

**Report on the
Town of Farmville - County of Prince Edward
Settlement Agreement**



**Commission on Local Government
Commonwealth of Virginia**

May 1992

TABLE OF CONTENTS

PROCEEDINGS OF THE COMMISSION	1
SCOPE OF REVIEW	2
GENERAL CHARACTERISTICS OF THE TOWN, THE COUNTY, AND THE AREA PROPOSED FOR ANNEXATION	3
Town of Farmville	3
County of Prince Edward	6
Area Proposed for Annexation	8
STANDARDS FOR REVIEW	10
Interests of the Town of Farmville	10
Interests of the Area Proposed for Annexation	17
Interests of the County of Prince Edward	34
Interests of the Commonwealth	35
FINDINGS AND RECOMMENDATIONS	36
Boundaries of Area 6	36
Agricultural Land Preservation	37
APPENDIX A	Voluntary Settlement of Annexation and City Status, Town of Farmville - County of Prince Edward
APPENDIX B	Statistical Profile of the Town of Farmville, the County of Prince Edward, and the Area Proposed for Annexation
APPENDIX C	Map of the Area Proposed for Annexation

**REPORT ON THE
TOWN OF FARMVILLE - COUNTY OF PRINCE EDWARD
VOLUNTARY SETTLEMENT AGREEMENT**

PROCEEDINGS OF THE COMMISSION

On January 31, 1992 the Town of Farmville, acting in concert with Prince Edward County, formally submitted to the Commission on Local Government for review a proposed voluntary settlement agreement which had been negotiated under the authority of Section 15.1-1167.1 of the Code of Virginia. Consistent with the Commission's Rules of Procedure, the Town's notice was accompanied by data and materials supporting the proposed agreement.¹ Further, in accordance with statutory requirements, the Town concurrently gave notice of the proposed agreement to 17 other political subdivisions with which it was contiguous or with which it shared functions, revenues, or tax sources.² The proposed agreement contains provisions which would (1) grant the Town an annexation of 2.1 square miles of territory in the County, (2) require the Town's renunciation of its authority to initiate succeeding annexation actions for a ten-year period, (3) require the Town's waiver of its authority to seek city status until it has obtained a minimum population of 25,000 persons, and (4) commit the Town to the construction of specified public improvements in the area proposed for annexation during a ten-year period following the effective date of the annexation.³

On March 24, 1992 the Commission initiated its review process by touring the area proposed for annexation and other relevant areas and facilities in the Town and County and by receiving oral presentations from the parties in support of the proposed agreement. In addition to its receipt and consideration of materials and testimony from the Town

¹Town of Farmville, Notice of the Town of Farmville's Intent to Petition for Approval of a Voluntary Settlement with Prince Edward County (hereinafter cited as Town Notice), Vol. I - Notice and Supporting Data and Vol. II - Map Exhibits.

²Sec. 15.1-945.7 (A), Code of Va.

³See Appendix A for the full text of the proposed agreement.

and County, the Commission solicited comment from other potentially affected local governments and from the public.⁴ Each locality qualifying for notice of the proposed agreement under the provisions of Section 15.1-945.7(A) of the Code of Virginia was invited by the Commission to submit testimony for its consideration. Further, the Commission held a public hearing in Farmville on the evening of March 24, 1992 which had been advertised in accordance with Section 15.1-945.7(B) of the Code of Virginia.⁵ In order to provide additional opportunity for public comment, the Commission agreed to keep open its record for written submissions from the public through April 24, 1992.

SCOPE OF REVIEW

The Commission on Local Government is directed by law to review proposed annexations, petitions for partial county immunity, other local boundary change and transition issues, as well as negotiated agreements settling such matters prior to their presentations to the courts for ultimate disposition. Upon receipt of notice of such proposed action or agreement, the Commission is directed "to hold hearings, make investigations, analyze local needs" and to submit a report containing findings of fact and recommendations regarding the issue to the affected local governments.⁶ With respect to a proposed agreement negotiated under the authority of Section 15.1-1167.1 of the Code of Virginia, the Commission is required to determine in its review "whether the proposed settlement is in the best interest of the Commonwealth."

⁴At the request of the Commission all materials which had been submitted to it by the parties relative to the proposed voluntary settlement agreement were made available for public review in the offices of the Town Manager of Farmville and the County Administrator of Prince Edward County.

⁵No person testified before the Commission at the public hearing.

⁶Sec. 15.1-945.7 (A), Code of Va.

As we have noted in previous reports, it is evident that the General Assembly encourages local governments to attempt to negotiate settlements of their interlocal concerns. Indeed, one of the statutory responsibilities of this Commission is to assist local governments in such efforts. In view of this legislative intent, the Commission believes that proposed interlocal agreements, such as that negotiated by the Town of Farmville and Prince Edward County, should be approached with respect and a presumption of their compatibility with applicable statutory standards.

The Commission notes, however, that the General Assembly has decreed that interlocal agreements negotiated under the authority of Section 15.1-1167.1 of the Code of Virginia be reviewed by this body prior to their final adoption by the local governing bodies. We are obliged to conclude, therefore, that while interlocal agreements are due respect and should be approached with a presumption of their consistency with statutory standards, such respect and presumption cannot be permitted to render our review a pro forma endorsement of any proposed settlement. Our responsibility to the Commonwealth and to the affected localities requires more.

GENERAL CHARACTERISTICS OF THE TOWN, THE COUNTY, AND THE AREA PROPOSED FOR ANNEXATION

TOWN OF FARMVILLE

The Town of Farmville, which was founded in 1798 and incorporated by the Virginia General Assembly in 1912, has been the seat of government for Prince Edward County since 1872.⁷ Much of the Town's early history was influenced by its location at one of the early bridges constructed across the Appomattox River, and it is currently the site of one of the State's institutions of higher education (Longwood College). Although the Town plays a significant role in the corporate life of Prince Edward County, it experienced a slight population decline during

⁷Town Notice, Vol. I, p. 26.

the preceding decade, with its populace decreasing between 1980 and 1990 from 6,067 to 6,046 persons, or by 0.3%.⁸ Based on its land area of 4.53 square miles and its 1990 population, the Town has a population density of 1,335 persons per square mile.⁹

It is significant to note that the decrease in the Town's population during the decade of the 1980's would have been more significant if there had not been an increase in the number of students residing in college dormitories located within the municipality. Between 1980 and 1990 the number of persons residing in dormitories in Farmville increased from 1,883 to 2,124, or by 13.3%, while the other segment of the Town's population declined from 4,184 to 3,922 persons, or by 6.3%.¹⁰

With respect to the nature of its population, the evidence indicates that the elderly component of the Town's populace is significantly larger than that of the State as a whole. Data reveal

⁸U. S. Department of Commerce, Bureau of the Census, 1980 Census of Population, General Population Characteristics, Virginia, Table 14; and 1990 Census of Population and Housing, Summary Population and Housing Characteristics, Virginia, Table 16. The Town of Farmville encompasses territory in both Prince Edward and Cumberland Counties. As of the 1990 Census, 93.3% of the Town's population resided in that portion of Farmville located in Prince Edward County, with those residents representing 32.6% of that County's total population. (1990 Census of Population and Housing, Summary Population and Housing Characteristics, Virginia, Table 16.) Unless otherwise noted, all data concerning Farmville cited in this report include elements for that portion of the Town located in Cumberland County.

⁹The Town's last boundary expansion occurred in 1971 when it annexed 2.6 square miles of territory in Prince Edward County containing approximately 1,480 persons and 0.6 square miles of territory in Cumberland County containing approximately 460 persons. See Appendix B for a statistical profile of the Town, the County, and the area proposed for annexation. See Appendix C for a map of the Town and the area proposed for annexation.

¹⁰U. S. Department of Commerce, Bureau of the Census, unpublished data from the 1980 Census of Population and Housing, Summary Tape File 3A; and 1990 Census of Population and Housing, Summary Tape File 1.

that, as of 1990, 24.9% of the Town's population was age 65 years or older, while the comparable figure for the State collectively was only 10.4%.¹¹ However, as a consequence of the concentration of college students in the municipality, the median age of Farmville residents in 1990 was only 21.9 years, significantly lower than the comparable figure for the Commonwealth generally (32.6 years). The presence of college students in the Town contributed to the fact that, as of 1990, approximately 42.0% of Farmville's population was between the ages of 18 and 24.¹²

With respect to Town's physical development, 1990 land use data indicate that 17.7% of Farmville's total area is devoted to residential development; 6.0% to commercial enterprise; 0.06% to industrial activity; 14.4% to institutional, public, or semi-public uses; 14.1% to transportation or utility purposes; with 47.2% (1,366 acres) remaining undeveloped.¹³ Of the undeveloped property, however, 610 acres are either situated on slopes 15% or greater, located in the floodplain, or covered by water. Exclusive of this land affected by environmental constraints, the Town retains approximately 756 acres, or 26.1% of its total land area, vacant and suitable for development.¹⁴ Much of that acreage, however, has development limitations imposed by locational concerns, parcel size, access to utilities or public arterial, or appropriate land use considerations.¹⁵

¹¹1990 Census of Population and Housing, Summary Population and Housing Characteristics, Virginia, Table 2.

¹²Ibid. Persons age 18 to 24 constituted only 11.6% of the State's population as a whole in 1990. (Ibid.)

¹³Town Notice, Vol. I, p. 102.

¹⁴Ibid.

¹⁵Ibid., p. 99.

COUNTY OF PRINCE EDWARD

The County of Prince Edward was created by the Virginia General Assembly in 1754 from territory formerly part of Amelia County.¹⁶ The County's population increased from 16,456 to 17,320 persons between 1980 and 1990, or by 5.3%.¹⁷ On the basis of its 1990 population and an area of 357 square miles, the County has an overall population density of 49 persons per square mile.¹⁸

As in the case of the Town, the population growth experienced by the County between 1980 and 1990 was largely due to the increase in the number of persons residing in college dormitories. During that decade, the number of college student living in dormitories at Longwood and Hampden-Sydney Colleges increased from 2,455 to 2,946 persons, or by 20.0%, while the remaining segment of the County's population increased by only 2.7%.¹⁹

With respect to the nature of its population, statistical indices disclose that the County's populace, like that of the Town, is older

¹⁶J. Devereux Weeks, Dates of Origin of Virginia Counties and Municipalities (Charlottesville: Institute of Government, University of Virginia, 1967).

¹⁷1980 Census of Population, General Population Characteristics, Virginia, Table 4; and 1990 Census of Population and Housing, Summary Population and Housing Characteristics, Virginia, Table 15. Also located within Prince Edward County is a portion of the Town of Pamplin, which in 1990 contained 26 persons. Between 1980 and 1990, the population of the unincorporated portion of Prince Edward County increased by 8.5%.

