

VIRGINIA: At a regular meeting of the Board of Supervisors of the County of Patrick, held at the Patrick County Administration Building thereof on Monday, November 15, 2004 at 2:00 p.m.

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

ABSENT: Darrell Cockerham, Board Member

The Chairperson called the meeting to order.

The Board called for a Moment of Silence.

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 David G. Young, seconded by H. Danny Foley, Sr. and carried, the agenda for the meeting was approved.

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the minutes of the October 18th meeting were approved.

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

This day came Jeannie Frisco, Economic Development and Tourism Assistant, and Bill Kornrich, Coordinator of the Crooked Road – Virginia's Heritage Music Trail, to give a presentation to the Board concerning the Crooked Road Project. Mrs. Frisco reported that she, along with Regena Handy and Michael Burnette, attended a Crooked Road meeting in Abington in which she gave a presentation concerning what Patrick County could offer the Crooked Road project. She introduced Bill Kornrich who advised that he had been Coordinator for this project for the past year, and a half and that it has been a busy, successful period of time. He reported that project began as an idea in January 2003 and included six counties; now it includes multiple counties, planning districts, cities, and towns, which meet on a monthly basis. He passed out the current brochure, The Crooked Road, Virginia's Heritage Music Trail, and advised that the map that is depicted in that pamphlet is the original map and that it will be updated in the near future to include additional localities. He noted that the website for this project is www.thecrookedroad.org. Because there is a significant history to the music of this area, Mr. Kornrich stated that the Crooked Road Board internally approved Patrick County's membership in this project. He advised that the Crooked Road Board does not have the ability to define the actual trail from the Legislative point of view and that there are road signs that say "The Crooked Road" which are placed every five miles from Ferrum to Clintwood. He stated that Patrick County could be included on the Board's map, guide book, website, etc.; however, they cannot do the Legislative piece of the puzzle, that is up to Patrick County to work with Senator Reynolds and Delegate Armstrong. Mrs. Frisco advised that the regional projected impact on tourism from this program would be approximately 300% over the next four years, the campaign would reach 13.3 million potential readers, and the estimated visitor spending for the region equals \$8.1 million. She advised that according to Virginia Tourism Corporation (VTC) for every dollar spent in a marketing campaign, one should expect to receive seven dollars in return and that the

marketing budget for the Crooked Road campaign equals \$250,000. Mrs. Frisco noted that Patrick County has talented musicians, which will benefit the Crooked Road. She stated that this program could also benefit Patrick County by being included on a region wide compact disc, a visitor guide that will be produced and distributed locally and internationally, an interactive website that will include local events. She said that Patrick County could also leverage a small local investment into a massive marketing campaign. She stated that the Crooked Road is a promotion of economic development through tourism and that millions of people around the country travel to a cultural event, historical place, or museum and Patrick County can capitalize on its traditional music, crafts, recreation, and culture. She felt that by linking all of these musical venues together from Franklin County to Bristol, Patrick County would not be marketing alone anymore and would become a bigger driving force. Mrs. Frisco asked the Board of Supervisors to consider appropriating a onetime contribution of \$10,000 to become an internal member of the Crooked Road, that this money be funded by the Transient Occupancy Tax, and that the Board support legislation in the 2005 General Assembly to include Patrick County in the Crooked Road. Once Patrick County is included, Mrs. Frisco advised that the County would then need to request that VDOT erect signage throughout the county indicating that we are a Crooked Road Community. She noted that Patrick County has a very rich musical heritage and that the Crooked Road will give the County a chance to let the world know what it has have to offer. Mr. Kornrich noted that the guidebook would be comprised of approximately 125 pages and would be a very high quality book.

Mr. Young noted that this is something that is growing and that Patrick County has always had the musicians but they are now getting out to where people can listen to the music. Denny Alley, President of the Patrick County Music Association, stated that he came to the meeting to met Mr. Kornrich. He gave a brief update on the Association. Mr. Alley noted he has submitted grant applications for the music association and that Senator Reynolds and Delegate Armstrong support the Association's efforts. He said that he is trying to bring money to this area. The Chairperson stated that the Association is doing a very good job. Mr. Alley stated that the Board of Supervisors are taking a step in the right direction by joining the Crooked Road and that this area is rich in talent.

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the Board does hereby approve the appropriation of \$10,000 as a onetime contribution to the Crooked Road, Virginia Heritage Music Trail, which will be funded by the Transient Occupancy Tax.

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

The County Administrator reported on the activities of her office for the preceding month, as required by Section 15.2-407 (B), 1950 Code of Virginia, as amended.

a. FEMA Update: The County Administrator asked Michael Hudson, Emergency Services Coordinator, to give a FEMA update. Mr. Hudson gave the Board a copy of a report from FEMA and he noted that as of November 10, 2004, fifty-one Patrick County residents have received assistance from FEMA. He advised that the agency has given these individuals a total of \$60,421.61 to date; this is just upfront money and additional funds will be issued. Mr. Hudson reported that the Virginia Farm Administration set up a booth alongside the FEMA booth while in Patrick County. He advised that FEMA would keep his office up-to-date on how much money is being issued to residents.

