

VIRGINIA: At a regular meeting of the Board of Supervisors of the County of Patrick, held at the Patrick County Veterans' Memorial Building thereof on Monday, October 8, 2007 at 1:00 p.m.

PRESENT: David G. Young, Chairman; Jonathan Large, Vice Chairman; H. Danny Foley, Sr., Crystal P. Harris, and Roger L. Martin, Board Members; Michael Burnette, County Administrator; Jeannie Frisco, Assistant County Administrator; Eric Helms Monday, County Attorney; and Geri Hazelwood, Assistant to the County Administrator.

The Chairman called the meeting to order.

The County Attorney gave the invocation.

The Board recited the Pledge of Allegiance to the Flag, followed by a Moment of Silence in honor of U. S. military personnel serving abroad.

On motion by H. Danny Foley, Sr., seconded by Roger L. Martin and carried, the agenda for the meeting was approved.

Voting Aye: Large, Foley, Harris, Martin, and Young

Voting Nay: None

THE FOLLOWING ARE SUMMARIZED MINUTES FROM OCTOBER 8, 2007 MEETING. VERBATIM MINUTES ARE AVAILABLE BY REQUEST ON CD AT THE COST OF MATERIALS.

The Chairman opened the Public Comment Period. The Chairman asked for comments from the public. Four citizens addressed the Board.

1. Lavonda Kirkman came before the Board concerning the raceway in the Ararat community. Ms. Kirkman stressed the County's responsibilities and liabilities for the raceway. She asked the Board what has been done to work for a solution for the citizens and the neighbors in the community concerning the noise, and late nights. "Is the County going to allow any improvements or expansion to the track?"

2. Mohammad Zaghab, Owner and Operator of Skipper's Restaurant came before the Board inquiring about the water and sewer project for Patrick Springs area as well as the DSL project. He stated that he could not add new seats to the restaurant due to the size of his septic system and that he did not want to spend \$10,000 on upgrades to the existing septic if the project is going to come to fruition. He also stated that DSL is needed in Patrick County and that a lot of small businesses work out of their homes and need the service. Mr. Zaghab stated that a lot of the young people who worked at Skippers might not return to the area after graduation due to limited opportunities in the Patrick County workplace.

Mr. Young stated that he would have Mr. Rose, Economic Development Coordinator, give him an update on the water and sewer project in Patrick Springs.

Mr. Monday asked the Chairman if he could respond to Mr. Zaghab on behalf of Mr. Rose. "Mr. Rose was going to be at this meeting, but due to his grandmother passing away he was unable to be here." Mr. Monday gave a brief update "we do have a deadline to update Rural Development at the end of this month. Our engineers, Adams and Heath Engineering, Mr. Rose and myself met with Rural Development about three weeks ago in Galax and Rural Development officials stated they would like to see the dirt moving by spring. It has been a long drawn out process due to the annexation disagreement between the Town and County of Patrick. It is now solely a County project. The year it will be in the pipeline is 2008." Monday said.

Mr. Burnette stated that a meeting was scheduled for Thursday October 11, 2007 with the Technology Committee of the Tobacco Commission. A decision regarding DSL in Patrick is anticipated soon.

3. Aleisa Nester, Co-Owner of the Rolling Thunder Raceway, came before the Board and read a letter from Charles Vernon, Soil and Erosion Control Officer, concerning the track. She addressed Ms. Kirkman's concerns about liabilities on and off the road to the racetrack. Nester stated there was no difference than any other liability covered by insurance. Ms. Nester stated that they had done everything that they were supposed to do from the beginning of this project and that there was no way you could hear their racetrack in North Carolina like she had heard rumors about. (Copy of letter filed with original Board packet in County Administrators Office).

Ms. Harris indicated you could hear the noise from the racetrack 1800 feet away and you can here the PA system.

Ms. Nester stated that she had talked to several of her neighbors. "They could not hear the noise from the track inside of their home with the TV on."

Mr.Zaghab made a comment concerning the race track. He felt that if all of the necessary paperwork and procedures were followed, then people should have objected before the racetrack was opened. He also stated that the race track was good for business because people were traveling two to three hours to the area and that this had to be good for revenue for stores, restaurants and retail business.

4. Mr. Nester stated that he had invited any organization to come and have fundraisers at the racetrack. They have raised over \$1500 for the fire and rescue squad by selling 50-50 tickets. "The racetrack is bringing in revenue for Patrick County, all of Patrick County. The opportunity is there for the whole County to profit from the racetrack and not just me", Nester said.

The Board once again discussed the problems that were brought to their attention concerning the Rolling Thunder Raceway. Some of the possible solutions were reiterated such as planting six foot Leyland Cypress trees to provide sound barriers. The Board also suggested putting mufflers on the cars to reduce the noise level. Discussion was held regarding the possibility of starting the races at an earlier time so they could finish earlier. "In Patrick County there is no zoning, no property maintenance code and no noise ordinance. Before the racetrack was constructed the public was made aware of it." Young said.

Mr. Young stated that the Board would continue to monitor Mr. Nester's

efforts as he makes improvements and addresses matters that have been brought to the Board's attention.

Mr. Monday reported to the Board on the Noise and Assembly Ordinance. Mr. Monday first addressed the issues concerning the racetrack. Mr. Monday stated that he was the racetracks attorney (while he was still in private practice) and set up their LLC. Therefore, ethically he had to get their permission to disclose any information. "The LLC will protect them if someone got hurt at one of the events. It does not protect them from a lawsuit from their neighbors concerning noise disturbance." If the grand jury finds that it is a nuisance. They could make them clean it up and fine them \$10,000. It must be a public nuisance and affect the public in general not a private nuisance. There are other noise and assembly ordinances and regulation of racetracks, if the county so inclined they could adopt those ordinances. The racetrack is not a constantly operating facility. Noise ordinances fall into two groups the first is by decibel level, that would require buying decibel meters for the law enforcement. Henry County only has a noise ordinance, noise that can be heard on a public right of way." Monday said.

