

Patrick County Board of Supervisors

Work Session

Third Floor – Veterans’ Memorial Building, Stuart, Virginia

Noon – Monday, April 24, 2006

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

Call to Order: Chairman Roger L. Martin.

Items for Consideration:

I. Review of Bull Mountain Forest Fire: Mike Hudson, Emergency Services Coordinator; Charles Vernon, Erosion and Sediment Control Inspector; Tammy Goodyear, Farm Service Agency; and Matthew McClellan, Extension Office, were in attendance.

a. *Formal Board action on declaration of state of emergency:* The County Administrator advised that a poll vote was taken by telephone on April 15th regarding the declaration of emergency and that formal notation of same is needed in the Board’s minutes.

On motion by Crystal P. Harris, seconded by David G. Young and carried, the Board does hereby the Board hereby formally approves the following poll vote taken by telephone on April 15, 2006:

Declaration of a Local Emergency

WHEREAS, the Board of Supervisors of the County of Patrick, Virginia, does hereby find as follows:

1. That due to the occurrence of forest fire, the County of Patrick is facing a condition of extreme peril to the lives, safety and property of the residents of Patrick County;

2. That as a result of this extreme peril, the proclamation of the existence of an emergency is necessary to permit the full powers of government to deal effectively with this condition of peril.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Board of Supervisors of the County of Patrick, Virginia, that a local emergency now exists throughout the County of Patrick and;

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of this emergency the powers, functions, and duties of the Director of Emergency Services and the Emergency Services organization and functions of the County of Patrick shall be those prescribed by the laws of the Commonwealth of Virginia and the ordinances, resolutions, and approved plans of the County of Patrick in order to mitigate the effects of said emergency.

In order to carry out the effect of this resolution, a sum of money, not to exceed \$5,000, is hereby appropriated from the County's unappropriated fund balance to cover the reasonable operational costs of emergency services pending further report to this Board and such additional appropriations as shall be deemed necessary to cover the expected scope of this emergency.

Polled telephone vote of the Patrick County Board of Supervisors by the County Administrator on Saturday, April 15, 2006.

Voting Aye: Martin, Foley, and Harris

Voting Nay: None

Unable to Contact: Young and Large

b. *Update on current status of fire:* The County Administrator advised that an in-depth report would be given to the Board regarding the fire during the May work session. Mr. Hudson advised that he is in the process of formulating a team of four people to walk the fire lines on Bull Mountain to ensure that everything is secure. He reported that the Command Post at the Fairystone VDOT Office was shut down Sunday, April 23rd at 3:00 p.m. He advised that the fire is under control, which means that the fire is out. He stated that there are a few "hot spots" and "smokers" on Bull Mountain; therefore, the team will travel to those locations to ensure that they are at least thirty to fifty feet within the fire lines. Mr. Hudson advised that the recent rainfall helped to control the fire, but was not significant enough to wet the ground to prevent any future spreading of fire. He reported that three homes and several buildings were destroyed during the fire; however, many homes were saved. He stated that community support was a key part in fighting the fire. Mr. Hudson advised that an "after action report" would be completed by his

office, Virginia Department of Forestry (VADOF), and other agencies that were involved with the fire. He stated that Richard Thomas, Incident Commander for VADOF, advised that Patrick County was ready for a disaster from a command center standpoint. Mr. Hudson noted that Presidential Directive #5, which he had previously discussed with the Board, relates to the set up of a command center. He reported that from the County's standpoint, we cannot handle a disaster alone; therefore, the County's Emergency Action Plan was created to allow it to "hold its own" for forty-eight hours until outside resources could arrive. He noted that a declaration of disaster means that a locality has exhausted its resources. Mr. Hudson stated, "Everything went well with the amount of people that we had, the danger of the forest fire, and the way it was burning in the tree tops.

c. *Acceptance of burn debris at Transfer Station:* Mr. Hudson advised that he is working on a debris management plan for the Emergency Operation Plan. Mr. Young advised that the County has a policy that prohibits the disposal of burned debris at the Transfer Station to prevent fires at the facility, which are costly to the County. Mr. Hudson advised that it should be safe to dispose of burned metal debris from the Bull Mountain fire by next Monday. Mr. Young noted that the metal must be a certain size to ensure that the Transfer Station could handle same. The Chairman advised that this issue should be discussed with the Transfer Station Operator to determine what materials could be disposed of at the facility. Mr. Young stated, "We want to provide the service obviously, but we've got to be very sure that we don't set fire to the Transfer Station".

