

Patrick County Board of Supervisors

Work Session Monday, April 25, 2005

Third Floor – County Administration Building Stuart, Virginia 2:00 p.m.

PRESENT: H. Danny Foley, Sr., Chairman; Darrell Cockerham, Crystal P. Harris, 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 County Administrator.

ABSENT: Roger L. Martin, Vice Chairman

Call to Order: Chairman H. Danny Foley, Sr.

Items for Consideration:

I. Emergency Watershed Program: This day came Robert Smith, Natural Conservation Resources (NCR) representative, and presented the Board with information regarding federal assistance through the Emergency Watershed Program. Mr. Smith reported that officials with this program visited a number of sites in Patrick County and found that three qualified for the program, which are Dean Hill, Allen Mitchell, and Peter Houchins. He advised that Patrick County has been approved for an 80/20 ratio; which would require the local government and the landowner to provide 20% of the cost for needed repairs either with cash or an in-kind contribution. He noted that if the County chooses not to participate, the landowners would be responsible for 100% of the cost. Mr. Young asked that Mr. Smith provide the Board with the affected landowners' contact information.

On motion by Darrell Cockerham, seconded by David G. Young and carried, the Board hereby approves the County's participation in the Emergency Watershed Program in which the federal government will supply eighty percent (80%) of the costs for the needed repairs and the landowners will contribute the remaining twenty percent (20%) with cash or an in-kind contribution.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

II. Patrick County Fire and Rescue Association Funding Request: This day came Clyde Thomas, Vice President of the Patrick County Fire and Rescue Association, and Ed Hartman, Volunteer Fireman, to discuss the financial needs of the fifteen local volunteer fire departments and rescue squads. Mr. Thomas noted that a total of 2,241 calls were answered by the agencies last year, which included a total of 18,755 man-hours. He advised that the County's fire chiefs and rescue squad captains met on March 21st and determined that there has been no increase in the County's capital and operational contributions since 2000; therefore, the agencies would like to request an increase in funding. Mr. Thomas presented the following requests: (1) fire department's capital contribution be increased from \$138,000 to \$175,000 with a 3% annual increase each year thereafter; (2) rescue squad's capital contribution be increased from \$67,000 to \$90,000 with a 3% annual increase each

year thereafter; (3) fire department's and rescue squad's operation contribution, which is currently \$11,500, be increased 5% this year and each year thereafter; (4) first responders' contribution be increased from \$1,000 to \$1,500. On behalf of the Fire and Rescue Association, he asked that the Board consider the proposed increases in funding for the fire departments and rescue squads. Mr. Cockerham asked Mr. Thomas to explain how the Association determined the amount of the requested increases. Mr. Thomas advised that E-1, which supplies emergency vehicles, provided a chart that indicates the natural progression of costs for ambulances and fire trucks. Mr. Cockerham advised that he understood the reason for the requests but that the taxpayers need to understand it as well. The Chairman stated that the County must have the fire departments and rescue squads and advised that the Board would consider the Associations' requests.

III. American Red Cross: This day came Angela Owens, former employee of the Patrick County American Red Cross, to discuss the recent annexation of the Patrick County Red Cross by the Martinsville-Henry County Red Cross Chapter. She advised that the Martinsville-Henry County Chapter had the option not to annex the Patrick County division and that the agency is now called "Martinsville-Henry-Patrick American Red Cross". Mrs. Owens advised that the office in Patrick County has been closed and that anyone who needs services from the Red Cross will have to travel to the office in Henry County. She noted that the Hendricks family had donated \$10,000 to the Patrick County Unit and requested that the funds remain in this county; however, the Martinsville-Henry County office now has control of that money. Mr. Cockerham asked why Patrick County did not have a say in this matter. Mrs. Owens advised that Patrick County was considered a Certified Services Delivery Unit (CSDU) and worked under the Martinsville-Henry County Chapter. She noted that Patrick County had lost its chapter designation several years ago and advised that the National Division of the American Red Cross would not provide information on how Patrick County could regain its designation. Mr. Young requested that the Martinsville-Henry-Patrick American Red Cross representatives attend the May 9th Board meeting to explain why Patrick County was no longer a viable chapter and what changes could be made in order that this status be restored.