b. Jail Cost FY 2003 Report: The County Administrator advised that the State Compensation Board compiled a report in compliance with the 2003 Appropriation Act. She stated that this report shows fiscal year 2003 costs as it relates to Virginia's local and regional jails and is a compilation of expenditure and revenue data. Mrs. Handy advised that this study is intended to show inmate costs per day and the percentage of funding from federal, state, and local government for the operation of each jail. Considering the wide variation in size, age, and capacity of jail facilities throughout the Commonwealth as well as the variety of inmate programs offered, Mrs. Handy noted that there exists a wide range of costs per day. She advised that the Commonwealth's percentage of

funding paid to jails decreased by more than eight percent as a result of the General Assembly's required budget reductions. She noted the following average operating costs per inmate per day: \$54.81 for the State; \$58.59 in Patrick County; \$29.82 in Henry County; and \$125.51 in Fairfax County. Mrs. Handy advised that Patrick County's jail is sixty percent State funded and thirty-seven percent locally funded. She advised that this is just an informational item; no action needs to be taken.

c. Board Retreat Update / Recommendations: The County Administrator stated that the Board's Retreat was held at Primland in Vesta on October 29th and 30th. She advised that a facilitator from the Weldon Cooper Center was present, the Board did some visionary brainstorming and discussed goals and ideals for the County, and a vision of where the Board would like to see the County in the year 2025 was created. She stated that the Board is currently reviewing the report that resulted from the retreat. Mrs. Handy advised that the Board is prepared to move forward with the idea of developing an operating agreement, which includes changing the Board of Supervisors' meeting schedule from one monthly meeting to two meetings per month. She noted that the Board had authorized a committee comprised of herself, the Chairperson, and the County Attorney to draft a plan for this change. Mrs. Handy asked the Board if they would like to make any comments concerning the retreat. Mr. Martin stated that it was an excellent thing and a lot of good came from it. He noted that the facilitator was very good at it; she was well prepared and did an excellent job. Mr. Foley said that the retreat went very well and it showed that the all five members of the Board could work together. He advised that holding two meetings a month is a really good idea and should help in the long run. Mr. Young stated that he agreed with Mr. Foley. The Chairperson stated that she has heard some negative comments about the Board's retreat; however, the Board invited the public to attend and that the press was present. She said that it was a very rewarding and informative time and it was very beneficial.

Mrs. Handy advised that the Board would continue to have one formal meeting in the Board Room on the second Monday each month beginning at 6:00pm and the second meeting, a work session, would be held on the fourth Monday each month and will commence at 2:00pm. The County Attorney suggested that most of the Board's discussions concerning issues such as ordinances and department head reports would take place during the work session; the Board would formally vote on issues at the formal meetings on the second Monday of each month. The Chairperson advised that the public would be better able to attend the formal meetings because they would begin at 6:00pm. Mr. Monday advised that the work sessions would be open to the public and that Martinsville City Council has instituted this type of meeting scheduled. Mrs. Handy stated that public hearings would be held during the meetings on the second Monday of the month. She stated that the minutes for the work session would not have to be recorded in the minute book but the recording itself would be kept and would be available upon request. Mrs. Handy said that the Board discussed using a consent agenda for the meetings and that some counties allow for an open session where the public could make comments or discuss issues with the Board. She advised that the Board would receive an agenda summary of the issues to be discussed, which would give the reader the gist of the document and would state any action that the Board is being asked to take. The Chairperson stated that this summary is a good idea because the Board would know upfront what they are being asked to do. Mrs. Handy stated that if the Board approves the suggested meeting schedule change, the Board could hold its first work session on November 29th.

On motion by H. Danny Foley, Sr., seconded by Roger L. Martin and carried, the Board does hereby change the meeting time for the formal meeting of the Board on the second Monday of each month to 6:00pm.

Voting Aye: Harris, Foley, and Martin

Voting Nay: Young

Absent: Cockerham

Mr. Young stated that he voted against the motion because he would like for the formal meeting to commence at 7:00pm.

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the Board does hereby accept the committees' recommendation, which would change the Patrick County Board of Supervisors monthly meeting schedule from one meeting per month to two meetings each month with the formal meeting of the Board to be held on the second Monday of each month and begin at 6:00pm in the Board Room; the work session to be held on the fourth Monday of each month commencing at 2:00pm and take place in the third floor conference room.

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

The Board recessed for twenty-five minutes.

The Board reconvened into regular session.

This day came Lisa Price Hughes, Resident Engineer, Virginia Department of Transportation (VDOT), to discuss matters pertaining to the primary and secondary road systems in Patrick County.

a. Stoplight at Route 680 Intersection in Patrick Springs: Connie Martin, Woodland Salon, and Regina Wood, Curly and Colors, appeared before the Board and requested that the State install a stoplight at the intersection of Rt. 680 and Highway 58 in Patrick Springs. Ms. Martin presented the Board with a letter requesting a stoplight in this location and petitions from citizens who support this request. She noted the numerous accidents and fatalities at this intersection since the expansion of Super Highway 58. Ms. Wood stated that she is the daughter of Ms. Deal who had been killed in a car accident at this intersection. Ms. Wood described the many "near misses" that have happened in this area since 2000. She stated that she has contacted VDOT many times since 2000 to request that a stoplight be installed and that she has had no success thus far.