d. *Status of Burning Ban:* Mr. Hudson advised that the County has received a few phone calls from citizens complaining about the twenty-four hour burning ban, which they say is causing them hardship. He stated that he had a discussion with Mr. Thomas, VADOF, and they concluded that those citizens "probably need to ride through Bull Mountain to see what happened". Mrs. Harris stated, "I'm sure they weren't the ones up there fighting and our fire fighters are really adamant about it needs to stay on". She noted that many of the fire fighters had not had adequate sleep for many days. She stated, "We need to respect them; they need about a month's rest". Mr. Hudson recommended leaving the burning ban in place and readdressing the issue at each Board meeting until the ban can be lifted. The Chairman stated, "I don't think its up to us to take that ban off, I think its

up to us to react to the information you all give us. I don't want to be sitting here thinking I know everything and taking that ban off when we have to rely on the conditions in the field. You all know more about that fire than any of us will ever know". Mr. Hudson advised that the County is two weeks behind on "green-up", which means that the leaves are not in full bloom; therefore, the forest ground is not shaded and moisture cannot be retained. He stated that every decision that is made regarding the fire is based on life safety. Mrs. Harris noted that four fire fighters from Allegany County stayed on Bull Mountain for twenty-three hours fighting the fire to protect the homes in the area. She stated, "The people who want to burn need to go talk with these fire fighters and go up on Bull Mountain". Mr. Young inquired about the cause of the fire. Mr. Hudson confirmed that the fire on Bull Mountain was caused by a lightning strike. He noted that there were no four-wheeler trails in the area where the fire started. Mr. Large stated, "I really appreciate all that the County has done and the other volunteers to deal with this because it could have been a lot worse". Mr. Hudson advised that the fire fighters saved many houses.

e. *Damage Assessment:* Mr. McClellan presented the Board with Agriculture Related Disaster Designations Processes in regards to the recent fire, with a copy filed with the Papers of the Board. He advised that the Extension's role in this disaster is damage assessment. He noted that his office, along with the Farm Service Agency and Natural Resources and Conservation Services, are in the process of "tying a dollar figure" to the disaster in regards to agricultural losses due to the drought and the forest fire. He advised that agricultural losses include items such as houses, crops, livestock, and pasture land. Mr. McClellan stated, "We've got good support in Extension to come down and get this wrapped up and tied in". He reminded the Board that he and Tammy Goodyear requested that the Board declare a state of emergency last year due to a drought and advised that they would be making that request again this year. He advised that Patrick County is nearly nine inches behind this year in rainfall. He presented the Board with a spreadsheet depicting Patrick County's precipitation thus far in 2006, with a copy filed with the Papers of the Board. Mrs. Goodyear discussed the Environmental Quality Incentives Program (EQIP), a USDA program, in which forestry producers could participate in to reforest land that is destroyed by a natural disaster, such as

the fire on Bull Mountain. She advised that EQIP includes a fifty percent cost share ratio; however, it is a competitive based program. She noted that if a locality receives a Secretarial Disaster Declaration, landowners could be eligible for an Emergency Loan Program, which requires an agricultural loss of at least thirty percent. She advised that the Conservation Reserve Enhancement Program (CREP) might be available for farm producers to help establish a tree buffer along a stream, provide cost sharing for fencing, and create alternative watering sources for livestock. She noted the CREP is a non-competitive program in which farm producers could receive close to ninety percent of their cost back. Mrs. Goodyear advised that Patrick County experienced a dry fall and winter and there are concerns regarding crop productions and the hay supply.

f. *Reseeding of Bull Mountain:* Charles Vernon discussed VADOF's new seeding program, which is called "Help Heal the Bull". He advised that this project, which was created due to the Bull Mountain Fire, would mitigate damage from possible soil erosion due to the construction of fire lines. He noted that VADOF would provide free grass seed for Bull Mountain landowners to be sown in exposed soil on their property. Mr. Vernon presented the Board with information regarding the program, with a copy filed with the Papers of the Board. He stated that VADOT would provide hand-seeders and 5,000 pounds of KY-31 fescue, which would be issued by the County. He advised that he would oversee the issuance of materials to landowners and would be creating a policy to ensure accountability throughout this project. He suggested holding a public meeting to discuss the program with the affected landowners and civic organizations that might be interested in assisting with reseeding portions of the mountain. He stated, "I think it's a good program. I'm willing to do what I can do as far as the County is concerned in seeing that it works". He advised that a thirty-foot green area around Bull Mountain has been proposed to provide a "cushion of protection" in the event of another forest fire. Mr. Vernon said that he appreciates VADOF making this program available and stated, "They were a very impressive group of people".

On motion by Crystal P. Harris, seconded by Jonathan and carried, the Board does hereby adopt the following:

WHEREAS, a recent major fire in the Bull Mountain area of Patrick County posed a serious threat to the community, eventually burning over an area of almost 4000 acres, and causing the Patrick County Board of Supervisors and Virginia Governor Timothy M. Kaine to declare a state of emergency to exist in the county, and

WHEREAS, Patrick County was in need of all resources available to assist in the fire, including the many dedicated volunteers who always faithfully serve the area in times of stress, particularly in providing fire protection and medical assistance, and

WHEREAS, local volunteer fire departments quickly mobilized their resources of manpower and equipment and with the able assistance of other unpaid fire divisions throughout the state and country, miraculously bringing these fires under control in extremely difficult conditions, and

