

VIRGINIA: At a special called meeting of the Board of Supervisors of the County of Patrick, in Joint Session with the Stuart Town Council, held at the Patrick County Administration Building thereof on Wednesday, August 4, 2004 at 9:00 a.m.

PRESENT: Crystal P. Harris, Chairperson; H. Danny Foley, Sr., Vice Chairman; Roger L. Martin; David G. Young, Board Members; James McHone, Mayo; Bill Gunter; Ray Weiland; James Staples; Jason Turner; Dale Firebaugh, Town Council; Regena H. Handy, County Administrator; Michael Burnette, Assistant County Administrator; Eric Helms Monday, County Attorney; Mary Beth Roberson, Assistant to the County Administrator; Terry Tilley, Town Manager; and Susan Slate, Administrative Assistant.

ABSENT: Darrell Cockerham

The Chairperson called the meeting to order.

Regena H. Handy 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 Roger L. Martin, seconded by David G. Young and carried, the agenda for the meeting was approved, as amended.

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

Chairperson: At this time we are gonna have a public input session regarding proposed extension of town boundaries at this time and I would like to give a few guidelines. I've lost them Regena, here you go. Ok, I would like to welcome each and everyone of you and your opinion is very much appreciated. These are the guidelines: Each speaker must come to the microphone; each speaker must state his or her name for the record; each speaker will be limited for 5 minutes. Please address your comments to the Board; and the Board will not tolerate any disrespectful comments. Thank you. I'll have the first speaker to come forth. Do we not have anyone who would like to speak on this matter?

Worley: Sit down?

Chairperson: Yes sir. Your name?

Worley: Darrell Worley. I would like for somebody to lay out what you are trying to do because I'm not really familiar with what you are trying to do here.

Chairperson: Mr. McHone.

McHone: Well, for approximately a year and a half, the Town has been negotiating with the County in annexing a partial of the County into the Town of Stuart and at this point we are very close to that process. We've had a meeting approximately two weeks ago and the Town and County looked at what we needed to do to come to an agreement and at this point we're there. The Town is going to provide certain items to the County far as water and sewer with the understanding that the County would not oppose annexation.

Chairperson: What are you gonna give them besides water and sewer?

McHone: Well, we've looked at the BPOL tax may be doing some work on that, may be reducing it depending on the meals tax, its on a referendum this coming fall depending on whether it comes about. There's a couple of things we've looked at far as maybe reducing the tax in the town. But then, you know we've negotiated that but we haven't really, we haven't come to a final decision, but you know we will work out something on that. I know, probably the most important thing that we as a Town have that the County needs is a water and sewer. Without those you not going be able to develop. You that as well as I do cause you know you struggled with the problems and you know it takes time to work them out. But you know I think the County and the Town can work together and maybe come up with some solution on it.

Worley: Does this mean we gonna, you gonna do sidewalks, street lighting?

McHone: Well, you know, yes I'm saying, you know, that's up to the particular area that we're working with. You wanted sidewalks or streetlights; it will be up to the Town to provide those. Now, we have a certain length of time to do that, I'm not sure really sure maybe four or five years, once you, once this agreement you know the Town will the area that we annex will be provided with the same services that any other part of the Town is provided with you know, street lights is something that you know every part of the Town has and you know where we annex they will also be faced with lights.

Worley: Alright, I've just spend about \$250,000 upgrading. So you gonna, you saying you gonna come in there and hook me up to water and sewer. I don't even know where my water and sewer lines are at. Are you gonna tear up my parking lot? Are you gonna dig me up, are you gonna disrupt my business?

McHone: Well, if you don't want us too, we'd be you know, if you want the water and sewer we'll work out something. You already got the water up there. New lines were put in, is that right? Terry, didn't we?

Tilley: Yes.

McHone: There's new lines up there.

Worley: Well, I'm not hooked up to it.

McHone: Well, that's true.

Turner: One of the concerns that Mr. Worley has is once the, he's hooked in and the invasion on his parking lot, lets say if you to cut his parking lot to put in the lines to his building, once we found the buildings, is he gonna have to incur that cost?

McHone: No, it's the responsibility of the town.

Turner: To repair.

McHone: To repair anything that we, when we put in a line we're responsible of repairing whatever damage we're creating when we're doing that.

Tilley: Its up to the customer from the meter to their business.

McHone: That's right.

Tilley: Anything that is done there now, we are not responsible for that. Anything that's done on the property to the meter, we're responsible.

McHone: That's right.

Chairperson: Where's your meter at?

Worley: I haven't got a meter, I haven't been hooked up, I don't know.

Tilley: You don't have one?

Worley: Right, I don't have one.

Tilley: When you request water service, then we will come and set the meter and whatever sewer line is there, hook that up.

Worley: So this is gonna, all my new parking lot, asphalt, concrete that we've poured gonna be have to be dug up to get to it?

Chairperson: Well, you can put the meter on the porch Darrell.

Worley: Well, I assume they gonna put the meter out there where the water lines at.

Tilley: We'll put the meter where you want it at as long as it's on the property. Wherever you want it put, you can put. You could come around from the backside if you would like. We try to work with the customer on where they want the meter set. We don't just come out there and set the meter and then say.

Worley: Well, this building was built in 1947. I don't even know where the water lines or sewer lines are at.

Tilley: There was no sewer line up there, you had a septic tank. The water line is in front of the building out to the gates. Now in the past years, that line has continued. At one time it was the milk plant, isn't that what they called it?

Worley: Right.

Tilley: It was hooked onto our system and after the milk plant went out and so forth, I don't know if it was, you or who had the building, discontinued the service from the Town. Now, I don't know, I don't know exactly where the water line comes out from there now. I don't know what's been going out. That would have to be located.

Worley: Well, right now I know I got sewer lines coming out the front, its underneath the parking lot and I got them going out the back.

Tilley: I don't know, I couldn't tell you that, I don't have the plats on that, I mean the maps. I don't know how the system is set up at the plant. I know there's no sewer line, the main sewer line of the Town's is up there and I know where the water lines is at. That's all I can tell you.

Worley: Well, I'm basically here to listen. I'm not mad, I can get mad, but I'm not mad. Ya'll are sitting here holding all the cards, ya'll know what's going on, I don't. I brought up you all a piece of pie, my bag is empty, don't leave me just holding the bag.

Chairperson: Thank you Darrell. Mr. Wright would you like to speak?

Wright: My name is David Wright, I am with EMI Imaging. I moved up here into the EMI building that used to be the Bassett Walker building in 1999, and the Lord has blessed us tremendously. He's allowed us to be able to go from thirty-five employees up to 100. We are now in the seventy's but expect to see the number to exceed well past 100 employees, and when we came up here the County was gracious enough that they gave us \$18,000 to help in our move and I really appreciated the significance of the County doing that. But I also felt that it was not right for me to have an added advantage on being able to pay my employees a little bit more than what my fellow businessmen in this area would be able to pay that had been struggling just like I had. And I made the determination that I was going to take the \$18,000 that the County gave me and give it, divide between the police department, the rescue department, fire department, and the

people that were over eighty years old that was in dire circumstances. During this time that the County made this offer to me and the time that we actually received the money, Satan came to me many times and told me you don't need to do that. Look how much it's costing you to put this business in here. It's not costing you \$18,000, it's going to cost you over \$100,000 to move it up here. The Lord convinced me that I needed to follow through and do what was right for the people of this County. And I don't regret the move if I lose the business and it goes to the wayside, so be it. I'm glad of the stand that I took and I'm not sorry of it. And we have been blessed to where that instead of having thirty some employees, again it looks like that we should have well over 100. We have more work coming into our business right now than what we did when we moved up here in 1999. Several things has really disturbed me as what I've seen take place with this. When I see people that are honorable, they don't have to go into secret meetings, they are proud to tell people what they are trying to do. They want people to know what they're doing because they know that they are doing it for the betterment of those concerned. To set a meeting at 9:00 in the morning with this short notice that involves so many people in this County and set it to where that the public really can't come in and respond because they'd have to be leaving their jobs and ordinary employees can't do that very well. You're not hearing the comments that you should be hearing. There are over 500 people that have jobs in this County that comes directly from those companies that are being annexed. We may be better off to be annexed than maybe any of these other companies are. I'm not coming here pleading poverty. I'm coming here telling you that I believe with all my heart that this is a detriment to the people of this County if they turn, we hear that we are gonna get sewer and we're gonna get all these things. Mr. Terry, I asked you to come over and talk to me about hooking up sewer and you told me, if I'm correct, that sewer was right there next to me, that it shouldn't be any problem. And I continued to pursue it for three or four different times and each time I was put off. Now this is now 2004 and I asked you to come there in 1999. This is the kind of help that I have been getting and he also pointed out that well we can come down the street here but your sewer hook up is back here on the backside of your building on the far side so you're gonna have to dig all the way across here and all that is your expense in which you reiterated that today. It is not where your water meter is; it's where your sewer happens to be is where they are going to go from the street. We, people are being promised that they, if the town turns around and annexes all these businesses, that the town people are gonna end up getting reduced taxes maybe. Well, I question how that you can have reduced taxes if you're gonna go out here and I'd like, if you know, what the cost is going to be to put sewer to these thirty-five businesses that you are planning on annexing. What is the bill for that? And if you go in and run it out there to all of these thirty-five different businesses, then if those businesses turn around and either leave the County or fail, then who is left with the tax burden? Those that remain. And so the people here in the Town is gonna have possibly a greater tax burden than they've ever had before because there's a greater expense and there's less people here in the Town to pay it, if it causes businesses to fold. Look how many businesses have been lost in Patrick County and the surrounding area. And we'd say ok well that's just the clothing places, the linen places. It's starting to affect the furniture places and when it affects those places, it turns around and affects the others. When somebody comes and campaigns for months saying that they are going to be against annexation and they understand that it is really hurting the citizens of Patrick County to have businesses annexed, then it doesn't seem very honorable if you turn and do differently without even really knowing how you are going to affect each one for those businesses. I just hope that each one of ya'll will really consider what is taking place. I know that here in the paper here are the memorandum that was put out here it said that the town should immediately provide water and sewer service to the property commonly known as Fulflex site contingent upon the Town's ability to provide the required capacity. I thought that at one time that Fulflex was maybe even offered to the County at one time. Is that correct? And then a private individual took over Fulflex then they sold a tremendous amount of timber off of it and now they are asking far more than what it was, they paid for to begin with. And now the most important thing that is in here is to provide this place with sewer at that expense of all the citizens all over Patrick County. We had a hospital here that the County people paid their, paid in

and built that hospital. And now I understand that if, if the hospital is annexed in, that it will also become an empty building which will possible become a place for the elderly and who has that. How many times does the County people have to pay for somebody to get wealthy? I can tell you that the scriptures tell you that those that are an evil man will flee when no man pursueth, but the righteous shall be as bold as a lion. I ask you all to be bold for the people of this County. Be bold for them. A man that gains wealth without considering the poor is only gonna be gathering it for those that will consider the poor. And I ask you to think about, Mr. Martin if you know I would appreciate it if you would tell us approximately how may people have lost their homes here in Patrick County.