Mrs. Hughes stated that signals are installed for two main reasons: the traffic on the main street is too heavy and side streets cannot get out or there is too much traffic on the side streets and traffic backs up. She advised that VDOT conducts traffic counts for twelve hours and reviews the volumes per hour; the federal guidelines outline the number that would be sufficient to warrant a traffic signal. Mrs. Hughes stated that a count had been conducted at that intersection and the counts are too low to qualify for a signal. She advised that when signals are installed and not warranted, a lot of drivers disobey the signal and the location becomes even more dangerous. Mrs. Hughes stated that the last traffic count was done recently and that she has not had an opportunity to study the results but that she will report back to the Board at its next meeting with her suggestions to make this site safer. Mr. Martin asked if VDOT reviews accident reports from the officers who investigate the accidents. Mrs. Hughes stated that they do an accident analysis for these situations. Mr. Foley asked if State Troopers have made any recommendations concerning this issue. Mrs. Hughes stated that they have not and that VDOT only reviews the trooper's reports. Mr. Foley asked Mrs. Hughes if she had heard of recent concerns from Ann Pilson, Director of Transportation for Patrick County Schools, in which drivers are passing school buses as they are unloading children on the four-lane highway. She stated that she was not aware of that problem. Mr. Young asked how the County could go about getting more troopers to patrol the intersection of Rt. 680 and Hwy. 58 as well as additional signage to slow the traffic through that area; he used Boones Mill as an example. He suggested installing rumble strips in that area. Mrs. Hughes advised that the Board and VDOT could recommend to the State Police that additional patrol time be added to that area and that she would be glad to make that contact; further, that she would look into getting additional signage. Mrs. Hughes advised that a traffic count was done approximately three years ago and the results show the need for a light one hour out of the day. She further stated that the last count that was taken met the warrants for two out of the eight hours. She reported that the heaviest traffic occurs between 7:00am and 9:00am. Mr. Young asked how much a stoplight would cost. Mrs. Hughes stated that the funds would come from VDOT's maintenance budget, which does not have any money this fiscal year, and the cost runs between \$180,000 and

\$200,000. Ms. Wood advised that it was a rainy day when VDOT conducted the last traffic count and that the traffic load is less on those kinds of days. Mrs. Hughes confirmed that it was a rainy day and that it was also during a race week. Mr. Young asked how much trouble and what the timetable would be to conduct another count. Mrs. Hughes advised that VDOT could schedule another count sometime in December. Mr. Young requested that another count be done. Mrs. Hughes stated that she would look into interim measures and additional signage as well. She noted that she has seen signage near Charlottesville that addresses the school bus issue, which may have been erected by the locality.

b. Secondary Six Year Plan Hearing: Mrs. Hughes reported that residents representing Fiddler's Green Road, Red Rough Road, Blueberry Lane, Bull Mountain Road, and Anthony Drive attended the Six Year Plan Hearing held in October. She stated that Fiddler's Green Road is a rural addition and that no money is programmed in the plan for rural additions at this time. Mrs. Hughes advised that Red Rough Road does not have a fifty-vehicle traffic count; therefore, she does not recommend paving that road. She reported that Blueberry Lane and Bull Mountain Road are on the Six Year Plan. She reported that the estimated cost to daylight a curve on Anthony Drive equals \$36,000 and VDOT should be able to complete that project in three years. Mrs. Hughes advised that a Rural Rustic Road could be added to the bottom of the plan. She recommended adding Corns Road, which has a traffic count of sixty, to the bottom of the plan.

On motion by David G. Young and seconded by H. Danny Foley, Sr. and carried:

WHEREAS, the 1977 Session of the Virginia General Assembly amended Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, which in part, provided the opportunity for each county to work with Virginia Department of Transportation in developing a Six Year Road Plan, and

WHEREAS, this Board had previously agreed to assist in the preparation of this plan in accordance with the Virginia Department of Transportation policies and procedures and participated in a Public Hearing on the proposed plan as well as the Construction Priority List (2005-2006) on October 14, 2004 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed plan and priority list, and

WHEREAS, Lisa Price Hughes, Resident Engineer, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six Year Plan for Secondary Roads (2005-2011) and the Construction Priority List (2005-2006) for Patrick County,

NOW, THEREFORE, BE IT RESOLVED that since said plans appear to be in the best interests of the Secondary Road System in Patrick County and of the citizens residing on the Secondary System, said Six Year Plan (2005-2011) and Construction Priority List (2005-2006) are hereby approved as presented at the Public Hearing, as amended.

Voting Aye: Foley, Martin, and Young

Voting Nay: Harris

Absent: Cockerham

c. Subdivision Regulations: The County Attorney advised that the Patrick County Planning Commission is revisiting the subdivision ordinance and will review it on November 22nd. He advised that the revised ordinance would be in place by July 2005. Mrs. Hughes advised that the major issue is that private streets must be built to VDOT's standards.

d. Board Meeting Schedule: Mrs. Handy asked if Mrs. Hughes would be able to attend the November 29th work session. Mrs. Hughes stated that she would be able to attend that meeting; however, she would not have the information for the intersection of Rt. 680 and Highway 58 discussed earlier in the meeting available until the December meeting.