WHEREAS, volunteer rescue squads stood by constantly during this time, ever on the alert for calls from those injured in accidents and in need of medical assistance, ready to save lives and relieve human suffering, and

WHEREAS, volunteer efforts extended throughout the community with Ladies Auxiliary groups and various citizens pulling together throughout the ten day period involved in the fire suppression to provide invaluable support services, including organization of meals and other necessary supplies for hundreds of exhausted and hungry workers, and

WHEREAS, countless individuals and businesses generously donated time, money and materials to assist in easing the burden of this effort, once again affirming the knowledge that Patrick County citizens are the finest of all people, and

WHEREAS, the Board also gratefully recognizes the immeasurable guidance, direction, support and assistance provided particularly by local Emergency Management officials and the Virginia Division of Forestry, as well as numerous other state agencies, emergency services organizations and law enforcement officers,

NOW, THEREFORE, BE IT RESOLVED that the Patrick County Board of Supervisors hereby recognizes and expresses its deepest appreciation to the volunteers who man the county's fire and rescue units and who acted above and beyond the call of duty, and to other organizations and individuals who rendered support and cooperation to the fire fighting efforts surrounding Bull Mountain,

BE IT FURTHER RESOLVED that the Board brings the significance of this effort to the attention of county citizenry and requests that they individually and collectively recognize the dedication and efforts of those who served in this capacity.

BE IT FINALLY RESOLVED that copies of this resolution be forwarded to each Volunteer Fire Department and Rescue Squad in Patrick County, to cooperating organizations and units, and to the news media serving the County.

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

Voting Nay: None

Mr. Vernon commented on the assistance that was provided by the County Administrator's staff during the disaster and stated, "In the forty-two years that I worked for VDOT, I worked with a lot of nice people, I worked with a lot of competent people, but I have never seen anything that would outshine what her office did through this situation". The Chairman stated, "I just don't think we can say enough about everybody that worked on this thing. Its as if nothing went wrong". Mr. Vernon suggested that landowners post signs and enforce the prohibition of ATV and vehicle travel on the newly seeded fire trails until there is a good establishment of grass on same. The Chairman thanked Mr. Vernon and everyone who helped during the disaster. Mr. Burnette suggested that the Resolution of Appreciation be printed in its entirety in The Enterprise. The Board directed that the resolution be printed in the newspaper.

II. West Piedmont Business Development Center (WPBDC) Presentation: Marie Ferguson, WPBDC Director, addressed the Board regarding various programs and services provided to Patrick County. Ms. Ferguson advised that WPBDC offers a Virtual Incubator Program (VIP), which allows new businesses to have access to a copy machine, phone, fax machine, voice mail, and offers a networking opportunity. She stated that WPBDC also offers a Mentoring Program, which connects new and well-established business owners. She advised that she would contact local civic groups to schedule a meeting to present WPBDC programs that are available for Patrick County residents.

III. Report and Discussion of Road Matters with VDOT Official: This day came Lisa Price Hughes, Resident Engineer, Virginia Department of Transportation (VDOT), to discuss matters pertaining to the primary and secondary road systems in Patrick County.

a. *Use of VDOT facility during Bull Mountain Fire:* The County Administrator advised that County and State Officials “took over” the Fairystone VDOT Office the day the fire on Bull Mountain started and used a lot of their equipment during same. On behalf of the Board and the County, Mrs. Handy thanked Mrs. Hughes and VDOT for the use of the facility during the disaster. Mrs. Harris stated that there is an abandoned road on Bull Mountain that connects to Route 8 and that if the fire fighters had access to it, they could have easily accessed a location that needed back firing. The Chairman advised that VDOT does not own right-of-ways on abandoned roads. Mr. Young stated that maintaining the abandoned road would be up to the landowner.

b. *Six-Year Plan Public Hearing:* Mrs. Hughes advised that the Six-Year Plan Public Hearing would be held May 9th commencing at 6:30 p.m. in the Salem District Auditorium. She noted that the working draft of the Primary and Interstate Plan is posted on the department’s website. She advised that VDOT’s revenue projections are “way down”; therefore, the Secondary Program would decrease from \$1.3 million to approximately \$800,000. Mrs. Hughes stated that VDOT might be able to build Cherry Creek Road; however, rural rustic projects would not be completed this year.

c. *Request to clean-up Lover’s Leap:* Mrs. Handy noted that the Board received a request from a citizen at the last Board meeting to clean-up Lover’s Leap in Meadows of Dan. Mrs. Hughes advised that VDOT has a supplier of graffiti remover; however, a small can of the remover costs approximately \$12.00. She stated that the department does not have the funds to purchase enough remover to clean the rocks and the rock wall at Lover’s Leap. She noted that she spoke with the citizen regarding this issue, who would be looking for a more cost-effective graffiti remover. She stated that VDOT would assist in the clean-up of the area in anyway possible. Mr. Large suggested assigning the clean-up to individuals who need to complete community service hours. The Chairman inquired about the use of inmates. The County Attorney advised that inmates could also be used in the

clean-up. Mrs. Hughes advised that VDOT would assist the requestor with the proposed clean-up.

d. ***Cougar Lane:*** Mrs. Hughes advised that VDOT has received all of the needed documents from the School Board to include Cougar Lane in the County's Secondary Road System.