¹⁸County of Prince Edward, Response of the County of Prince Edward to Petition for Approval of a Voluntary Settlement Between Prince Edward County and the Town of Farmville (hereinafter cited as County Response). The 1990 population density of the unincorporated portions of Prince Edward County was 33 persons per square mile.

¹⁹Unpublished data from the 1980 Census of Population and Housing, Summary Tape File 3A; and 1990 Census of Population and Housing, Summary Tape File 1. In 1990 approximately 72% of the persons residing in college dormitories in Prince Edward County resided in Farmville.

than that of the Commonwealth generally. Data indicate that, as of 1990, approximately 22.8% of the County's population was age 65 or over, a statistic more than twice that for the State generally (10.7%).²⁰ Similar to Farmville, the student dormitory populations of both Longwood and Hampden-Sydney Colleges serve to reduce the County's median age. Bureau of the Census data for 1990 reveal that persons age 18 to 24 years comprised approximately 25.0% of the County's total population, a statistic significantly greater than that for the State overall (11.6%).²¹

In terms of the nature of its development, statistics indicate that Prince Edward County has experienced steady growth in its economic base during the preceding decade. The data reveal that between March 1981 and March 1991 the number of non-agricultural wage and salary positions in the County grew from 6,134 to 7,320, or by 19.3%.²² Despite this employment growth, the evidence suggests that outside of the two incorporated towns, agricultural and forestal activities remain a significant component of the County's economic base. As of 1987, there were 353 farms in the County occupying a total of 71,034 acres (approximately 111 square miles), with the average market value of

²⁰1980 Census of Population, General Population Characteristics, Virginia, Table 4; and 1990 Census of Population and Housing, Summary Population and Housing Characteristics, Virginia, Table 1. Statistics for Prince Edward County include data regarding the residents of the County's two incorporated towns.

²¹1980 Census of Population, General Population Characteristics, Virginia, Table 4; and 1990 Census of Population and Housing, Summary Population and Housing Characteristics, Virginia, Table 1.

²²Virginia Employment Commission, "Population and Labor Force Data, March 1981"; and "Covered Employment and Wages in Virginia by 2-Digit SIC Code for Quarter Ending March 31, 1991." Although manufacturing employment in the County declined by 19.3% between 1981 and 1991, during that period employment in the wholesale and retail trade and the service sector increased by 53.9% and 81.2%, respectively.

agricultural products sold by Prince Edward County farms being \$27,979.²³ Further, 1991 data disclose that 166,832 acres (approximately 261 square miles) in Prince Edward County were considered forest land.²⁴ Consistent with the agricultural and forestal data, a 1990 land use survey revealed that only 3.7% of the County's land area was devoted to residential, commercial, industrial or public uses.²⁵ In sum, while Prince Edward County has experienced population growth during the past decade, and while it has witnessed growth in its non-agricultural wage and salary employment, the County remains predominantly rural with development generally confined to its two towns and adjacent areas.

AREA PROPOSED FOR ANNEXATION

The area proposed for annexation in the agreement between the Town of Farmville and Prince Edward County consists of seven separate parcels adjacent to the Town which collectively contain 2.1 square miles of territory, 570 persons, and, based on FY1991-92 assessment data, \$17.4 million in total assessed property values subject to local taxation.²⁶

²³U. S. Department of Commerce, Bureau of the Census, 1987 Census of Agriculture, Virginia, Table 1, p. 149. In 1987 the average market of agricultural products sold by farms in the State collectively was \$35,464.

²⁴U. S. Department of Agriculture, Forest Service, Forest Statistics for the Southern Piedmont of Virginia, 1991, Table 1. The Forest Service defines "forest" land as property being at least 16.7% stocked by forest trees of any size, or formerly having had such tree cover and not currently developed for non-forest use. Such property may also be included in the Census Bureau's definition of "farm land."

²⁵County of Prince Edward, Comprehensive Plan for Prince Edward County, p. 33. The land use survey for the County was conducted by the U. S. Department of Agriculture, Soil Conservation Service. That survey also included surface water (i. e., creeks, lakes, ponds and rivers) in the same category as residential, commercial, and industrial uses.

²⁶Town Notice, Vol. I, p. 30-32. Subsequent to the submission of the proposed agreement to the Commission for review, Prince Edward County and the Town of Farmville requested that one small parcel, containing a single residence, at the intersection of Persimmon Tree

Thus, the area contains approximately 0.6% of the County's total land area, 3.3% of its population, and 3.4% of its total 1990 assessed property values subject to local taxation. Based on its area and the 1990 population estimate, the area proposed for annexation has a population density of 278 persons per square miles, or more than eight times that of the unincorporated portion of Prince Edward County (33 persons per square mile).

In terms of current development, the area contains three major residential subdivisions, three apartment complexes, commercial areas along U. S. Highways 460 and 15, one industrial operation, and several public facilities.²⁷ According to the most recent land use data, 8.1% of the area is devoted to residential development, 3.3% to commercial enterprise, 0.1% to industrial activity, 9.81% to institutional or public and semi-public uses, with 75.1% (987 acres) remaining vacant or engaged in agricultural production.²⁸ Exclusive of land restricted in its development potential due to environmental constraints (located in the floodplain or on slopes greater than 15%), the area proposed for annexation contains 728 acres of land suitable and generally available for development.²⁹ In sum, although the area proposed for annexation is predominantly vacant, it presently contains a number of focal points of development.

Road and Noblin Drive be added to the area proposed for annexation. (Mildred B. Hampton, County Administrator, County of Prince Edward, letter to Commission on Local Government, Apr. 2, 1992; and Carter Glass, IV, Special Counsel, Town of Farmville, letter to staff of Commission on Local Government, May 13, 1992.) While the data presented in the Town Notice are not inclusive of that relative to the additional parcel, the impact of the inclusion of the additional residential site is minuscule.

²⁷The area proposed for annexation also contains the Farmville water treatment plant, a portion of the Town's Wilck's Lake Park, and the site of the Town's new sewage treatment plant.

²⁸Town Notice, Vol. I, p. 103.

²⁹Glass, letter to staff of Commission on Local Government, Mar. 2, 1992.

STANDARDS FOR REVIEW

As indicated previously, the Commission on Local Government is charged with reviewing proposed interlocal settlements negotiated under the authority of Section 15.1-1167.1 of the Code of Virginia for the purpose of determining whether such settlements are "in the best interest of the Commonwealth." In our judgement, the State's interest in this and other proposed interlocal agreements is fundamentally the preservation and promotion of the general viability of the affected localities. In this instance the Commission is required to review an interlocal agreement which provides for (1) an annexation by the Town of Farmville of 2.1 square miles of territory in Prince Edward County, (2) the waiver by the Town of its authority to initiate succeeding actions for a period of ten years following the effective date of the proposed annexation, (3) the waiver by the Town of its authority to seek independent city status until it attains a minimum population of 25,000 persons, and (4) the Town's construction of specified utility lines in the areas annexed during the ten-year period following the effective date of annexation. A proper analysis of the proposed Town of Farmville - County of Prince Edward Settlement Agreement, as mandated by statute, requires consideration of the ramification of these provisions with respect to the future viability of the two jurisdictions.

INTERESTS OF THE TOWN OF FARMVILLE

Land for Development

As indicated previously, the Town of Farmville currently has within its boundaries approximately 1,366 acres of undeveloped land, with that acreage constituting 47.2% of the Town's total land area.³⁰ Of that vacant land, however, approximately 610 acres are located on slopes greater than 15%, are situated in floodplains, or are covered by water. Exclusive of such property restricted in its development potential by

³⁰Town Notice, Vol. I, p. 102.

those environmental factors, Farmville contains 756 acres, or 26.1% of its total land area, vacant and amenable to development. Town officials have advised, however, that much of the remaining vacant land is limited in its development potential by parcel size, multiple ownership, restricted access to major transportation thoroughfares, or other appropriate land use considerations.³¹ While the Commission recognizes that such factors are not absolute barriers to the development of land, they are considerations constituting impediments which render such property less attractive to developers.

The nature and competitive quality of the sites available within the Town are revealed by the differential rates of growth which have occurred in the Farmville area in recent years. In terms of industrial growth, between 1985 and 1991 the Town issued only one building permit (valued at \$85,000) for industrial construction, while during that same span of years the County issued six building permits for industrial projects (valued collectively at \$673,000).³² With regard to commercial activity, the data indicate that between 1985 and 1991 the Town issued 38 permits for the construction of new commercial properties (valued collectively at \$8.5 million), while during the same period the County issued 19 permits for the construction of such properties in its unincorporated areas (valued at \$3.0 million).³³ Thus, while industrial growth in the general area has largely occurred beyond the corporate boundaries of the municipality, Farmville has received the predominant share of the area's new commercial development. Finally, in terms of residential development, Farmville has not experienced a level of construction in recent years commensurate with that of the

³¹Ibid., p. 99.

³²Glass, letter to staff of Commission on Local Government, Mar. 2, 1992. The statistics concerning industrial building permits issued by the Town and the County differ from those contained in the data initially filed by Farmville. (See Town Notice, Vol. I, p. 54). The Town submitted revised information to the Commission which was derived from the Bureau of the Census' annual survey of building permits issued.

³³Ibid.

surrounding portions of Prince Edward County. The data indicate that between 1985 and 1991 the Town issued only 115 residential building permits (valued at \$3.9 million), while during the same period Prince Edward County issued 432 such permits in the unincorporated portions of the County (valued at \$23.2 million).³⁴

With respect to the issue of residential development, it is our view that the general viability of localities rests, in large measure, upon the capacity of a community to attract and retain a heterogeneous population. A prerequisite for such is a locality's ability to offer an array of housing alternatives to prospective residents. The data suggest that Farmville has confronted difficulty in this regard. In support of this concern are statistics indicating that between 1980 and 1990 the number of married couple families in the Town decreased by 21.6%, a markedly greater decrease than that which occurred in the County overall (4.4%).³⁵ In sum, the evidence suggests that the Town of Farmville has a need for additional land for industrial and residential development.

The proposed annexation would bring within the Town of Farmville approximately 728 acres of vacant land generally suited for development, with significant portions of that property served by U. S. Highways 460 and 15. The development potential of the area proposed for annexation is suggested by its proximity to the growth which has occurred adjacent to the Town's present corporate limits.³⁶ The proposed annexation, in

³⁴Glass, letter to staff of Commission on Local Government, Mar. 2, 1992. Data for the Town and the County were taken from the Bureau of the Census' annual survey of building permits issued and do not include information on permits issued for mobile homes.