The Board recessed for twenty minutes.

The Board reconvened into regular session.

IV. Transfer Station: Howard Belcher, staff, in attendance.

a. DEQ Report: The County Administrator advised that the Department of Environmental Quality conducted a compliance inspection on March 30th and no violations were sited.

b. **Burning Barrels:** Mrs. Handy stated that she was contacted Saturday morning at her residence by a citizen who had taken burned debris to the Transfer Station but was prohibited from disposing of them at the facility. She advised the Board that burning barrels are illegal in Virginia and that signs are posted at the Transfer Station notifying the public that burning barrels and burned debris are prohibited. Mrs. Handy informed the citizen that the recent fire at the facility, which cost the County several thousands of dollars, was believed to be caused by burned debris. She advised the Board that after speaking with Howard Belcher, Transfer Station Coordinator, she was informed that the citizen was aware of the law and had been contacted by DEQ previously. She stated that she had advised the citizen that she would bring this concern before the Board. The Board held a discussion and stated that burning barrels are illegal in the State of Virginia and that burned debris poses a fire hazard at the Transfer Station; therefore, the Board will not alter its prior decision banning the disposal of same.

c. **Scrap Tires:** Mrs. Handy stated that the County had signed an agreement approximately one year ago with Tire Energy concerning the disposal of scrap tires. She advised that the company had been collecting the tires for some time; however, the company has contacted her stating that they would no longer collect tires. She stated that Tire Energy recommended U.S. Tire Recycling located in Concord, North Carolina and that Howard had contacted that company and requested information relating to this service. Mr. Belcher advised that U.S. Tire Recycling had informally quoted \$55/ton plus truck costs of approximately \$1.25/mile, which equals approximately \$925 to \$1,000 a load. Mrs. Handy noted that we had been paying Tire Energy approximately \$700 a load. Mr. Young asked if the County would save money by splitting the tires and disposing of them with household trash. Mr. Belcher advised that the County would have to hire additional staff to split the tires; therefore, he was not sure if that option would be most cost effective. Mrs. Handy noted that the County was breaking even by charging \$1.00 per tire under the contract with Tire Energy and that the fee schedule would need to be adjusted if the County's cost to dispose of the tires increases. Mr. Young recommended increasing the fee from \$1.00 to \$2.00 noting that the fee should be an even dollar so that the staff and the public would not have to worry about making change. The Chairman noted that Martinsville charges \$2.00 per tire at their facility. Mr. Young inquired about the current fees for tires at the Patrick County facility. Mr. Belcher gave the following fee schedule: \$1.00 up to 16 inches; \$5.00 for tires larger than 16 inches; and \$7.00 for farm tractor tires. The Board requested that the County Administrator look for additional companies who would be interested in the scrap tires that are collected at the Transfer Station.

V. **Maintenance Shed:** Teddy Doss, staff, in attendance.

a. **Phase I:** Mr. Doss advised that Phase I of the Maintenance Shed at Nevamar is near completion. He stated that the building has a few minor leaks that

were caused by missing screws; he advised that the contractor would return to correct the problem.

b. Phase II: The County Administrator advised that bid packages were mailed out last Friday and an advertisement was placed in The Enterprise for Phase II of the Maintenance Shed. She noted that the bids are due by May 6th and that a tally sheet of same would be provided at the May 9th meeting.

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

a. Route 58: Mrs. Hughes advised that VDOT would begin some interim improvements to the mountainous areas on Highway 58 in the next thirty days, which include wedging out the insides of some curves. Mr. Young requested that VDOT eliminate the sharp rocks that jut out near Kreager's Woodworking, which have been known to slice tires on tractors and trailers. Mr. Williams advised that he and VDOT engineers rode through that area last Friday and determined that a "drop inlet" in that curve may be helpful. Mrs. Hughes stated that VDOT plans to install a "drop inlet" near the Bird House as well. Mrs. Harris requested that new "watch for stopped school buses" signs be placed in that area that includes a specific time period. Mr. Williams advised that because of varying school bus schedules, VDOT proposes adding the hours of 7:00a.m. to 7:00p.m. to the new signs. Mr. Young stated that he would like to see the speed limit for tractor-trailers traveling down the mountain reduced to thirty miles per hour. Mr. Williams suggested installing signs that encourage truck drivers to stop and inspect their trucks before traveling down the mountain. Mrs. Hughes advised that the area at Cockram's Mill needs to be "day lighted" and that VDOT has purchased the right-of-way but does not have the funds to complete that project. Mr. Williams stated that VDOT should be working on Route 58 in the Meadows of Dan area for the next month or so.

