

# **Patrick County Board of Supervisors**

## ***Work Session***

Third Floor – Veterans’ Memorial Building, Stuart, Virginia

10:00 a.m. – Monday, July 24, 2006

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

**ABSENT:** Crystal P. Harris, Board Member

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***Call to Order:*** Chairman Roger L. Martin.

The Assistant County Administrator was temporarily absent.

### ***Items for Consideration:***

**I. School Board’s Request to Amend Budget Categories:** School Superintendent Judy Lacks in attendance. The County Administrator noted that the Board was presented a request during its July 10<sup>th</sup> meeting from the School Board requesting approval of proposed amendments to various budget categories. She stated that the Board requested that a representative for the School Board attend today’s meeting to explain the request. Mrs. Lacks referred to the letter and spreadsheet that was submitted to the Board on July 10<sup>th</sup>, which reflected the proposed budget category amendments. She noted that the Board funds the School System categorically; therefore, any changes to same would require approval from the Board. She advised that the proposed changes include the transfer of \$794,775.66 from Administration, Attendance, and Health to Debt Service. She noted that the School System had participated in the Virginia Public School Authority’s Bond Sale last fall, which meant that the School would begin paying back the loan on the latest projects at Patrick County High School and Woolwine Elementary School. She stated that the School Board met on July 13<sup>th</sup> and the first payment was due July 15. She advised that in order to avoid a finance charge and a penalty, the School Board included the first payment with the June bills, which totaled \$128,339.94; however,

because the School System participated in the Public School Authority Bond Sale and paid off the interim loan, there was an approximate savings of \$52,000. She stated that the payment was funded with the savings that was incurred and the funds from the Administration, Attendance, and Health category. The Chairman asked if funds were temporarily transferred from one category to another. Mrs. Lacks said that is correct. The Chairman stated that there would not be a problem with same.

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the Board does hereby approve the final categorical changes to the 2005-2006 Patrick County School Budget; retroactive to June 30, 2006, which are as follows:

<i>Category</i>	<i>Final Revision</i>
Instruction	\$15,048,681.87
Administration, Attendance, and Health	\$794,775.66
Transportation	\$2,018,075.00
Maintenance	\$1,628,908.00
Food Service	\$1,087,902.44
Facilities	\$683,702.88
Debt Service	\$627,045.83
Technology	<u>\$1,274,345.68</u>
Total	\$23,163,437.36

Voting Aye: Martin, Young, Foley, and Large

Voting Nay: None

Absent: Harris

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

a. **Second Review of General Assembly's changes regarding Subdivision Regulations:** The County Administrator stated that because the County Attorney was not present during the June 30<sup>th</sup> meeting when Mrs. Hughes discussed

the General Assembly's changes regarding subdivision regulations, she asked Mrs. Hughes to give again a brief summary of same. Mrs. Hughes noted that the Rural Additions program was designed to upgrade "old roads" and bring them into VDOT's system. She advised that roads in newly created subdivisions do not qualify for same. She noted that last year, there was some discussion regarding the construction of substandard roads in Patrick County. She stated that the Attorney General's Office interpreted the Code of Virginia to read that all roads that are constructed in a locality must be built to VDOT's standards in order to qualify for the Rural Addition Program and noted that Patrick County revised its Subdivision Ordinance last year to reflect same. She stated that it was determined during the last General Assembly Session that according to House Bill 1543 / Chapter 566, the Code did not change the original Rural Addition Law, which is 33.1721. She stated that the Attorney General's Office would forward the information to the County Attorney in the near future. She advised that private streets that are constructed in the future must include a plat stamp, which indicates that the street is private and would not be improved or maintained with public funds. Mr. Foley advised that the Virginia Association of Counties has been promoting the idea of localities requiring developers to install signs indicating private roads. Mrs. Hughes advised that VDOT still needs to be included in the review process of subdivisions, even for private streets. The County Attorney inquired about the timetable for revising the County's Subdivision Ordinance. She stated that localities would be given one year to complete same. The Chairman asked if the program addresses "paper streets". Mrs. Hughes advised that it includes any newly created roadways. Mr. Monday stated that the program includes projected roadways as well.

b. **Secondary Construction Budget:** Mrs. Hughes presented the Board with the Secondary Construction Budget, which is a little over \$1million. She noted that no money has been allocated for the Rural Addition Program. She advised that the Cherry Creek Road and Blueberry Lane projects would begin this fall.

c. **Zeb Stuart Scales Bridge Signs:** Mrs. Hughes stated that VDOT received the Zeb Stuart Scales bridge signs last Friday. Mr. Large advised that the Scales family would like to hold a ceremony on a Sunday afternoon in regards to the installation of the signs. Mrs. Hughes asked that Mr. Large advise her of the time and date for same.