³⁵U. S. Department of Commerce, Bureau of the Census, 1980 Census of Population, General Population Characteristics, Tables 39, 49; and 1980 Census of Population and Housing, Summary Population and Housing Characteristics, Virginia, Tables 5, 6.

³⁶The Commission notes that the development occurring in areas adjacent to Farmville include three motels, two restaurants, and three apartment complexes.

our judgment, will provide the Town of Farmville with a significant amount of vacant land with considerable development potential.

Fiscal Assets and Public Service Liabilities

Fiscal Assets. The Town of Farmville is the major service and employment center in Prince Edward County and continues to experience growth in its fiscal base commensurate with that of the County generally. Based upon State Department of Taxation calculations, the true value of real property in the Town increased between FY1981-82 and FY1990-91 from \$85.9 million to \$145.8 million, or by 69.7%.³⁷ During the same period, such values in Prince Edward County as a whole increased from \$270.7 million to \$482.3 million, or by 78.2%.³⁸ Despite Farmville's more modest growth in true real property values, during the same period of time the Town's total local-source revenue increased by 147.2%, while that of the County grew by only 125.5%.³⁹ Thus, while true real estate values in Farmville have grown at a

³⁷Town Notice, Vol. I, p. 44. Discrete data for public service corporation assessed values are not available. As of FY1990-91, approximately 7.1% of Farmville's true real property assessed values were located in Cumberland County. Between FY1981-82 and FY1990-91 the true value of real property located in the Prince Edward County portion of the Town increased by 78.1%, while that in Cumberland County rose by only 5.1%. (Ibid.)

³⁸Ibid. The assessed values for the County include those for properties located within the boundaries of its two incorporated municipalities. Although Prince Edward County has adopted use value assessment for qualifying properties, the calculation of its true real estate values is based on the fair market value of its real estate.

³⁹Creedle, Barbour & Jones, Town of Farmville, Virginia, Report on Audit of Financial Statements (hereinafter cited as Town Audit Report), Years Ended June 30, 1987 and June 30, 1991; and Robinson, Farmer, Cox Associates, County of Prince Edward, Virginia, Financial Report (hereinafter cited as County Audit Report), Years Ended June 30, 1987 and June 30, 1991. The Town does not depend as heavily on property taxes as Prince Edward County and most other Virginia localities. In FY1990-91, only 12.9% of Farmville's total local-source revenue was derived from property taxes, while such local taxes were the source of 57.7% of Prince Edward County's total local-source revenues for that year.

slightly slower rate than those of Prince Edward County generally in recent years, the Town's other fiscal resources have resulted in the generation of a greater increase in total local-source revenue.

The proposed agreement will permit the Town to annex an area containing approximately \$17.4 million in total assessed property values subject to local taxation. Thus, according to 1991-92 assessment data, the annexation will increase the Town's total assessed property values by approximately 12.9%.⁴⁰ Based on the current assessment data and tax rates, the area proposed for annexation is expected to generate approximately \$346,000 annually in additional local-source revenue for the Town.⁴¹ The additional receipts would represent 16.6% of the Town's 1990-91 total local-source revenue collections.

Public Service Liabilities. The proposed annexation, however, will present the Town of Farmville with expanded public service responsibilities. Under the terms of the agreement negotiated by the two jurisdictions, the Town is committed to providing public services to the residents in the annexed area at the same level as is currently provided in the Town. In addition, Farmville has identified specific capital improvements which are needed in the area to be annexed and has developed a ten-year plan to meet those needs.⁴² In terms of these additional public service liabilities, the Town estimates that it will be required to expend \$408,107 annually from both its general and enterprise funds for operational purposes and an additional \$2.8 million within a ten-year period for equipment purchases and capital

⁴⁰Town Notice, Vol. I, pp. 31-32.

⁴¹Ibid., pp. 123-24. Town estimates that the area proposed for annexation will also generate approximately \$134,400 in additional categorical and non-categorical State aid for the Town, primarily for the maintenance of public thoroughfares.

⁴²Ibid., pp. 12-13. The proposed agreement requires the construction of specified water and sewer facilities in the area proposed for annexation.

improvements.⁴³ The Town proposes to issue bonds for the capital equipment required for its general fund activities and to utilize excess general fund revenues or to increase water and sewer service charges for the necessary utility improvements.⁴⁴

With respect to the impact of the proposed annexation on the Town's enterprise fund, several points merit note. Following the effective date of annexation, the Town's utility customers in the annexed area will not be required to pay the 50% surcharge now imposed on non-resident water and sewer connections. As a consequence, Farmville officials estimate that annual receipts by the Town's enterprise fund will be reduced by approximately \$31,270 during the first five years following the effective date of the annexation.⁴⁵ That reduction, however, will be offset partially by additional revenues which the Town anticipates receiving as a result of the improvement and expansion of its sewage collection and treatment facilities.⁴⁶ As a consequence of those improvements, the Town will receive and treat wastewater from Hampden-Sydney College, the Prince Edward County school complex, and the

⁴³Ibid., pp. 120-21. Under the terms of the agreement, the Town's ten-year capital improvements plan for the area proposed for annexation includes the extension of 18,150 feet of water line, 38,360 feet of sewer lines, and the construction of two sewage pumping stations which are estimated to cost approximately \$2.6 million. (Ibid., pp. 115-16.) In addition, the Town's projected capital expenditures following the effective date of the annexation include \$220,000 for the purchase of equipment and for certain road improvements. (Ibid., p. 127.)

⁴⁴Ibid., pp. 120-21. As of June 30, 1991 the Town had an outstanding general obligation debt of approximately \$672,000, or less than 30% of its legal debt limit of approximately \$9.8 million. (Town Audit Report, Years Ended June 30, 1991, Schedule 11.)

⁴⁵Town Notice, Vol. I, p. 130.

⁴⁶Those improvements, which are to be complete by 1993, include the construction of a new 2.5 million gallon per day sewage treatment plant, expansion of an existing pump station, and the construction of a new pump station. Those costs, which will total \$6.01 million, are being financed by a 20-year interest-free loan from the Virginia Water Control Board's revolving loan fund. The Town is repaying the loan by assessing its utility customers a 50% surcharge on usage fees. (Ibid., p. 60.)

County's new industrial park, all of which are located south of Farmville and beyond the area proposed for annexation. Town officials estimate that service to those new sewer customers will generate approximately \$268,000 annually in additional enterprise revenue.⁴⁷ In addition, Farmville anticipates an increase of approximately \$25,000 per year as a result of terminating the preferential water and sewerage rates which it previously granted industries in the County.⁴⁸

Despite those additional sources of revenue, however, Farmville officials have projected that the indebtedness incurred as a result of the recent improvements to the Town's utility systems, in conjunction with the projected five-year capital expenditures required to extend public utility services to the area proposed for annexation (\$1.1 million), will result in an annual deficit in its enterprise fund of approximately \$82,500 by FY1994-95.⁴⁹ As a consequence, representatives of Farmville have indicated that the Town may confront the necessity of increasing its water and sewer rates by approximately 5.5% to address that projected annual deficit.⁵⁰ However, as of March 1992, the Town had approximately \$211,000 reserved for water and sewer

⁴⁷Town of Farmville, "Water and Sewer Fund, Revenues and Expenditures," Mar. 19, 1992, exhibit filed with the Commission on Local Government on Mar. 24, 1992. In addition to Hampden-Sydney College, the new lines will serve approximately 200 residential customers located adjacent to the college.

⁴⁸Ibid.

⁴⁹Ibid. Existing debt borne by the Town was incurred for the expansion of the sewage treatment plant, the installation of new utility lines, the construction and rehabilitation of sewage pumping stations, and the construction of a new water storage facility. An additional annual obligation will be placed upon the Town's enterprise fund as a result of a municipal plan to transfer monies from the water and sewer fund to its general fund to recover administrative costs for utility billing. Town officials have indicated that the amount of such transfers would be approximately \$60,000 annually.

⁵⁰Ibid.

improvements, and a portion of those funds could be used to defray any shortfall in water and sewer revenues.⁵¹

In terms of Farmville's fiscal projections relative to its enterprise fund, the Commission notes that the Town's methodology relies to a significant degree upon estimates of growth in revenues collected from its water and sewer connection fees and user charges, as well as assumptions concerning inflation rates which will affect actual capital expenditures.⁵² While projections of this nature are not without their risks, and while the Town currently has no significant financial reserve for unanticipated capital expenditures, it is our judgment that Farmville's estimates are reasonable and that, based upon current data, the Town has the fiscal capacity to meet the utility needs of the area proposed for annexation. In sum, in our judgment the proposed annexation presents the Town of Farmville with a reasonable balance of fiscal assets and public service responsibilities.

INTERESTS OF THE AREA PROPOSED FOR ANNEXATION

Community of Interest

One of the factors appropriate for consideration in the review of this agreement is the strength of the community of interest which joins the area proposed for annexation to the adjacent municipality. The evidence suggests that the area proposed for annexation has significant

⁵¹Ibid.

⁵²For example, the Town projects that in the second full year after annexation its receipts from water and sewer connection fees and user charges collected from within the enlarged area will be increasing at the rate of 4% per year. (Tom Crush, Consultant, Town of Farmville, communication with Commission on Local Government, Mar. 24, 1992.) Further, the Town's estimates for the installation of water and sewer lines in the annexed area assume that such work would be performed by private contractors. Town officials have indicated that to the extent that its Public Works Department personnel are able to undertake the necessary improvements, the costs of such work would be substantially reduced. (Ibid.)

ties to the Town of Farmville. First, data reveal that the Town of Farmville is currently the source of certain public services to the area proposed for annexation. The Commission notes that the Town is presently providing water and sewer services to a significant number of the area's residents and business establishments.⁵³ Further, the Town's recreational facilities are presently accessible to residents of the general area and are utilized by persons in the area proposed for annexation.⁵⁴ Furthermore, the Farmville police department routinely responds to emergency calls for service within that area.⁵⁵ These public service considerations promote a community of interest between the area proposed for annexation and the Town of Farmville.

Second, Farmville is clearly a focal point of commercial activity serving the area proposed for annexation and the general environs. The evidence reveals that, as of 1987 (the latest year for which such data are available), the Town contained 79.2% of the County's retail businesses, 79.1% of its service establishments, and 66.7% of its wholesale firms.⁵⁶

Third, the presence of approximately 35 public/semi-public and professional facilities in the Town increases the relationship between

⁵³Currently receiving water and sewer service from the Town in the area proposed for annexation are three apartment complexes, one mobile home park, three motels, two restaurants, and one industry. (Town Notice, Vol. I, pp. 56, 61.) The evidence suggests that the presence of Town utilities facilitated the development of those high-density residential uses as well as the commercial and industrial enterprises.