Martin: Mr. Wright, to the best of my knowledge its over 200 families have been foreclosed on. The foreclosures have been, for way over a year, as may as 7 and 8 in the paper and most weeks its 4 or 5. I do a lot of these appraisals and I'm appraising foreclosed properties continuously it seems like. Most of them are factory manufactured doublewide homes or something like that, but that's beside the point. It's a family that's been made homeless; they've lost everything they had. And the rate of repossessions on vehicles is incredibly high. This County is in really not in very good shape. There's a strata of people that are doing well, but there's an awful lot of them that are in dire straits.

Wright: Are you the only one that does this type of appraisal for these homes that's being lost?

Martin: No I am not. And I can refer to Mr. Litten or anybody else that's in the real estate business whether they're appraisers or brokers or whatever. They can tell you the same thing that it's a catastrophic thing that's happening out there. And we're losing our young workforce, the young people don't have enough money to buy health insurance, the rate of personal debt is the highest its ever been across the nation. And credit card debt is astronomical. The level of personal service, savings is the lowest it's ever been. So, I mean, somehow or other, sooner or later, we're gonna be able to focus on a picture we're not going to like.

Wright: I want each one of you all to just ask yourself if you were, if somebody came to you three years ago or a year from now, and came to you and said I want you to pay two, possibly two and a half times the taxes that you are paying right now and then tell you but don't feel bad about this, we're goanna get thirty some other people, thirty some of your neighbors to do the same thing. How would you feel? And for me, I have the responsibility not only for me and my children, a business, all of our customers that we have over a four or five state area that we are working with, hospitals getting their medical data back to them within seven minutes. If somebody should have a heart attack or be critically injured in an automobile accident we have some 300 million records in our plant. And when somebody, you might be down in South Carolina and have an automobile accident or have heart attack and the hospital may very well be calling us to get the information for them. And we have a response time of 7 1/2 minutes, 98% of the time out of dealing with over 300 million records. Our pay is good for our employees it has to start out low because it is, it takes a lot of training and we're not wealthy. We're struggling to make ends meet, but we've always been provided for. Where one door slams closed, the Lord has always opened up another one for us. I'll continue to hope and trust in Him and regardless of whether He sees fit to end my business or not, I hope and trust that I'll still continue to trust in Him because this time that we're living in it might seem long to some of you but it isn't a drop in the bucket till eternity, and we're all gonna face it one day. And it doesn't necessarily come by age. You might not get home before you're facing eternity. You better be thinking about what you're doing to people out here that are struggling right now. I just ask you to not be like, how is this worded here, the terms of this memorandum shall not becoming binding upon the parties until adopted by their respective governing bodies convened in public session and only after entertaining comment from the public. I hope that I've done a little more than entertain you. I hope that you recognize how critical this is for the entire county. Don't just try to make a dozen people wealthy or wealthier, increase their riches. I ask you to consider all of the people

here in the County and what its doing to them. If several businesses close and those employees lose their jobs and the tax burden becomes greater on the ones that's left and can cause more to lose their homes and their jobs. Please consider this. Thank you.

Chairperson: Thank you Mr. Wright. Do we have anyone else that would like to speak?

Bryant: James Bryant of Stuart Concrete. I'm opposed to be taken into this. Everybody always opposes more taxes and of course you know as someone in business, if you're looking at making an investment, you're gonna have to look at what costs, depreciation, taxes, and if its gonna cost you a 1/3 more you know., you might decide its best not to. You know, you've got to, it's just hard to support yourself. And you've got to be competitive, and you know we have a tax increase we can't pass it on. It's a fixed expense. You know, when you ride out of town here, any surrounding county or Mount Airy, Martinsville, even they're depressed, you can just ride for a quarter of a mile and you'll ride by more businesses than all of Patrick County. We are just really small and I'm sure the Town needs added funds, they are trying to survive, but I'm concerned that at this present time, we need to be more inclined to invest, create more jobs, and grow our businesses maybe more so than looking at should we invest or not. As far as the services, you know, I'm sure the Town would, I feel like most of the growth is heading towards Patrick Springs area. I know W&W has been hauling wastewater for years and that's just unheard of this day and time. And I'm sure that he could use sewer, but how long would he be taxed before he could get this, I feel like it would be hard to come up with the, unless you get a grant to do it. I know we talked about town water when we moved to the new location. At the time the line was not serviceable, so we've installed a water system that works well. I think you have a new two inch line going out there now, which we're using a three inch line. Our present water system works just extremely well and I really wouldn't dream of changing it. I appreciate you all considering us and thank you.

Chairperson: Thank you, James. Have anyone else? Anyone on the Town who would like to? Okay come on Janice. I turned my head about the time you got up, I'm sorry.

Wilkins: Good Morning, I'm Janice Wilkins from RJ Reynolds Patrick County Memorial Hospital. The hospital already has the services of water and sewer, we maintain our own sidewalks and we also maintain our own outside light, can you please explain to me what other services would benefit the hospital with us coming in to be annexed.

McHone: Well, Janice as you know, water and sewer is very valuable to that hospital.

Wilkins: Yes.

McHone: And if we did not maintain it, it would be very difficult, it would be up to the hospital to operate the water and sewer system. And you know, most hospitals that you know of are located where? They are located in a city or somewhere around where they can be furnished by water and sewer. And you know, I know that service alone is a very valuable part to being able to operate a business like with water and sewer.

Wilkins: I moved here from, a little over eighteen months ago, I moved here from Frederick, Maryland. Our home was located, I thought, outside the city limits but after we built I discovered it was in the city limits and we paid County and City taxes to the tune of about \$6,800 a year for a 1/3 of an acre and a home, but for that I got water and sewer, sidewalks, street lighting, free garbage pickup and some of the best school systems I've ever seen. Davis was very fortunate to go to a very good school in Maryland. He came here; he ended up taking Spanish 1 and Algebra 1 all over again because he did not go to high school. He had taken those in 7th grade and passed both classes with A's. When we moved to Patrick County, I had to have him retake these classes. I'm not here to get into the

middle of that, I just think that my dollar up there was well spent for what I paid for. \$6,800 for taxes for a 1/3 acre of land home. I almost fainted when I got the tax bill that day. I called my husband in Memphis and asked him did he know when we built that house that we were inside the city limits of Frederick and he said no and I said well guess what, we are and here's the tax bill. I just think that a lot of things need to be taken into consideration. Yes, water and sewer is very important to the hospital, you all know we are in the process of being sold and also looking at building a new facility. At this time, I cannot tell you the exact location of that facility. I do know that the perspective buyer has looked at several locations and they are all outside of the Town limits. I do know that. So, I don't know what the outcome of that is going to be. That will be brought forth in the very near future I think very soon I think that will come forth. Can you explain to me where the boundaries are going to be? I know, where do the stop? I know it encompasses the hospital.

McHone: In relation to the hospital, it comes up Rhody Creek the Rubber Thread, you know what Rhody Creek is?

Wilkins: Right.

McHone: It follows around everything to the left of Rhody Creek as you come up will be in the Town limits and that would, far as you know you said you spent \$6800.00

Wilkins: \$6800.00 for a years worth of taxes.

McHone: In Patrick County that would pay Lord know's how many people. In Patrick County the taxes are cheap and the crime is low. You know, and it's a good place to live, that's one reason you probably moved back.

Wilkins: That's one of the main reasons.

McHone: It's a good place to raise your kids; it has a good school system. We, you know, and we provide all the services you just spoke about. For \$10.00 we'll come to your back door, pick your garbage up, you don't even have to carry it out the street. There's very few places in the state of Virginia that still does that, but we do. And you know, in regard to the hospital being moved you know no matter where you move you still got to have water and sewer, you're gonna have to build it, we're gonna hook it up.

Wilkins: That's not my decision to decide.

Turner: When you're in the Town limits, the rate is so much different between being out-of-town rates and in-town-rates, granted it's not a wash. But you know we've, there's a lot of businesses that have been courting the Town for years, but haven't been willing to make the commitment to actually marry into the family. And it's nobody's fault, this something that should have been taken care of over twenty years ago.

Wilkins: I think that growth in the County is very essential. I think that is one of the things that if we don't, and I am one of the firm believers of shopping in Town. I think that the more that we shop in Town; I mean I shopped in Town for Christmas. I made a vow to myself that the people in this County needed our support. I did every bit of my Christmas shopping in this Town. I found everything that I needed. I think it's very valuable that we support the people of the County, whether it's for groceries. I do not drive to Martinsville to go to Walmart or somewhere to grocery shop. I grocery shop here in Town. I think it's important to keep our tax dollars here. A lot of people do go out of town. I made a vow about six or seven moths ago when I saw what the economy was doing that I was going to do my part. And I did that. I very rarely do I go anywhere else to shop. When we built our home, I made sure that the builder used every resource that he could from this County. Not a lot of things could be bought here but everything, when I would meet with him, I'd say, can we buy this here in Patrick County, can you use people in Patrick County? I think it's very important

to keep our tax dollars here. That's the only way we are going to survive. I appreciate your time.

McHone: I thank you for shopping, for shopping here.

Wilkins: Every time I pay \$5.00 for a gallon of milk, just remember it goes back to the school system.

Weiland: I would like to say something also, as far as the hospital is concerned. This annexation is actually going to reduce your costs ultimately over a period of time. It will reduce it significantly.

Wilkins: I came here today because it is a learning process. You know you read what you see in the media and stuff like that and it's a learning process for all of us. And I don't know all the ins and outs of all of the things that are being talked about and that's why I came today, for you to educate me on that and I appreciate that.

Weiland: And based on the old before we raised the rates here recently out-of-town, we did a little study and you know this is approximate, I know, but the hospital is looking to have a net reduction of close to \$13,000 to \$14,000 and with the increase, that will be even more. The hospital and most of these medical facilities around will benefit by being incorporated.