"Martinsville even goes as far as setting noise range for factory whistles, church bells, etc."

"Floyd does not have a noise ordinance but they have a musical performances permit. This ordinance does not apply to any festival that is less than 500 people."

Franklin County regulates noise by decibel level, from 1:00 until 9:00 am. Franklin County also has a noise ordinance for the fair, from midnight until 10:00 am. Franklin County also has a racetrack, governing ordinance they either have to get a permit 60 days before the event or for a regular schedule they have to have an annual permit. It regulates activities, but it doesn't say anything about the mufflers. But it does prohibit activity from 12 o'clock midnight until 9 a.m. and before 1 p.m. on Sundays. None of the ordinances are before midnight. They cannot have operations more than two days week and it must have a total accumulating time of six hours. No one regulates assembly in general."

Mr. Monday stated that he would draft an ordinance for the Board to look at the next meeting if it is the Board's pleasure.

5. Don Watts came before the Board concerning the bid on the HVAC contract. He stated that he did not receive a bid packet for the HVAC contract. Mr. Burnette apologized because he did not realize that he had requested a bid packet. It had been on the website. Mr. Watts stated that it was not on the website and that a copy was not received. He stated that his brother was no longer interested in bidding the job for the HVAC.

Mr. Burnette stated that he would check into the matter. When Mr. Burnette spoke with Ms. Hazelwood, he found that when Mr. Watts came by the packets were not ready. And he did not leave his name and address in order for the packet to be mailed to him.

Request: Renaming of Shooting Range at the Patrick County Transfer Station

This day came Carol Byrd from the Patrick County Extension 4-H Program and the Patrick Springs Smart Shooters Club along with Brenda Burgess and Vickie Bennit. Ms. Byrd requested that the current shooting range located at the Landfill be dedicated to the memory of Matthew “Matt” Dugger. The official name proposed for the current shooting range is Matthew “Matt” Dugger Memorial Shooting Range. “Matt was an active member of 4 – H through camping, teen leadership program including education program. We would be honored to be able to dedicate the local shooting range to his memory.” Byrd said. Mr. Young stated that Matt was an exceptionally fine young man. This was a tragic loss to his family.

On motion by Crystal P. Harris, seconded by Jonathan Large and carried unanimously, the Board approved the renaming of the shooting range at the Patrick County Transfer Station to Matthew “Matt” Dugger Memorial Shooting Range.

Voting Aye: Foley, Harris, Large, Martin, and Young

Voting Naye: None

Virginia Motorsports Hall of Fame Induction Ceremony

Mr. Burnette stated that the Board received an invitation to the Inaugural Virginia Motorsports Hall of Fame Induction Ceremony to be held on October 18, 2007. The Board thanked Debbie Harbour and Pauline Williams for attending the meeting and for the invitation. Mr. Burnette stated that he would get

with the Board and find out how many of the members would attend and let Ms. Harbour know.

Report: Emergency Services Issues – Steve Allen, Emergency Management Coordinator

Mr. Steve Allen, Emergency Management Coordinator, came before the Board and reported on various issues related to his office, including procurement of four gas monitors, emergency services, telecommunications equipment and towers, and a plan to pre-purchase medical supplies for volunteer squads at a bulk rate. Mr. Allen, based upon the August 13, 2007 Board vote to get sensors for the IPAC Pro, inquired about the sensors. According to Allen, they cost \$209 each. “The gentleman that Mike Hudson had previously been purchasing the gas monitors from sent in paperwork on the QRAE II. We have one in the County that we are trying out to see how well it works.” Mr. Allen referred the Board to the second page of the QRAE II handout, which list the price of \$695.00 each. “There have been some problems with the IPAC Pros, VDEM has traded in all their IPAC Pros for QREA II ‘s. There is a trade in value of \$145. The Fire and Rescue Association wanted me to approach the Board about upgrading to the four gas sensors to the QRAE II. The sensors range in price \$100 to \$150 each. They last up to two years per sensor. The Pro only last 365 days. So every year we will need to purchase another one. Will be purchasing a total of 10 units.” Allen said. Mr. Martin asked if the H2 would be used on a regular basis or would it be a waste of money to purchase them.

Mr. Allen stated that if you have a propane leak they are very useful, “the sensor would tell you how high propane levels are and when you should evacuate the area. It also gives oxygen concentration levels if there is a house fire so, they would know when it was safe to go back in.” Allen said.

Mr. Burnette told Mr. Martin that when they had the propane leak at the hospital before Mr. Allen was here and they were concerned whether the hospital needed to be evacuated, there was no way to tell what the levels were around the tank. The County had no equipment, and that is why I approached the Board.

Mr. Allen stated that more people are putting in propane heaters and stoves in their homes. “With the CO sensor we can test detectors in people’s home to see if they are faulty. We would also need to get a calibration kit, which is

\$475.35. Calibrate once a year and a bump test once a month on the equipment.”

Allen said.

Mr. Martin asked if the County could get some more Homeland Security Grants. Mr. Allen stated that he would check into it.

On motion by Danny H. Foley Sr., seconded by Jonathan Large and carried unanimously the Board approves additional appropriations in the amount of \$1,125.35 for the purchase of the QREA II.

Mr. Allen brought before the Board a list of medical supplies. “Each County orders from vendors and have to pay shipping on each order. Therefore, it would be cheaper to pre-purchase medical supplies at bulk rate. The mass casualty trailer has items that have expired. In order to keep this from happening is for all fire and rescue squads, and first responders buy supplies back from the County. The County needs to have one central location to house the supplies, and to make one large order so that we only get one shipping bill. It will run between \$4500-\$5000 to get started. We will be turning this money back over to the fire and rescue squads and the first responders.” Allen said. Ms. Harris asked if this would be coming out of the EMS budget. Mr. Allen stated yes. Mr. Martin asked how much of it is going to be used before it runs out of date. Mr. Allen stated that recently out of date IV’s were given to an animal rescue operation within the county and some were turned into Western Virginia to be used at test sites. Mr. Young stated that if we are buying and pay attention to what we are putting on the mass casualty trailer and rotating it continuously to the ambulances the supplies would not run out of date. This would save the County money. Ms. Harris stated that Martinsville was shut down for two days, because some of their supplies had expired. “Even bandaids have expiration dates.” Harris said.