⁵⁴Town Notice, Vol. I, p. 181.

⁵⁵Gerald J. Spates, Town Manager, Town of Farmville, testimony before Commission on Local Government, Mar. 24, 1992.

⁵⁶U. S. Department of Commerce, Bureau of the Census, 1987 Census of Retail Trade, Geographic Area Series, Virginia, Table 5; 1987 Census of Service Industries, Geographic Area Series, Virginia, Table 5; and 1987 Census of Wholesale Trade, Geographic Area Series, Virginia, Table 5. The Commission observes that two shopping centers in the Town each contains a grocery store, a major department store, and a pharmacy serving residents of the surrounding area.

the municipality and its nearby residents. Those facilities and services include government offices, elementary and secondary schools (public and private), more than 15 churches, and a major hospital.⁵⁷ The concentration of commercial activity, public/semi-public facilities, and professional services in Farmville contribute to the community of interest which ties the municipality to its adjacent areas.

Finally, the area proposed for annexation has an urban character and service needs which more closely parallel those of the Town than the outlying portions of Prince Edward County. With respect to the nature of the area proposed for annexation, a number of developments along the primary and secondary highways radiating from the Town are, in our judgement, essentially extensions of development patterns originating within the Town.⁵⁸ In brief, the nature of the area proposed for annexation strengthens its relationship with the municipality.

For the reasons cited above, the Commission finds that the area proposed for annexation has a strong and pervasive community of interest with the Town of Farmville.⁵⁹ Such a community of interest supports the proposed annexation.

⁵⁷Town Notice, Vol. I, pp. 93-97; and Glass, letter to staff of Commission on Local Government, Mar. 2, 1992. The Southside Community Hospital and the offices of 33 physicians are located in Farmville.

⁵⁸Ibid., Vol. II, Map 12. These development patterns include those along U. S. Highway 460 (Business) east and west of Town and U. S. Highway 15 south of Farmville.

⁵⁹In 1990 Section 15.1-1167.1 of the Code of Virginia was amended to require a municipality annexing under the terms of that statute to redraw election district boundaries and to hold elections if the annexation increases the population of the affected jurisdiction by more than five percent. Since the annexation authorized by the proposed agreement will increase Farmville's population by 9.4%, the residents of areas annexed will become engaged quickly in the electoral affairs of the Town.

Need for Urban Services

The 2.1 square miles of territory proposed for annexation by the Town of Farmville under the terms of the agreement with the County are estimated to contain a population of 570 persons, giving the area a population density of 278 persons per square mile. While slightly more than 75% of the area is currently vacant or in agricultural use, it contains three residential subdivisions, three apartment complexes, three motels, and one industrial operation. With respect to future conditions in that area, the current Prince Edward County Comprehensive Plan, which was based upon an in-depth analysis of the County's needs and anticipated growth, calls for concentrated development immediately adjacent to the Town of Farmville where municipal water and sewer utility services are currently available or where they will be installed in the near future.⁶⁰ Thus, the evidence indicates that the area proposed for annexation will experience development and will increasingly need additional urban services.

Water Supply and Distribution. The Town of Farmville is the only source of treated water available to the residents of the area proposed for annexation.⁶¹ The Town's water treatment plant utilizes the Appomattox River as its raw water source and, according to its rated capacity, can receive and treat 3.0 million gallons per day (MGD).⁶² Farmville's water distribution system currently serves 1,699 connections, with 40 being located in the area proposed for

⁶⁰County Comprehensive Plan, pp. 44-46. The County's current comprehensive plan calls for development to occur in the area proposed for annexation along the U. S. Highway 460 corridors east and west of the Town as well as along the U. S. Highway 15 corridor south of Farmville.

⁶¹Ibid., p. 28.

⁶²Town Notice, Vol. I, p. 55. Farmville's water treatment plant is located in the area proposed for annexation. With the construction of additional filters, the treatment capacity of the Town's water plan can be expanded to a 6.0 MGD.

annexation.⁶³ The municipal distribution system required, as of 1990, approximately 0.95 MGD, leaving the system an unused capacity of 2.1 MGD.⁶⁴ This reserve should be sufficient to meet the needs of the Town and the area proposed for annexation for the foreseeable future.⁶⁵

With respect to the interests of the residents of the area proposed for annexation, the Commission notes that the settlement agreement between the Town and County requires Farmville to install approximately 18,100 feet of water lines in that area within ten years following the effective date of annexation.⁶⁶ Further, since Farmville places a surcharge on its connection fees and rates for non-resident customers, the proposed annexation will result in reduced charges for water services for those residents and businesses incorporated into the Town.⁶⁷ In sum, the proposed annexation will result in the extension of water service to additional connections in the annexed area and lower water rates for the area's customers.

⁶³Ibid. The Town provides water service to the three apartment complexes, one mobile home park, ten private residences, three motels, two restaurants, one industrial operation, and seven other businesses in the area proposed for annexation. Town water lines also extend to the County's new industrial park, which is located south of the U. S. Highways 15 and 460 (Bypass) beyond the area proposed for annexation. Other unincorporated areas served by Town water lines which will not be annexed include the County's industrial park north of Farmville, a nursing home, and a residential subdivision.

⁶⁴Ibid.

⁶⁵The Town's water distribution system is supported by five storage tanks which collectively store 2.5 million gallons of treated water. (Ibid., p. 55.)

⁶⁶Ibid., p. 115. The proposed agreement requires Farmville to install 5,280 feet of water lines at an estimated cost of \$216,000 within five years following the effective date of the annexation and an additional 12,870 feet of water line at an estimated cost of \$527,000 within the subsequent five-year period.

⁶⁷Ibid., p. 56. For non-residents the connection fee and water rates are 50% greater than for Town residents. (Ibid., p. 57.)

Sewage Treatment. The Town's sewerage system is served by two separate treatment facilities which have a combined permitted capacity of 1.0 MGD.⁶⁸ The Town's present sewage collection system consists of approximately 37 miles of gravity lines and force mains located both within and beyond Farmville's present boundaries.⁶⁹ The municipal collection system serves 1,662 connections, including 18 in the area proposed for annexation.⁷⁰ The Town's treatment facilities, as of 1990, received an average daily flow of 0.53 MGD, leaving an excess capacity of 0.47 MGD.⁷¹ Due to the inflow of stormwater and the infiltration of groundwater into the municipal sewer lines, and as a consequence of the age of its treatment facilities, Farmville is currently constructing a new sewage treatment plant. The new plant, which will be completed in 1993, will have a permitted capacity of 2.5 MGD.⁷²

⁶⁸Ibid., p. 59.

⁶⁹County Comprehensive Plan, p. 29. Town sewer lines extend south of the present municipal boundaries along Little Buffalo Creek to Hampden-Sydney College and to the County's school complex and new industrial park. Those lines, which were constructed with funds jointly provided by the Town, the County, and the College and then deeded to Farmville for maintenance, will not be activated until the completion of the Town's new sewage treatment plant. Other unincorporated areas with Town sewerage which will not be annexed include the County's industrial park north of Farmville, a nursing home, and a residential subdivision. The Town's collection system also includes six pumping stations, and one of those facilities currently is being rebuilt in order to connect the Prince Edward County school complex and Hampden-Sydney College sewerage systems to the Farmville treatment plant. (Town Notice, Vol. I, p. 59.)

⁷⁰Town Notice, Vol. I, pp. 60-61. In the area proposed for annexation Town sewerage serves three apartment complexes, one mobile home park, seven residences, three motels, two restaurants, one industrial operation and two other businesses. The Town also serves nine sewer connections located in other areas of the County.

⁷¹Ibid., p. 59.

⁷²Ibid., p. 60. The new sewage treatment facility, which is expected to cost \$4.7 million, is being financed by a 20-year interest free loan from the Virginia Water Control Board's revolving loan fund. When other improvements to the Town's collection system are completed, the new plant also will serve the Prince Edward County industrial park,

In terms of the interests of residents of the area proposed for annexation, the Town of Farmville is the only public source of sewage treatment presently available to serve the area.⁷³ Those residents of that area not presently served by the Town are dependent on individual septic tanks.⁷⁴ Under the terms of the proposed agreement, the Town will construct an additional 19,880 feet of sewerage lines in the annexed area during the five-year period following the effective date of the annexation.⁷⁵ Further, since Farmville places a surcharge on sewage connection fees and service fees for non-resident customers, the cost of sewerage service will be reduced in the areas annexed to the Town.⁷⁶ In sum, the proposed annexation will result in an extension of the Town's sewerage services in the annexed area and a reduction in connection fees and user charges for its residents and businesses.

the County's school complex, and Hampden-Sydney College, all of which are located south of the Town and beyond the area proposed for annexation.

⁷³The Commission notes that the public wastewater treatment systems which currently serve the Prince Edward County school complex and Hampden-Sydney College are scheduled to be connected to the Town's system in the near future. (Ibid., p. 59; and County Comprehensive Plan, p. 29.)

⁷⁴Town Notice, Vol. I., p. 61. Two of the three residential subdivisions in the area proposed for annexation are served by septic tanks. Town officials have advised that problems with septic tank failures in the area proposed for annexation have been reported in the Belmont Circle and Crestview subdivisions south of Farmville and in the areas along U. S. Highway 460 east of the Town. (Glass, letter to staff of Commission on Local Government, Mar. 2, 1992; and Paul Freed, Sanitarian, Prince Edward County Health Department, communication with staff of Commission on Local Government, Mar. 18, 1992.)

⁷⁵Town Notice, Vol. I, p. 116. The initial sewerage projects will include the extension of sewer lines along the U. S. Highway 460 corridors east and west of Farmville and the construction of a pumping station. These improvements will require the Town's expenditure of approximately \$908,000.

⁷⁶Ibid., p. 58. For non-resident customers, the sewer connection fee and sewer service fees are 50% greater than for customers in the Town. The Commission notes that all sewer customers currently are paying an additional 50% of their bimonthly bill to retire the loan for the Town's new wastewater treatment plant. (Ibid., p. 61.)