On motion by David G. Young, seconded by Crystal P. Harris and carried, the Board does hereby adopt the following:

BE IT RESOLVED: Section 33.1-68, Code of Virginia, provides the authority whereby certain roads that serve as the primary access to public schools may be added to the secondary system of state system highways. The major requisites for the addition of such roads are:

- 1.) The Road, over which school buses operate, leads from a state maintained highway (either primary or secondary) to a public school;
- 2.) Construction is complete, to standards appropriate for anticipated traffic, and from sources other than those administered by the Department;
- 3.) The School Board and the Board of Supervisors guarantees the right-of-way (30 feet right-of-way minimum) together with any request drainage or slope easement as necessary for road maintenance.

BE IT FURTHER RESOLVED, that the Patrick County Board of Supervisors does request that the Virginia Department of Transportation accept the remaining section of Cougar Lane, as shown on Plat to Patrick County High School, dated February 19, 2005. For source of title, recorded on April 18, 2006, reference is made to Plat Cabinet #1, Slide 298B

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

Voting Nay: None

e. ***Speed Limits for Route 58 and Commerce Street:*** Mrs. Hughes advised that VDOT is reviewing the possibility of raising the speed limit to 60 mph from the Horsepasture community to J.C. Joyce Trucking and Paving on Route 58. She stated that VDOT increased the speed limit to 35 mph on Commerce Street in March, which resulted from a petition that was submitted to VDOT.

f. ***West Piedmont Planning District Commission (WPPDC) Request for Comments:*** Mrs. Hughes recommended that the Board respond favorably to

WPPDC's request for comments on a proposed project of regional significance FY07 State Transportation Planning, Research Work Program.

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the Board does hereby direct the County Administrator to respond favorably to West Piedmont Planning District Commission's request for comments on a proposed project of regional significance FY07 State Transportation Planning, Research Work Program.

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

Voting Nay: None

g. *Stoptlight at Walmart:* The County Attorney asked if cameras are attached to the new stoplight at Walmart. Mrs. Hughes advised no cameras were installed; however, loop detectors are attached to same.

III. Request to name bridge after Zeb Stuart Scales: This day came Tom Perry, local historian, and Brenda Rorrer, daughter of Zeb Stuart Scales, requesting that a bridge in the Ararat area be named after Zeb Stuart Scales. The Board was in receipt of Mr. Perry's proposal to name the bridge, which Mr. Scales assisted in building, with a copy filed with the Papers of the Board. Mr. Perry noted that Mr. Scales was awarded a Silver Star, three Bronze Stars, and a Purple Heart while serving his country for more than twenty-one years in the military. The Chairman stated, "We owe him far more than a bridge".

On motion by Crystal P. Harris, seconded by Jonathan Large and carried, the Board does hereby adopt the following:

WHEREAS, Zeb Stuart Scales, spent his life serving the United States of America, the great Commonwealth of Virginia, and his beloved home, County of Patrick, and

WHEREAS, Zeb Scales served in the U. S. Army for twenty-one years achieving the highest rank possible for a non-commissioned service man and, for his heroic efforts, becoming one of the most decorated soldiers our county has ever produced, and

WHEREAS, Command Sergeant Major Scales completed two tours of duty in the Korean War and a tour of duty during the Vietnam conflict era prior to his honorable discharge in 1972, and

WHEREAS, following his military retirement and return to Patrick County, Zeb Scales continued to serve others and shared his expertise as Chief Deputy Sheriff for the local Sheriff's Department and later as the first coordinator for the county senior services program for more than two decades, and

WHEREAS, numerous requests of support including those from United States Congressman Virgil H. Goode, Jr., the Virginia General Assembly and individual local representatives, American Legion Post 105 and Veterans of Foreign Wars Post 8467, retired local officials and former military comrades, and friends and relatives have been forwarded to the Patrick County Board of Supervisors to name the bridge crossing over the Dan River on Ararat Highway (Virginia State Route 773) in honor of this great statesman and extraordinary public servant who departed this life on July 11, 2005, and

WHEREAS, Scales family members deem the naming of this particular structure to be an appropriate tribute to Zeb Scales due to his own fond memories of helping construct the bridge while a teenager in the 1940's, thus causing his children to always refer to the bridge as "Daddy's bridge",

NOW, THEREFORE, BE IT RESOLVED that the Patrick County Board of Supervisors in accordance with Section 33.1-250 of the Code of Virginia hereby requests the Commonwealth Transportation Board to designate the bridge over the Dan River on Ararat Highway (Virginia State Route 773) as the Command Sergeant Major Zeb Stuart Scales Memorial Bridge.