On motion by Jonathan Large, seconded by Crystal P. Harris and carried unanimously the Board approved to purchase supplies as a County and sell it back to the squads at cost.

Voting Aye: Large, Foley, Harris, Young, and Martin

Voting Naye: None

Mayo River Skate Park – Clyde Crissman, Recreation Director

Mr. Crissman reported on the current status of the Mayo River Skate Park. Mr. Crissman stated that they had contacted VDOT concerning the right of way at the Mayo River State Park and viewed the plat and the County does own the land. Mr. Crissman stated that $\frac{3}{4}$ of the fence is already up it just needs to be moved around. He also stated that the “skate at your own risk sign” needed to be put up. The slab of current cement only measures 80’ x 30’ and more money will be needed to extend it to an 80’ x 80’ ft slab. Mr. Crissman stated that they would need 30 to 32 yards of concrete to add to the existing concrete in order to make this happen. The cost of the concrete is \$105. 00 a yard. Therefore they would need approximately \$4000 for concrete. Mr. Crissman also stated that they would need to add a portable restroom and a picnic table. Mr. Crissman stated that once they could get some money for the concrete they could probably get a committee of volunteers together to monitor the children at the park and work on grants and fundraisers for the Skate park. Mr. Crissman stated that the kids are making ramps and are keeping the area clean and the trash picked up. Mr. Crissman also stated that this was the second largest sport for kids.

The Board members discussed ways to get money to fund the needed concrete such as grants and fundraisers. Loans were also mentioned but would have to be paid back. Additional appropriations were also discussed. The Board also mentioned a \$1 for \$1 match. The Board members suggested a sign-up sheet for volunteers to show their commitment to the skate park. The Board voted to table funding for this project until the next meeting because more information was needed and more work needed to be done. Ms. Harris was going to get with Ms. Bocock concerning the grants.

On motion by Roger Martin, seconded by Crystal P. Harris, and carried the Board voted to table until this request until the next meeting.

Voted Aye: Martin, Foley, Harris, and Young

Voted Naye: Large

Mr. Crissman stated that the next Recreation Department meeting would be October 28, 2007 and anyone interested in the park was invited to attend. Mr. Crissman also stated that “where there is a will there is a way to get things done” The Board thanked Mr. Crissman.

Request: Dan River Park

Mr. Burnette stated that the Board has received a request from the Dan River Park for the rest of their money that the Board had allocated to them. They are starting the next phase of construction and want to use the remaining \$8000 for concrete piping. Ms. Harris stated that this does meet the requirements. Mr. Large stated yes.

On motion by crystal P. Harris, seconded by H. Danny Foley Sr. and carried unanimously the Board voted to allow the Dan River Park the remainder of the funds allocated to them.

Voting Aye: Foley, Harris, Young, Large, and Martin

Voting Naye; None

The Board convened for a 5 minute break.

The Board reconvened in to the regular session.

Car Decal

Mr. Young stated that many of the Board members have received calls concerning the car decal fees and the process of adding a vehicle license tax to the personal property tax tickets. Mr. Young stated that his answer has been that the car decal fee was charged in one fiscal year and the vehicle license fee on the property taxes that has recently been adopted will apply to the next fiscal year.

Comments from the public are “I know what a year is and I am paying twice in one year. I know we have looked at this and discussed it in great length over a period of time close to two years.” said Young.

Ms. Tatum, Treasurer, stated that she had received favorable comments from people glad to see the decal fee gone but not glad to pay a vehicle license fee. “The fiscal year and the calendar year end at different times, which has made it complicated for people to understand.” Tatum said.

All members of the Board stated they had received negative and positive calls from the citizens. Some of the complaints were about paying the price of the decal in April and then again in December of the same year. “The perception was that the people thought they were going to have to pay twice for the decals. Some were complaints about paying the extra decal price on vehicles that were not

even licensed.” said Young. “Board members have tried to explain it to the best of their ability in order to help the citizens understand the transition. All Counties incurred the same problems during these transitions.”

Mr. Young asked Ms. Tatum if Patrick County would, derive in the long run, more money or getting the same amount of money each year. Mr. Young asked if we were getting the money twice. Ms. Tatum stated that it was not in the same fiscal year. “The money will be received this fiscal year in 2007 instead of in the spring.” Tatum said.

Mr. Burnette stated that it has had no financial impact on the County. Ms. Tatum stated that it was in two different budget years and that the County did not receive a surplus of money in one year because of the vehicle license tax.

Mr. Young stated that it was hard enough for some of the Board members to understand and it is very confusing to the public. Ms. Tatum stated that it was a transition year and it had to be done by December 5, 2007.

Mr. Large stated that it freed people up from having to come in an additional time each year to buy a decal and also frees up law enforcement from having to enforce the decals. Therefore, they can concentrate on bigger issues.

Mr. Burnette stated that he, Mr. Young and Ms. Tatum had discussed what could be done to handle the situation, although, technically the Board is absolutely correct that this is two different budget years. “There is a perception in the public, and we do not want them to think that it is unfair when it is obviously not. We talked about allowing the public to pay their \$25 portion, the vehicle license fee up to the end of April which is when their decals would have been due. They had the option of paying it now when they come in to pay their other personal property and their real estate or they can come back in the spring if they are upset with paying it now.” Burnette said.

Ms. Tatum stated that the only problem would be if they waited to pay the vehicles license tax in April, then the ordinance would need to be re-written because currently it states that the money received for personal property taxes will go toward the license fee first. Ms. Tatum indicated that this was done because there is no interest or penalty toward the vehicle license fee and really no way to enforce payment. She said that there would be a delinquency letter of \$25 sent

anyone who chose to pay it in April because it would be the program automatically generates one.

