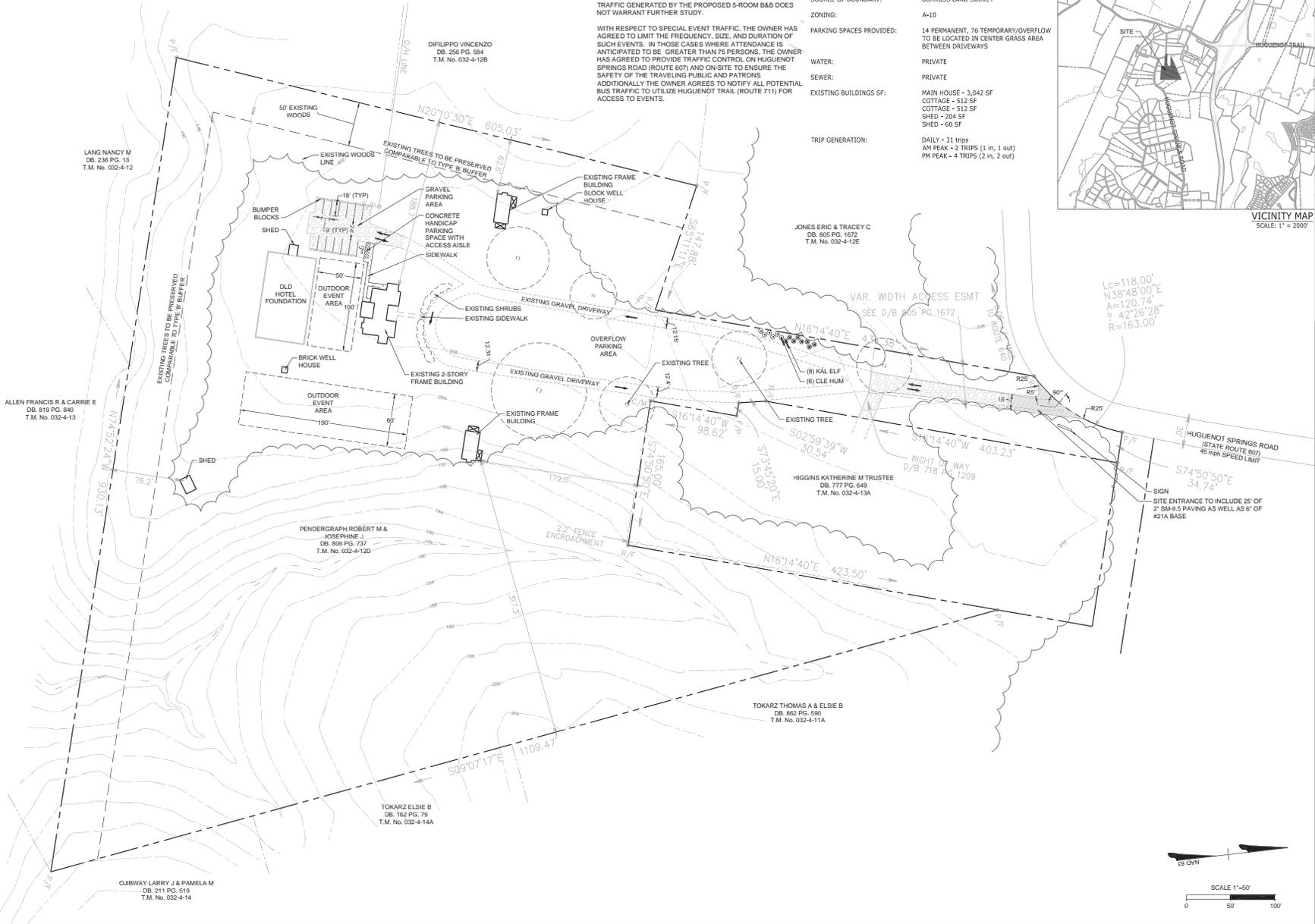
THE DRAWING PREPARED AT THE
CHARLOTTEVILLE OFFICE
 658 Peachtree St., N.W., Suite 1000
 Atlanta, GA 30308
 TEL: 404.252.5624 FAX: 404.252.5617 www.timmons.com

DATE	REVISION DESCRIPTION
07/20/2019	COUNTY COMMENTS
10/16/2019	COUNTY COMMENTS

YOUR VISION ACHIEVED THROUGH OURS.
 DATE: 04/03/2019
 DRAWN BY: A. MABEE
 DESIGNED BY: F. HANCOCK
 CHECKED BY: F. HANCOCK
 SCALE: 1" = 50'

TIMMONS GROUP
 HUGENOT SPRINGS
 POWHATAN COUNTY, VA
 SITE PLAN

JOB NO: 43242
 SHEET NO: C1.0



E:\19\24242\Huguenot_SitePlan_C1.0.dwg (P:\19\2019\14.4\PM) by Frank Hancock

ORDINANCE O-2020-14

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT (CASE #20-04-CUP) TO ROBERT AND JOSEPHINE PENDERGRAPH TO PERMIT A COUNTRY ON TAX MAP PARCEL #32-4-12D (2815 HUGUENOT SPRINGS ROAD).