Turner: One thing that I think needs to be understood is this annexation, the town is not operating on a for profit basis. We are not doing this to make the Town wealthier or anything like that. We're in a position with double digit unemployment and all of the businesses that are here and have toughed it out should be commended. But, businesses cannot come into our area and start up unless we are able to provide them services. As long as we keep our tax base as it is, keep our boundaries the way they are, it's hard to expand out to where if a business did want to come in to be able to provide them with the services that they needed. And like I say, every business that's here is valuable, not one over the other. I think that all of them are valuable. Problems such as Mr. Wright spoke of as far as trying to get hooked up and everything are uncalled for and I hate it that it happened to you. Always know that if you cannot get the results that you are looking for, we have meetings on one Wednesday a month and people are more than welcome to come and attend the meetings and say what's on their mind. One of the problems that we have is like when we vote on taxes and stuff like that, we'll post it, have it in the paper for two or three weeks, and then we get there and there's no one there to speak their mind on it. I need people to have input and to talk to me and I'm sure everybody else here does too. You know, when something is affecting you directly, you need to come and air your opinion because I'm not so headstrong where I cannot be swayed the other way. You know, granted most of the time there is reason for action. It's not for profit and I don't want anybody to think that the Town is wanting this annexation for the Town. We need it for all of us, and we need it for the Town, the County, for businesses coming in, for the people out here that's on unemployment, for the people that done run out of unemployment, for the people that lost their jobs and are struggling to make ends meet, we need industry here.

Wilkins: Yes, I totally agree with you. And that's one of the reasons that we're struggling so hard to keep the hospital open because if you don't have a viable medical facility in an area, a lot of people do not want to re-locate a business here. And that's why we are struggling very, very hard to keep that door open. I think, I totally agree with you, we need industry. I keep waiting for Food Lion to break ground over here.

Turner: The more industry that comes in the better. I believe in a trickle down affect as far as the economy goes. If we have a business come in and hire, whether it be 50 people or 500 people, once those people are commuting back and forth, they're buying gas, they're eating lunch, they're shopping. You know, the money is a constant affect, even on the big businesses. If you have a business that comes in and they burn a lot of natural gas. Well, there's two

places that you're gonna get your natural gas pretty much around here, you've got your choice in two, there gonna benefit too. It's all a trickle down affect. And like I say, I don't want people to think that this is something that the Town is trying to do for profit or that the Town is just trying to do it's own self sustain. We're trying to do it where everybody can benefit in the long run.

Wilkins: I thank you for your time, thank you for the education, that's what I came for. Thank you.

Flippen: My name is Nancy Flippen and I'll say right up front this is not something that I enjoy. I've never done this before, but I feel like that it's important. First of all, I would like to take this opportunity to thank Mrs. Harris and Mr. Martin for not signing the adoption, the agreement, the annexation agreement. I feel like they had our concerns at heart and knew that it would adversely affect us. I guess I'm here representing those people who are retired and on a fixed income and it's not that I don't already pay a lot of tax to the County. I think I am paying my fair share and I guess I can maybe pay a lot better than some others. There are a lot of people that are retired, on a fixed income that this is going to be a real burden. And not only am I concerned about the tax, I'm concerned about the fact that water. We were forced to move to make way for the bypass and so we couldn't build close to the road because it's limited access, you can't put a driveway there. So we went back and bought, we were land locked, we bought land and built a house back there because we, it was the community we've always lived in. We invested in a well and invested in a septic and so did my niece. And I'm told that the waterline will eventually run up that way, and sewer, and if we don't hook onto it, we still will be charged a fee regardless of whether we use it or not. Is that correct?

Tilley: No.

McHone: If you don't hook on, you don't get a bill.

Flippen: There's no fee?

McHone: No fee, we're not a PSA. In other words, if you don't want the service, you don't have to take it.

Tilley: This area where she is at, there's two houses up there; you've got the end of Johnson Street there. There is a small water line that services Johnson Street. Unless they request a water line up there or there's a lot of development up there, as I was trying to explain to some other people, there will probably never be a water line put in there, unless you requested it. If you come to us and say I need water and sewer up there, then there's a possibility of being put up there. But, where you're located at, I just don't see it cause it's just not feasible. It would cost you in Town hundreds of thousands of dollars just to put the water and sewer in. And that's part of the thing that we're gonna have to work out when the annexation and all of this comes to pass. We are gonna have to work out a lot of these places that are in that are because it's just not feasible to do.

Flippen: See, this is mountain land back there. Our land, Buddy Williams' land, Edwards' land, it's back to Worley's. That's all just a steep mountain. It's not going to be, it's not going to, there's no business that's going to build on top of that hill.

Chairperson: But you were told that you would have to pay the minimum fee?

Flippen: It was my understanding when I asked.

Tilley: I'm sorry ma'am, I did not tell anybody to tell her that. That is not, that did not come from my office. I know what I was explaining; you called yesterday at the office didn't you? Did you call the office yesterday?

Flippen: Yes.

Tilley: And was asking some questions, you didn't talk to me; you were talking to Billy Gammons. And I was telling him over the phone to tell you we have a lot of things we've got to work out and it would probably never happen. The water line would never happen unless you requested or the people up there requested it and then it's gonna be a stretch to get the water and sewer out because its just too far out and there's not enough people.

Flippen: My understanding is that you would run it maybe up Johnson Street and then if anybody back in that mountain wanted it, they would be responsible for running the line.

Tilley: No ma'am, not in the city limits, not in the Town limits. No ma'am.

Flippen: We would have to put the water all the way down twenty some acres down to the end of my lot if my son built down there.

Tilley: If he requested, yes ma'am.

Flippen: If he requested the Town to do that.

Tilley: No, we couldn't run it across twenty acres of land to hook up to one house. We would have to see where he is going to be at, where the closest water main is to tap onto, and so forth. But like I said, there is a lot of detail here, a lot of stuff that well have to be worked out before then, before we can even answer that question.

Flippen: I just feel like this will be a hardship on a lot of people on a fixed income. And I agree with Mr. Wright, that I have tried, I have asked on several occasions if we were going to be annexed and I didn't get a straight answer. And I went down to the Town Office and asked to see a map and there was not one available I was told. I did see one in The Enterprise but it was a small map and it wasn't a very clear map. So I just wanted to make my concerns known and I appreciate your time.

Chairperson: Thank you Nancy.

Weiland: I would like to say something. The fact is there's a lot of people in Stuart who are also on fixed incomes and we have a lot of lines outside the Town and every time we dig and set another line, any lines, we have to go through a lot of fees, testing fees, just the initial costs, costs to maintain, and all these costs are maintained by the people of Stuart. Their taxes will have to go up to cover all these costs too. So what we are trying to do here is we are trying to alleviate some to this burden from the people within the Town limits as they stand right now. And take some of that burden away from them. They shouldn't have to pay for all those lines that's going in outside the current boundary. So this way it makes it a little bit more fair to everyone as we take in that area that is already being served by our systems.

McHone: And Nancy, eventually we will be working on a map, a more clearer map, detailing exactly what will be taken in. All that will have to be addressed before we have another vote. This is not the final public hearing; there will be another public hearing. But when we have that one, we will have a map indicating exactly where the new boundary will be. You can see clearly there who will be taken in.

Tilley: Mayor, I would like to comment on what Mr. Wright said about the Town not assisting him on his sewer line. Mike Burnette over there can comment on this too if he would like because he was with me the day I went down there. I talked with Mr. Wright and Mr. Burnette and we went over what it would cost to put in and that the Town would be more than glad to tie him onto the Town system, but it would be at his expense. I understand that you own all of the land behind your building, I don't know. I told him that it would be brought to his

property line wherever that would be and that we would tie him on you know, in 1999. I also talked with Mr. Burnette was there I gave him a break down and a take off on expenses. Isn't that right Mike?

Burnette: I think that's right.

Tilley: I just want everybody to understand that I have never ignored anybody's request for water or sewer or anything else. I'm sorry Mr. Wright but I was there. I came down twice and talked with you and I did not ignore you and it sounded like I ignored your request and I didn't.

Chairperson: Sounds like he's afraid of me jumping him after a while.

Wright: The first time he came down, he promised sewer. The second time he did not promise that.

Tilley: We were working through; I was working through with Mr. Burnette to get back with you. Mr. Burnette asked me what the cost of this was gonna be, he was trying to assist you because you are out-of-town. And I gave the figures to Mr. Burnette of like sixty thousand dollars to put the sewer line in and I'm pretty sure that I told you down there that day what the cost was going to be and you said no, I can't do that. I don't have anything in writing because we were just talking and looking over the property. Mr. Wright, I'm sorry but I didn't ignore you on this thing. I was working with Mr. Burnette on this thing. I want to assist everybody, that's the Town's goal and I think the County's goal to get all of the businesses that they can in the County and in the Town. I'm not out to hurt anybody, that's not my goal here. I'm just trying to complete my job and I can't go out here and spend sixty thousand dollars on a sewer line outside of Town, I just can't do it. That's the reason why I explained to you and I explained to Mr. Burnette over here that it would be the customer's expense. I would be glad to tie it on, tap it onto our system, but we couldn't put the line up to your building.

Wright: How close was the present sewer line to the property line?

Tilley: I don't know exactly where your property is Mr. Wright.

Wright: It's right there at, there's one small piece of property. Note: Mr. Wright was standing in the audience, not at the microphone.

Tilley: Our main intercept line going to our waste treatment plant is directly behind your building at the edge of the river back there. That is where we will have to tie it on. We don't have anything out in the front or anything like that. The waterline comes through the front, the sewer line through the back.

Wright: And you said that it would cost approximately sixty thousand dollars?

Tilley: At the time it was 1999. And I done a take off on it as far as the footage and sewer lines would run from \$80.00 - \$125.00 a foot to be installed and installed properly. Now you could probably have it installed a lot cheaper. But what you and Mr. Burnette were asking would the Town entertain doing that project and I gave you the, what the price would be if we done it because we do it with maps, we do it with plans, the whole thing and when you do that, that's what runs the cost up.

Wright: If I'm annexed, will I still have to pay sixty thousand to have it installed?

Tilley: You make a request to the Council and whatever they say, I'll work with you in anyway I can.

Wright: So all they have to say is no?