Mr. Martin stated that one half payment for the decal could have been credited to their property taxes for this fiscal year and that would have help eliminate the problem for many of the people. Mr. Martin also stated that if people are paying double for it, then some action needs to be taken. If it is not made understandable to the public, then they are not going to believe anything we say.

Mr. Foley stated that the other part of that was that if you delayed paying property taxes through April then you would still have to pay it again in the fall of 2008 which would be in the same year.

Mr. Burnette stated that next year the Board has the ability to prorate, but this year it is already beyond that point. He stated that since this is the first year, you will find that people are much more sensitive about it. He stated that he felt if the deadline for the vehicle decal fee were extended, that people would still pay it when they pay their personal property taxes to save on a gas trip of coming back up in April. It will, however, give the people more time to digest it, and they are still going to be paying their taxes in December.

Mr. Martin stated that he just wants the people to understand that they have the prorating available. He stated that he just wants the government to do it in an honorable and forthright manner. He does not want the people thinking that we are just laughing at them behind their backs. "I don't want them to have that perception." Martin said.

Mr. Burnette stated that is why we have talked about extending the deadline. Technically, what you all have done is absolutely correct and upfront. There are two different fiscal years that overlap in one calendar year, so although you paid your decal in April and are paying again in December, you do not have to pay it again the following April.

Mr. Large stated that the people need to be educated through the media and stay the course that we are on.

Mr. Monday stated that if you choose not to pay the decal fee and pay only the personal property taxes, the first \$25 is going to go to the decal fee and the personal property taxes is going to be \$25 delinquent according to the Ordinance, and you will get a delinquency notice from that. No action was made by the Board.

Report Sediment and Erosion Control: Charles Vernon

Mr. Vernon stated that the Erosion and Sediment control process in all localities including Patrick County is mandated by the State. The Virginia Department of Conservation Regulation is in control of policing making. “They set regulations with minimum regulations or standards. Those minimum standards have to be within the County’s Ordinance. The Board has to adopt at the very least by state law those minimum standards. All localities, municipalities are subject to their ENS program being used from time to time by DCR and I have gotten word that Patrick County is up for review in the 2007-2008 fiscal years. Recently we received an e-mail from DCR in that regard, and discussing the fact that one of the most important things that goes a long way in whether the County meets its requirements is whether or not the ENS Ordinance has been up to date. That is one thing they look at in all localities. In going back and looking at Patrick County, it was revised a year ago, small revisions, like when we took out building inspectors and offices and this kind of things. But there are some pretty major changes now. There have been some additions that we did not have but need that are part of their minimum requirements. This includes some definitions for example on clearing, excavating, filling, and grading. There are some changes that have to do with natural channel designs, peak low rate. Some of the forms that are used by ENS, storm water management and these types of things are not currently included in our ordinance. There is not really anything we can do about it in this locality other than adopt those changes, because they are the minimum requirements.” Vernon said. Mr. Vernon stated that his understanding that in reading the literature that they sent, from a legal stand point, that we can adopt these changes to our Ordinance without a public hearing provided that we don’t make our Ordinance any stricter than the state’s minimal requirements.

Mr. Monday stated that we do not need a public hearing but it does need to be advertised prior to adoption. Any Ordinance that a County adopts has to be advertised prior to the adoption. Mr. Monday suggested that he and Mr. Vernon get together and make the changes and go ahead and advertise the adoptions.

By consensus, the Board directed Mr. Monday and Mr. Vernon to proceed.

Report County Administrator: Michael Burnette

Jail Update

Mr. Burnette stated that “we have been working with Martinsville and Henry County on a Regional Jail solution. We are bringing this before you today for consideration. As you know there is a much greater percentage that goes with, or is reimbursed by the State for a Regional Jail versus a local jail. Today we are bringing to you a proposed resolution to form a Southern Virginia Regional Jail Authority, which will be Patrick County, Martinsville, and Henry County. We are looking at addressing the needs of the entire region with the first phase. The first phase would be located in Patrick County covering our jail needs. As Martinsville and Henry County get closer to their jail needs it will be phase two of the plan. Going into this regional authority will only help Patrick County. We will be able to get 50 percent reimbursement instead of 25 percent.”

Chief Deputy Gary Brown who was in attendance to field any questions that may arise, stated that the satellite jail facilities may be built later in Martinsville and Henry County.

Mr. Burnette stated that once this has been set up, the County will be getting started very quickly with hiring the engineering firm and getting the needs assessment done for the facility to present to the DOC. “The Board needs to move on it as quickly as possible.” Burnette said

Mrs. Harris asked if the jail would be located and controlled by Patrick County. Mr. Monday addressed Ms. Harris and said that Patrick County would operate Patrick County and Henry County would operate Henry County. Mr. Monday stated that legislation is expected to be introduced in the next session of the General Assembly to provide a fifty percent match for local jails as well as regional jails. If that legislation is passed, the regional jail authority could be dissolved, and Patrick County would have a purely Patrick County jail instead of a regional authority.

Mr. Martin stated that local law enforcement authorities have good reasons for wanting Patrick County to have its own jail, including the possibility for

the jail to make money by housing inmates from other areas. Mr. Martin wanted to make sure that the Board had the most recent up to date information concerning the regional authority and local jail.

Mr. Young stated that the most important thing for people to realize is that a new jail will probably be constructed to house at least 120 inmates which is a relatively large facility. It's is a sharp contrast to the capabilities of the existing jail, which Chief Deputy Brown said was built to hold eight inmates and usually holds more. Mr. Young also stated that many of the Patrick County inmates are being housed in Staunton, Danville, Roanoke and the New River jail. He stated that the County is paying huge amounts to keep people in all these places and the County jailers and deputies are traveling hundreds of miles per week, becoming a taxi service for prisoners, and that building a regional jail would save the county a lot of money. It would also enable the officers to be patrolling roads in Patrick County instead of being on the roads to other jails.

