

**Meeting Minutes of the PACE Committee of the County of Isle of Wight  
May 8, 2006**

The meeting of the PACE Committee of the County of Isle of Wight was called to order by Dee Dee Darden at 7:05 p.m. on May 8, 2006, at Colonial Farm Credit in Windsor, Virginia.

Members Present: Tom Alphin  
Pete Carr  
Dee Dee Darden  
Jimmy Oliver

Ex-officio Members Present: Rachel Morris, Rural Economic Development  
Manager/PACE Program Administrator  
Beverly Walkup, Director of Planning and Zoning  
Amy Ring, Asst. Director of Planning and Zoning  
Scott Bachman, VA Dept. of Forestry  
Tara Outland-Williams, Peanut Soil and Water  
Conservation District

Also Present: Jacob Stroman, County Attorney  
Mr. and Mrs. Ken Walker  
Mr. and Mrs. I.N. Jones, III.

Rachel Morris called the roll.

Ms. Darden presented the minutes from the February and March, 2006 meetings for the Committee's approval and/or amendment. Tom Alphin moved that the minutes from February 22, 2006, and March 15, 2006, be accepted as presented. Jimmy Oliver seconded the motion. The motion was adopted with members Alphin, Carr, Darden, and Oliver voting in favor and no members voting against.

There being no old business, committee reports, or report from the PACE Program Administrator, Ms. Darden asked Ms. Morris to introduce Jacob Stroman, County Attorney. Ms. Morris introduced Mr. Stroman, stating that he had worked with her from the beginning on the creation of the ordinance as well as the creation of the Committee's bylaws. Ms. Morris thanked Mr. Stroman for agreeing to present to the Committee their duties and functions as a Committee of the Board of Supervisors, FOIA requirements, etc.

Mr. Stroman began his presentation by informing the Committee that as County Attorney he serves as the legal advisor and he is happy to attend the meetings and provide legal services when needed. He encouraged the Committee members to use him and his office as a resource. First, he explained that the Committee was to serve in an advisory capacity to the Board of Supervisors. The Supervisors put great responsibility on the individuals

they appoint to advise them. The Board will be relying heavily on the Committee's research and expertise. Next, he explained that the Chairman was to preside over the Committee using proper meeting procedure, Robert's Rules of Order. With regard to closed meeting agenda items, he suggested that the members refer them to Ms. Morris, who would then refer them to Mr. Stroman for his recommendation. Mr. Stroman informed the Committee that closed meeting items would be a rarity because the Committee's work differs from the Board of Supervisors, in that it has no actual authority to enter into an agreement with landowners. The one possible circumstance would be if the Committee were attempting to retain a professional for services, the bargaining position of the Committee may be jeopardized if not discussed in closed meeting.

The Committee feels that it is very important for them to hear the thoughts, ideas, and concerns of the citizens; however, it was unsure how this should be handled. According to Mr. Stroman, the Committee has the right to change the order of business to add a public comment period, but such changes must be done through an amendment to the bylaws. To keep the meeting on schedule, it may be necessary to insert a public comment provision in the bylaws in the future. It was determined that the Committee will discuss the options and determine how they want to handle this issue at a later date.

Mr. Stroman began discussing FOIA (Freedom of Information Act) with the Committee. He offered to share with the members the outline that his office prepared for the Board of Supervisors, since the requirements are the same for any public body. The Committee was informed that The Smithfield Times formally requested notification regarding all meetings held. Regarding meeting notification, Mr. Stroman said that the law required three (3) business days advance notice for all public meetings. Ms. Darden asked if the notification requirements held true for subcommittee meetings, and he said yes. A quorum or three (3) members, voting and non-voting, whichever is less, constitutes a public meeting.

Mr. Stroman again emphasized the need to follow Robert's Rules of Order as a guide in the Committee's work. He suggested that the Committee pay particular attention to the minutes because they are what will be used if there is ever a court case or dispute. Mr. Stroman encouraged the Committee to be sure to make changes to the minutes as necessary. Lastly, Mr. Stroman reminded the Committee that an annual report to the Board of Supervisors is required, but not due until the end of the calendar year.

Scott Bachman inquired as to who handles FOIA requests. Mr. Stroman said that it could be possible that any Committee members might receive a FOIA request. If so, he suggested that it be relayed to Ms. Morris or his office immediately. A timely response of five (5) business days is required. As a Committee member there is potential personal liability for willful violations of FOIA.

Mr. Stroman thanked the Committee for their time and requested that they call him if they ever have a question. Mr. Oliver thanked Mr. Stroman for attending and commented on his good personality and kindness.

Ms. Darden thanked Mr. Stroman for his presentation and then began the next new business item on the agenda. She informed the Committee that the best approach may be to walk through the draft ranking criteria number by number and then go back and attempt to assign points to each category.

Ms. Morris introduced the newest member to the Committee, Amy Ring, Asst. Director of Planning and Zoning. Ms. Ring offered information on her background and provided a copy of the City of Chesapeake's ranking criteria, which Ms. Darden requested be copied and distributed to the members.

Ms. Darden discussed each individual criterion with the group, assigning tentative points based on that particular criterion's importance. There was much discussion as to the objective of the program: to protect cropland and pastureland, or forest land. Ms. Morris reminded the Committee that the program was to protect farm and forest land. The Committee determined that the land which had the most potential for development would more than likely be cropland and pastureland; therefore, these properties should rank higher. Mr. Bachman stated that if the objective was to protect environmentally sensitive areas/characteristics, then it would be in the best interest of the program to weight forestland more heavily. It was determined that the Committee would revisit the issue at the next meeting.

The Committee asked that there be more specific definitions as to what each of the conservation plans entailed so that there will not be any confusion as to what plans the landowners were implementing. Additionally, the Committee requested that Tara Williams and Ms. Morris check with Jim Wright, NRCS, to determine the best way to rank the soils in Isle of Wight County. Also discussed in detail was the working family farm provision, and whether or not to calculate farm income. It was decided that absentee landowners and their property were very important to the viability of the industry, so they should be encouraged, not discouraged, by this criteria. At the next meeting this criterion will be finalized.

In conclusion Ms. Darden asked that Ms. Morris and others compile the suggested changes to the ranking criteria as well as look more closely at Chesapeake's criteria. It was requested that Ms. Morris share the amended draft with the entire Committee at the next meeting. Further, Ms. Darden requested that the Committee begin discussing the target areas at the next meeting as well.

There being no further business and no closed meeting agenda items, Ms. Darden adjourned the meeting until the next meeting date, which is set for June 28, 2006, at 7 p.m.