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

Voting Nay: None

Mr. Large stated that Mr. Perry provides assistance on numerous projects, which he greatly appreciates. He advised that Mr. Perry has a lot of ideas for history programs that would benefit Patrick County and he hopes that the Board would support those when they are presented to same.

The Board recessed for ten minutes.

The Board reconvened into regular session.

IV. Consideration of revisions and amendments to various county ordinances:

The County Attorney advised that he would need to meet with the Building Official and the Erosion and Sediment Control Inspector to determine the language for the needed revisions and amendments to various county ordinances. The Board deferred action until the May work session.

V. Wireless Broadband Proposal: The Assistant County Administrator advised that the County mailed out nine wireless broadband proposal requests; however, the County received only one proposal. He noted that two firms wanted to participate but were unable to submit a proposal by the deadline. Mr. Burnette asked the Board if the project should be re-advertised with an extended deadline or if the County should accept the proposal that was received. The Chairman asked how many proposals the County could get if the project was re-advertised. Mr. Burnette advised that three or four more proposals could be received. He stated, "That is not in anyway any kind of judgment on the one company that did submit, but I know you all like to have more than one option". The board directed Mr. Burnette to re-advertise the project with an extended deadline.

VI. 2006-2007 Proposed Budget Update: The County Administrator advised that a draft budget has been completed and given to the Budget Committee. She noted that the Budget Committee has not yet had an opportunity to meet regarding same. She advised that the Virginia General Assembly also has not yet adopted a state budget. Mr. Young advised that this year's shortfall is approximately \$1.2 million. He asked each Board member to decide if the Board should address the budget shortfall by cutting budget requests or by increasing taxes. The Chairman stated, "I am not under any situation going to support anything where we're hurting people". He advised that he would not support a tax increase. Mr. Foley noted that the Board had discussed eliminating the sale of decals, which would save the County approximately \$10,000 per year. Mr. Young advised that three years ago, the Board adjusted the real estate and personal property tax rates; however, the machine and tool tax rate did not change. He noted that the personal property tax rate is \$1.46

and the machine and tool tax rate is \$1.36, which can cause confusion for businesses and the Commissioner of the Revenue's Office when classifying equipment and other items. Mr. Young stated that extremely high fuel costs have increased the County's expenditures a great deal. He advised that there are places in the budget that could be "tightened up" and user fees to be put in place for services that are provided by the County. The Chairman advised that he and Mr. Young would meet in the near future to begin working on the County's budget.

VII. Current and Future Status of Ararat Dams: This day came Robert Smith, Patrick Soil and Water Conservation District and Natural Resources and Conservation Services, to update the Board on the current and future status of the Ararat Dams. Mr. Smith presented the Board with a fact sheet regarding the Ararat River Watershed, with a copy filed with the Papers of the Board. He advised that the Ararat River Watershed program, which was developed in the early 1990's to address flooding in the Ararat Community during the 1970's and 1980's, has been inactive for the past several years due to high construction costs and the lack of funding. He noted that plans were made to construct dams to protect valuable crops grown near the Ararat River, such as cabbage and tobacco; however, very few of those crops are currently grown in that area. Mr. Smith advised that the County and landowners maintain the existing dams. He stated that the existing dams have benefited the locality; however, it is hard to justify the continuation of the project based on the cost benefit ratio and the continual cost of operation and maintenance. He advised that the Federal Soil and Water Conservation District Office has requested that all inactive projects be closed out. The County Administrator advised that the County has not made a commitment to any property owners regarding future construction of dams on the Ararat River. Mr. Smith recommended that the County closeout the Ararat River Watershed project. Mr. Large stated, "The people that I have spoken with said they would like to have a bigger usable recreational area than what these provide. They don't hold a lot of water, it's just a catch basin".

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the Board does hereby classify the Ararat River Watershed Project as inactive and directs that the program be closed out.

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

Voting Nay: None

VIII. Discussion of various Maintenance Issues: Teddy Doss, Maintenance Director, in attendance.

a. *HVAC for Veterans' Memorial Building*: Mr. Doss advised that a compressor for the HVAC system for the Veteran's Memorial Building needs to be replaced. He noted that the compressor was installed when the building was constructed in 1986. He stated that three quotes were received for the compressor and its installation, with the low bid of \$1,300 submitted by Professional Refrigeration Company.

On motion by David G. Young, seconded by Crystal P. Harris and carried, the Board does hereby accept Professional Refrigeration Company's bid in the amount of \$1,300, which includes the cost of a new compressor and its installation, for the Veterans' Memorial Building's HVAC unit, further, the Board directs that the project be funded through the Capital Depreciation Fund.