d. Squirrel Spur Road: Mrs. Hughes advised that there have been a few slides on Squirrel Spur Road due to the recent heavy rains. She stated that the soil conditions caused the slides and VDOT is currently making preparations to clean up the area.

e. Dust Control Treatments: Mrs. Hughes advised that VDOT would begin dust control treatments / liquid calcium applications tomorrow.

f. Meadows of Dan Bypass: The Chairman stated that approach coming from Meadows of Dan heading west on the Route 58 Bypass has rumble strips and then a curve and a stop sign, which is hard to see. He asked if VDOT could install a “stop sign ahead” sign. Mrs. Hughes advised that there is a “stop ahead” sign in that area. He asked if a sign could be installed after the rumble strips. Mrs. Hughes stated that it would be a little close to the stop sign. She stated that she would see if the location of the current sign could be adjusted.

g. Crossover Lane: Mr. Foley inquired about a sight distance issue on Crossover Lane in Critz. Mrs. Hughes advised that she would need to check back with the Superintendent regarding same.

### **III. Bike Trail Plan Presentation by West Piedmont Planning District Commission**

**(WPPDC):** This day came Bob Dowd, West Piedmont Planning District Commission, to present the proposed Bike Trail Plan. Mr. Dowd presented the Board with a Bike Trail Plan, with a copy filled with the papers of this meeting. He advised that the goals of the Bicycle Advisory Committee (BAC) include: (1) to promote bicycling in the community as an alternate mode of travel; (2) to develop a prioritized regional network of bicycle routes which provide connectivity between residential areas and activity centers such as business and commercial districts, historical and cultural destinations, and public facilities; (3) to increase public awareness of bicycling safety by providing additional education opportunities for cyclists, drivers, and property owners; (4) to promote improved health and mental wellness among present and future generations of the region’s citizens and enhance the quality of life by increasing the availability of recreational opportunities in the region; (5) to emphasize the development of bicycle infrastructure to leverage the economic development potential of the region’s existing commercial and natural resources; and (6) to provide guidance for the creation of bicycle oriented policies, programs,

and standard that will promote the development and maintenance of full-service bicycle facilities. The Chairman stated that the proposed plan would be very beneficial from a physical standpoint; however, he is concerned about the safety of the cyclists. Mr. Dowd advised that the safety issue would have to be addressed. Mr. Foley asked if the General Assembly would fund the program. Mr. Dowd suggested building a facility into the design of a new road or to add a striped lane along a road that is being widened. He advised that this is a long-term, futuristic plan and that at this point, he is just presenting the plan and that the Board could accept or adopt a plan in the future.

The Assistant County Administrator joined the meeting in regular session.

The Chairman noted that there were several citizens in the audience and asked if anyone would like to address the Board. One citizen spoke.

(1) Deborah Quesinberry spoke in opposition to the proposed windmills in Patrick County. She presented the Board with an Option to Lease Wind Turbine Site, information pertaining to the Solar Energy Technologies Program, a topo map of the proposed site locations in Patrick County, and a Suggested Citation Format from the National Wind Coordinating Committee. She advised that she knows that two Patrick County landowners have signed the Option to Lease Wind Turbine Site document. She stated, “this is a commercial company coming in wanting to build, not something that the people actually asked for themselves. They are being solicited.” She advised that she opposes tax subsidies for companies that cannot meet their emission standards. The Chairman stated, “the oil companies just gave the politicians \$115million, they put that in their pockets. So the politicians turned right around and they gave subsidies to the oil companies and to the coal companies to the total of \$85billion; \$35.7 billion went to the oil companies, a good bit went to coal and a heck of a lot went to other things plus they reduced the tax load on the oil companies from something like 23.6 % down to 11.8. They’ve taken the tax load completely off. They took the requirements that they obey the clean water standards.” He noted that the oceans are becoming acidic and that wind turbines are a “little icon” of a much bigger problem. He advised that Virginia is the second largest importer of garbage in the United States. Ms. Quesinberry said that everyone in her neighborhood thinks that solar energy would

be more beneficial than wind energy. She stated, “we’re the ones that are gonna be directly affected.” Mr. Large asked if she is aware of any tax credits or incentives for proposed solar energy program. Ms. Quesinberry stated, “that’s what they’re working on in 2007 thru 2010, is this new program.”

**IV. Telecommunications Tax Law Changes:** The County Administrator noted that she presented the Board with an agreement with Robinson, Farmer, Cox Associates to complete a Schedule of Revenues for Fiscal Year Ending June 30, 2006. She advised that beginning January 1, 2007, a state sales and use tax on communication services in the amount of five percent of the sales price of each communications service will replace the following taxes: (1) local consumer utility tax on telephone service (land line wireless); (2) state and local E-911 taxes and fees; (3) portion of gross receipts tax in excess of 0.5%; (4) cable television system franchise fee; and (5) video programming excise tax. Mrs. Handy advised that the State would collect the taxes and would then disperse them to local governments. She noted that the County is required to provide an independent certified public accountant report.