The County Administrator continued with her report.

d. VACo Conference Update: The County Administrator reported that she and some of the Board members recently attended the Virginia Association of Counties conference. She advised that it was a good conference and there were a lot of interesting and informative sessions. She stated that Board Members Young, Cockerham, and Foley serve on VACo Committees, which met during the conference. Mrs. Handy said that she had attended two Rural Caucus sessions, one in which the elimination of the Dillon's Rule was

discussed. She noted that one legislator recommended that “the group should be careful what it asks for”. She stated that the opportunity to network with other county officials was very beneficial. Mr. Foley stated that his committee proposed erecting signs in subdivisions informing potential residents that the road will never be taken over by the State and his committee is continuing to push the completion of Highway 58. Mr. Young said that he serves on the Environment and Agriculture Committee and one issue that may come before the Legislature this session is the addition of a \$52.00 per year flush tax, which will be added to every household in Virginia, to cleanup the Chesapeake Bay. He advised that his committee voted unanimously to oppose that tax. Mr. Young stated that VACo serves a very useful purpose when it is able to bring issues like this out publicly before it goes to Richmond.

Mr. Monday discussed the proposed revision of the County Building Code Ordinance, which would allow the attachment of the E-911 Addressing Fee to the Building Permit Fee. Mr. Monday noted that Mickie Martin, Patrick County E-911 Coordinator, had requested that the \$19.00 addressing fee be added in with building permit fees for all new constructions. He advised that the only three sections to which this fee would apply is new residential / commercial construction, manufactured units / modular homes, and mobile homes. He stated that this is just an amendment of an existing ordinance, a public hearing is not required, and the Board may adopt this revision if it chooses.

The following amended ordinance proposed at the regular meeting of the Board of Supervisors of Patrick County at the Patrick County Administration Building on the 15th day of November, 2005, having been duly advertised for adoption as provided by law, on motion by David Young, seconded by Roger Martin, and carried, is hereby adopted:

AN ORDINANCE TO AMEND AND RE-ENACT THE ORDINANCE, LAST AMENDED OCTOBER 8, 2003, ENTITLED “AN ORDINANCE TO ADOPT THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE (EFFECTIVE MAY 20, 1991) BY REFERENCE WITH AN EXCEPTION, PRESCRIBING BUILDING PERMIT AND INSPECTION FEES AND FIXING PENALTIES FOR VIOLATION OF THIS CODE.”

BE IT ORDAINED by the Board of Supervisors of Patrick County, Virginia, as follows: Section Three, “Permit and Inspection Fees,” is amended to add the following subsections:

1. f. E-911 new address processing fee for all new construction: \$19.00.
2. b. E-911 new address processing fee for all new manufactured units: \$19.00.
3. c. E-911 new address processing fee for all new mobile homes: \$19.00.

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

The County Administrator continued with her report.

e. **Jamestown Celebration Committee**: The County Administrator reminded the Board that it had discussed appointing a Jamestown Celebration Committee in conjunction with the Jamestown 2007 Community Program at its last meeting. She advised that this is a national program, which is supported by Governor Warner, to produce a collection of entertaining, educational, cultural, and commemorative events that are aimed at reaching millions of Americans. Mrs. Handy reported that there would be a local flag raising and kickoff event at the Court House and the Community Center in Stuart on Saturday, November 20th. She stated that the 2007 Jamestown Director of Special Events and Programs, Ann Dale, would be the keynote speaker for this inaugural event. Mrs. Handy asked the Board to continue to think about whom they would like to serve on this proposed committee, which would be in place January 1, 2005.

f. **School Budget Revision Request**: The County Administrator presented a letter from the School Board regarding requested amendments to the school budget. She said that the letter advises that since the approval of the 2004-05 school budget by the Board of Supervisors, the Patrick County Public School System has received notification of revisions in federal revenues. Mrs. Handy noted that the letter further states that additional revenues in the amount of \$175,771.10 will be used to enhance instructional services for students and

training for staff and that no additional local funds are required to accept these additional federal revenues. She advised that the School Board voted unanimously at its October meeting to revise its budget to include these funds and request that the Board of Supervisors do the same. Mr. Foley asked if the proposed enhancement of instructional services would benefit all of the children or a select group of students. Mrs. Handy stated that she does not know. Mr. Martin stated that he was concerned that this might be money to increase salaries; he wanted to make sure that it was not something that would escalate the school budget and the Board would then be expected to provide additional money next year. Mr. Young stated that it was his understanding that this was a one-time thing and that the Board would not be expected to fund this next year.

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the Board does hereby accept the Patrick County School Board's Budget Revision Request, which would reflect an additional \$172,771.10 in school revenue.