Chief Deputy Brown stated that a local jail with sufficient capacity could also house federal prisoners, and in answer to Mrs. Harris question concerning making money off federal prisoners, he stated that the federal government pays higher rates than the state.

Mr. Martin asked if there was any way to require the inmates to pay the costs of their own incarceration. Mr. Young stated that he agreed that every prisoner should have to pay back the cost, but the General Assembly would have to pass a law authorizing the policy before it could be enforced. Mr. Monday stated that every locality that had adopted that policy had been sued by the American Civil Liberties Union and although none of the lawsuits had been resolved, there could be significant legal costs if Patrick County adopted such a policy.

Mr. Burnette stated that the principal office of the Authority will be the office of the Patrick County Administrator. Initial members of the Jail Authority Board will also be the Sheriff representing each locality. Mr. Burnette stated that County officials are attempting to get the needs assessment and other studies done and submitted to the DOC by the deadline of March 2008. Mr. Burnette stated that it was a Herculean task to bring together three localities into a regional project costing multi-million dollars and to do it in such a short timeframe.

On motion by Roger Martin, seconded by Crystal P. Harris and carried unanimously the Board voted to create the Southern Virginia Regional Jail Authority.

Voting Aye: Harris, Martin, Young, Large, and Foley

Voting Nay: None

Reassessment Update

Mr. Burnette stated that the contract for reassessment has been awarded to Wampler-Eanes. "We are moving with the hiring of a Reassessment Clerk, the purchase of required computer equipment, and the proposed location of the Reassessment Office. Six years ago the Board paid the Reassessment Clerk \$8.00 per hour and we have set it this year for \$8.75 per hour, and it is a County paid position. The Clerk will be working 40 hours per week for 14 months. The applications are due October 18 with the hiring completed by November 1. Three computers will be purchased for the Reassessment Office. Those quotes have been received from Dave Zinder, our technology specialist. The amount is \$3,462.00 and although it is expensive it is the minimum that we are able to get away with in order to meet the requirements of the software." Burnette said.

Mr. Foley asked if it was something that the County would be able to use later and Mr. Burnette stated that it was. "The computers can be used if the County goes in-house with the reassessment or they can be used by other staff." Burnette said.

Mr. Burnette stated that a laser printer was also going to be needed at a cost of \$799. The software to create the picture images of each home and business for the Reassessment Department is \$5000.00 through Data Sync.

Mr. Burnette stated that he needed some input from the Board for office space for the Reassessment. "There is a storage area on the first floor of the Administration Building. It has an outside door and everything that it needs to function as an office once the room has been cleaned out. Furthermore it is here with Tax Mapping and the Commissioner's Office so they can work closely together. However, the County is very limited on storage space, so I need to know if the Board would rather rent a space 20X8 foot at \$75 a month for 14 months at \$1,050 or utilize

the concrete slab already at the maintenance shed where a permanent building could be constructed for \$4765 for a 24X31 foot space.” Burnette said.

The Board discussed the need for extra storage and came to the decision that they did not want to construct any other buildings or structure down at the maintenance shop, but rather to purge outdated records and old stuff from the existing storage areas. Mrs. Frisco stated that one of the ways of handling the paper files was to put them on microfilm. And she strongly encouraged the Board to speak with the auditors before destroying any records.

Mr. Burnette stated that they looked at an apartment office on Main Street and it was not ADA compliant and it cost \$400 a month to rent it. It would be more cost efficient for it to be put in the Administration building. Mr. Burnette stated that he just needed authorization as to what he could do with the storage that is in there now. Mr. Burnette asked if he could have the Board’s permission to purchase a permanent storage facility for the price of renting storage for 14 months.

On motion by Roger Martin, seconded by Crystal P. Harris, and carried 3-2 the Board voted to spend up to \$1050 to purchase permanent storage for records to be moved out of the first floor storage room, so it can be used as office space for the Reassessment.

Voting Aye: Martin, Harris, and Young

Voting Nay: Foley, Large

Mr. Young asked Ms. Tatum to get the Board a record retention list and then a schedule would be made for all departments to get rid of excess storage that is not needed.

Cleaning Contract

Mr. Burnette informed the Board that he awarded the cleaning contract to Sarver Cleaning Services effective October 8, 2007. “It is for one year with an option for an additional year. The cost per month is \$3,050 which is \$50 extra per month compared to the previous cleaning contract, but they are also cleaning the Rotary buildings, the Maintenance Office, the Transfer Station and the Animal Pound office and restrooms. The floors are also being waxed on a regular basis. This is for all County-owned and maintained facilities.” Burnette said.

HVAC Maintenance Contract

Mr. Burnette stated that the HVAC Maintenance contract would be held for a few more days until Mr. Don Watt's brother could be contacted to find out if he was still interested in turning in a bid.

Website Maintenance Contract

Mr. Burnette stated that one bid was received and the contract was awarded to Chatmoss Web Systems. The price went up from \$50 per month to \$75 per month for this contract period. It was advertised in the local paper, media and website. Chatmoss is a very well accepted web designer in the state.

On motion by Crystal P. Harris, seconded by Roger Martin and carried 3-2 the Board voted to accept the bid from Chatmoss Web Systems.

Voting Aye: Harris, Martin, and Young

Voting Nay: Foley, Large

Local Update of Census Addresses

Mr. Burnette stated that he is working with the Census Bureau to update the demographics of Patrick County. "To get the local addresses updated as best we can because the better the address listing the Census Bureau gets, the better the numbers will look. If we do not do this it will lower our population numbers and result in lower funding for non-profit organizations. It needs to be as accurate as possible." Burnette said. Mr. Burnette stated that he had met with the Census Bureau and other areas within the West Piedmont Planning District. "We are currently working with Tax Mapping, E-911, Building Inspection and West Piedmont Planning on the program. The project is going to be labor intensive, and it looks like it is going to be between 100 and 1000 hours to complete the address review. The application has to be submitted by October 31, 2007." Burnette reported.

Ms. Harris asked if the Census was done by voting precinct. Mr. Burnette stated that it was set up by three census tracts 301, 302, and 303 with seven or eight block groups with those tracts.

