

VIRGINIA: At a work session of the Board of Supervisors of the County of Patrick, held at the Patrick County Administration Building thereof on Monday, August 22, 2005 at 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. Report and Discussion of Road Matters with VDOT Officials: 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. **Set Date for Six-Year Plan Public Hearing:** Mrs. Hughes advised that a date needs to be set for the Six-Year Plan Public Hearing, which is normally held during the October board meeting in the evening. She noted that the public hearing must be advertised thirty days in advance. The Board scheduled the Six-Year Plan Public Hearing for October 24th from 7:00p.m. until 8:00p.m.

b. **Route 58 through Meadows of Dan:** Mrs. Hughes advised that a Speed Study had been completed on Route 58 in the Meadows of Dan area and found that tractor trailers are traveling at 45 miles per hour through that area; therefore, VDOT does not recommend a differential speed limit for cars and trucks. She advised that VDOT installed flashing lights near Ronnie Greene's Store in the Meadows of Dan area and that funding has been approved for a truck pull off / break check site and for improvements of two curves at Cockram's Mill.

c. **Route 8 Connector Road:** Mrs. Hughes stated that many residents are concerned about the preservation of an old oak tree, which is located behind the Masonic Lodge in Stuart, when the Route 8 Connector Road is constructed. She advised that VDOT would not have to cut the tree; however, the road would be constructed over the tree's roots, which may have a negative effect on the tree. She stated that VDOT has hired a certified arborist from Bartlett Tree Company who will make recommendations as to what could be done to help preserve the tree such as trimming and fertilizing. She noted that a school bus is parked under the tree, which may be causing damage to the root system. Mr. Young advised that running traffic from the connector road through the stoplight in Downtown Stuart would cause a problem. Mrs. Hughes noted that VDOT originally planned to extend the road to the area near Hardee's; however, there were not enough funds. She advised that this project would provide an alternate route for tractor-trailers, which will reduce the truck traffic on Main Street and Mayo Court.

d. **Route 692:** Mrs. Hughes advised that the Chairman's request to reduce the speed limit on Route 692 has been approved.

e. **Safe Routes to School:** Mrs. Hughes stated that in regards to the Safe Routes to School Bill, each state will receive \$1million to improve intersections and crossings near schools. She advised that her office has not received any further information at this time.

f. **Commerce Street:** Mrs. Hughes noted that in 1985, VDOT reduced the speed limit on Commerce Street to 25 miles per hour, which was requested by the Patrick County Board of Supervisors. She advised that her office has received a petition from citizens who are requesting that the speed limit be increased. She asked for the Board's approval to conduct a study on the road to see if the speed limit could be increased without creating a safety hazard. The Chairman authorized VDOT officials to conduct a speed limit study on Commerce Street.

g. **Turnip Patch Road (Route 603):** Mrs. Hughes advised that Melvin Stanley had requested authorization to surface treat 0.4 mile on Turnip Patch Road at his expense. She stated that Mr. Stanley was informed that the road would have to be sixteen feet in width and meet VDOT's surface treatment criteria in order to be classified as a Rural Rustic Road; he indicated that he would be willing to meet the

requirements. Mrs. Hughes noted that if the Board approves the request, a resolution to include Route 603 as a Rural Rustic Road would have to be adopted. She stated that Turnip Patch Road is a dead-end road and that Mr. Stanley would provide written permission from all affected landowners. She advised that if the Board approves this request, VDOT would issue a Land Use Permit to Mr. Stanley.

On motion by Darrell Cockerham, seconded by Crystal P. Harris and carried, the Board hereby authorizes Melvin Stanley to prepare and surface treat according to VDOT standards 0.4 mile on Turnip Patch Road (Route 603) with all expenses to be incurred by Mr. Stanley and contingent upon written permission from all affected landowners, which is to be submitted to VDOT.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

On motion by David G. Young, seconded by Darrell Cockerham and carried:

WHEREAS, during the 2002 session of the General Assembly, legislation was passed to revise 33.1-70.1 of the Code of Virginia, to allow for the improvement and hard surfacing of certain unpaved roads deemed to qualify for and be designated a Rural Rustic Road; and

WHEREAS, such roads must be located in a low-density development area and have a minimum of 50 vehicles per day (vpd), and have no more than 500 vpd; and

WHEREAS, this Board is unaware of pending development that will significantly affect the existing traffic on the road; and

WHEREAS, the citizens that utilize this road have been aware of this road being paved with minimal improvements; and

WHEREAS, this Board believes Route 603 (Turnip Patch), should be designated as Rural Rustic Road, From: Route 600; To: End of State Maintenance, owing to its qualifying characteristics; and

WHEREAS, the road aforesaid is in the Board's Six-Year Plan for improvements to its secondary system of state highways;

NOW, THEREFORE, BE IT RESOLVED, this Board hereby designates and requests VDOT's Resident Engineer to concur in the aforesaid road as a Rural Rustic Road.