Solid Waste Collection and Disposal. The Town of Farmville provides its residents with weekly curbside solid waste collection service financed with general fund revenues.⁷⁷ The Town also provides periodic collections of leaves and of large and bulky items. In addition, the Town extends to its business concerns a schedule of collections, also funded from general fund revenues, dependent upon their needs.⁷⁸ Farmville disposes of its refuse at the County's landfill, which is located approximately seven miles west of the Town.⁷⁹

Prince Edward County does not provide any door-to-door solid waste collection services to individual residences or business firms. The County does offer, however, a bulk container service, with "green boxes" being located at eight sites for solid waste disposal.⁸⁰ In addition, County residents, including those in the area proposed for annexation, have the option of contracting with private entities for collection

⁷⁷Ibid., p. 67. As part of its residential collection service, Farmville makes available to its residents a mobile container for their use in the storage and collection of refuse. In addition, the Town offers a curbside collection of recyclable materials.

⁷⁸Ibid. Commercial establishments are also provided one mobile container per pick-up location.

⁷⁹County Comprehensive Plan, p. 29. The County charges the Town a \$25 per ton tipping fee for the use of the landfill. Based on current usage, the Prince Edward County landfill has a remaining life span of between 15 and 20 years. The County owns approximately 100 acres of land adjacent to the landfill which are available for future expansion of that facility. (Glass, letter to staff of Commission on Local Government, Mar. 2, 1992.)

⁸⁰County Comprehensive Plan, pp. 29-30; and Glass, letter to staff of Commission on Local Government, Mar. 2, 1992. The County employs a private contractor to transport the bulk containers to its landfill. The closest bulk container site to the area proposed for annexation is located approximately two miles from that area. County residents may also dispose of their household refuse directly at the landfill.

service, with the cost of such service being determined by the frequency of collection.⁸¹

With respect to the extension of service to the area proposed for annexation, the Town has indicated its intention to provide residences and businesses in that area with the same level of service and frequency of collection as currently being provided within the municipality.⁸² In the Commission's judgment, the extension of this service to the area proposed for annexation will be of benefit to that area and its residents. The general availability of publicly financed solid waste collection services promotes the use of the service, reduces the incidence of illegal disposal, and has a salutary effect on a community.

Planning, Zoning and Subdivision Regulation. The Town of Farmville conducts its public planning efforts with the assistance of a planning commission and a comprehensive plan which was adopted in 1982.⁸³ Further, the Town has subdivision and zoning ordinances, both of which

⁸¹Glass, letter to staff of Commission on Local Government, Mar. 2, 1992. Private contractors providing solid waste collection services to the area proposed for annexation charge a quarterly fee of \$30 per household.

⁸²Town Notice, Vol. I, p. 112. Although Town officials have indicated that the general, curbside collection services can be extended to the area proposed for annexation without any additional municipal cost. However, they have stated that in order to extend the collection of rubbish and recyclable materials to that area, the Town plans to employ additional workers at an annual cost of \$66,120, and to expend \$40,000 to purchase two additional collection vehicles.

⁸³Ibid., p. 69. The Town's 1982 comprehensive plan, which currently is being revised by the planning commission, was developed in concert with Prince Edward County. Although Section 15.1-454 of the Code of Virginia requires comprehensive plans to be reviewed at least once every five years by the local planning commission, there is no evidence to indicate that the Farmville planning commission has reviewed the Town's current plan since its adoption in 1982.

were revised in 1991, to assist in the management of its development.⁸⁴ Farmville's current subdivision ordinance requires developers to meet the standards of the Virginia Department of Transportation for the construction of new roads in subdivisions, but generally does not mandate the installation of sidewalks, curbs, and gutter.⁸⁵ At the present time the Town has no staff assigned full-time to the administration and application of its planning and development control instruments.⁸⁶

Following the effective date of the annexation, the Town plans to extend its comprehensive planning as well as the application of its current zoning and subdivision regulations to the annexed areas.⁸⁷ The Town's current development control regulations, in our view, have several deficiencies which reduce their appropriateness for the area proposed for annexation. First, the Town's instruments fail to include an adopted five-year capital improvements plan to coordinate the provision of public facilities consistent with the comprehensive

⁸⁴Ibid., pp. 69-70; and Glass, letter to staff of Commission on Local Government, Mar. 13, 1992. Prince Edward County has a planning commission, a revised comprehensive plan which was revised in 1990, and zoning and subdivision ordinances. In addition, Prince Edward County employs a full-time planner to assist in the day-to-day management of the development control processes in the County. (County Response, p. 15; Appendix A.)

⁸⁵Town of Farmville, Code of Farmville, Sec. 24-59. In instances where the Virginia Department of Transportation requires the installation of curb and gutter in new subdivisions, the Town's subdivision ordinance specifies that those facilities will be installed at the subdivider's expense.

⁸⁶The Town Manager is primarily responsible for the administration and enforcement of the planning and development control ordinances. (Town Notice, Vol. I, p. 69-70.) In addition, the Town has relied in the past on the Piedmont Planning District Commission for assistance in planning matters.

⁸⁷Ibid., p. 112.

plan.⁸⁸ Second, although Farmville currently has within its boundary an active agricultural operation, and while the proposed agreement calls for the annexation of additional agricultural properties, farming is not a permitted use in any of the Town's zoning districts.⁸⁹ Finally, the Town's sign regulations afford minimal control over the installation of signs in the five business and one industrial zoning districts within the municipality. Specifically, the ordinance does not control the number, size, nor height of the business or identification signs permitted in the business or industrial districts.⁹⁰ With the proposed annexation of commercial corridors adjacent to several major thoroughfares, a significant strengthening of the Town's signage control measures would be appropriate to protect the aesthetic quality of Farmville and its environs.

In sum, while the Commission recommends improvements in Farmville's planning and land development control efforts, the Town's instruments, unlike the County's, were designed principally for urban conditions and will benefit the area proposed for annexation.

⁸⁸The Town adopted a five-year capital improvements plan in 1985, but the plan has not been updated since that date. Special counsel for Farmville has advised, however, that as part of the general update of the Town's comprehensive plan, the Town Council will consider adopting a capital improvements plan covering the period 1993-2003 for the enlarged municipality in the spring of 1992. (Glass, letter to staff of Commission on Local Government, Feb. 19, 1992.)

⁸⁹The Commission observes that while the County's zoning ordinance contains a General Agricultural District, the range of permitted uses within that district (such as single-family and duplex dwellings, manufactured houses, nursing homes and planned residential communities) significantly reduces its protection of agricultural operations. In addition, the County's agricultural zone permits shopping centers, mobile home parks, restaurants, and manufacturing operations in the agricultural district upon issuance of a conditional use permit. (See County of Prince Edward, Zoning Ordinance, Secs. 2-1 - 2-2.)

⁹⁰Although identification signs are permitted in nine of the Town's twelve zoning districts, there are no definitions for such signs in the ordinance.

Crime Prevention and Detection. Since the law enforcement activities of Virginia's towns augment the services provided by county Sheriff's departments, the proposed annexation by the Town of Farmville would have the effect of intensifying the law enforcement services available to residents of the area annexed.⁹¹ The Town presently has 15 full-time sworn personnel, of which 13 are full-time officers assigned patrol responsibility.⁹² This staffing level is sufficient to give the Town one patrol officer for each 465 municipal residents, to maintain on duty a minimum of three patrol officers for each eight-hour shift, and to permit an average response time to emergency calls of 3-4 minutes.⁹³ It should also be noted that the Town maintains an organized crime prevention program, although no officer is assigned to that activity on a full-time basis.⁹⁴

⁹¹The County Sheriff's Department currently has a complement of 12 sworn officers who provide certain law enforcement services for all County residents. (James W. Matthews, Assistant Executive Secretary, Virginia Compensation Board, communication with staff of Commission on Local Government, Mar. 11, 1992.) Jail services are provided Farmville through the County's participation in the six-county Piedmont Regional Jail.

⁹²Town Notice, Vol. I, pp. 71-73. In addition, to the patrol officers, the Town's police department also employs a Chief of Police, one investigator, two part-time officers and seven full-time and one part-time dispatchers. During 1991 the department answered 6,588 calls for service, or 506 calls per patrol officer. (Glass, letter to staff of Commission on Local Government, Mar. 13, 1992.) The Town's police department serves as the communications center for the enhanced 911 system which was recently activated to serve Farmville and Prince Edward County generally. The Town provides dispatching services to the Longwood and Hampden-Sydney College Police Departments, the Prince Edward County Sheriff's Department, the volunteer fire departments, and the Prince Edward County Rescue Squad.

⁹³Ibid., pp. 72-73; and Glass, letter to staff of Commission on Local Government, Mar. 13, 1992. The Town's two part-time police officers are also assigned patrol responsibilities. Further, law enforcement services in Farmville are supplemented by the Longwood College Police Department with its complement of 11 sworn officers.

⁹⁴Town Notice, Vol. I, p. 74. The Town's crime prevention program includes seminars for students and civic and service groups.

In order to extend its law enforcement services to the area proposed for annexation, Farmville has indicated its intention to add two patrol officers and to purchase one additional police vehicle.⁹⁵ While the available data do not indicate any major unmet law enforcement concerns within the area proposed for annexation, the anticipated development of that area can be expected to result in a future need for intensified law enforcement services. In our judgment, the additional law enforcement services which will be provided by the Town of Farmville will benefit that area.

Public Works. The proposed annexation will result in the application of the Town's policies and procedures for the construction and maintenance of various public works in the annexed area. Farmville's policies and procedures are, in the Commission's judgment, properly designed to meet the needs of urbanizing areas and should be increasingly beneficial to the residents incorporated into the Town.

First, the Town of Farmville will assume responsibility for the construction and maintenance of roads in the annexed area. The ability of the Town to schedule and administer the maintenance of its public thoroughfares, as well as its apparent willingness to appropriate and expend local funds for that purpose, will, in our judgment, benefit the annexed area. With respect to the latter point, the data indicate that between Fiscal Years 1986-87 and 1990-91, the Town of Farmville expended approximately \$667,000 of local funds to improve and maintain approximately 80 lane-miles of public roadway within its corporate boundaries.⁹⁶ The proposed annexation will add approximately 16.4 lane-miles of roadways to the Town's street network, all of which will

⁹⁵Ibid., p. 112. The estimated additional operating expenses to the Town to provide law enforcement services to areas annexed is \$55,000 annually. (Ibid., p. 125.) Further, the purchase of an additional police vehicle will require a one-time capital expenditure of \$20,000. (Ibid., p. 119.)