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

g. Letter from Governor Warner concerning the New University: The County Administrator advised that Governor Warner submitted a letter in response to the Board's support for a new university in this area, he has met with the Harvest Foundation and is carefully reviewing their proposal to help fund the proposed college. Mrs. Handy stated that she had recently attended a public hearing at Patrick Henry Community College regarding the proposed university and that there was a large number of people in attendance who support this endeavor.

h. VACo / VML Legislative Day: Mrs. Handy reported that the Virginia Association of Counties and VML will host Legislative Day in Richmond on Thursday, February 3, 2005. She asked any interested Board Members to contact her so that arrangements can be made.

i. SRO Update: Mrs. Handy stated that the County has received a letter from the U.S. Department of Justice advising that funding for the SRO position at the High School has not yet been approved. She noted that the Board of Supervisors, School Board, and the Sheriff are currently dividing the cost. She said that the letter advised that 1,800 applications were submitted to the COPS and Schools Program for funding and that only ten percent of those requests have been awarded funding. Mrs. Handy stated that the letter emphasizes that this is still under consideration and that it has not been denied.

j. Christmas Parade: The County Administrator advised that the Jaycees have invited the Board to participate in the annual Christmas Parade, which will commence at 2p.m. on December 4th.

k. Department Head Reports: The County Administrator presented department head reports for the preceding month, as follows:

(1) Sheriff: The report of Patrick County Sheriff David Hubbard of prisoners confined during the previous month in the County Jail was this day presented, which report was examined as required by Section 53-178, 1950 Code of Virginia, as amended, and found to be correct.

(2) Building Inspector: A report of the activities of Jason Brown, County Building Inspector, for the preceding month, including a list of the number of new and used mobile homes for which permits were issued during the past month, was presented and examined. Said reports are approved and ordered filed with the papers of this meeting.

(3) DMV Agent: A report of office activities of Shirley Rorrer, Patrick County Division of Motor Vehicles (DMV) Agent, was presented for the Board's information. Said report is noted and ordered filed with the papers of this meeting.

(4) Treasurer: A trial balance of the records of Carolyn I. Tatum, Patrick County Treasurer, as of the last day of the previous month and a statement of depositories made during the same month was submitted. Said report is noted.

(5) Animal Control Officer: A report of the activities of C. Leon Handy, County Animal Control Officer, were presented and examined for the preceding month. Said report is noted and ordered filed with the papers of this meeting.

(6) Maintenance Supervisor: A report of activities of Teddy

Doss, Maintenance Supervisor was presented and examined for the preceding month. Said report is noted and filed with the papers of this meeting.

(7) Emergency Management: A report of the activities of Michael Hudson, Emergency Management Coordinator, was presented and examined for the preceding month. Said report is noted and ordered filed with the papers of this meeting.

The Chairperson noted that there were more building permits written for mobile homes than for homes for the month of October.

The County Administrator advised that she and Donna Shough, Bookkeeper, would give a presentation and discuss the proposed budget format for 2005 – 2006 at the Board’s Work Session to be held on November 29th.

A number of bills and claims against the county were presented and examined. On motion by David G. Young, and seconded by H. Danny Foley, Sr. and carried, the bills and claims were ordered paid and the following warrants were issued in payment of same:

On the General County Fund: Warrants No. 22751 - 22900
On the General County Fund: Warrants No. 76346 – 76745
On E-911 Communications Fund: Warrants No. 847 – 858

Voting Aye: Harris, Foley, Martin, and Young
Voting Nay: None
Absent: Cockerham

On motion by David G. Young, and seconded by H. Danny Foley, Sr. and carried, the requests for appropriations are approved, as presented, therefore,

BE IT RESOLVED by the Board of Supervisors of the County of Patrick, Virginia, that the following appropriations be, and the same hereby are, made for the month of November, 2004: General County Fund - \$645,000.00; Social Services (VPA) Fund- \$175,000.00; Comprehensive Services Act- \$35,000.00; E911 Communications Fund- \$4,099.83; County School Funds - \$2,000,000.00; TOTAL ALL APPROPRIATIONS- \$2,859,099.83

Voting Aye: Harris, Foley, Martin, and Young
Voting Nay: None
Absent: Cockerham

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, it is hereby ordered that Carolyn I. Tatum, Treasurer, transfer the sum of Seven Hundred Fifty Thousand Dollars (\$750,000.00) from the General County Fund to the County School Fund, contingent upon the definite need for funds and availability of funds in the General County Fund.

Voting Aye: Harris, Foley, Martin, and Young
Voting Nay: None
Absent: Cockerham

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the following requests for additional appropriations are hereby approved.

Voting Aye: Harris, Foley, Martin, and Young
Voting Nay: None
Absent: Cockerham

<u>Department</u>	<u>Amount</u>	<u>For</u>
County Administration	\$577.68	Part-time Salaries
County Administration	\$198.32	Postal Services
Circuit Court	\$365.00	Maintenance Service Contracts
Special Magistrates	\$55.23	Repair & Maintenance
Special Magistrates	\$230.18	Electrical Services
Special Magistrates	\$250.00	Rent-Office Space
Forestry	\$155.55	Contributions
Animal Warden	\$2,739.29	Vehicle & Equip. Supplies

Emergency Services	\$214.21	Vehicle & Equip. Supplies
Emergency Services	\$110.00	EMT Textbooks-Paramedic Care
Transfer Station	\$38.36	Hepatitis B Vaccines
Transfer Station	\$790.30	Scrap Tire Disposal
Maintenance of Bldgs & Grounds	\$38.36	Hepatitis B Vaccines
Maintenance of Bldgs & Grounds	\$24.91	Telephone
Maintenance of Bldgs & Grounds	\$23.99	Office Supplies
Maintenance: Nevamar	\$9.53	Electrical Services
Maintenance: Transfer Station	\$11,482.38	Repair and Maintenance
Maintenance: Transfer Station	\$102.36	Rug Rental/Cleaning Supplies
Economic Development	\$1,500.00	Marketing
Economic Development	\$10,000.00	Contribution- Crooked Road
Sheriff's Office	\$450.00	Law Enforcement (Overtime)
Sheriff's Office	\$6,928.44	Salaries (SRO Elem School Grant)
Sheriff's Office	\$2,048.55	Benefits (SRO Elem School Grant)
Sheriff's Office	\$1,584.85	Vehicle & Equipment Supplies
Recreation Dept.	\$2,600.50	Repair & Maint of Park Facilities
Nondepartmental	\$815.00	Miscellaneous

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the following requests for transfer of funds are hereby approved.