BE IT FURTHER RESOLVED, this Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to the Resident Engineer for the Virginia Department of Transportation.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

h. Busted Rock Road: The County Administrator noted that a Public Hearing would be held on September 26th to consider a request to abandon 1.7 miles of Busted Rock Road.

i. Revised Subdivision Ordinance: The County Administrator inquired about the Revised Subdivision Ordinance that was adopted in May. Mrs. Hughes advised that VDOT officials in Richmond indicated that the revised version is okay and is in effect.

j. Legislation Effective July 1, 2005: The County Administrator referred to a letter from the Department of Transportation concerning legislation that became effective on July 1st. Mrs. Hughes advised that she had reviewed the new legislation and found no items that would effect Patrick County.

II. Blue Ridge Parkway Digest: Jeannie Frisco, Tourism Director, advised that Patrick County has been offered the entire back page of the Blue Ridge Parkway Digest 's fall issue along with an article inside the magazine for \$995, which is half of the regular cost. Mrs. Frisco recommended displaying a map of Patrick County on the entire back page, which would advertise the County's attractions.

On motion by Darrell Cockerham, seconded by Crystal P. Harris and carried, the Board hereby temporarily transfers \$995.00 from the Economic Development Budget to the Tourism Budget for the purchase of ad space in the Blue Ridge Parkway Digest's fall issue.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

III. Cell Phone Service in Fairystone Park / Philpott Lake Area: Danny Martin appeared before the Board on behalf of the Philpott / Fairystone Safety Council regarding the lack of cell phone service in the Fairystone Park / Philpott Lake area. Mr. Martin advised that this area receives approximately 1.5 million visitors annually and that half of the area is located in Patrick County. He advised that the lack of cell phone service is a safety hazard. He stated that concerned citizens have signed a petition, which would be attached to a letter that will be sent to cell phone service providers requesting coverage in that area. On behalf of the Philpott / Fairystone Safety Council, Mr. Martin requested the Board's endorsement when the petition and letter is sent to service providers. Mrs. Harris noted that there are many areas in Patrick County that do not have cell phone service due to the terrain.

On motion by Crystal P. Harris, seconded by David G. Young and carried, the Board hereby directs the County Administrator to provide a letter of support regarding Philpott / Fairystone Safety Council's request for cell phone service in the Fairystone Park / Philpott Lake area.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

IV. Proposed Ordinance Revisions: The County Attorney advised that redlined versions of the draft ordinances are not ready at this time.

V. Employee Health Insurance Update: The Assistant County Administrator advised that officials from MAMSI, VACO, and United Healthcare attended two group meetings with employees recently to discuss health care options. He stated that employees have a major concern about the insurance company's network, which does not include Martinsville or Carilion (Roanoke) hospitals. Mr. Burnette advised that he is working with the company to resolve this issue. He noted that the insurance company will hold one-on-one meetings with the Board's employees on Thursday and that coverage would begin October 1st.

VI. VACo Annual Summer Conference Update: The County Administrator advised that she, along with the Chairman, Board Member Young, and the Assistant County Administrator, had recently attended the VACo Annual Summer Conference. She stated that the major concern during the conference was the property tax relief proposal, which has been endorsed by all three candidates for governor. She noted that VACo urged localities to continue its opposition of un-funded state mandates. The Chairman advised that NACo would be distributing films to interested localities concerning methamphetamine labs in effort to increase child public safety. He stated that he would contact the School Superintendent concerning this issue. The Assistant County Administrator advised that NACo is beginning to focus more closely on rural communities, funding to localities for housing inmates will decrease, and the State is experiencing problems with citizens applying for septic tank permits to service a two bedroom house when the home actually has three or more bedrooms. Mr. Cockerham advised that the septic system for a two-bedroom house is cheaper than a system for a home with more than two bedrooms. Mr. Young advised that the Environment and Agriculture Committee discussed problems with the new spreader septic systems. He noted that the Committee also discussed the proposed cleanup of the Chesapeake Bay, which includes a "flush tax" that would be collected from every Virginia household. He stated that representatives from western Virginia continue to oppose the proposed tax. He noted that the committee is studying the issue of dangerous and vicious dogs in an attempt to prevent attacks. He stated that the spreading of sewer sludge on land is

also a major issue. Mrs. Handy gave the Board a copy of an article from VACo's County Connections, which included a brief summary of the outcomes from the committee meetings.

VII. Proposed Retreat – Updating of County Comprehensive Plan: The Assistant County Administrator stated that the Board's proposed retreat is scheduled for September 9th and 10th at Doe Run Lodge with Randy Arno as the facilitator. Mr. Burnette thanked Sprint for the \$500 donation, which will be used to help fund the planning session.