WHEREAS, Robert and Josephine Pendergraph request a conditional use permit (CUP) to permit a *country inn* in the Agricultural-10 (A-10) zoning district per Sec. 83-162 of the Zoning Ordinance of the County of Powhatan; and

WHEREAS, §15.2-1427 and §15.2-1433 of the *Code of Virginia*, 1950, as may be amended from time to time, enable a local governing body to adopt, amend, and codify ordinances or portions thereof; and

WHEREAS, §15.2-2280, §15.2-2285 and §15.2-2286 of the *Code of Virginia*, 1950, as amended, enables a local governing body to adopt and amend zoning ordinances; and

WHEREAS, on August 18, 2020, the Powhatan County Planning Commission held a public hearing on this matter and all of those who spoke on this topic were heard; and

WHEREAS, on August 18, 2020, the Powhatan County Planning Commission voted to recommend to the Board of Supervisors approval (5-0) of the request to grant the Conditional Use Permit (CUP); and

WHEREAS, the Powhatan County Board of Supervisors caused to be published a notice of public hearing on this matter in *Powhatan Today* on September 16, 2020 and September 23, 2020; and

WHEREAS, the full application was available for public inspection in the Powhatan County Administrator's Office, County Administration Building, 3834 Old Buckingham Road, Powhatan, Virginia 23139; and

WHEREAS, on September 28, 2020, the Powhatan County Board of Supervisors held a public hearing on this matter and all of those who spoke on this topic were heard.

NOW, THEREFORE, BE IT ORDAINED by the Powhatan County Board of Supervisors, in accordance with §83-123(f)(4) of the *Code of the County of Powhatan*, public necessity, convenience, general welfare, and good zoning practice, that the CUP request is hereby approved subject to the following conditions:

1. The applicant shall consent to annual administrative inspections by the Department of Community Development for compliance with the requirements of this CUP.
2. The applicant shall sign the list of adopted conditions for this CUP signifying acceptance and intent to comply with these conditions.
3. Failure to comply with the conditions of this CUP may result in the issuance of a Notice of Violation (NOV) by the Zoning Administrator. The Zoning Administrator may present this CUP to the Board of Supervisors for revocation if the NOV is not resolved as directed.

4. All activities associated with this CUP shall be in compliance with all local, state and federal laws.
5. This CUP shall permit a country inn to operate on the property, in accordance with Sec. 83-162(49) of the Powhatan County Zoning Ordinance, and related accessory uses identified within the definition of *country inn* listed in Sec. 83-521 of the Powhatan County Zoning Ordinance, including:
 - a. Meeting rooms and banquet/event facilities; and
 - b. A gift shop that does not exceed 1,200 square feet in floor area and may sell artwork, crafts, agricultural products, and/or other goods produced in Virginia.
6. All improvements shown on the approved Huguenot Springs Site Plan, dated April 3, 2019, revised October 16, 2019, and prepared by Timmons Group (Case #19-07-SPA), shall be maintained.
7. The location of activities associated with this use shall be in general conformance with the conceptual plan submitted with the CUP application.
8. Address numbers must be a minimum of four (4) inches in height, reflective, and located so they are highly visible from both directions of State Route 607 (Huguenot Springs Road).
9. No sign shall be placed on the property that exceeds sixteen (16) square feet in area and eight (8) feet in height.
10. The on-site septic system and well shall be designed and constructed to accommodate the proposed use, in accordance with standards established by the Virginia Department of Health.
11. The county inn shall have no more than five (5) guest rooms for overnight accommodations, with a maximum of ten (10) overnight guests.
12. Commercial events associated with the country inn shall be limited as follows:
 - a. There shall be no more than fifty (50) events in a calendar year, of which no more than six (6) events shall have 50 or more guests.
 - b. Events include reunions; anniversary parties; engagement parties; weddings; holiday parties; receptions; house tours; catered luncheons and/or dinners; galas; corporate retreats, workshops, or other business meetings; meetings of non-profit organizations; exercise/fitness classes; art classes; cooking classes; and similar activities, as determined by the Zoning Administrator.
 - c. Any events held shall be limited to a maximum of 150 guests on the property at the same time.
 - d. A single event shall not last more than twenty-four (24) hours.
 - e. Events with 50 or more guests that are held outdoors shall begin no earlier than 11:00 a.m. and end no later than 10:00 p.m.
 - f. The use of amplified music, public address systems, or similar activities outside of a permanent, enclosed structure shall not be permitted.

- 13. For events where there shall be 75 or more persons in attendance, the applicant shall be responsible for hiring:
 - a. At least one (1) properly-qualified professional to provide traffic control on State Route 607 (Huguenot Springs Road). Traffic control shall be conducted in accordance with standards set forth by the Virginia Department of Transportation; and
 - b. At least one (1) parking attendant to ensure guests park in designated areas and do not block required emergency access.
- 14. If a gift shop operates on the property, such use shall only be open to the public between 8:00 a.m. and 7:00 p.m.

ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON SEPTEMBER 28, 2020.

David T. Williams, Chairman
Powhatan County Board of Supervisors

Recorded Vote:

David T. Williams _____
Larry J. Nordvig _____
Michael W. Byerly _____
Bill L. Cox _____
Karin M. Carmack _____

ATTEST:

Ned Smither, Clerk
Powhatan County Board of Supervisors