b. Anthony Drive & Pleasant View Drive: The Chairman noted that a speed-limit study will be done on Anthony Drive and Pleasant View Drive to determine if the speed limit in that area should be reduced.

c. Intersection of Hardie Stone Road and County Line Road: The Chairman advised that the culvert at the intersection of Hardie Stone Road and County Line Road is washing out under the pavement. Mr. Williams advised that he would check into the situation.

Mr. Cockerham left the meeting temporarily.

d. Route 622: Mrs. Harris requested that a traffic study be conducted on Route 622 during tennis camp this summer. Mrs. Hughes noted the request.

e. **Old Orchard Loop:** The Assistant County Administrator advised that there is no gravel on Old Orchard Loop. Mrs. Hughes advised that she would look into the problem.

f. **Route 58 between Patrick Springs and Henry County:** Mrs. Hughes advised that VDOT is conducting a study concerning a possible increase in the speed limit on Route 58 from the Bypass in Stuart to the Henry County line. Mr. Williams stated that it might be possible to increase the speed limit to 60 miles per hour from VDOT's state shed in Patrick Springs to Carver Road.

VII. County Budget: The County Administrator presented the Board with a budget calendar and advised that if the Board could agree on a budget to send to a public hearing at the May Work Session, the County could advertise in The Enterprise, hold the hearing, and then pass the budget at the June Work Session. She noted that the Board normally authorizes the Budget Committee to review the budget and then bring its recommendations to the full Board. Mr. Young stated that Mr. Martin has not been feeling well lately and that is why he has requested the assistance of the full Board with this budget. He noted the deficit of approximately \$800,000 with the proposed budget and stated that the Board must look for areas that could be cut. He stated that the Board has said from the beginning that it would not like to see a raise in taxes.

Mr. Cockerham joined the Board in regular session.

VIII: Anthem Contract for Local Jail: The County Administrator advised that the contract for the inmates' health insurance coverage is up for renewal. She stated that the Sheriff's Department advised that the program is working well and there is some savings to the County with this coverage. Mrs. Harris requested that additional information, which states the County's cost savings, be provided at the next meeting. Mrs. Handy noted that the contract needs to be renewed by June 1st if the County chooses to continue with this insurance coverage.

IX. Report from Eric Monday, County Attorney: The County Attorney presented the Board with a revised Subdivision Ordinance, which was submitted by the Patrick County Planning Commission, and advised that the Board must adopt a revised version before June 30, 2005. Mr. Monday noted that cemeteries were added into the revised ordinance and that some additions have been made concerning certifications that are included on plats. He advised that the Commission had also made a revision in the approval process, which would require the individual or business to seek approval from the Commission and if denied, an appeal to the Board of Supervisors could be made. He stated that a public notice of intended adoption of revisions would need to be made before the Board can approve the revised ordinance. The Board agreed to do so at the May 9th meeting.

X. Adelphia Cablevision: The County Administrator presented the Board a letter from Adelphia Cablevision advising that ESPN Classics has been moved from its current channel of 131 to channel 124. She advised that this is simply for the Board's information and that no action is needed.

XI. Report from Michael Burnette, Assistant County Administrator:

a. Rocky Knob Project: The Assistant County Administrator stated that Congressman Boucher's Office has advised that hiring a consultant would be very helpful to the Rocky Knob Committee. He noted that due to Patrick County's income levels, the County might qualify for a Rural Business Opportunity Grant through Rural Development for up to \$50,000 with no local matching funds.