Staunton City Council Resolution to Cap Interest Rates

Mr. Burnette brought before the Board correspondence received from Staunton City Council regarding a proposal to the General Assembly to pass legislation capping interest rates on loans in Virginia at 36%. Staunton City Council requests other localities to adopt similar resolutions. The Board took no action on the resolution because it died for lack of a second.

Mr. Martin stated there was a newspaper article about Payday loans which sometimes were as much as 400% interest. “The majority of those who get payday loans are poor people who are exploited by the lenders.” Martins said. He stated that the politicians do not care about the poor people. He stated that something needs to be done. He made a motion that the Patrick County Board of Supervisors support the Staunton resolution.

Mr. Young stated that he needed more information about whether there are other sources of revenue for people who need loans, whether a 36% cap would put lending companies out of business, and how such a law affects people in other states. He stated that there was probably a useful service and a need for that type of lender.

Mr. Martin stated that Payday loan companies are raping people morally and financially and should be stopped. He stated the government was supposed to act for the benefit of the people. He stated that nobody cares about the poor people.

Mr. Martin made a motion that the Patrick County Board of Supervisors supports the Staunton resolution. The motion died for lack of a second.

VACo Risk Management Life Insurance Program

Mr. Burnette stated that VACo Risk Management has proposed a life insurance benefit for all County employees and Board members. The benefit would be free of charge to the County and would provide an option for life insurance at a significantly reduced rate. Mr. Burnette asked the Board to authorize the offering of this benefit to Patrick County employees and Board members.

The Board discussed the life insurance benefit and although there are better rates in the common market, and people could shop around for insurance, they decided to offer the benefit to the employees and Board members.

On motion by Crystal P. Harris, seconded by Jonathan Large and carried unanimously the Board approved the offering of the life insurance program.

Voting Aye: Harris, Large, Foley, Martin, and Young

Voting Nay: None

2008 General Assembly Requests

Mr. Burnette stated that the Board needs to review a letter from West Piedmont Planning from 2006 that outlined the region's General Assembly priorities for the 2007 session. Mr. Burnette asked the Board for any changes to these priorities for the 2008 General Assembly session as well as any additions Patrick County would like to propose. Mr. Burnette stated that he had been looking at, under Transportation, a priority on the Rt. 8 connector road to get that pushed through and under construction. He stated that earlier in the year the Board wanted to have legislation put in to have a Tourism Authority in Patrick County, and it is not listed either. Also, the Virginia Rural Education Laboratory should have support as well.

The Board members also discussed that the State revisits and returns the \$151,000 in utility tax that was not supposed to have any effect, but it did. They also suggested that the State put back the \$31,593 of the Social Services formula like it was before and they suggested putting before the General Assembly that inmates pay restitution back to the County or State for all expenses incurred while in jail and it needed to be put into the West Piedmont Planning.

VACo Business Meeting Voting Credentials

Mr. Burnette asked the Board to designate a delegate and alternate to represent the County during the VACo's Annual Business meeting on November 13, 2007.

On motion by Roger Martin, seconded by Crystal P. Harris and carried, Mr. Young was designated as the Primary and Ms. Harris as the Alternate to represent the County. Vote was not needed but this was approved upon consensus.

Assistant County Administrator's Report: Jeannie Frisco

Private Donation to Mayo River Trail

Ms. Frisco informed the Board of a donation of 100 shares of stock that was received from a private individual and stated it was to go specifically for the development of the Mayo River Rail Trail. The gift of approximately \$6700 in stock was donated to the Economic Development Authority that thereby liquidated it and forwarded it to the Tourism Advisory Council.

Kodak Grant Award for Dan River Park and Mayo River Trail

Ms. Frisco presented the Board with a letter acknowledging the receipt of \$2000 from the Kodak American Greenways Grant Program for the Mayo River Rail trail. This grant does not require any local match and can be used as a “cash” match toward future grants. Ms. Frisco also presented an e-mail from Darla Thompson with Dan River Park indicating the receipt of \$1500 from Kodak American Greenways Grant program for the grant filed by the Patrick County Tourism Office on behalf of Dan River Park. The grant is for trail development around the 15 acres at Dan River Park, Frisco said.

Ms. Frisco stated that certain criteria had to be followed to receive this funding. The Conservation Fund wanted some type of recognition in the amount that was awarded, the grant must be used only for the project described, a minimum of three color slides must be provided, acknowledgement of the Kodak Company and the Conservation Fund and a thank you must be sent to Kodak to acknowledge the receipt. Ms. Frisco asked the Board to approve agreement for receipt of \$2000 from Kodak American Greenways Program for the Mayo River Rail Trail and that the terms are accepted and that Mr. Burnette sign the agreement.

On motion by Roger Martin, seconded by Jonathan Large and carried unanimously the Board voted to approve the agreement.

Voting Aye: Foley, Harris, Martin, Large and Young

Voting Nay: None

Ms. Harris personally thanked Ms. Frisco for helping Dan River Park get the \$1500 grant for Dan River Park in Ararat.

West Piedmont Bike Plan Adoption

Ms. Frisco presented the Board with a revised regional Bike Plan on behalf of West Piedmont Planning District. The Board was asked to adopt this plan for Patrick County.

On motion by Roger Martin, seconded by Crystal P. Harris and carried unanimously, the Board voted to adopt the regional Bike Plan presented on behalf of West Piedmont Planning District for Patrick County.