⁹⁶Glass, letter to staff of Commission on Local Government, Mar. 2, 1992.

qualify for State maintenance payments.⁹⁷ Farmville has indicated that it is prepared to assume responsibility for the maintenance of all the public thoroughfares in the areas annexed.⁹⁸

Second, the Town of Farmville will accept full responsibility for snow removal from public thoroughfares in the area proposed for annexation. With respect to its snow removal services, the Town adheres to a policy that gives priority to major thoroughfares and the central business district, with other areas receiving deferred treatment.⁹⁹ Currently, Farmville has nine trucks with attachments for snow plows available for snow clearance and removal purposes. Town officials have stated that upon annexation the municipality can extend appropriate snow removal services to the annexed area without purchasing additional equipment.¹⁰⁰

Third, the Town of Farmville adheres to a policy by which it installs, maintains, and operates streetlights at public expense.¹⁰¹ At the present time there are 639 publicly funded streetlights within

⁹⁷Ibid., Mar. 3, 1992. Town officials have indicated that there are no private roads in the area proposed for annexation.

⁹⁸Town Notice, Vol. I, p. 113. During the first year of annexation, the Town estimates that it will be required to employ two additional workers, purchase a dump truck, and expend an additional \$139,000 for the maintenance of streets in the annexed area. The Commission notes, however, that the Town will receive an additional \$121,000 from the State for street maintenance.

⁹⁹Ibid., p. 87.

¹⁰⁰Ibid., pp. 64-65, 114. The Town proposed, however, to increase its expenditures for snow removal chemicals following the effective date of the annexation.

¹⁰¹Ibid., p. 86. Farmville's policy is to install streetlights at every intersection and along public street right-of-ways as required. The Town also considers requests from residents for the installation of new streetlights on an individual basis.

the Town's corporate limits.¹⁰² In order to extend appropriate service to the area proposed for annexation, the Town proposes to install and operate, at public expense, approximately 81 streetlights at appropriate locations.¹⁰³ In our judgment, the area proposed for annexation will benefit from the application of the Town's policy regarding the installation and operation of these facilities.

Other Service Considerations. The Commission notes that with respect to two other principal public concerns -- fire protection and recreation -- residents of the area proposed for annexation will not experience any immediate change in service level as a result of their incorporation into the Town of Farmville. With regard to fire protection, the Town and Prince Edward County, in conjunction with Cumberland County, jointly support the Farmville Volunteer Fire Department (VFD). That department serves the Town and areas outside its corporate limits, including the area proposed for annexation.¹⁰⁴ The VFD which responded to approximately 12 calls in the Prince Edward County portion of its service area during 1991, has a complement of 40

¹⁰²Glass, letter to staff of Commission on Local Government, Mar. 13, 1992. Farmville contracts with Virginia Power Company to install and maintain the Town's streetlights.

¹⁰³Glass, letter to staff of Commission on Local Government, Mar. 3, 1992. The Commission notes that there are currently no publicly funded streetlights in the area proposed for annexation. (Town Notice, Vol. I, p. 86.)

¹⁰⁴Glass, letter to staff of Commission on Local Government, Mar. 2, 1992. The Farmville VFD serves the Town, parts of Buckingham and Cumberland Counties, and a portion of Prince Edward within one mile of the Town limits which includes the area proposed for annexation. (Town Notice, Vol. I, p. 75.) Between FY1986-87 and 1990-91, the Town provided \$210,845 in financial support to the Farmville VFD, while during that same period, Prince Edward contributed \$52,710 to the VFD. The remaining portion of the departments operating expenses were provided by Cumberland County or private donations. Not included in those amounts is the approximately \$517,000 the Town expended for the construction of a new fire station which opened in November 1991.

volunteer firefighters.¹⁰⁵ The fire suppression capabilities of the Farmville VFD and the Town's water distribution system are such that properties within the municipality, as well as those portions of the area proposed for annexation which are located within 1,000 feet of a Town fire hydrant, are classified "7" by the Insurance Services Office (ISO) of Virginia in terms of their exposure to fire loss.¹⁰⁶ Other properties in the area proposed for annexation situated more distant from a fire hydrant have an ISO classification of "9."¹⁰⁷ Future plans of the Town to extend its water distribution system within the area to be annexed should result in an improved ISO classification for the affected properties.¹⁰⁸

In terms of public recreational services, residents of the area proposed for annexation, and those of the County generally, currently

¹⁰⁵Town Notice, Vol. I, p. 75. During the calendar 1991, the VFD also responded to 20 calls originating from within the Town's current boundaries and 19 calls from other portions of the department's service area.

¹⁰⁶Glass, letter to staff of Commission on Local Government, Mar. 13, 1992. The ISO classification is based on a scale of "1" to "10" for comparison with other municipal fire protection systems and represents an indication of a system's ability to defend against the major fire which may be expected in any given community. Where protection class "10" is assigned, there is no or minimal protection. Protection class "1" represents a fire protection system of extreme capability. The principal features used by ISO in grading a community's fire system are water supply, fire department, fire communications, and fire safety control. [John L. Bryan and Raymond C. Picard, Managing Fire Services (Washington, D. C.: International City Management Association, 1979), p. 102.]

¹⁰⁷Glass, letter to staff of Commission on Local Government, Mar. 13, 1992.

¹⁰⁸Town Notice, Vol. I, pp. 111, 115. Improvements to the water system in the area proposed for annexation include the installation of approximately one mile of distribution lines and four fire hydrants along U. S. Highway 460 (Business) east of Town during the first five years following the effective date of the annexation. (Glass, letter to staff of Commission on Local Government, Mar. 2, 1992.) Currently, there are only 17 fire hydrants connected to Town water lines in the area proposed for annexation. (Town Notice, Vol. I, p. 77.)

utilize Farmville's recreational facilities and participate in the recreational programs sponsored by the Town on the same basis as municipal residents.¹⁰⁹ The Town's recreational activities are conducted at three municipally owned parks (including the 100-acre Wilck's Lake Park), at leased softball fields, the National Guard armory, and facilities owned by Longwood College.¹¹⁰

While the proposed annexation will not immediately affect the level of fire suppression and recreation programs in the area annexed, the Town's commitment to such services and programs will increasingly benefit that area and its residents.

Summary of Service Needs

In the preceding sections of this report the Commission has endeavored to analyze the existing and prospective urban service needs of the area proposed for annexation and the ability of the Town of Farmville to meet those needs. On the basis of the data previously cited, the Commission finds that the area proposed for annexation will benefit from the extension of Town services and policies.¹¹¹ Further,

¹⁰⁹Town Notice, Vol. I, p. 81. The Town's Department of Recreation, which was established in 1989, currently employs a full-time Director of Recreation and one other full-time employee who is responsible for the maintenance of Farmville's parks. Within the past year Prince Edward County has begun the development of a professional staff for the provision of recreational programs for its residents, including those in Farmville. (Ibid., p. 83.)

¹¹⁰Ibid., pp. 82-83. Wilck's Lake Park, a portion of which is located in the area proposed for annexation, includes a 35-acre lake, picnic shelters, a volleyball court, fishing piers and a boat ramp.

¹¹¹At the request of the Commission, the Town of Farmville has estimated the financial impact of the proposed annexation on residents of that area. The Town's estimates indicate that a "typical" household in that area which (1) has real estate assessed at \$75,000 (2) possesses two automobiles collectively assessed at \$12,000, (3) is currently receiving municipal water and sewerage service, and (4) is contracting for refuse collection will experience a savings of approximately \$250 per year as a consequence of annexation. The Town estimates that a

the Town is capable, in our judgment, of meeting the future need of that area as it develops.

INTERESTS OF THE COUNTY OF PRINCE EDWARD

The annexation proposed in the agreement negotiated by the Town of Farmville and Prince Edward County will have minimal adverse impact on the County. While the proposed annexation will reduce initially some of the County's minor revenue sources, all properties annexed by the Town will remain subject to taxation by Prince Edward County.¹¹² Moreover, upon annexation the Town will assume responsibility for providing certain services to the annexed area, such as utilities, law enforcement, refuse collection, and development control, which will reduce the pressure on County staff and resources. In addition, the proposed annexation will permit the Town of Farmville to benefit from an immediate infusion of fiscal resources, will assure it of land for future development, and will, accordingly, increase the Town's ability to serve the general area. In brief, the enhanced fiscal viability of the Town will be a positive factor in strengthening the economy of the area, with economic benefits accruing to the citizens of Prince Edward County generally.

Aside from the beneficial consequences of the proposed annexation, there are other elements of the agreement which serve the interest of

similar household not receiving Town utilities and not contracting for refuse collection services will experience an added cost of approximately \$130 per year as a result of annexation. (Glass, letter to staff of Commission on Local Government, Apr. 10, 1992.) The data were presented to the Commission as tabular attachments to Mr. Glass' letter.)

¹¹²Town Notice, Vol. I, p. 107. The estimated loss of revenue to the County will be \$51,900 from decreases in its receipts of ABC profits and motor vehicle carriers tax distributed by the State, as well as from reductions in sales, motor vehicle license, and consumer utility tax receipts. (Ibid., pp. 109-10). That estimated revenue loss constitutes 0.75% of the County's budgeted general fund revenue collections for FY1990-91.

Prince Edward County. First, the agreement contains a provision by which the Town agrees not to initiate any subsequent annexation for a ten-year period following the effective date of the currently proposed boundary expansion. This provision allows the County, as well as the Town, an opportunity to become acclimated to the presently proposed extension of its boundaries and ensures time for deliberate adjustment to changing circumstances. Second, the agreement includes a provision by which the Town waives its authority to seek city status until it has obtained a minimum population of 25,000 persons.¹¹³ This provision assures Prince Edward County that Farmville will remain a constituent element of that jurisdiction for an extended period of time and support with Town resources the needs of the County generally. In sum, these various provisions in the proposed agreement are features of the settlement which are, in our judgment, in the best interest of Prince Edward County.

INTERESTS OF THE COMMONWEALTH

The paramount interest of the State, in the resolution of this and all other interlocal issues subject to the Commission's review, is, in our judgment, the preservation and promotion of the viability of the affected local governments. As previous sections of this report have indicated, the annexation proposed in the settlement agreement will provide the Town with additional fiscal resources and will afford the Town vacant land for future development while concurrently contributing to the social and economic vitality of Prince Edward County. The proposed annexation and other provisions of the settlement agreement fashioned by the governing bodies of the Town and the County are promotive of the well-being of both jurisdictions.

¹¹³State statutes require towns to have a minimum population of 5,000 persons to be eligible for the transition to independent city status. (See Sec. 15.1-982.8, Code of Va.) While the General Assembly has maintained a moratorium on the granting of charters for new independent cities since 1987, that moratorium is scheduled to expire on July 1, 1993. (See Sec. 15.1-1032.2, Code of Va.)