Tilley: Mr. Wright, I think if you make a request to Council that you want sewer service, we will try everything that we can and I feel like you will have sewer service at your business. We have never turned anybody down.

Worley: So is he going to have to pay?

Tilley: He will, we will come up to his property line wherever that's at.

Worley: Is it still going to cost him sixty thousand dollars?

Tilley: I don't know, I don't know where his property line is Darrell. Does it go all the way to the river? I'm sorry that's just the way our ordinance is. I can't do anymore. I'm just stating what our ordinance is and the way we handled it in the past.

McHone: See the advantage to that is don't have so much land, just get the sewer line closer and it won't cost as much. You know if somebody requests water and sewer within the Town, we'll work it out. I mean, you know we've never, and if you look that the Town has been very generous in running water and sewer down to Vaughan Furniture and industrial parks. We've always been accommodating you know. We do the best we can with the funds we have.

Worley: How much will residents have to pay in taxes?

Turner: Like on a \$125,000.00 home and this is just, what I'm getting ready to give you is, I don't have the paper in front of me, this is average, about a \$125,000.00 home by the time that you take everything in consideration, it winds up being about \$127.00 a year.

Worley: More or less?

Turner: That's more. That's about \$12.00 more a month.

Weiland: And if you already receive water and sewer services, that's obviously gonna drop.

Turner: That's included.

Flippen: What is the percent of real estate tax that will be added on?

McHone: I think its 20 cents on \$100.00 for property tax, is that right Susan?

Slate: Yes.

McHone: Twenty cents. I live in the Town of Stuart, and you know I'm not a millionaire, but you know my taxes run about \$150.00, \$160.00 more a year. And you know, shoot, that's not a great deal of taxes. And you know, in this county, the taxes are cheaper. If you don't think so, moved somewhere and start paying the taxes in those counties and see what they are. It's just like \$6800.00 what was your. And you'd have to put up with all the traffic and all the other things. Patrick County is a good place to live and if you look around you see a lot more people moving to this because of that. Because you don't have to deal with a lot of other things that other localities have to deal with. The only reason the Town is annexing is, how long has it been since the Town moved the boundaries? And if you look around everybody moves right outside the boundaries to build their businesses. They get their water and sewer; we gladly furnished it for a good number of years out there to them. But you know as the bypass come along, it's gonna be more businesses moving out there, more businesses expecting us to run the water and sewer. We're not in the business of making money, we're just trying to provide a service and that's all we're trying to do. And if we don't do anything in the next twenty to twenty-five years it will be a different situation. You know it's just like as you drive up Johnson Street, when I was growing up there was corn fields, there was nothing, just an old branch and a bunch of

woods and now look at it. And when we're dead and gone the area that we are looking at won't be old corn fields and it won't be just like the area you live up there and they say that's a beautiful place, somebody's gone move up there and start building houses, you know. Things are gonna change whether we want them too or not and if we're not willing to change with them, we're gonna be left behind. Because you know as well as I do places that we lived when we grew up were nothing but woods now look at them, they have businesses. Who would have ever thought that we would have a college, DeHart Park, and all the businesses up on the hill? I would have never dreamed it twenty-five to thirty years ago, but they came to pass. And we even have a four-lane highway. Things are moving along. Patrick County is moving and we're just trying to move with it. At least I hope we are.

Chairperson: Mr. Clark.

Clark: Madam Chairman, Mr. Mayor, Board of Supervisors, Town Council, I'm Bill Clark. I'm a member of Patrick County Economic Development Authority and member of Patrick County Planning Commission. I would like to address a couple concerns that I have, these are more personal concerns than anything to do with any committees or commissions that I may be on. I have tried for several months to get a detailed map, I will echo what Nancy said. Tried to get a detailed map to figure out exactly which parcels of land are and are not included. I personally think that before you have a hearing, this one and especially the next one, that very detailed maps would be provided that the landowners that are involved be sent copies of those maps to know for sure which properties they own, which properties they don't own, you know, are and are not included. Now, my residence is going to be annexed, I'm on Town water, I really don't have a problem with that. Yeah, I'm gonna pay more in taxes the town water bill is gonna go down, it's gonna be a net loss to me, but I'm ok with that. What I'm not ok with is something similar to what Nancy talked about and that is the boundary lines I think are gonna take thirty two acres that I own in Carter Mountain. It's a side of a mountain. I don't think you all are going to be running water and sewer up the side of a mountain. I think that when the boundaries were drawn, and I'm not sure of the reasons that some of the properties were taken it. I have heard Mr. Cockerham talk about a field that is in a flood plain that is nothing but a cornfield now. My request to you all would be to, number one, provide detailed maps to those people that are involved; that you re-look at the boundaries that you have to make sure that you can and will provide services to all that may be affected. It's very important to me to have the knowledge to know what's going on and I feel like to some degree that residents have been kept in the dark about a lot of what's going on. Some of the property that's behind me in the mountain, I know Earl Dove owns a piece of property behind me, he bought that piece of property to hunt on. I can't determine from the map that was published in the paper and I've been by the Town office to look at the map and I can't determine exactly whether his property also is going to be taken, but I think it is. It is nothing more than a hunting site. I don't think Earl is ever going to want to build a condominium project up there or housing or anything else. The land that I own again is part of Carter Mountain, the side of a mountain. The elevation of the backside of it is, it's all that you can do to stand up with one hand in front of you to walk up it. I know that they're building houses in all kinds of strange places these days, but I'm not planning on putting a ski slope back there and that type of housing back there. Another thing that does concern me a little bit is we are overrun by deer in that area. My blessings out to Earl, my blessings to everybody else who can kill, but I call them overgrown rodents. And I have had to quit growing a garden and everything else. If that land gets taken into the Town, we are really gonna have a deer problem. I come in night after night and we have twelve or fourteen deer laying in our front yard. So taking mountain and hunting land into the Town where there will be no hunting is also something that concerns me because they really are like overgrown rodents in my neighborhood. I've gotten several permits from the Game Warden because this problem and have exercised that from time to time. Even the Game Warden realizes that there is a problem in that area. Some of the hunting does reduce the problem, but I do again ask that you provide detailed maps to all land owners that are affected, that

you consider boundary revisions to those areas that make no sense to me for the town to take in. Thank you.

Chairperson: Thank you Bill.

McHone: One thing that I would like to address is the hunting issue. In the Town of Stuart, if you come by the Town Office, you will be issued a hunting permit if you have some kind of mess, ground hogs, whatever, so there is a method of getting a permit to be able to fire a weapon in the Town of Stuart. A lot of people don't know that, but when we passed that ordinance, we put that provision in.

Clark: Is that for non-regulated animals?

McHone: Yes. If you had a special permit, just come by and ask the Town, we'll give you a permit.

Clark: I'm talking about deer.

McHone: Yes, you can shoot deer.

Turner: It doesn't overpower the state regulations on wildlife is what he is trying to say. In accordance with your regular hunting permits or special permits you get through the Game Warden, you can come up and get another one from the Town.

Clark: Note: Mr. Clark was standing in the audience and not at the microphone. He discussed his problem with the deer population on his property and re-iterated his suggestions to the Council concerning a detailed map and boundary revisions.

McHone: Ok. Thank you.

Chairperson: Darrell did you have something else you would like to say?

Worley: Not at this time.

Chairperson: Ok.

A. Wright: My name is Adam Wright. I would like to thank you for the opportunity to come before you today. The question was, or the statement was made that if the town residents are having to pay if the water lines are run out to another facility or sewer lines are run out. One of my questions is if our sewer was going to cost us \$60,000.00 because it's running in the back of our property line, how is that costing the Town of Stuart money, or the town residents money if we are paying the hook up fee and we're paying a monthly fee? I don't see how the burden is affecting the Town of Stuart residents if we're paying a hook up fee.

McHone: Well, you know it's not creating a burden on the Town of Stuart. We have a line in the back of the property and that's pretty much the cost that we've always operated on. If you want water and sewer we'll run it to your property line and at that point you can hook on to it. We have to have some policy. You can't run, it would be a real burden on running, say if somebody had a piece of property way off and we had to run it all the way across that piece of property to get to it. That's the policy we've always worked on and it's never been a real problem.

A. Wright: Ok, my understanding was, it was such a burden for the rest of the town residents that if we're paying.

McHone: It's not a burden on the Town; it would be the responsibility of the property owners to run their line to that. Isn't that right Terry?

Tilley: Yes.

A. Wright: I'm in sales; I have something to sell. I'm gonna send you an invoice, but I can't tell you what it is that I'm gonna sell you. I can't tell you how much it is but I'm gonna send you an invoice. I can't tell you when its going to start, can't tell you when its going to end, but I'm gonna send you an invoice. You have to pay this invoice or you can go to jail or you can have your property seized, but I can't tell you what you are going to get. No one has come out to sell it to me, I just know we're gonna get this invoice. Every comment that's been made this morning is people that are getting ready to be annexed have not been educated. There are only as, my understanding there's not a lot of people that's gonna be annexed. That's what this sales pitch is about. I would urge someone from the Town to come out and meet with each person and say this what you are gonna be responsible for. I would urge the Board of Supervisors to make sure that has taken place so the citizens of Patrick County know what their bill is going to be and how they are going to be affected. What services they are gonna get. I would urge that to take place. I couldn't make this sale to my customers if I did that. We have elected our Board of Supervisors I would strongly urge for this action be taken place, before proceeding with the memo that was signed for this action to be taken place. So we can become educated so that we know what we are doing. Thank you.

McHone: Thank you.

Chairperson: Thank you. Do we have anyone else that would like to speak?

Ayers: Good morning.

McHone: Good morning.

Chairperson: Good morning.

Ayers: I am Tommy Ayers. I've got just one question whether you can answer it today or not. I know you've talked about having a detailed map for the next meeting, but can you tell us here today verbally, what the boundaries are or close to it?

McHone: I can tell you just about where they're run if your asking any specific, where would you like to know? I'm not going to go all the way around.

Ayers: Ok. That was sort of what I know we talked about the East end of Town going out.

McHone: I know where you live, are you concerned about that?

Ayers: Well, according to what you said earlier, I think I'm in the clear.

McHone: You're gonna be on the other side of the road. That's right. You know there's, and the boundary will come up Rhody Creek. It comes up; probably the road that runs in front of your house will be the boundary.

Tilley: It comes from where you turn off there.

Ayers: Just follows the road right through?

McHone: You are still out of town.

Tilley: The road will be the boundary, the Town boundary, all the way up to get back in front of the hospital and follows fifty-eight down on the edge and turns back.