On motion by Darrell Cockerham, seconded by David G. Young and carried, the Board hereby authorizes Michael Burnette to apply for a Rural Business Opportunity Grant through Rural Development for \$35,000 with no local matching funds to hire a consultant to assist in the Rocky Knob Project.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

b. Enterprise Zone Signage: Mr. Burnette presented the Board with list of options concerning proposed Enterprise Zone Signage in Patrick County along with a map of possible locations for the signs. He stated in order to better market the existence of Enterprise Zone areas in Patrick County, the Office of Economic Development proposes the construction of signage at the entry point to Zone areas, which would read "Entering Patrick County Enterprise Zone" and in Woolwine, would additionally denote the Woolwine Subzone. Mr. Burnette advised that the cost of the five proposed signs range from \$1,500 to \$2,600, which includes installation. He noted that the County's Maintenance Department might be able to install the signs. Mr. Young stated that this is a good idea and the Board will take it under consideration while working on the upcoming budget. Mrs. Harris said that the Woolwine Subzone is a good addition in her district.

c. Wells at Fulflex Site: Mr. Burnette presented the Board with a request from the Patrick County Public Service Authority (PSA) asking the Board of Supervisors to retain ownership of small areas of land on which three wells are located at the former Fulflex site. He advised that the PSA is studying the possibility of utilizing the wells to supply the future Patrick Springs Water and Sewer Project. Mr. Burnette recommended that the Board take this request under advisement as it works with Walmart representatives; however, the Board should not allow this request to cause delays in the Walmart project. He advised that the two most productive wells are on the property that Walmart may purchase. The Board agreed with Mr. Burnette's recommendation to take the PSA's request under consideration.

Mr. Cockerham thanked Mike Burnette and Jeannie Frisco for escorting Channel 10 Television staff through Patrick County last Saturday. Mr. Cockerham

noted that Mr. Burnette and Mrs. Frisco spent many hours on their day off on behalf of Patrick County.

XII. Health Insurance: The County Administrator advised that Requests for Proposals for employee health insurance are due May 17th and that she and Patsy Akridge, Akridge Insurance, will be reviewing those proposals. She noted that Ms. Akridge is the County's insurance consultant.

XIII. Meeting Schedule: The regular meeting for the month of May is scheduled for Monday, May 9th beginning at 6:00 p.m. and the work session will be held on Monday, May 23rd commencing at 2:00 p.m.

On motion by Crystal P. Harris, seconded by Darrell Cockerham 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: Foley, Harris, Cockerham, and Young

Voting Nay: None

Absent: Martin

On motion by Darrell Cockerham, seconded by Crystal P. Harris 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: Foley, Cockerham, Harris and Young

Voting Nay: None

Absent: Martin

On motion by David G. Young, seconded by Darrell Cockerham and carried, the Board hereby directs the County Attorney to request the Virginia State Police to investigate possible fraud charges against Hairston Enterprises, the builder of record for the Mount Nebo Church on Highway 58 in Patrick County.

Voting Aye: Foley, Cockerham, Harris and Young

Voting Nay: None

Absent: Martin

The County Attorney addressed a letter from the Town of Stuart that was given to the Board during open session, which the Board discussed in executive session. He stated that the Board finds the tone of the correspondence to be disappointing because it completely mischaracterizes the County in the third paragraph. He advised that the then-Board Chairperson and the Town Mayor had discussions about Walmart locating a retail operation in this County and that the Town was fully aware that Walmart was interested in locating in Patrick County. He stated that it is not the Board's place to speculate as to why they failed to request its inclusion in the annexation in the beginning. Mr. Monday noted that it is even more disappointing that now, when the Town apparently is experiencing a bit of "buyer's remorse" over the binding contractual agreement it entered into with the County last summer, they now seem to be "playing politics" with the largest economic development project that Patrick County and the Town have seen in decades. He advised that this development would benefit both localities and could provide approximately 400 jobs. He said that apparently, the Town seems to be of the opinion that their word of honor and signature to a contract could now be held out by them to be meaningless. Mr. Monday stated that the letter start to finish is a source of great disappointment and dismay to Patrick County.

Ordered that the Board be adjourned until May 9, 2005.

Work notes prepared and submitted by

Mary Beth Roberson, Assistant to County Administrator