FINDINGS AND RECOMMENDATIONS

Based upon our consideration of the evidence previously reviewed, the Commission finds the proposed agreement in the best interest of the Commonwealth. Accordingly, we recommend the court's approval of the proposed agreement. While finding the agreement, as presented, in the best interest of the Commonwealth, there are several related issues which should be addressed in this report.

BOUNDARIES OF AREA 6

As noted previously, the proposed agreement between Farmville and Prince Edward County authorizes the Town to annex seven separate areas adjacent to the municipality's current corporate limits. The boundaries of one of those areas, identified as Annexation Area 6, is drawn in a manner which would leave in the unincorporated portion of the County a small parcel of land virtually surrounded by the Town. This parcel, which is located in the Belmont Subdivision, contains five residences and embraces a 500-foot segment of a public thoroughfare (Woodland Place). The Commission is unable to find, however, any appropriate basis for the exclusion of that parcel from the area to be annexed. The parcel in question has no unique features which distinguish it from the other portions in Area A which will be annexed by the Town.¹¹⁴

With respect to this issue, the Commission notes that following the expansion of Farmville's boundaries, the above-cited parcel along Woodland Place would be surrounded on three sides by the enlarged Town and would not be accessible to the County except through the

¹¹⁴As noted in a previous section of this report, the residents of the areas proposed for annexation, including those in the Belmont Subdivision, have a strong and pervasive community of interest with Farmville.

municipality.¹¹⁵ The annexation of the parcel in question would simplify the administration of a number of public services to that area.¹¹⁶ Moreover, the residents of that area would benefit from the extension of municipal services from Farmville.¹¹⁷ While the area in question is so minuscule in size that its omission from the area proposed for annexation can not be seen, in our judgment, as a defect so grave as to threaten the legal acceptability of the proposed agreement, the omission is inconsistent with the principles and practices which should determine the demarcation of annexation areas. Accordingly, we strongly recommend that the Town and the County modify the boundaries of Annexation Area 6 to include all of the properties along Woodland Place.

AGRICULTURAL LAND PRESERVATION

By various enactments the General Assembly has declared that it is a policy of the Commonwealth to protect and preserve the State's agricultural properties.¹¹⁸ A community's protection of agricultural properties is not only consistent with State policy, but adds to the

¹¹⁵Although a portion of the properties located along Woodland Place would adjoin unincorporated territory following the expansion of the Town's boundaries, there are no existing roadways which would permit access to those properties without first transiting Farmville.

¹¹⁶The Commission observes that if Woodland Place is not incorporated into the Town, the responsibility for street maintenance and snow removal on that thoroughfare would be divided between Farmville and the Virginia Department of Highways.

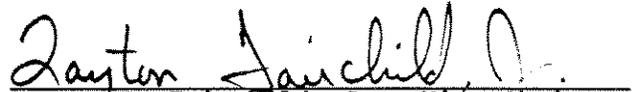
¹¹⁷Following the effective date of the annexation, Farmville will extend municipal services, such as solid waste collection, law enforcement, street maintenance and snow removal, to areas annexed, including the Belmont Subdivision, at the same level as provided within the Town's current corporate limits. (See Town Notice, Vol. I, pp. 112-14, 117-19.) In addition, within six to ten years following the effective date of the annexation the Town plans to install water and sewer lines and other utility appurtenances (e. g., sewage pump station and fire hydrants) to serve the Belmont Subdivision. (Ibid., Vol. I, pp. 115-16; Vol. II, Exhs. 3, 4; and Glass, letter to staff of Commission on Local Government, Mar. 2, 1992.)

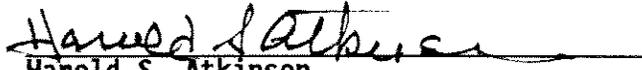
¹¹⁸Sec. 15.1-507, Code of Va.

diversity and richness of a community and contributes to its general viability. Consistent with the State's policy, and in recognition of the importance of agricultural operations to the economy of the general area, in 1978 Prince Edward County adopted an ordinance instituting use value assessment for all qualifying agricultural and horticultural properties within its boundaries, including those within the Towns of Farmville and Pamplin. Officials of Farmville have indicated, however, that the Town has not adopted a similar assessment program for qualifying properties. While evidence presented to the Commission indicates that there is only a small amount of property within the present Town boundaries and in the area proposed for annexation which would qualify for use value assessment, the adoption of such a program by the Town should reduce the pressure on those tracts for development. Therefore, the Commission recommends that the Town adopt a use value assessment program for all qualifying properties. As an adjunct to the effort to protect the active agricultural properties within its jurisdiction, we also recommend that the Town of Farmville give consideration to establishing a zoning district which would have as its primary purpose the protection of agricultural operations and which would prohibit all incompatible uses, even on a conditional basis.

Respectfully submitted,


Mary Sherwood Holt, Chairman


Layton R. Fairchild, Jr., Vice Chairman


Harold S. Atkinson


William S. Hubbard


Frank Raflo

VOLUNTARY SETTLEMENT
OF
ANNEXATION AND CITY STATUS

This AGREEMENT made and entered into this 14th day of November, 1991, and executed in quintuplicate originals (each executed copy constituting an original) by and between the TOWN OF FARMVILLE, an incorporated town of the Commonwealth of Virginia (Town) and the COUNTY OF PRINCE EDWARD, a county of the Commonwealth of Virginia (County).

WHEREAS, the Town and the County have reached this Agreement, pursuant to Title 15.1, Chapter 26.1:1 of the Virginia Code, providing for the annexation of certain territory, defining the Town's annexation rights in the future, defining the County's immunity from annexation for ten (10) years from the effective date of annexation, defining the County's immunity from incorporation of new cities, and providing for waiver of the Town's rights to seek or attain city status.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties agree with each other as follows:

SECTION 1.00 DEFINITIONS

The parties hereto agree that the following words, terms and abbreviations as used in this Agreement shall have the following defined meanings, unless the context clearly provides otherwise:

1.01 "Town" shall mean the Town of Farmville.

1.02 "Code" shall mean the Code of Virginia of 1950, as amended. Reference to a specific Code provision shall mean that particular Code provision, or any similar provisions should the Code be amended after the execution of this Agreement.

1.03 "Commission" shall mean the Commission on Local Government.

1.04 "County" shall mean the County of Prince Edward.

1.05 "Court" shall mean the Special Three-Judge Court appointed by the Supreme Court of Virginia pursuant to Title 15.1, Chapter 26.2, § 15.1-1168 of the Code.

1.06 "Section" or "subsection" refers to parts of this Agreement unless the context indicates that the reference is to parts of the Code.

SECTION 2.00 CITY STATUS RIGHTS

2.01 The Town waives all rights to and agrees that it will not initiate or institute any proceeding to be declared a city pursuant to Title 15.1, Chapter 22, §15.1-982.1 et. seq., unless and until it has attained a minimum population of 25,000 persons, and will not seek a city charter from the General Assembly pursuant to Title 15.1, Chapter 17, §15.1-833, et. seq., of the Code, unless and until it has attained the minimum population of 25,000 persons.

2.02 The waivers and/or agreements set forth in subsection 2.01 shall be binding upon each and every subsequent and future governing body of the Town.

SECTION 3.00 ANNEXATION TERMS AND CONDITIONS

3.01 The Town and County agree that there shall be annexed to the Town the following areas:

- 1) Area #1 - Route 460 West which contains 586.44 acres;
- 2) Area #2 - Wilck's Lake which contains 19.33 acres;
- 3) Area #3 - Wintertree and Route 460 East which contains 121.20 acres;
- 4) Area #4 - Lagoons and Bailey Estate which contains 227.93 acres;
- 5) Area #5 - U.S. Route 15 South which contains 240.93 acres.
- 6) Area #6 - Belmont Subdivision which contains 55.05 acres;
- 7) Area #7 - Crestview which contains 63.66 acres.

3.02 The Annexation provided in subsection 3.01 herein shall become effective at midnight on December 31, 1991. If the Court, pursuant to § 15.1-1167.1 of the Code, has not entered an order prior to December 31, 1991 approving and affirming this Agreement, then the Annexation shall become effective at midnight on the 30th day of June or at midnight of the 31st of December following the date of entry of such order, whichever date is earlier.

3.03 The Annexation Areas are fully described by metes and bounds in Exhibit No. 1 attached to this Agreement and are

shown on survey maps prepared by Meredith Helms, dated September 3, 1991, attached to this Agreement as Exhibit No. 2.

3.04 The Town agrees that, upon the effective date of annexation herein provided, the Town will extend its municipal services to the annexation areas on the same basis and at the same level as such services are now or hereafter provided to the areas within its current corporate limits where like conditions exist.

3.05 The Annexation provided in subsection 3.01 shall be subject to the following terms and conditions regarding the construction of certain utility improvements:

(a) The following water capital projects are to be completed within 1 to 5 years of the effective date of the Annexation provided for in subsection 3.01 of this Agreement:

Area #3 - Route 460 East

(b) The following water capital projects are to be completed within 6 to 10 years of the effective date of the Annexation provided for in subsection 3.01 of this Agreement:

Area #6 - Belmont

Area #7 - Crestview

(c) The following sewer capital projects are to be completed within 1 to 5 years of the effective date of the Annexation provided for in subsection 3.01 of this Agreement:

Area #1 - Route 460 West

Area #3 - Route 460 East

(d) The following sewer capital projects are to be completed within 6 to 10 years of the effective date of the Annexation provided for in subsection 3.01 of this Agreement:

Area #1 - Route 460 West

Area #6 - Belmont

Area #7 - Crestview

The approximate locations of the water and sewer facilities to be furnished by the Town are depicted on Maps attached to this Agreement as Exhibits No. 3 and 4. The facilities are also described on tables attached to this Agreement as Exhibits No. 5 and 6.

3.06 The Town covenants and agrees that it will not institute any annexation suit for a period of ten (10) years following the effective date of the annexation provided for in subsection 3.01 of the Agreement. This waiver of annexation rights for ten (10) years shall not be applicable, however, to any proceeding initiated by landowners or voters pursuant to § 15.1-1034 of the Code.

SECTION 4.00 COMMISSION APPROVAL

4.01 The Town and County agree to initiate the steps necessary and required by Title 15.1, Chapter 26.1:1 of the Code (in particular §15.1-1167.1, paragraphs 3, 4, 5, and 6 of the Code) and Title 15.1, Chapter 19.1 of the Code (§15.1-945.1 et. seq.) to obtain a review of this Agreement by the Commission.