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

Voting Nay: None

b. *Flood Canal Clean-up*: Mr. Doss advised that the County is responsible for removing all vegetation from the Flood Canal along both sides of the riverbank in Stuart, which is approximately 900 feet long. He stated that the clean-up includes tree branches that hang over the river and noted that the Maintenance Department does not have the needed equipment for this project. He advised that he is in the process of soliciting quotes for same. Mr. Young inquired about the landowners along the river and how the County should address the issue of cutting timber that it does not own. The County Attorney advised that he would research the issue to determine the County's obligation in same.

c. *Repair / Replacement of Veterans' Memorial Building Doors*: The County Administrator noted that the Board had previously discussed the installation

of automatic door openers for the handicap entrance of the Veterans' Memorial Building. She advised that doorknobs on the main entrance's second set of doors need to be replaced as well. Mr. Doss stated that the cost to replace the doorknobs on the second set of doors would cost approximately \$1,200 and suggested removing the doors or purchasing handles that do not include locks.

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the Board does hereby direct the Maintenance Director to obtain quotes for the purchase of automatic door openers for the handicap entrance on the first floor of the Veterans' Memorial Building.

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

Voting Nay: None

d. *Voting Precinct Repairs / Improvements:* Mr. Doss and Board discussed several needed improvements at County voting precincts. He advised that the County does not own any additional land at the Critz School, which serves as the Critz Voting Precinct; therefore, a parking lot cannot be created for same. He stated that the Building Official could not find any codes requiring the County to provide parking spaces on the same side of the road of a precinct. He noted that students must cross the road as well. Mrs. Harris requested that two old voting machines be removed from the Smith River Rescue Squad Building. The County Administrator advised that the Maintenance Department is in the process of transporting the machines to the Transfer Station to be recycled. Mr. Doss noted that a doorknob at the Smith River Rescue Squad building needs to be replaced with a lever to make it handicap accessible.

IX. Follow-up on Windmill Farm Input and Review of Information dissemination:

The County Administrator presented the Board with information from Matt Heck, Community Energy, regarding a possible windmill farm in Patrick County. She noted that the Board adopted a sixty-day ordinance at the April 10th meeting prohibiting the construction of any structures 100 feet or more in height with the exception of telecommunication towers. Mrs. Handy stated that at the Board's request, her office begin pulling together information regarding windmill farms. She asked for direction as to how the Board would like for the information to be

disseminated and how the Board would like to receive input from the public regarding the farms, such as a public input session. Mr. Young stated that the information that the Board presents needs to be “truly factual information”. The Chairman stated, “These things do contribute to the energy that this nation needs”. Mr. Young advised that the Board needs to know how property values would be affected and noted that windmills provide a totally renewable energy source that is not “dirty”. Mr. Foley stated that multiple windmills are needed to provide the most benefit; therefore, hundreds of windmills could be constructed throughout the County. Mr. Young stated, “We need to know enough about it to know what all of the good points and all of the bad points are. I’m not going to be pressured to make a decision based on emotion at the moment because that’s not what we’re elected to do”. Mrs. Harris advised that she voted to postpone a decision regarding wind farms until she was able to see one firsthand. Mr. Large noted that he asked a wind farm representative what benefit Patrick County would receive from a farm and stated, “he didn’t have anything”. He said that he wants the windmill company to address the public’s concerns. The Chairman stated that he does not want the Board telling property owners what they can and what they cannot do with their property. Mr. Large stated that according to the wind farm representative, the power that is generated from the proposed windmills would probably be sold to Florida Power and Light. The Chairman stated, “But the thing of it is most of your power comes from the grid”. Mr. Foley noted that the proposed farm would only employ three workers. Mr. Young advised that the construction of the farms would supply several employment opportunities. Mrs. Harris advised that she has heard pros and cons from both sides of the issue. Mr. Large stated, “I don’t want to see this Board take any responsibility for promoting it or condemning it; I think that should be these groups and the company. Let them fight the battle; we can listen”. The County Administrator advised that Mr. Heck indicated that locating a site to construct a windmill farm normally takes up to five years and that his company is six months into the process of making a decision about Patrick County. Mr. Large stated, “I would like to make a motion that we set a public information session possibly at the end of one of our meetings; invite both sides and let them bring the information that they would like to see the public have”. Mr. Young advised that

flyers need to be sent to community groups in addition to advertising through the local media if a public information session is held.

On motion by David G. Young, seconded by Jonathan Large and carried, the Board does hereby schedule its next work session for Monday, May 15, 2006, beginning at 10:00 a.m., with a public information session regarding a proposed windmill project in Patrick County set to begin at 3:00 p.m.; further, the Board directs that flyers be sent to community groups in addition to advertising through the local media regarding the public information session.

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

Voting Nay: None

The County Administrator noted the occupancy load of the boardroom. The Board discussed holding the proposed information session at a larger location. Mr. Young noted that the meeting could not be held at 3:00 at the High School and suggested placing a speaker in the hallway outside the boardroom for those who would be seated in same. He stated that anyone wishing to speak would be required to sign the public comment register before the public input session begins. He noted that a couple of deputies would need to be present to control the flow of people in and out of the boardroom. The County Administrator advised that there is no way to know how many people would attend the session. The Board directed the County Administrator and her staff to continue to collect information relating to wind farms located on the East Coast.