On motion by Darrell Cockerham, seconded by David G. Young and carried, the Board hereby authorizes the Assistant County Administrator to arrange the Board's retreat, which will be held at Doe Run Lodge on September 9th and 10th and facilitated by Randy Arno with a total project cost of approximately \$900.00 of which will include Sprint's \$500.00 contribution.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

VIII. Mileage Reimbursement Rate: The County Administrator advised that several employees have inquired about a possible increase in the reimbursement rate for mileage, which is currently \$0.325. She advised that Patrick County's rate is equal to the State's reimbursement rate and several surrounding localities. She noted that Henry County's rate is \$0.36 per mile and Wythe County's rate equals \$0.345 per mile. She asked that the Board consider the request to increase the mileage reimbursement rate.

IX. Transfer Station:

a. **DEQ Annual Report:** The Board was given a copy of the Patrick County Closed Landfill, Permit #70 2004 Annual Report. Mrs. Handy advised that the comments in the report were positive and noted that the second page of the report lists several items that are needed by DEQ; however, those items have been completed.

b. **Recycling Solutions:** The County Administrator advised that there is no information to discuss at this time concerning a recycling solution for the Transfer Station.

c. **Current Policies:** Mrs. Handy asked the Board if the County's current policies at the Transfer Station are acceptable, specifically the no scavenging policy. Mr. Cockerham advised that he did not see a need to change the no scavenging policy and stated that the yellow line on the Transfer Station floor needs to be repainted by the Maintenance Department. Mr. Young advised that allowing people to scavenge poses a safety hazard.

X. Reimbursement to County Committees Proposal: Mr. Young advised that he had attended a Public Service Authority meeting recently and was asked about possible travel reimbursement for committee members. Mrs. Handy advised that many years ago, the County paid committee members approximately \$20 per meeting. Mr. Young stated that the County wants representation from each area of the County, which means that many members travel great distances for each meeting and should be compensated for their costs. He noted that the County might not be able to afford to reimburse committee members for mileage or pay stipends this budget year; however, he would like to see it considered for the next budget year. Mrs. Handy advised that at this time, there are approximately 70 citizens serving on sixteen committees.

XI. Meeting Schedule: The regular meeting for the month of September is scheduled for Monday, September 12th beginning at 6:00 p.m. The work session will be held on Monday, September 26th commencing at 2:00 p.m. The County Administrator noted that the Public Hearing for a request to abandon a portion of Busted Rock Road would be held during the Work Session at 6:00p.m. Mr. Young noted the concern of several citizens regarding access to several cemeteries on Busted Rock Road and directed the Assistant County Administrator to contact

Steve Helms, Primland, to resolve this issue before the Public Hearing.

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

Voting Aye: Foley, Cockerham, Harris, 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

XII. Discussion of Voting Precinct Issues: Larry Cowley, Electoral Board Secretary, in attendance.

a. **Disposal of Old Voting Machines:** Mr. Cowley advised that the Electoral Board has twenty-three old voting machines that have been replaced with the new machines. He noted that by law, the County is not allowed to use the old machines and asked for direction from the Board concerning disposal of same. The Chairman suggested selling the machines for scrap. Mr. Cowley noted that the State of Virginia chose to accept Federal funds to purchase the new machines; therefore, every locality in Virginia had to replace their voting machines.

On motion by Darrell Cockerham, seconded by Crystal P. Harris and carried, the Board hereby authorizes the Patrick County Electoral Board to dispose of the old voting machines and directs the Maintenance Department to assist in moving the machines.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

b. **Voting Precinct Repairs:** The County Administrator advised that she had been in contact with the Building Official and the Maintenance Director regarding the needed repairs and improvements to polling sites in Patrick County.

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

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

On motion by Crystal P. Harris, seconded by Darrell Cockerham and carried, the Board reconvened into regular session, based upon the following:

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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 Crystal P. Harris, seconded by Darrell Cockerham and carried, the Board hereby appoints the Board Chairman to the Social Services Board retroactive to July 1, 2005 and ending with term as Chairman on December 31, 2005.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

On motion by Crystal P. Harris, seconded by Darrell Cockerham and carried, the Board hereby appoints Louise Simmons to serve as the Smith River Representative on the Jamestown 2007 Committee.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

On motion by Crystal P. Harris, seconded by Darrell Cockerham and carried, the Board hereby re-appoints Cleve Lawson as a Smith River District Representative to serve on the Planning Commission for a four year term retroactive to July 1, 2005.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

Ordered that the Board be adjourned until September 12, 2005 at 6:00p.m.

Work notes prepared and submitted by

Mary Beth Roberson, Assistant to County Administrator