McHone: Do you have water?

Ayers: I do.

McHone: Would you like to come into Town so you can get a cheaper rate?

Ayers: Well, I don't know. I know sewer is across the road from me, when I built there.

McHone: See, that area there someday is going to be developed. People are gonna move in, they're gonna, you know, where you were growing up there wasn't nothing but a patch of woods.

Ayers: Patch of woods and cornfield like you were talking about a while ago. If, see I'm paying twenty-four dollars a month now for water, I don't have sewer, I mean garbage pick up or anything. I've just got water. How would that affect me I wanted to be on Town water, I mean be in the Town. If the boundary changed and came over and included me, how would that affect my bill?

McHone: It would affect your bill that you would pay ten dollars for garbage pick up, you would pay the lower rate of water and sewer, you would pay, like I told, twenty cents on one hundred on your property, your taxes might increase one hundred dollars or may be.

Turner: It wouldn't be a wash.

McHone: It wouldn't be a wash, but good gracious, you're talking about one hundred dollars or you know, you spend that much, we spend that much just eating junk.

Ayers: I spend that much on Rural Services.

McHone: And you know, the fact of the matter is, once the town of Stuart does get larger, we're gonna be able to get more grants and different things we can use to improve the Town and the area that we live in. If you ride through Stuart, it's a nice place to live. It's very, we keep it well and it looks good. I'm proud of the Town of Stuart.

Ayers: My only question was where, you know, where.

McHone: Well, we'd love to have you in and if you decide you let us know.

Ayers: All right, thank you very much.

Chairperson: At this time I would like to take a ten-minute recess.

The Board and Council recessed for twenty-five minutes.

The Board and Council reconvened into regular session.

Chairperson: Do we have anyone else that would like to speak at this time? Anyone from the Town? Any comments? JJ? Oh, okay, come on Darrell. I'm sorry, I had my head turned this way. Excuse me.

Worley: We'll, I'm coming back for another dose.

Chairperson: Your pie was good.

Worley: That was bait. All right, I'm hearing some conflicting things here. I want to know, I want to know the ins and outs. I don't want the rug pulled out from under me, some shady stuff pulled, let's do it right or not do it. I've been lead to believe that if we're annexed and the Town runs water and sewer lines, they're gonna hook up us. And then I get conflicting, he's saying that we're gonna have to pay the hook-up at our boundary, property boundary lines. Where's this money coming from? Has the Town got the money to do it with? Has the Town got the money to do the water and sewer lines in all directions there're going here.

McHone: Well, if you looked at it Darrell, the biggest majority of the places we're gonna annex is already got water, already, and a lot of its got sewer. You've got water up at your property.

Worley: I'm not hooked on to it?

McHone: You don't use Town water?

Worley: No.

McHone: But it runs in front of your property?

Worley: It does, but I

McHone: And if you wanted to hook onto it, all you would have to do would run you a line out to where it is.

Worley: I run the line or you run the line?

McHone: That's right, we don't change it. It's never been any different Darrell. In other words, in this Town, if you want water and sewer, you come, we'll run it to your property line and you hook on. And that's the way it been since the beginning of time. We haven't changed it. And you know, it's the same way when I built my house, when anybody comes and need water and sewer, we'll run it to the property line and it's the responsibility of the property owners to run it across their line, or their property to our line.

Worley: Well, I've laid asphalt ant concrete on most of it.

McHone: I understand that. And you know, if we would have accomplished this five years ago, it would have been all underground and taken care of. But you know this is something that we've been dealing with five or six years, trying to get everything lined up where we could do it.

Worley: So in reality, the expense is gonna come right back to me. That's really the truth, right?

McHone: If you want. Yes.

Worley: That's what I thought. That wasn't the way I, I was lead to believe.

McHone: It's never been any different. Everybody that you look in this Town, that's the policy we have. We run it to your property line and it's you're responsibility to take care of it from there. Because its your property, not ours. It's your property and if you wanted the service it would be your responsibility to run over and hook up to it. And that's the policy we have always had, we've never changed, we're not changing them.

Turner: So the lines from Darrell's building to where?

McHone: To the lines out in the street would be his responsibility.

Turner: Okay. Just, okay, because I'm assuming that's where the meter is, at the street.

McHone: It's where the water lines are.

Turner: Because a few minutes ago I heard something like say put it back to the backside of his building.

McHone: He was talking about Mr.

Chairperson: No, we talked about it with Darrell too.

Turner: Darrell.

McHone: Well, you know, we'll run it anywhere you want it if you want it one way or the other, well work.

Weiland: Within reason.

Tilley: No. No. No. Let me see if I can clear this up.

Worley: Here we go.

Tilley: Let me see if I can clear this up. See, when they built the new road up there, the new four-lane. There's a new six in water main installed in front of Darrell's property.

Worley: On my property.

Tilley: On your property.

Worley: Right.

Tilley: You was there because you and I went up and we talked about it that morning when they were coming down through there and putting the water line and so forth and see if there were any conflicts or anything like that.

Worley: I didn't know.

Tilley: Well, I didn't either.

Worley: You didn't either.

Tilley: But we got the water line in there, so it's out there. What I was thinking earlier today, or earlier in the meeting, that if Darrell here wants us to make the tap at the lower end of his property down below the laundry mat where that water main is, we will come off from that, make a water tap, and set you a meter. If you want to stay out of your concrete, and into the building at a cheaper cost to you to do that.

Worley: But I got to pay to do it?

Tilley: Yes sir. Yes sir. We'll put the meter; we'll work with you on where you want it set.

Worley: Well, I want the meter that far from my pipe.

Tilley: Well, I'm sorry. I can't do that.

Chairperson: Why can't you?

Tilley: We just can't. Cause it's not in our ordinance. Our ordinance says we will come to the property line and it's the responsibility of the property owners to get it to his building. If it is five hundred feet or if its ten feet. That's what the ordinance states.

McHone: What would be our purpose to run a public utility through somebody's land? In other words, the land, the property owner has responsibility to get to the.

Chairperson: But he didn't want in Town, Honey.

McHone: I understand, I know what Darrell.

Worley: So really, I got to tear up my parking lot, its brand new, to hook up to the sewer. And while I got that in I minds well run water lines in. And I'm gonna tear it up again and I'm responsible for all that expense and if I don't do it, all I'm responsible for is just paying the Town tax for the privilege of being in Town without water and sewer. Is that correct? Does that make sense?

Tilley: The water line is, I think we are allowed so many years to get the water and sewer service to you. I'm saying the water is already there, we can tie that on in a few days, there won't be a problem on that. Where we're missing at is our sewer line. The Town will have to come up with funds in so many years probably to put a sewer line up there.

Worley: Does the Town have the funds now?

Tilley: Not for the sewer. Not all of it, no.

Worley: I was under the impression that they got a grant two years ago to have it put in.

Tilley: No sir.

McHone: No.

Gunter: Well, that Patrick Springs line. The Patrick Springs line if it had been approved, if it had been finished. It was two million plus dollars borrowed with a big grant on the end of it. But they never did get the property owners to sign, sign to agree to come.

Worley: So what happened to the grant?

Gunter: It's dying.

Worley: What happened to the grant money?

McHone: It's still in the bank.

Gunter: Still sitting in the bank because it didn't get the approval of the local landowners. And it's dying.

Chairperson: Darrell is on the Patrick Springs extension?

McHone: Right. Some of the engineering work has already been done. We know how to put it up there, but we just don't have.

Gunter: That's dying.

Worley: Well, I'm sure you all know what you're talking about. We don't. We're in the dark; we're out here looking in. Ya'll setting up there holding all the cards, you know what's gonna happen. Has this thing, is it a done deal? If it's a done deal we all minds well go home.

Martin: It's not a done deal.

Worley: This is going to be and expensive deal for somebody, me included. And for this guy right here. It's gonna cost him sixty thousand dollars either way.

Tilley: Maybe I need to tell a little bit more on that. I don't know whether I made myself clear on this as far as Mr. Wright goes. If the Town, and I was approached about the sewer service there. I was giving them figures that the Town installed. If we go down and install a sewer line on his property, to the back of his building now, if the Council would allow me to do this, then all of its got to be surveyed, all of it's gonna be on plans, all of it's gonna be man holes, eight inch pipe, the whole works. Mr. Wright goes in there and gets a contractor in there to do it. They would do a study on probably what usage he would have.

How many gallons of sewer would go through that line a day. He may get by with a six-inch line with clean-outs. Probably put that in for fifteen thousand or twenty thousand, I don't know. I don't know what a contractor will do it for. I'm just saying what it would cost the Town to put it in.

Worley: Is the Town gonna do his? Is the Town gonna do mine? Have I got to go get someone else to do it?

Tilley: Well, we would have to put the line up to your property. We've already got a line on his property. He's just got to come down to us.

Worley: Somebody has got to hook it up, somebody has got to dig it up, hook it up, and fix it back.

Tilley: That's your responsibility. That's the customer's responsibility. Like Mr. Wright, he would have to come down to our line because we already on the property, we have an easement, we've put the interceptor line in seventy-five, it's been there for years. And it's he needs to service it if he wants to tie to us. We're not objecting to tying him on, he's got to get to us so we can tie him on. We can't, the Town cannot afford to go down six hundred feet. We can't do that. It's just not feasible to do that. You can't. I mean our ordinance states that we'll come to your property line and then your responsible. I'm sorry.

Worley: This is a mess people.

Tilley: Well see, we've got kind of a problem too. We're looking at probably three hundred thousand to four hundred thousand to get a sewer line up to your property. You're not the only one that's got an expense.

Worley: Well, I'm looking at two hundred thousand I've already spent and now I'm gonna tear it up to get to spend it again. I think we need to do some more work. Something is wrong.

Tilley: I have met with you up there on your property and I told you about.

Worley: I didn't know where the road was going.

Tilley: Well, I didn't either, but then I met with you again when we put the water line in and I said do you want to.

Worley: Didn't nobody come and tell me not to spend the money to pave and fix it up. I thought it looked pretty good.

Tilley: It does, it looks great. But you know I had asked you about putting a water tap up there at the time, you know, where you are gonna come out with your water lines if you wanna be tied on to it.

Worley: I told you then that I didn't know how to put a tap on it, the water lines come in behind my building and parking lot, concrete, and asphalt.