Voting Aye: Foley, Harris, Large, Martin, and Foley

Voting Nay: None

Tourism Advisory Council Non – Profit Filing

Ms. Frisco updated the Board regarding the Tourism Advisory Council and asked the Board to provide an additional appropriation for the filing of 501-c-3, non-profit status by a Certified Public Accountant for this Board created and appointed Council. Ms. Frisco stated that non-profit filing has changed over the past couple of years and it is a lot of work and a lot of pages to complete. “It is now hard to receive a non-profit status and if you do it wrong the first time and fail, you have to pay the fee again. The application fee to file is \$300.” Frisco said. Ms. Frisco requested quotes from two CPA firms. These two quotes ranged from \$500-\$1,250. Ms. Frisco asked the Board to approve up to \$800 which included \$300 for the filing fee and the minimum CPA quote of \$500. Ms. Frisco stated that another quote also has to be received. Ms. Frisco stated that being non-profit allowed the organization to apply for different grants that would not be given to local governments. It would also allow for bonding ability. A resolution was passed unanimously that specially stated this entity would become a non-profit entity specifically the Tourism Advisory Council.

Mr. Large asked if it was an additional appropriation and Ms. Frisco stated that it was. Mr. Foley asked that since it was for tourism why it could not be taken out of the tourism budget. Ms. Frisco stated that the Economic Development Authority does not exist within the Economic Development County Budget. They are a separate entity which received \$7500 contribution annually from the Board of Supervisors. “So in the creation of this more or less sister organization, there has not been a request from the Board to assist with the creation of this organization that the Board blessed. The Economic Development Authority also operates their

own checking, savings, and receives grant funding specifically to that organization. A member was appointed per district, very much like what the Economic Development Authority did. However, the members were scattered among categories where you are looking at your banker, big business, and small business. With tourism you are looking at different categories such as agri-tourism, artisan, and musician. Those representatives were appointed by the Board. The volunteer members are Mary Jo Leet, Charlotte Gardner, etc. The Board would have to approve anything just like with the Economic Development Authority. It still has to have the backing by the Board of Supervisors and enables TAC to apply for other grants or accept donations. However, TAC cannot do that now because they are not an entity but rather a volunteer group operating under the Board of Supervisors. Ms. Frisco stated again that she needs for the Board to approve \$800 in additional funds, \$300 for the filing fee and \$500 for CPA to complete the non-profit status and application to the IRS.”

Ms. Frisco reminded the Board that she just saved the County \$5,000 on the web site received from grant funding which was one of the requests brought forth when the budget was created. “I was able to utilize state funding instead of the local funding that was cut during budget creation.”

Mr. Foley stated that he recalled seeing an additional appropriation for \$3700 for County maps. Ms. Frisco stated that the County did not have an Emergency Management Coordinator; therefore, it came underneath the Tourism Office, which should have been a County Administration expense instead of a Tourism expense because they are E-911 maps, or perhaps an E-911 expense and they are being sold for \$2 which she is sure that the public will be happy to hear that they only cost the County \$.76, so the County is making money off the E-911 maps.

On motion by Jonathan Large, seconded by H. Danny Foley, and carried 4-1, the Board voted to approve up to \$800 to be taken out of existing marketing funds at which time Ms. Frisco said would have to come from the Squirrel Spur kiosk.

Voting Aye: Foley, Large, Martin and Young

Voting Nay: Harris

Ninth District Conference on Tourism

Ms. Frisco informed the Board of the Ninth Congressional District Conference on Tourism-“Putting Southwest Virginia’s Unique Heritage and Culture to Work” to be held in Wytheville on October 29, 2007. Ms. Frisco stated the Congressman Boucher asked her to speak about Agri-Tourism: Planting the Seeds for Increased Tourist Visitation. Ms. Frisco reported that she was honored to be asked to speak on behalf of Patrick County. “They will be looking at Patrick County as a model for other Southwest Virginia communities. There are many businesses in the agri-tourism sector that I am anxiously awaiting to promote in other localities and to showcase them.” Frisco said.

Employee Handbook Update

Ms. Frisco updated the Board on behalf of the Handbook Committee regarding the authorized revision of the County Employee’s Handbook. The handbook committee consists of Teresa McCormick, Susan Gaspirini, Eric Monday, Howard Belcher, Chris Pendleton, Ms. Frisco and Jane Hughes. They have already had one meeting where they reviewed handbooks from Rocky Mount, Galax, Henry County, Floyd County and they will be reviewing the School Board’s handbook. The revisions are being done at a request from the Board. A draft will be presented to all County employees for their review by mid-November and a presentation of the draft-handbook back to the Board for the December meeting and hopefully have a decision by the Board at that time so it can go into effect on January 1, 2008.

Approval of bills, claims and appropriations

A number of bills and claims against the County were presented and examined. On motion by Crystal P. Harris seconded by H. Danny Foley, Sr. and carried, the bills and claims were ordered paid and the following warrants were issued in payment of same:

On the General County Fund:	Warrants No. 28206- 28371
On the General County Fund:	Warrants No. 87694 - 87900
On Asset Forfeiture Fund:	Warrants No. N/A
On Law Library Fund:	Warrants No. N/A

Voting Aye: Harris, Young, Foley and Large

Voting Nay: Martin

On motion by Crystal P. Harris, and seconded by H. Danny Foley, Sr. and carried, the requests for appropriations are approved, as presented, therefore, **BE IT RESOLVED** by the Board of Supervisors of the County of Patrick, Virginia, that the following appropriations be, and the same hereby are, made for the month of October, 2007: **General County Fund - \$695,000.00; Social Services (VPA) Fund- \$100,000.00; Comprehensive Services Act- \$ 0; and County School Funds - \$2,500,000.00; TOTAL ALL APPROPRIATIONS- \$3,295,000.00**

Voting Aye: Harris, Young, Foley, and Large

Voting Nay: Martin

On motion by, Crystal P. Harris seconded by H. Danny Foley, Sr. and carried, it is hereby ordered that Carolyn I. Tatum, Treasurer, transfer the amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00) from the General County Fund to the Contingency Fund, as set forth and approved in the 2007-2008 fiscal year budget.

Voting Aye: Harris, Young, Foley, and Large

Voting Nay: Martin

On motion by Crystal P. Harris, seconded by H. Danny Foley, Sr. and carried, the following requests for additional appropriations are hereby approved.