SECTION 5.00 COURT APPROVAL

5.01 The Town and County agree to initiate the steps necessary and required by Title 15.1, Chapter 26.1:1 of the Code

(in particular §15.1-1167.1, paragraphs 3, 4, 5, 6 of the Code) to obtain affirmation of this Agreement by the Court.

SECTION 6.00 REQUIREMENTS OF APPROVAL

6.01 The Town and County agree that if this Agreement is not affirmed without modification, this Agreement shall immediately terminate. However, the parties may waive termination by mutually agreeing to any recommended modifications.

SECTION 7.00 MISCELLANEOUS PROVISIONS

7.01 The Town agrees that the waiver of its rights under Title 15.1, Chapter 22 (§15.1-982.1, et. seq.) of the Code and Title 15.1, Chapter 17 (§15.1-833, et. seq.) of the Code shall be absolute until such time as the Town has a population of 25,000 unless this requirement is modified or changed by mutual agreement of the parties hereto.

7.02 This Agreement shall be binding upon and inure to the benefit of the Town of Farmville and the County of Prince Edward, and each of the future governing bodies of the Town and County, and upon any successor to either the Town or the County.

7.03 This Agreement may be amended, modified or supplemented, in whole or in part, by mutual consent of the Town and County, by a written document of equal formality and dignity, duly executed by the authorized representatives of the Town and County.

7.04 This Agreement shall be enforceable only by the Court affirming and giving full force and effect to this Agreement

or by any successor Court appointed pursuant to Title 15.1, Chapter 26.2, §15.1-1168 of the Code, pursuant to an action, at law or in equity, initiated by either or both parties hereto to secure the performance of the covenants, conditions or terms herein contained or any order affirming and giving full force and effect to this Agreement.

7.05 The Town and County agree to seek an amendment to §15.1-1167.1 of the Code at the 1992 Session of the General Assembly to insure the validity of the waivers and agreements herein contained as they relate to Title 15.1, Chapter 17, §15.1-833 et. seq., of the Code. However, in the event the General Assembly does not enact such an amendment to § 15.1-1167.1 of the Code, the provisions of this Agreement shall nevertheless remain in full force and effect. Furthermore, if the waiver of rights under § 15.1-833 et. seq. is declared to be invalid, such finding shall apply only to that section and all other provisions of this Agreement shall be valid and remain in full force and effect.

WITNESS the following signatures and seals:

TOWN OF FARMVILLE

By: _____
Mayor

ATTEST:

Clerk

COUNTY OF PRINCE EDWARD

By: _____
Chairman

ATTEST:

Clerk

TABLE 1

EXHIBIT 5 TO PROPOSED VOLUNTARY SETTLEMENT AGREEMENT:

WATER IMPROVEMENTS TO BE CONSTRUCTED
BY THE TOWN OF FARMVILLE WITHIN
THE AREAS TO BE ANNEXED

PRIORITY 1 (1-5 Years)

<u>Project Description</u>		<u>Estimated Cost</u>
Route 460 Business East	5,280 feet of 8-inch	\$ 216,200
TOTAL (P-1)		\$ 216,200

PRIORITY 2 (6-10 Years)

<u>Project Description</u>		<u>Estimated Cost</u>
Belmont Subdivision	3,850 feet of 8-inch	\$ 157,600
Crestview Subdivision	9,020 feet of 8-inch	<u>369,400</u>
TOTAL (P-2)		\$ 527,000
GRAND TOTAL (P-1 AND P-2)		<u>\$743,200</u>

Refer to Exhibit #3 for location of proposed improvements.

NOTE: Excludes Rock Excavation

July 1991

TABLE 2

EXHIBIT 6 TO PROPOSED VOLUNTARY SETTLEMENT AGREEMENT:

SEWER IMPROVEMENTS TO BE CONSTRUCTED
BY THE TOWN OF FARMVILLE
WITHIN THE AREAS TO BE ANNEXED

PRIORITY 1 (1-5 Years)

<u>Project Description</u>	<u>Estimated Cost</u>
Route 460	
Business East	
a. 5,830 feet of 8-inch Gravity	\$ 251,100
b. Pump Station (0.5 mgd)	105,000
c. 5,170 feet of 6-inch Force Main to Noblin Street Station	173,700
Route 460 West	
a. 8,880 feet of 8-inch Gravity	<u>378,800</u>
TOTAL (P-1)	\$ 908,600

PRIORITY 2 (6-10 Years)

<u>Project Description</u>	<u>Estimated Cost</u>
Belmont	
Subdivision	
a. 3,850 feet of 8-inch Gravity	\$ 165,700
b. Pump Station (0.5 mgd)	105,000
c. 2,310 feet of 6-inch Force Main	77,600
Crestview	
Subdivision	
a. 2,310 feet of 8-inch Gravity	99,400
b. 6,930 feet of 8-inch Gravity	298,300
Route 460	
West Area	
a. 3,080 feet of 8-inch Gravity	<u>132,600</u>
TOTAL (P-2)	<u>\$ 878,600</u>
GRAND TOTAL (P-1 AND P-2)	<u>\$1,787,200</u>

Refer to Exhibit #4 for location of proposed improvements.

NOTE: Excludes Rock Excavation

July 1991

STATISTICAL PROFILE OF THE TOWN OF FARMVILLE,
COUNTY OF PRINCE EDWARD AND THE AREA PROPOSED FOR ANNEXATION

	<u>Town of Farmville</u>	<u>County of Prince Edward</u>	<u>Area Proposed for Annexation</u>
Population (1990)	6,046	17,320	570
Land Area (Square Miles)	4.53	357.00	2.01
Total Assessed Values (FY1992)	\$135,390,516	\$500,446,380	\$17,409,401
Real Estate and Mobile Home Values	\$116,981,299	\$391,909,616	\$15,358,890
Public Service Corporation Values	\$14,626,869	\$44,772,973	\$1,489,961
Personal Property Values	\$3,782,348	\$35,307,080	\$551,550
Machinery and Tools Values	N/A	\$2,091,745	N/A
Merchants' Capital Values	N/A	\$26,364,966	N/A
Existing Land Use (Acres)			
Residential	512	N/A	106
Commercial	175	N/A	43
Industrial	19	N/A	1
Public and Semi-Public	508	N/A	129
Transportation and Utilities	410	N/A	48
Agricultural, Wooded or Vacant	1,366	N/A	987

NOTES:

N/A=Not Available

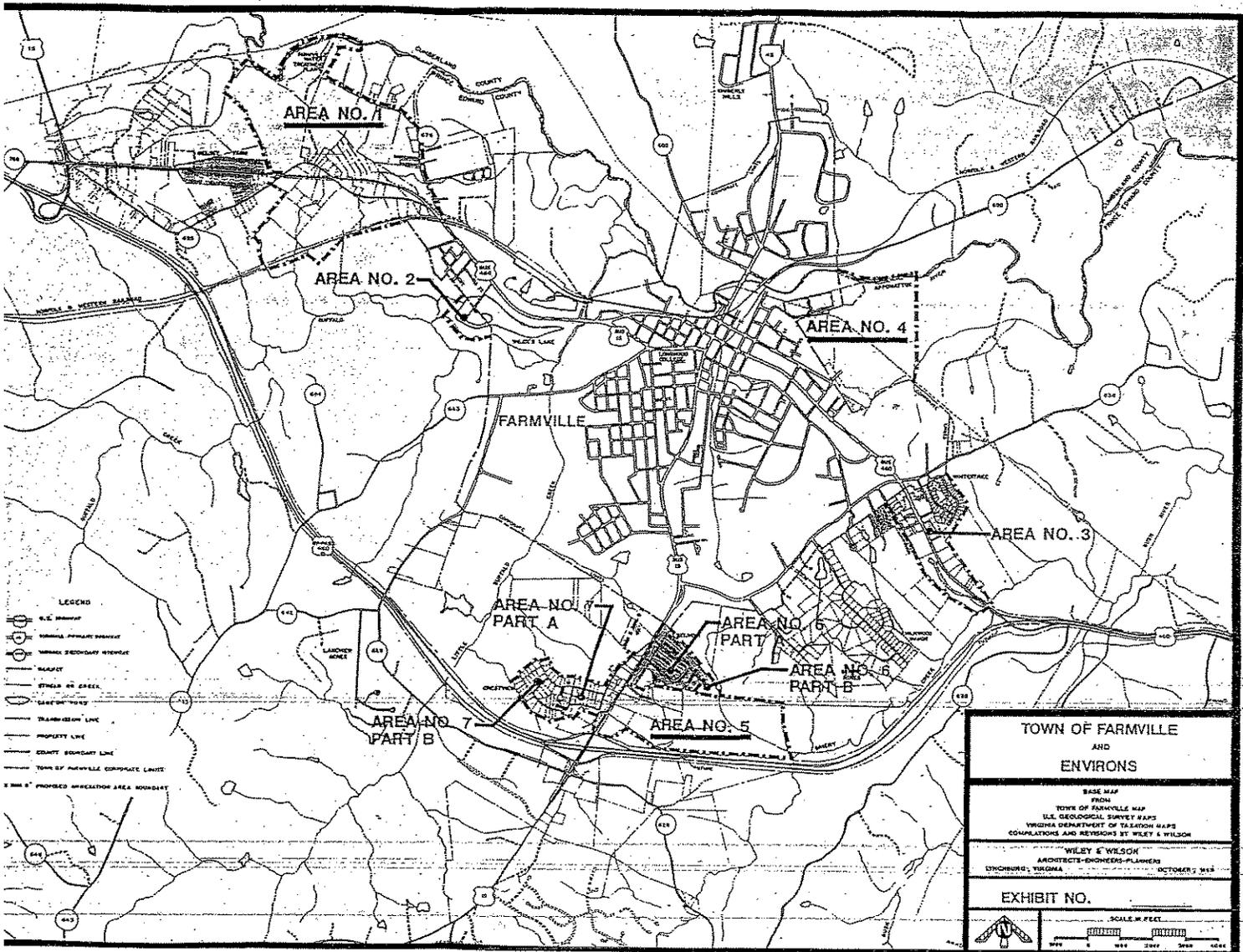
County population, land area, and property value statistics include the Town of Farmville

County real property values reflect use value assessment.

The land area statistic for the area proposed for annexation includes the 1.82 acre residential lot located at the intersection of Persimmon Tree Road and Noblin Drive. Other statistics concerning the area proposed for annexation (e.g., assessed property value, population, land use, etc.) do not include the data for that additional parcel.

SOURCES:

Town of Farmville, Notice of the Town of Farmville's Intent to Petition for Approval of a Voluntary Settlement with Prince Edward County



TOWN OF FARMVILLE AND AREAS PROPOSED FOR ANNEXATION