Tilley: And you know, I couldn't do anything, I mean I couldn't tell you where to put it either, you know, as far as putting it down. But I had talked with you on that, and I know it's difficult when you've got construction going on and you don't know exactly where everything's gonna be and how its gonna fit. And I am sorry for that. That's just the Town ordinance and that's the way we've always done it. And we've got a lot of expense coming up too.

Weiland: It's not that way everywhere, we run a line to your property lined and we will set your meter where ever you need it and if you can run it, run you lines and go around your parking lot, if it's possible, that would be the best way to do it, sounds like.

Worley: He's talking running the meter down there where the water lines at and where it will hook up to me will be four hundred feet and sewer lines are gonna be worse than that, at my expense.

Tilley: You've got a lot of concrete and asphalt. But now, there's water lines on both sides and you might be able to go up around the other building on the upper side of the business. It might be cheaper to go that route. That's a long ways down there.

Worley: That's right.

Tilley: But we might be able to get closer on the other end.

Worley: Oh, dumb me.

McHone: I'll be up to see you in the morning.

Chairperson: Ma'am come, I'll get you in just a second Mr. Wright, this lady right here, come, come up hear and identify yourself if you would like to speak.

Layman: Hi, my name is Mildred Layman and I live in Patrick Springs and I caught what you said a while ago about the Patrick Springs issue, that you know you did not get enough property owner's signatures. How many property owner's signatures do you have to have? Is there a certain percentage that you have to have?

Gunter: I really don't know, see that was turned over to Mike Burnette and Mike was supposed to get all this brought down. We were just getting a loan in the Town's name for the County because we could get a grant and they could not. And I think we had a grant, and I'm not sure of this, somebody correct me, five hundred thousand or there about and the rest of it was a loan for over a million and that was just to go to Patrick Springs. And Mike was handling all and he was to get the property owners to sign.

Layman: We need to know about that. How much time? Is there a time limit on that?

Gunter: The loan is running out. I believe FHA told us recently if we have it in the works by the end of August, we're okay correct me fellows if I'm wrong, and September at the latest and its not finished, if you don't have all that finished by then that loan is gone. They've had a, evidently a five year limit on it or something. And the five years is up.

Layman: Okay. Well, I know I didn't have knowledge of all that. And I think that we need to have knowledge of all of that. So.

Gunter: That's been in the works for seven or eight years.

Layman: Yes, but as far as any time frame or you know the percent of property owners there had to be and this sort of thing.

Gunter: We didn't know the time limit until FHA came in about a month ago and said look this is it. And they gave us, correct me if I'm wrong, it seemed like the end of August or first of September; they had to be all signed and everything done. And I don't think there's no way to do it now. It's gone. The loan is gone and so is the grant.

Layman: I'll check with Mike Burnette to see where we go from here. Thank you.

Chairperson: We had put an ad in the paper to get someone in the localities, correct Regena? To get someone that the local people knew, go around and get them to sign because apparently they had some problems getting them to sign off. Is that? Speak on that Regena.

County Administrator: The EDA had asked Jimmy East to get those. I will have Mike Burnette to speak with you on that issue.

Gunter: Jimmy East came to me and said why are they not getting back to me? I'm ready to go to work. And they did not get back to him. He said he was ready to go and I said look Jimmy, we don't have anything to do with that, that's a County project and its not ours. But, Jimmy came to me and said he is ready to go to work and he had notified the County of that affect and they hadn't got back to him.

Layman: Okay, who was he waiting to hear from?

Chairperson: EDA?

Gunter: I don't know.

County Administrator: Mildred let me see; we can hook Mike up to talk to you because he was here just a few minutes ago, he just stepped out. So he can give you the information on that.

Layman: I would like that very much. Thank you.

Chairperson: Mr. Wright, come up.

Wright: I've been hearing conflicting reports out in the hallway as to what these taxes are really representing. We've called the Town four different times trying to find out what the tax will be. Can you tell me whether we are talking about our tax being County tax that we are paying now and twenty-six percent added to that or are you talking about twenty-six cents on a \$1,000?

Turner: On your real estate, personal property, BPOL – which we would like to get rid of, you're looking at a net increase on your business on 2002 assessments, and this is, like I said, this is based on the out-of-town rates for then, you're looking at a net increase, and this is including water and sewer and sanitation, which would be a garbage pick up there, of \$5,000 a year.

Wright: The cost to our company is gonna be \$5,000 a year?

Turner: That's according to the 2002 assessments as broke down according to 2002. Now there has been some rate increases, it would actually be less than that because if we, it would be nice to be able to get rid of the BPOL, which I'm assuming that you're paying \$1,500 its what it says here, it would take it down to about \$3,500 per year net increase. Now that's going by 2002 figures. And actually 2002 figures, a little less.

Weiland: So per year, you're looking at around somewhere in the neighborhood of \$3,000 increase over all for that business.

Turner: And that was on an average of 4,050 gallons per month water usage.

Wright: How did you calculate my garbage pick up as it being?

Turner: At about \$105 on a green box. On the big dumpster.

McHone: Did you think it would be a great deal more than that?

Wright: I did not know because nobody would ever contact me and tell me and so.

McHone: Mr. Wright we have the taxes down there. You can call Susan and she tell you what the tax rate would be and you can just take that and.

Wright: I tried as early as this morning and they said well she doesn't come in until 9:00,

McHone: Anybody that wants to know what their tax increase will be, you know, we can work that out. Can't we Susan?

Wright: I sure thought so. But I've been trying all this time. I've made four different calls down there saying please come and talk to us about this. And nobody has and its like Adam was saying, hey.

McHone: \$3,500, I can afford to pay that and I'm a poor man.

Turner: It's gonna be somewhere in that neighborhood.

Wright: You're not a poor man if you can pay \$3,500 more in taxes. You're not a poor man.

Chairperson: That's right.

McHone: Taxes in this County are so cheap it pitiful.

Wright: I know a lot of people that turn around and lose homes and things because of that.

Turner: But you're looking somewhere in that neighborhood Mr. Wright. And like I say, and that is a, granted that the BPOL could be eliminated, which is a, off of the revenue, would be around the \$1,500 cap and hopefully we could get rid of that, it would knock it back down to around the \$3,500 range.

Wright: Town Council is voted in by the citizens of the Town and it's what seven of you all on the Town Council? How many, how many Town citizens cast votes this year? I heard it was sixty some.

McHone: Yeah, probably.

Wright: Sounds like the tail is wagging the dog doesn't it? Thank you all so much.

McHone: Have a good day.

Chairperson: Anyone else like to, have something to say? Mr. Gunter, do you have any input? Mr. Firebaugh? I'm waiting on Mike to come out of the backroom. Mike needs to come out and address Ms. Layman's question. We are having input, but there will be no vote today because Mr. Cockerham is not here. I will tell you that. This is an important matter, and Mr. Mchone and I talked about it, that, that we feel like that it should be, and I do appreciate all his board being here today. Darrell got lost somewhere along the way and the reason we had it at 9:00 was that he had a conflict on getting here later in the afternoon, apparently he had a conflict getting here early this morning and got lost. Mr. Monday will address Ms. Layman's concerns.

County Attorney: Ms. Layman, the Patrick Springs Water and Sewer Agreement, it is correct that there was an agreement between the Town and the County to collect those signatures and to provide water to those who wished it. The EDA hired Mr. East to collect those signatures and that was going to be ultimately a County expense. He would have been paid out of; he was hired by us to get those signatures and was going to be paid with taxpayer's funds. Speaking frankly, before an agreement was reached between these two governing bodies, the Patrick Springs Water and Sewer Agreement was sort of put on the table as a potential issue if the annexation fight was not resolved. There was some indication that if we did not resolve this matter that the Town and the County would not be able to proceed with that agreement and it was the County's decision that we're not going to spend taxpayer money to pay somebody to get a bunch of signatures that may utterly in the end be useless. If this agreement is

approved today, then Patrick Springs Water and Sewer would go forward. But until we settle this annexation, it was the County's decision not to spend any taxpayer monies on an agreement that the Town and County may not have wound up carrying out. So that's why it's been on hold. I think it's a little unfair to say that either Mr. Burnette or Mr. East have been sitting around doing nothing. Mr. Burnette was told not to do anything because we weren't going to waste taxpayer's dollars on something that might not happen. But, assuming that this agreement goes forward, then I suspect that Patrick Springs Water and Sewer will go forward because now there would be a reason to spend those public funds to pay Mr. East to get the signatures.

Layman: So the deadline?

County Attorney: I don't know what the deadline is.

Assistant County Administrator: Mildred, there, from my understanding, we have until, you guys correct me if I'm wrong, early '05 to get under contract with Rural Development. There is a financial incentive, we get more grant money if can get that done here in the next two months or so, before October. We are hoping that we can go forward and have it done.

Layman: Note: Ms. Layman stood in the audience, not at the microphone. She asked about the needed signatures.

Assistant County Administrator: The user agreements are just about done. There's just a few left. The only concern I guess that I have at this point and we haven't talked really about it that much; we're trying to talk with Rural Development, that's where the funding comes from. Part of this agreement is that this project will be a County project alone rather than a Town project or a County project going through the Town, which should help the Town as well with their debt limits. So we're trying to find out from Rural Development, if this goes through, what, what would be the structure of that deal, whether we are able to just transfer, the grant loan was made in the Town's name. Will they allow us to transfer that straight to the County? Do we have to go back and start a whole new funding cycle? Will they allow us to go through the Town if the Town is willing and then transfer things over to us? We're trying to find that out. But, you know, at this point, until you know, we have some kind of agreement of some type, we're not able to tell you that. But, we should know pretty soon.

Layman: Note: Ms. Layman stood in the audience, not at the microphone. She asked Mr. Burnette to keep the public informed of the progression of the project.

Assistant County Administrator: Yes ma'am, we will, we will. What we actually anticipated doing since we have the user agreements signed and as you know, we've got addresses for everybody, their mailing addresses, so what we were gonna do is to do it in the media, but also to actually, once something was settled, you know, exactly how we're gonna work this on Patrick Springs, we're gonna send out a letter to everybody so in case they weren't listening to the radio or didn't read the newspaper, they'd know, they'd have a letter in hand. So, we'll keep you updated on it. I apologize for that. And I'm sorry I had to go out

Layman: Thank you.

Chairperson: Mr. Young, do you have anything to say?

Young: Not at this time, no.

Chairperson: Mr. Foley?