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

<u>Department</u>	<u>Amount</u>	<u>From</u>	<u>To</u>
Comm of the Revenue	\$10.00	Travel & Mileage	Dues
Maint: Park Facilities	\$586.00	Repair & Maintenance	Rental of Portable Toilets
Maint: Rotary Field	\$165.00	Repair & Maint	Rental of Portable Toilets
Maint: Rotary Field	\$583.39	Repair & Maint	Water, Sewage, Garbage
Economic Development	\$21.77	Marketing	Office Supplies
Economic Development	\$406.89	Marketing	Travel (Meals & Lodging)
Economic Development	\$730.00	Marketing	Travel (Conv/Education)
Extension Office	\$2,000.00	Reimb to VPI	Computer Equipment
Extension Office	\$200.00	Reimb to VPI	Office Supplies

The County Attorney, Eric Helms Monday, gave his report.

a. **Hunting Ordinance:** The County Attorney advised that Patrick County has only one hunting ordinance, which addresses the discharge of firearms within a certain distance from the roadway. He noted that at the Board's last meeting, he recommended adopting an ordinance that would adopt in whole, the regulation set forth by the Department of Game and Inland Fisheries. He advised that the advantage of adopting local ordinances is that the person committing the violation could be charged for violation of State Code and Local Ordinance; therefore, Patrick County could retain a portion of their fines. Mr. Monday recommended that the Board adopt a hunting ordinance in alignment with the Department of Game and Inland Fisheries' regulations. Mr. Martin stated that he "is scared of bureaucrats; they can come up with all kinds of garbage and we will have to live with everything they can dream up." Mr. Monday advised that if the Department of Game and Inland Fisheries brings up the regulations, they would bind on Patrick County citizens. He re-emphasized that the adopting an ordinance in line with the State's regulations would allow Patrick County to collect some of the moneys from fines.

b. **Abandoned Mobile Homes Ordinance Update:** Mr. Monday referred to a packet that was given to the Board last week, which included a variety of potential ordinances that deal broadly with nuisances, property maintenance, and abandoned vehicles and mobile homes. He advised that these ordinances are solely for the Board's review and consideration, not to be adopted at this time.

Mr. Monday stated that one option is Removal or Repair of Dangerous Structures. He advised that it would be up to the Board itself to declare a specific structure dangerous and in need of removal; if the Board does not want to be the body that makes that determination, that segment of the ordinance could be altered. He stated that if the Board declared something to be a danger, the County could give notice to the property owner, remove it, and then recover the charges from the property owner.

The County Attorney reported that a second option relates to Abandoned Motor Vehicles and could also include mobile homes. He stated that this sets up a procedure where abandoned motor vehicles on public property could be taken into custody by the County and disposed of. Mr. Monday noted that this also deals with abandoned vehicles in commercial garages.

Mr. Monday stated that a third option deals with the Regulation of Automobile Graveyards and Junkyards. He noted that junkyards are not limited to vehicles only and they are required to be screened from view. He noted that this is a state regulation and it institutes permitting and fee schedules for those who wish to establish an automobile graveyard or junkyard.

Mr. Monday noted that the next option is Public Nuisances. He stated that this ordinance deals with things other than abandoned structures and vehicles. He advised that these situations would include things like out of control vegetative growth and stagnant water. Mr. Monday stated that these instances could threaten public health and safety. He advised that the County would give notice to the property owner to cure the nuisance; if the owner does not do so his/herself, the County could take care of it and then recover the costs from the owner. He noted that these costs are just like a delinquent tax lien, it becomes a lien on the property.

Mr. Monday stated that the last ordinance addresses Unsafe Buildings and Structures, which also includes mobile homes. He stated that under this ordinance, when the County Building Official identifies an unsafe structure, he/she would notify the owner; if the owner does not cure the problem, the County could then remove the structure and collect payment from the owner or place a lien on the property.