X. Review of Water Supply Planning Initiatives: The County Administrator presented the Board with information from the Virginia Department of Environmental Quality (DEQ) regarding water supply planning initiatives. She advised that she recently attended a meeting at the West Piedmont Planning District Commission (WPPDC) Office and was informed that the State of Virginia has charged localities with developing a water resource plan. She stated that WPPDC has offered to create a regional water resource plan. Mrs. Handy said that she is simply advising the Board that this issue would need to be addressed in the near future and noted that regional plans must be finalized by November 2011.

XI. Further Consideration of Items Previously Discussed:

a. *North Carolina / Virginia Regional Tourism Planning Initiative:* The County Administrator advised that she does not have any information to report at this time regarding the North Carolina / Virginia Regional Tourism Planning Initiative.

b. *Recycling Rate:* The County Administrator presented the Board with a letter from the Virginia Department of Environmental Quality (DEQ) congratulating the County on its 10.6% recycling rate for 2005.

XII. Meeting Schedule: The regular meeting for the month of May is scheduled for Monday, May 8th beginning at 2:00 p.m. and the work session will be held on Monday, May 15th commencing at 10:00 a.m.

On motion by Crystal P. Harris, seconded by H. Danny Foley, Sr. and carried, the Board convened into Executive Session to discuss personnel matters [Section 2.2-3711(A)(1), 1950 Code of Virginia, as amended]; real property [Section 2.2-3711(A)(3), 1950 Code of Virginia, as amended]; prospective business matters [Section 2.2-3711(A)(5), 1950 Code of Virginia, as amended]; legal matters [Section 2.2-3711(A)(7), 1950 Code of Virginia, as amended]; and annexation issues [Section 15.2-2907(D), 1950 Code of Virginia, as amended].

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

Voting Nay: None

On motion by Crystal P. Harris, seconded by H. Danny Foley, Sr. and carried, the Board reconvened into regular session, based upon the following:

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.

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

Voting Nay: None

XIII. Session with Patrick County School Board regarding various issues relating to the School System and County: School Board Members Bobby Mangrum, Ralph Barnard, and Bobby Rorrer; Judy Lacks, School Superintendent; and Deanna Cox, Robinson, Farmer, Cox Associates, were in attendance.

a. *Bull Mountain Fire:* The County Administrator thanked the School Board for its assistance and the use of Woolwine Elementary and the High School during the Bull Mountain Fire. Mrs. Harris advised that Mr. Mangrum and Mr. Broom assisted during the disaster. Mr. Mangrum noted that Mr. Broom put in long hours during the disaster along with Ellen Hylton, Mr. Hughes, Mrs. Walker and several cafeteria staff and custodians. He advised that the School Board was glad to help during the fire.

b. *2005 Financial Statement:* Mr. Mangrum began a discussion regarding the recent County audit. He noted that the Treasurer was present during the School Board's meeting when the audit was discussed. He stated that the auditing firm's first issue as outlined in the audit report related to reconciliation of expenditures with the Treasurer's records. He noted that the expenditures were reflected on the monthly report and were verified by the Treasurer; however, they were not included on the annual report that is used by Robinson, Farmer, Cox Associates when conducting the audit. He said that the School Board has submitted a letter to RDA, which supplies the School Board's software, requesting

an explanation of why the annual report did not include the expenditures. Mr. Mangrum stated that out of the last 7,220 checks, only four were cancelled. He advised that the annual report would be run each month to ensure that all expenditures are reflected on both documents. He stated that the auditing firm's second concern was capital assets. He advised that due to a procedural change a couple of years ago, the auditing firm no longer completed a portion of the annual report; however, the task was not assigned to anyone at the School Board Office. He advised that this task would be assigned to a staff member, who would be trained for same. Mr. Mangrum addressed the procurement issue. He stated that the Technology Director purchased computers for different schools on different purchase orders and held payment for those computers that were on back order. He advised that there were multiple computer purchases that were added into one total of \$60,000, which exceeded the procurement requirement. Mr. Mangrum stated, "I feel that it was not anything intentional. Mr. Marshall did go out and seek individual bids. They weren't sealed bids; however, as the procurement guidelines would require". He advised that three bids were received and the low bidder was chosen. He stated, "It was basically a simple mistake". He advised that training would be provided for the Technology Director in regards to procurement guidelines. Mrs. Cox stated, "The corrective action that the School Board has put forth does satisfy us as far as going forward. What they plan to put in place, if all goes as planned, should rectify the problem that we have". Mr. Mangrum reiterated that the School Board's expenditures that were listed on their monthly report matched the Treasurer's balances for same. He stated, "There are no misappropriations and no monies lost or unaccounted for. They did balance". Mrs. Cox advised that she would meet with the School Board staff in May to assist in implementing their corrective actions.