Foley: Well, the way I look at it, one of the most important things about this agreement was that if we tried to fight, the annexation was gonna raise the property tax up again and to me, we stood a good chance of losing it; I couldn't see wasting it. One of the things that I was thinking about when I signed onto

this agreement that we needed to try to look at moving ahead if at all possible. And there was several things brought up with Mr. Wright that I would like to check into and get back with and talk about.

Martin: Ms. Chairman, I'm, I have many objections to the annexation and I've made it very clear all along that I do not favor the annexation. I'd like to make my comments in their entirety, and then I'll get behind some kind of a shield and let everybody else talk. But I've had a lot of phone calls; a lot of people have called me. I've had many comments on there's too much secrecy going on. Why aren't the people involved? Who, who has had a chance, of the people who are being affected, to get their two cents into this? And they're being, they're not being given a chance to participate, they're being avoided. The people feel that they've had very little chance to get adequate information and I've heard it here this morning. We don't know whether we're in it, whether we're out it, how much of our property is in it, where can we get a decent map, and stuff like that. A lot of that, I've had comments about the meeting being held at 9:00 in the morning on a workday, which theoretically was done, according to them, to keep people from appearing and having a say in it. There's, there's no justification given. They ask me what's the money needed for? I didn't start out with this; I don't know what the money is needed for. What change will, will come about? Will the County still provide a good many services for the Town? What do we, can we expect to get out of it? Is the bottom line water and sewer and that's all? Do we get streetlights? Do we get sidewalks? Do we get a lot of other benefits? I haven't heard of any great list of benefits yet. There's no, they've told me that there's no concerted effort to plan or to try and save money. So, a lot, this, this thing is gonna cost a bunch of money no matter how it goes and I think that we stand to lose a quit of bit of, of employment. Mr. Wright has a premium industry down here that employs an awful lot of people and the potential for employing an awful lot more people is tremendous. A lot of counties would step up and pay him to bring his factory to their county because it would mean, say 200 may be, may be more may be less, but in that neighborhood and with the potential to grow an awful lot. So, we need to stand back and look at what we've got and what we can loose. On water and sewer, its absolutely mandatory in my perspective, and these are just my, these are my comments, I don't, I don't ascribe them to anybody else, but the County has to develop and get a PSA. I've worked on, I did all the, the condemnation work for Carroll County's PSA and for the Hillsville PSA and I know basically what that whole thing amounts to. It's got to be done as a business because that's what government is. It's a business and its got to be done right. And just, we're gonna have to do it right or else we're gonna have people in Patrick Springs with the sewer line going in front of their house but all of the rest of the people in the County paying the taxpayer's money to support that. So, the PSA has to be supported by those that use it. And that's just, the PSAs can develop water sources and sewage treatment plants, they can get grants to do them. They need to put the water source and the treatment as close to the need as possible. Neither the Town or the County can spend a half to three quarters of a million on this and they don't have the money, and if they did, they wouldn't need annexation. A half million dollars on each side is ridiculous you know, and we were told in the first meeting, they hired a consultant and a lawyer and all that stuff. And we had a couple people from I don't know, I hate to say it, but they came and told us that we couldn't win; that we didn't have a chance. And that it would cost us three quarters of a million and we'd be throwing that tax money away. And it was like a peal of thunder to a herd of cows, you know, in the distance. Some of the cows heard that peal of thunder and they took off and stampeded. So, you know, I think that this thing has to be kept in perspective. I don't think that, that its, it can't be settled just without any information being developed without the people being informed and all that. And another person asked me yesterday why would any rational person spend \$500,000 to get \$20,000 more of tax money? I mean, I'm not, I've been around a while, and I took math you know when I was in school and I can't answer that question. Well, I can because I don't think any rational person would. But the, the fact is that we have higher priorities. We're in a horrible time as far as the economy is concerned; we have a lot of other needs that we need address. And this is, this is a, this is a distraction at best to siphon off money and energy when we should be addressing other energy, other problems, and to say that we can't get other

industry in here is incorrect because we can get other industry and we're getting it now. We're not gonna get a lot of the industry in here that we've lost, that's gone for ever. But the world is changing and we're gonna get other industry in here and we need it. I think that this, that this agreement between the Town and the County does not affect the rights of the people or the businesses that are annexed. They can, they, the people and the businesses can get together in a group and petition the circuit court judge, correct me if I'm wrong, and ask him to de-annex them; that you have that right. This is not binding upon the people; it doesn't reduce the rights of the people. You still have that right. And the court, you very well may be successful and it's a forced de-annexation, or annexation, in the first place. I feel that, that there are members of this Board and the Council that have not done their homework and there are a lot of things that we don't understand about the potential consequences and what may come about because of what we are about to do. These things need to be worked on, we need to use some commonsense, and we need to have information enough to know before we take the final stroke as to what we are looking at. Is it gonna be successful or is it gonna be more trouble than what we anticipated? I think that we may very well reap the whirlwind of trouble on this. I heard on the radio this morning that this memorandum of agreement is, if, if, if I can paraphrase it, and I may not have it right, but its unenforceable, over at least over time. The Board, the Board did not negotiate what it should have and there is a lot of work that should have been done on this. The, like I said, bad timing. The people that are being taken in are looking at double taxation. They're looking at double taxation on real estate. You're looking at double taxation on personal property. And lets use EMI for instance. Lets just say that, if you have \$2 million worth of real estate down there, you're gonna be taxed on, on twenty cents per hundred of, of the assessed valuation on that property, whatever it is. And then you're gonna be taxed thirty-three cents per hundred on all you're personal property. Everything you've go down there is gonna be taxed. So are, so is Ms. Layman, so is everybody else that's gonna be in that. You're gonna end up paying personal property taxes more to the Town for your car, for everything. And I, you know, when I get to looking at all these things personally, the federal government is looking at me as a taxpayer for money, the state government, the county government. There's tax, there's tax collecting entities everywhere and it kind of makes me think of a group of fox hunters, you know, all dressed up in finery and on shiny horses and everything and I'm the mangy little fox that they're gonna chase all over the countryside. And I think that we've gotta, we've gotta look at ways where we don't necessarily collect taxes every time we want some, but we look for ways that we can save too. There's two of us that did not support this and, and I, I feel like there are two of us that won't support it, but we're a voice in the night. The taxes not only go up on your house, but like on everything else you've got, like I said. And on industry its tools tax, it, it just, its one of these things which deserves an incredibly larger amount of deliberation and study. There's a lot of homework that needs to be done on this. It's not a simple thing and you wind up with people one place paying for what's given out in another. And to that extent, I'm gonna move that we differ any actions on this question of annexation for a minimum of two years to allow for a competent assessment of need, consequences, and planning. But I think we've gotta have a period of time that at the end of which we can step back and say, you all agree we're doing a good thing or you all agree we're going to heck. You know that we should not do this. And, I'll make that motion, but I, I feel like this is a, is a, is a very serious thing. You can't do something like this with no information. It's not fair. It's not right. And that's, and that's it in two words or less.

Chariperson: I have a motion on the floor, do I have a second? For lack of a second, it has died. Mr. Monday, do you have anything that you would like to say?

County Attorney: No ma'am, not unless there's something specific about going over the memorandum that you would like for me to address the Board on.

Chairperson: Okay.

McHone: I would like for Mr. Monday and Mr. Payne to give us some views on the Memorandum that we discussed.

County Attorney: Me and your council?

McHone: Yes, I would like for the both of you.

Town Attorney: Okay, I can certainly do that.

Chairperson: Yes sir, I'd appreciate that.

County Attorney: (Note: The County Attorney did not stand at the microphone.) Mr. Monday introduced Carter Glass and stated that he is from a firm in Richmond, which has been retained by the Town. Mr. Monday asked if the Board and Council would like for him to review the terms of the memorandum.

McHone: I know that you and Mr. Glass and everybody discussed the memorandum, there's going to be some work that needs to be done before, and I'd like for Mr. Glass to also tell us how we'll move along with annexation, far as if it does move along, and, and the steps that we need to take to get there.

County Attorney: The Memorandum of Understanding is depending upon what you gentlemen and ladies decide to do in terms of adopting it. It is an agreement in principle between localities. What Mr. Glass and I ultimately envisioned this being is if the County and Town decided to proceed with it would be several different contractual agreements between the County and the Town. Statutorily there are, there are some obstacles to just taking this document and turning it into a contract, specifically with the annexation moratorium and the taxation, those would have to be addressed in an entirely different procedural manner. We also discussed the agreements on water and sewer rates, line ownerships, and expansions will probably be a separate agreement, and the provision of the FulFlex site, which should be an independent agreement. I think in the end, you're gonna wind up, annexation would be taken out of this mix, but that has to go through court proceedings, and Mr. Glass has been appointed to represent the Town. And the we would have a series of agreements that would address taxation, water and sewer lines and rates, and another agreement that would address the FulFlex site, at least that's, that seems to be what the framework there is. So, when you are voting on this agreement, you're really voting on an agreement to enter into these other contracts and there would still be a considerable amount, specifically in the annexation and so forth, the legal process, and would have to go through, for the benefit of the press and public, it is statutorily required that the Town provide the meets and bounds of what they are going to annex. Those don't exist right now. There is no survey of what exactly is proposed to be annexed and that has to be filled with the initial petition. There will be a detailed survey map prior to the public hearing that is also required by law so that all the affected parties will know whether they are part of this annexation or not. And this is not the last opportunity. What you are doing today is voting on whether or not you agree to, agree to resolve this issue along the general principles outlined here, and if you ladies and gentlemen will recall this was, you had a meeting and it was decided that it would be wise to go ahead and reduce it to writing and this was a pretty quickly prepared document. There is a great deal of additional detail that we're going to have to introduce if you decide to proceed with this.