Mr. Monday advised that a health officer would address issues relating to public nuisances and the building official would address situations that involve unsafe buildings and structures. He noted that the first ordinance would give the power of addressing these issues to the Board of Supervisors. He advised that the Board could keep any of these structures or meld them together; he asked which issues the Board wishes to address with an ordinance. Mr. Young stated that he would like to see public health and safety issues addressed, but not so much the abandoned motor vehicle situations. He noted some of the regulations concerning unlicensed vehicles in other localities. The Chairperson stated that this Board does not want to undertake the extreme measures that Mr. Young spoke of, yet it does want to address the problems at hand. Mr. Monday advised that many rural counties have tended to adopt ordinances that deal with public health, such as pools of stagnant water, and ordinances that deal with abandoned or deserted structures, which pose health and safety hazards. He noted that in terms of enforcement, most of those localities assign the health official to handle stagnant pools or heavy vegetation issues and the building official addresses the abandoned structures. He stated that most of those localities allow the Board of Supervisors the ability to declare something a nuisance; however, in most cases the health and building officials would address these issues first. Mr. Martin expressed his concern about a place where there are several house trailers, cars, trash, tires, and an old tractor that have been put in the woods, which is on a slope above a stream. Mr. Monday stated that type of situation would be addressed in the proposed ordinance. Mr. Martin suggested that if the Board is going to do something, it needs to apply across a broad spectrum. The Chairperson stated that the ordinance needs to address tire dumps as well. Mr. Monday advised that tire dumps are notorious for collecting stagnant water, which creates a breeding ground for insects and are viewed as an environmental hazard as well as a health hazard. The Chairperson asked if Patrick County has an ordinance in place to address tire dumps. Mr. Monday advised that the County does not have that type of an ordinance as of yet, but that it will be included in the new ordinance. He stated that the County could only regulate abandoned vehicles on public property and there are already state code sections in place for those situations. He advised that he would draft an ordinance to address health hazards and abandoned structures, which include mobile homes, and the health and/or building official would make an appeal to the Board of Supervisors. Mr. Martin asked if the draft ordinance would apply to private land as well. Mr. Monday advised that it would. He stated that there is already a code section available to residents in which five citizens can petition the circuit court to impanel a grand jury and investigate a specific situation. He advised that if the grand jury determines that it is a nuisance, they can order the property owner to clean it up and fine that person which becomes a lien on the

property. Mr. Monday stated that he would present a draft ordinance to the Board at its work session on November 29th.

This day came Danny Alexander to discuss the stray dog situation on Mountain View Loop in Patrick Springs. Mr. Alexander stated that he has three dogs, which are tied, and several cats. He advised that a large dog had killed one of his cats recently and that his neighbor had witnessed the incident. Mr. Alexander stated that he had called the Sheriff's Department the next morning to speak to someone about the situation; however, he was upset and did not give the department much information or his name. He said that he came home from work this past Thursday and found another one of his cats dead. He called the Sheriff's Department and spoke with Dispatcher Clark and stated that she could not get a hold of Leon Handy, Animal Control Officer, nor send a deputy to his home. He said that the dispatcher informed him that there were only two deputies on duty; he said that he found out later that they were both reporting to the same call. Mr. Alexander stated that Mr. Handy came by his house the next day and said that no one had tried to contact him and that at anytime there is a problem that he would be glad to come out. He said that when Mr. Handy arrived at his home, he let Mr. Handy "have it a little bit." He stated that there are a lot stray dogs around, not only in the County, but in the Town as well. Mr. Alexander stated that he had talked with the County Administrator and asked if the County could hire a new dog warden or hire Mr. Handy some help. He said that he had spoken with another dispatcher last Friday and that he had asked her how many dispatchers there are. He stated that the dispatcher said there are ten dispatchers, which he felt was a ridiculous number. He suggested that if Mr. Handy needs help to cover the whole county, to get rid of two or three dispatchers and that money could be used to pay his helper. He said that ten dispatchers for the Sheriff's Office is "uncalled for". He said that "we have got some slack people in the Sheriff's Office; some are all right and do their job." Mr. Alexander asked the Board to look into the situation of getting a leash law for the communities where there are a lot of homes in one area, such as in Patrick Springs. He would like for the Board to enforce this law in order to keep animals on their owner's property. He advised that if another dog comes on his property, whether it has a collar or not, he will not be responsible for what happens to it. The Chairperson asked if the dog that attacked his cats was a stray dog. Mr. Alexander stated that Mr. Handy found the owner of the dog, who was about a half a mile from his house on a side road. He said Mr. Handy explained to the owners what had happened and they chained the dog up. Mr. Martin asked if he sees a lot of dogs running around where he lives and if he recognizes whom they belong to. Mr. Alexander reported that he sees a lot of dogs running around and does not recognize the dogs. He said that he is a cat lover and that cats do not bother anybody; they may get on vehicles and put cat tracks on it but one does not hear of cats mauling a child or turning over trashcans. He stated that the Sheriff's Department is "very slack and there's no call in the world for having ten dispatchers and all ten dispatchers have to be women." The Chairperson stated that two of the dispatchers are men and that only two dispatchers work during each twelve-hour shift. Jamie Clark, WHEO, advised that there are times when two dispatchers are needed and that they work three day, twelve-hour shifts and then four hours on Monday to get their forty hours per week. Mr. Alexander stated that his main concern is these dogs and reiterated his request for a leash law in certain areas of the County. Mr. Martin stated that the Board would run into a firestorm if it started with a leash law, and compared it to zoning. He said that he understood Mr. Alexander's problem. Mr. Monday advised that if a dog poses a danger to a citizen or his/her property, they have the right to shoot it, but not for trespassing on one's property. The Chairperson advised that the Board would look into this situation.