Voting Aye: Harris, Young, Foley and Large

Voting Nay: Martin

<u>Department</u>	<u>Amount</u>	<u>For</u>
County Administration	\$36.05	Office Supplies
County Administration	\$2066.40	VRS
County Administration	\$144.60	Life Insurance
Commissioner of Revenue	\$1709.56	VRS
Commissioner of Revenue	\$119.63	Life Insurance
DMV Agent	\$284.24	VRS
DMV Agent	\$19.89	Life Insurance
Treasurer	\$1721.00	VRS

Treasurer	\$120.44	Life Insurance
Tax Mapping	\$375.08	VRS
Tax Mapping	\$26.25	Life Insurance
Registrar	\$496.52	VRS
Registrar	\$34.75	Life Insurance
Circuit Court	\$355.76	VRS
Circuit Court	\$24.90	Life Insurance
Clerk of Circuit Court	\$2,110.44	VRS
Clerk of Circuit Court	\$147.69	Life Insurance
Commonwealth Attorney	\$2,418.63	VRS
Commonwealth Attorney	\$169.25	Life Insurance
Sheriff – Law Enforcement	\$150.00	Overtime Payments
Sheriff – Law Enforcement	\$8,760.76	VRS
Sheriff – Law Enforcement	\$613.08	Life Insurance
Sheriff – SRO (Elementary)	\$975.93	VRS
Sheriff – SRO (Elementary)	\$68.28	Life Insurance
Sheriff – SRO (High School)	\$667.17	VRS
Sheriff – SRO (High School)	\$46.68	Life Insurance
E-911 Department	\$1,683.88	VRS
E-911 Department	\$117.84	Life Insurance
Emergency Services Grants	\$2,657.00	EMS Equipment
Emergency Services Grants	\$2,657.00	Homeland Security Grant
Sheriff – Maint. Of Jail	\$5,282.04	VRS
Sheriff – Maint. Of Jail	\$369.63	Life Insurance
Building Inspection	\$485.13	VRS
Building Inspection	\$33.95	Life Insurance
Animal Warden	\$414.65	VRS
Animal Warden	\$29.02	Life Insurance
Animal Pound	\$347.09	VRS
Animal Pound	\$24.29	Life Insurance
Transfer Station	\$991.14	VRS
Transfer Station	\$69.36	Life Insurance
Maintenance of Bldg/Grounds	\$1,006.65	VRS
Maintenance of Bldg/Grounds	\$70.02	Life Insurance
Maint: Community Center/PHCC	\$35.00	Pest Control Service
Recreation Department	\$707.15	VRS
Recreation Department	\$49.49	Life Insurance
Economic Development	\$543.94	VRS
Economic Development	\$38.07	Life Insurance

Tourism	\$3,771.94	Marketing
Tourism	\$6,687.00	Raven Den Arts Centre
Tourism	\$634.91	VRS
Tourism	\$44.43	Life Insurance
Soil & Water Conservation	\$840.25	VRS
Soil & Water Conservation	\$58.79	Life Insurance

On motion by Crystal P. Harris, seconded by H. Danny Foley, Sr. and carried, the following requests for transfer of funds are hereby approved.

Voting Aye: Harris, Young, Foley and Large

Voting Nay: Martin

<u>Department</u>	<u>Amount</u>	<u>From</u>	<u>To</u>
County Administration	\$2.75	Office Supplies	Other Operating Supplies
Legal Department	\$320.00	Office Supplies	Dues
DMV Agent	\$1,000.00	Internet/cc Line	Telephone
Sheriff – Law Enforcement	\$700.00	Misc. Equipment	Uniforms/Wearing Apparel
Sheriff – Law Enforcement	\$150.00	Misc. Equipment	Training
Office of Emergency Services	\$195.76	Pager Service	Uniforms/Wearing Apparel
Sheriff – Maint. Of Jail	\$956.64	Doctor’s Fees	Medical/Lab Supplies
Building Inspection	\$23.27	Vehicle/Equip Fuel	Office Supplies
Transfer Station	\$1,000.00	Vehicle/Equip Maint	Vehicle/Equip Fuel
Maintenance of Bldg/Grounds	\$305.23	Fire Alarm Monitoring	Repair/Maintenance
Maintenance of Bldg/Grounds	\$500.00	Lease-Uniforms/Rugs	Cleaning/Janitorial Supplies
Maint: Transfer Station	\$300.00	Rug Rental	Cleaning/Janitorial Supplies
Maint: Transfer Station	\$6.15	Repair/Maint.	Fire Alarm Monitoring
Maint: Sheriff/Magistrates	\$500.00	Rug Rental	Cleaning Supplies
Maint: Animal Pound	\$100.00	Rug Rental	Cleaning Supplies
Maint: Park Facilities	\$200.00	Repair/Maint	Cleaning/Janitorial Supplies
Maint: Adult Education	\$500.00	Repair/Maint	Telephone
Maint: Community Center/PHCC	\$305.23	Fire Alarm Monitoring	Repair/Maintenance

On motion by Crystal P. Harris, seconded by Jonathan Large and carried, the Board convened into Executive Session to discuss legal matters [Section 2.2-3711(A)(7), 1950 Code of Virginia, as amended]; prospective business matters [Section 2.2-3711(A)(5), 1950 Code of Virginia, as amended]; and personnel matters [Section 2.2-3711(A)(1), 1950 Code of Virginia, as amended].

Voting Aye: Young, Large, Foley, Harris, and Martin

Voting Nay: None

WHEREAS, the Patrick County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with provisions of the Virginia Freedom of Information Act, and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board that such executive meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED that the Patrick County Board of Supervisors does hereby certify that, to the best of each member's knowledge, only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board,

BE IT FURTHER RESOLVED that the Patrick County Board of Supervisors does hereby certify that, to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies.

Mr. Large left during Executive Session.

On motion by the Roger Martin, seconded by Crystal P. Harris the Board concurs to adjourn and carried unanimously.

Voting Aye: Harris, Foley, Martin and Young

Voting Nay: None

Ordered that the Board be adjourned until November 19, 2007 commencing at 1:00 p.m.

, Chairman