Town Attorney: I would agree with Mr. Monday that this is a memorandum of understanding, that is a proposed agreement in principle. As he indicated, there's lots of work left to do in terms of details. This sets forth the basic framework, what's the Town going to provide, what's the County going to provide in terms of these combination of subject matters here whether it's a change of boundaries, like utilities matters, taxation matters, and so forth. So there is a lot of work of, we have had a couple discussions about how to implement this document, as you see over on page eight, the document, it's the parties will undertake all legal proceedings and other things required than what you may agree upon in this document. And, as far as the annexation portion of this goes,

there are two or three legal proceedings that could be used, there are two or three different proceedings. We think that the most logical one is what's generally referred to as a simple boundary adjustment agreement, which is less expensive for parties because it only requires filing a petition with the local circuit court. One of the other processes that could be used requires going to state agency Commission on Local Government initially then followed by court approval by a special three-judge court. That takes considerably longer and is somewhat more expensive. So we think to the extent, may agree upon changing boundaries here, the simpler process would be used. As Eric said, one of the requirements there is that a survey plat be prepared with a meets and bounds description that has not been done yet, and to address some of the concerns that the audience voiced about not having a good map. There is a pretty good map that exists right now, but in order to initiate the court process, a very precise survey description will be prepared so that anyone looking at it can tell whether the line for example is on the left hand side of the street, the right hand side of the street, or down the middle, or the right-of-way, or the edge of the pavement. The description has to be very precise so that everyone knows whether his or her property is in or out. And also as Eric alluded to before, that process could be implemented, the parties would have to vote one more time following a public hearing. So there would be one more required public hearing. In terms of the utilities issues, this agreement does set forth the framework, but some other details need to be worked out, even as to FulFlex there that the basic obligation of the Town to provide service to that industrial site is set forth. And I think some of the other details are more or less understood, but I think we are in agreement that a short supplemental document will be needed to make sure the parties agree as to who will own the lines out to FulFlex, who's customer they will be, what the rate will be, will there be a master meter, exactly when the line extension will occur, and all of those things. So, the process is not over, but if both governing bodies vote on this document, it would say basically that this is the framework, these are the basic principles that we would use to resolve these boundary, utility, tax matters and then these principles would be implemented through some supplemental agreements and through at least one court proceeding. With that, if you have any questions for either of us or if there's any specific question about any aspect of the memorandum, I'd be happy to answer those.

McHone: In other words, if we as Council agree to provide water and sewer, which is the big issue here, to FulFlex at a public meeting and we agree to that and the Supervisors agree to not oppose the boundary adjustment, we could move on with that document. It would be you and Eric's responsibility to draw up something that would be feasible and understandable. Is that, is that the direction we need to go?

Town Attorney: Correct. At least two of the agreements that are needed to implement this overall structure would be first, a more detailed, we're only talking about two, three, or four pages, agreement that would specify more clearly the obligations as to FulFlex. Again, exactly when will the line be extended, who will bear the cost, is there going to be a master meter, who's customer is it, and then a second, but related agreement, which would simply say there are good reasons to change the boundaries between the Town and the County. One thing this does not address for example is when the boundary change will be affective. That's a, seems like an obvious detail that's certainly an important one. The agreement would say that that boundary change shall be affective on this date and of course the survey that we alluded to would be part of that agreement so there would be no confusion as to precisely where the boundary would be following court approval. So, yes I think those are the two immediate pieces of this. I understand that getting water and sewer available to the FulFlex site is a strong priority in the County because of the potential for additional employment, like if there's a potential tenant for that site. That's a high priority and it's my understanding that getting the change of boundaries is a high priority for the Town Council. There are other terms in here, a broader, a broader range of utility issues, as I understand it, would, would establish, establish a long relationship, comprehensive relationship as to how water and sewer provided, water and sewer facilities could be provided in other areas of the County. The basic terms for that are set forth here, but again there are a lot of details, for example the

expansion of the sewer plant, if that's needed at some point. You've agreed tentatively, or if you would approve this, you would agree tentatively as to how the cost would be shared. But there are lots of other details that, how large of an expansion would it be, how much would you need, how much do the parties want to borrow, where would the funds come from, exactly what the design would be. So, lots of details to be worked out there, but this document would set forth the framework for a broader ranging, cooperative utility arrangement as well.

McHone: Does anyone have any other questions they would like to ask the attorneys about?

County Attorney: One thing that I will add, to address Mr. Martin's comments is that this is an agreement between two localities. It does not and cannot, that would be illegal, cannot impact the rights of private individuals to undertake whatever action they would want to pursue.

Wright: (Note: Mr. Wright stood in the audience, not at the microphone.) He asked if the audience could ask the attorneys questions.

Chairperson: I think it would be fine if, I think at this time it would be fine.

Wright: (Note: Mr. Wright stood in the audience, not at the microphone.) Mr. Wright commented on agreement number ten on the Memorandum of Understanding, which stated: To the extent permitted by law, the terms agreed upon shall be perpetual. He noted the three Board of Supervisors signatures on the memorandum.

Wright: I was told that I could come into this meeting, that this was, had not fully been decided as to what was, it was not binding upon the County representatives at the last vote but if they took one today, that it would be binding. Tell me which way is it. Are these votes bound to stay with this perpetually from their last vote or do they still have a chance to change their mind?

County Attorney: (Note: Mr. Monday was not speaking into the microphone.) Mr. Monday referred to agreement number nine on the Memorandum of Understanding which states: The terms of this memorandum shall not become binding upon the parties until adopted by their respective governing bodies convened in public session and only after entertaining comment from the public. The County Attorney noted that the term "entertaining" refers to hearing comment from the public. He stated that both parties had come up with agreement after a lengthy meeting and he felt that it would be a good idea to put the agreement in writing to serve as a record.

Wright: I simply urge the Supervisors not to vote on this matter today and that you do give people a reasonable time of whatever the Town feels like that it needs in order to be able to address the thirty-five some businesses and 500 some jobs out here being affected, to get them the input they need. I think that you need to have a public hearing to where the public can really come in and voice their opinion. I do not think that something of this magnitude should be decided by seven people, fifteen people, when seven of them are voted in by sixty some people when there is 18,000 people out here in this County who can be badly hurt.

McHone: Thank you.

Chairperson: Thank you.

McHone: What I would like to say is, we had come prepared today to make a deciding vote. You know, the memorandum that we agreed upon, we said that we would have a vote today. I know that not all the Supervisors are here, but I feel like we're not, the Supervisors meet Monday. Is that correct?

Chairperson: Yes, sir.

McHone: I fell like that we could, the Council will go ahead and vote today on this proposed memorandum of, we've already agreed to it in certain respects, but would also take a vote. I think Jason has something, would you make the motion on that?

Turner: Yeah. I move that the Council approve the Memorandum with understanding that it represents an agreement in principle only, which will require working out some of the details. For example, understanding that paragraph three has some legal problems that will require some revisions.

Weiland: I'll second.

McHone: Okay. The discussion, I would like to say that the reason I would like to go ahead and do this vote today is because, the Supervisors will meet Monday, the Town Council doesn't have another meeting scheduled for about two weeks. I know that we need to move on down the road with this project and if this, you know, I'd also like for Jason to maybe add something to that stating that, you know, depending on what the Supervisors agree to, whether they do or whether they do not approve the annexation decision, I'd like for us to have an alternative in case they decide they don't want to approve it. And we've already agreed to this memorandum, which probably won't make any difference anyhow.

Turner: Okay, I'll change it then.

McHone: But I also, do you want to mention in there that the water and sewer to Patrick Springs, I mean to FulFlex, you know, that's a big issue.

Turner: I move that the Town Council approve this Memorandum with understanding that it represents an agreement in principle, which will require working out some of the details, for example understanding

Chairperson: Slow down.

Turner: That paragraph three has some legal problems that will require some revisions. It's exactly the same thing and right here it's gonna pick up everything. And be based, depending on the Supervisors' meeting Monday to be held then, and to the extent of the FulFlex water and sewer hookup. That's the only part I added.

Town Attorney: If the Board were to approve something, but different from this Memorandum of Understanding then you, that would be a different agreement and it would not be affective then. So, if two governing bodies approve two different things, you don't have an agreement.

Turner: And I would like to take into consideration Mr. Wright's comments. I think that they are very legitimate and that all of us, that we can, and I hope that I can do my share, in getting around to some of the business owners, we need to take some of the things that we do have and we need to see them and talk to them. There's so much involved that, there's no way that we could ever cover it in a day. And we need to speak with you all one on one. And may be even myself and you can get together and talk. I would really enjoy it.

McHone: Okay, I have a motion and a second. Is there any other discussion? All in favor signify by saying Aye.

Town Council: Aye

McHone: Opposed like side? Motion is passed.

Chairperson: Well, since there are three signatures on it from the County, I only feel that it would be proper to wait, since Mr. Cockerham had an emergency or something to come up, that we do make a motion.

Martin: Ms. Chairman, I would make a motion that we put this vote off until the September meeting. Give us a chance to get some information together. And that we also required the full Board be there. You know, I don't know how long Darrell is gonna be lost. The full Board needs to vote on it. That's my motion.

Chairperson: Okay. I have a motion that we postpone this until September. Do I hear a second? Do I have any more motions? Do we bring this up at our meeting Monday or not?

Young: Do you need a motion to that affect?

Chairperson: Yes, sir. I have to have a motion for it.

Young: I move that we continue this for a vote on Monday.

Foley: Do we need a public hearing Monday?

Chairperson: No that will come later.

Foley: Is there any reason to have another public hearing?

Chairperson: You have to have, you have to, Mr. Monday?

County Attorney: You could certainly entertain further comment from the public on your meeting Monday if that's what you wish. The formal public hearing is actually part of the annexation proceeding. So, you can have two more or if you want to have one on Monday because there's another on coming. But you're certainly free to entertain further comment on Monday.

Foley: I second that.

Chairperson: I have a motion, I have a second, that we will bring this back up Monday and the public is invited to come and have input in that on Monday. At 2:00pm?

County Administrator: The meeting starts at two, but I guess we need to come up with a time for the agenda. Let me go down and get that agenda and you can announce that time.

Martin: Madam Chairman, the time needs to be made in the evening so people can come to it. You know, I'm very strongly against doing this stuff early in the morning.

Jamie Clark: You have a School Board Public Hearing scheduled for 6:30.

County Administrator: Yes we do.

Chairperson: So we could have it after 6:30, so 7:00? I think that would be, is that okay with you Mr. Foley?

Foley: Yes.

Chairperson: Mr. Young?

Young: Yes.

Chairperson: Call for a vote that we have, bring this back up at our Monday meeting and that the public come at 7pm. Call for a vote.

Young: Aye.

Martin: No.

Foley: Aye.

Chairperson: Aye. Okay. Is there any more business to come before the board?

Martin: Madam Chairman, I move that we adjourn.

Chairperson: Okay. Second?

Young: Second.

Chairperson: Call for a vote.

Foley: Aye.

Young: Aye.

Chairperson: Mr. Martin, aye?

Martin: Aye

Ordered that the Board be adjourned until Monday, August 9, 2004 at 2:00PM.

, Chairperson