The Assistant County Administrator, Michael Burnette, gave his report. Mr. Burnette stated that the Board had requested his office to work on an Enterprise Sub-Zone designation for the Woolwine Community and a preliminary drawing has been completed by West Piedmont Planning District. He noted that the Enterprise Zone is an economic development designation by the State. He advised that Patrick County does have a zone, and that it allows new or expanding businesses within the zone to access state and local incentives that

they otherwise would not have been able to obtain. He stated that this program currently allows only one sub-zone per locality, which is a second area that does not have to touch the original zone. He noted that the original zone must be contiguous. Mr. Burnette advised that due to the large manufacturing base and the commercial development in the Woolwine Community, both the Board of Supervisors and the Economic Development Authority Board have discussed designating that area as the proposed sub-zone. He stated that the Board approved, as it did last year, that the County request that the Legislature approve multiple sub-zones for localities, which would allow Patrick County to designate other areas throughout the County as sub-zones. Mr. Burnette noted that this is the first attempt at designating this sub-zone and advised that a public hearing must be held and then an application sent to the Department of Housing and Community Development for their approval. He reported that Patrick County has 3,840 acres available for designation as zone area and that 2,292 acres are included in the original zone that runs from Stuart to Patrick Springs along Highway 58. He stated that this proposed sub-zone totals 557 acres and that 991 acres would remain. Mr. Burnette advised that this proposed zone would encompass all of the major businesses in Woolwine such as Hopkins Lumber, Worley Machine, and Sara Lee and would also include vacant buildings. The Chairperson stated that W&W Produce, Stuart Concrete, and other businesses in that area need to be included in the zone. Mr. Burnette suggested adding an extension to the existing zone, which would begin at the Patrick County Business Park and run to the west of the Town of Stuart to Mom's Gardens. Mr. Foley asked the time length of Enterprise Zones. Mr. Burnette advised that they are designated for twenty years; Patrick County's zone has been in place for approximately two years. Mr. Martin asked if the County should use its one zone to attract more industry instead of awarding it to people who are already here, which in some cases may have a broader benefit to manufactures than it would to the sawmill type businesses. He stated that the basic question is whether it be better to give something like this to people who are already established or would it be more advantageous to the people and the County to reserve it to an area, since there is only one, where it could be used to bring in more industry. Mr. Martin said that he would rather see us bring in new industry. Mr. Burnette noted that eighty percent of job creation comes from existing businesses; he believes that existing businesses are the top priority and the Board must take care of them as best as possible. He stated that for a lot of businesses, the incentives that can be drawn from the Enterprise Zone could make a difference between expanding and not expanding. Mr. Burnette advised that the new industry that Mr. Martin spoke about would be looking for things like public water and sewer, four-lane roads, and industrial parks and those items are available in the current Enterprise Zone. He advised that the proposed sub-zone would cover businesses that are in expansion modes and vacant buildings that have had trouble being filled. He noted that Woolwine does not offer a four-lane road or public water and sewer. With this designation, Mr. Burnette suggested that this area would become more attractive and will grow. He said that it is his opinion that Meadows of Dan and Woolwine will grow the quickest, after Stuart and Patrick Springs. He stated that he recommends that Woolwine receive this designation because much of Patrick County's manufacturing base is located there and most of the incentives that are offered in this program are manufacturing based. Mr. Martin stated that when companies consider coming into Patrick County, where there are 19,400 people and a limited number of workers, and try to make a decision between Patrick County and North Carolina. He felt the Enterprise Zone would make a big difference and noted that a lot of manufacturing companies do not need public water and sewer. He noted that Patrick County has only one zone, he sees some pretty recognizable names, and wants to be fair and balanced so that it could be used for the benefit of the County and not necessarily reward some pretty wealthy people. He said that he would like to see a study done to see if Patrick County could draw in a clean industry and try to get permission to create more of these zones; further he would like to see them used for the best benefit. The Chairperson advised that she is not looking at names but at the proposed area. Mr. Young stated that there might be areas in the proposed zone that can be trimmed, for example a mountainside. Mr. Burnette advised that Patrick County has its hands tied, it does not give away a lot of local money, state programs are used, and they have a lot of criteria that must be met. He said that the Enterprise Zone would make incentives available to those size businesses. Mr. Young noted that many businesses stay in this area because they are local people and there

are plenty of other localities that could offer their businesses more; therefore, the Board must take care of them.

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the Board does hereby schedule a Public Hearing to be held Wednesday, December 1, 2004 at 7:00p.m. in the Woolwine Community to hear comments on the proposed Woolwine Sub-Zone.

Voting Aye: Harris, Foley, and Young

Voting Nay: Martin

Absent: Cockerham

Mr. Martin stated that he voted no because he believes that this issue needs more deliberation.

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the Board convened into Executive Session to discuss legal matters [Section 2.2-3711(A)(7), 1950 Code of Virginia, as amended]; prospective business matters [Section 2.2-3711(A)(5), 1950 Code of Virginia, as amended]; personnel matters [Section 2.2-3711(A)(1), 1950 Code of Virginia, as amended].

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the Board reconvened into regular session, based upon the following:

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

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

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

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

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the Board does hereby appoint Alfred Brammer to the Workforce Investment Board, commencing immediately.

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

Ordered that the Board be adjourned until its Work Session commencing at 2:00p.m. on November 29, 2004.

, Chairperson