c. *Patrick Springs Water and Sewer Project:* Mrs. Harris asked if a fire hydrant would be located near the Patrick Springs Elementary School. Mr. Burnette advised that a fire hydrant would be installed at the Patrick Springs Fire Department and confirmed that the waterline to the school would be at least a 4-inch line. He noted that the Board would encounter a \$200,000 shortfall in regards to the water and sewer project; therefore, the Board has proposed a "special education rate" for the Patrick Springs Elementary School in the same amount. He advised that per the

Board's request, he presented the proposal to the School Board at their April meeting. Mr. Burnette noted that the Economic Development Authority (EDA) had agreed to act as an alternative, which would involve the Rich Creek Corporate Park, if the School Board decided not to accept the proposal. Mr. Mangrum stated, "There is considerable money involved here". Mr. Burnette advised that Rural Development would fund the project through a loan for sixty percent of the project cost and a forty percent grant. Mr. Mangrum stated, "As its proposed on a 30,000 gallon per month usage, the normal commercial rate would be \$153.20 and the Special County Educational Facility rate would be \$17,816 for the same amount of water. I don't know that the public is going to understand that". He noted that the School Board had said that they would support the project because they are concerned about the economics of same. Mr. Burnette advised that the Board had originally planned to "put the subsidy in just straight up cash"; however, Rural Development advised that the shortfall must be paid by revenue sources. He stated that the engineers involved in this project suggested the implementation of a "special education rate" to fund the shortfall. He noted that the shortfall includes operational costs and debt service. Mr. Rorrer stated, "This is a huge amount of money". Mr. Burnette advised that the County must put in the initial investment, which would be used to install the trunk line. He noted that an Economic Development Facility Rate could be implemented for the shell building in the Rich Creek Corporate Park or a "take or pay" scenario could be used, which was discussed at the last EDA meeting. Mrs. Lacks stated, "I am very cautious about over inflating our budget arbitrarily for any reason". Mr. Barnard asked what would happen when future Boards are elected in regards to this project and its funding. Mr. Young advised that the subsidy should be funded through the use of the EDA. Mr. Burnette stated. "That idea came from the School Board. It made sense to me". Mr. Mangrum advised that his concern is that future Boards are not legally bound to each other in regards to long-term contracts. He stated, "If it can be done through EDA, I think overall it's probably a better solution. That being said, I don't think the School Board wants to be in the position to say we're not wanting to help with a project that's going to be for the betterment of Patrick County. We certainly want to help and we're certainly concerned about the economy and the economics".

Mr. Burnette recommended that the School Board take on a “secondary role” while the County seeks Rural Development’s approval of EDA subsidizing the shortfall. Mrs. Lacks advised that the Patrick Springs Elementary School currently has a “functioning” well at the facility. Mr. Mangrum advised that the School Board holds the position that the school would sign on initially for \$20.00; however, it would not connect until the water supply is needed. Mr. Large stated, “One concern that I have as a PSA member also is that we want to make sure that we do have the numbers to get the project completed”. Mr. Mangrum advised that more information is needed before it could make a commitment to the project. Mr. Burnette stated that he hopes the School Board would still consider hooking up to the system even if the project were subsidized through the EDA.

d. *2006 – 2007 Budget:* Mr. Mangrum noted that the General Assembly has not yet adopted a State budget; however, the School Board has a general idea of what their overall budget request will be. He stated, “Its going to be about four percent more than it was last year, which, I think, is well within the lines of the rate of inflation this year”. Mr. Rorrer presented the Board with charts that reflected local government contributions to the school system and the average daily student membership for Patrick and surrounding counties, with a copy filed with the Papers of the Board. He discussed the Local Giving by County 2005 chart and stated, “We are, as you can see, the lowest one on that”. The Chairman noted that Carroll County’s population is approximately 29,000 and Patrick County’s population is 19,407, which is why Carroll County’s contribution is higher than Patrick’s. Mr. Rorrer advised that Floyd County’s population is 12,000; however, they contribute more money to the their school system than Patrick. Mr. Mangrum referred to the Dollars per Student chart and stated, “If you look at what Floyd is funding per student verses what we’re funding, we would like to get a little better”. He asked the Board to use the information that was presented today when considering future funding for the School System. Mr. Rorrer began a discussion regarding teacher salaries. He advised that in the 2005-2006 School Year, Patrick County was ranked 124 in regards to salaries for teachers with ten years of experience. Mrs. Lacks advised that a high ranked number means a lower salary. She stated that this year, Patrick County teacher salaries are at 97% of the regional average. Mr. Rorrer stated, “Our pay scale is not low by any means. We are not saying that. We want to

keep going forward. We do not want to back up". Mr. Mangrum advised that the School Board Budget Committee's focus has been to make the pay scale competitive with surrounding areas.

Mrs. Harris advised that the new Walmart Store in Stuart donated food and allergy medication for the fire fighters during the Bull Mountain Fire.

Ordered that the Board be adjourned until May 8, 2006 at 2:00p.m.

Work notes prepared and submitted by

Mary Beth Roberson, Assistant to the County Administrator