On motion by David G. Young, seconded by Jonathan Large and carried, the Board does hereby approve the agreement with Robinson, Farmer, Cox Associates for an Independent Certified Public Accountant Report regarding Patrick County’s Schedule of Revenues for Fiscal Year Ending June 30, 2006 at a cost of \$1,500.00.

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

**Voting Nay: None**

**Absent: Harris**

**V. Land Use / Zoning Terminology Discussion:** The County Administrator noted that the Board had stated that it needed to provide the Planning Commission with some definition regarding land use or zoning for the County. The Chairman stated that the Board is interested in zoning, not land use. He stated that there are benefits to a minimal zoning code. The Assistant County Administrator noted that zoning and land use codes were discussed during last week’s Planning Commission meeting. He advised that at that meeting, the County Attorney gave the Commission a very good update of the Board’s intentions and an explanation of the

differences between land use and zoning. He stated that the Commission is studying a minimal zoning ordinance. The County Attorney advised that the Commission had asked him to review zoning ordinances in Virginia localities that are similar to Patrick County. He noted that there are two types of general zoning ordinances, which include restrictive and permissive.

**VI. Tall Structures Emergency Ordinance Extension or Dissolution: The County Administrator noted that the current Tall Structures Emergency Ordinance will expire August 1<sup>st</sup>, which is prior to the next Board meeting.**

Supervisor H. Danny Foley, Sr. made a motion that the Board extend the current Tall Structures Emergency Ordinance in Patrick County. Supervisor Jonathan Large seconded the motion. Supervisor Young said he would like to see the motion amended to include prohibiting the construction of cell towers exceeding one hundred (100) feet in height. The County Attorney recommended that the Board commence the extension on August 8<sup>th</sup>. Mr. Large stated, "Community Energy said they were fine with that". The Chairman stated, "the right to own property, which is as far as I'm concerned, is protected by the U.S. Constitution's Fifth, Tenth, and Fourteenth Amendments and the Eleventh Section in the Constitution of Virginia and I've got both of them right here if you want to read them." Mr. Young stated that anyone who wants to construct a cell tower should request approval from the Board. Mr. Monday noted that the Board of Supervisors would become the Board of Appeals. The Chairman stated, "we've had allegations the government is subsidizing the wind turbines with our tax money. The government is throwing our tax money to the wind everywhere. They are slopping the hogs with our tax money. There is \$85billion going to just energy companies and big oil is one of the primary ones and I've already addressed that. We've got allegations that they make a lot of noise; these things don't make a lot of noise, I don't care what anybody says. I've researched this. I've talked to a lot of people about it and every one of them says that's a fallacy. They kill a lot of birds; I've done a lot of research on this. I can find no verifiable, pure reviewed research that they were able to specify that varies this out." Mr. Foley stated, "we have a motion and an amendment". The Chairman stated, "I don't care. I'm gonna have some

discussion on it. We don't necessarily need to vote on something unless we know what we are doing. Do you agree with that?" Mr. Large stated, "Mr. Chairman, I think everyone is aware of what we are doing." The Chairman stated, "okay, but I want to put some information on the floor anyway. Do I not have that ability?" Mr. Large stated, "well, I think this information has already been recited before." The Chairman stated, "not necessarily. We've had an allegation that the Blue Ridge Parkway is a migratory corridor; the Parkway is 467 miles long or is the whole corridor in Patrick County a migratory route? I don't see anything in there. There is no literature available as far as I can find to indicate that the Blue Ridge Parkway is any less or more of a corridor than anywhere else. Birds would be flying high anyway to avoid erratic surface air movement, especially over the mountains. The two primary causes of high mortality in songbirds are tall glass-sided buildings and house cats. Other birds, they don't migrate through here; like the geese and the duck, you don't see many geese and duck going through here. I don't see any proof of this allegation. The idea that we won't get anything from it; we're already getting taxes from the land and it's not up to the Board of Supervisors to manipulate the use of land so that we can get more tax money from it. The County will be able to tax the land and the wind turbines, which should help reduce the levies on real estate and equipment. In this one case, this farmer has got four of them on his property and his' getting paid \$3,500 per year in lease for each turbine site and he said there is no downside to them and they are paying him \$14,000 a year, which he claims saved his dairy farm. We won't get any of the power generated; all the power coming into Patrick County is supplied by American Electric Power, which is part of Appalachian Power and they buy it off the grid. The power used here may actually be generated in many different places; it can be generated out west, as far as that goes. The question whether wind turbines will provide power in peak periods, all of that goes into the grid. What we get comes off of the grid. So that has no bearing. If a wind turbine generates power, AEP buys that power because they have a franchise in this area now. The wind turbines may have to install new lines, poles, roads, and stuff like that; you can put the power out over existing high-voltage lines, and that doesn't mean 7.65kv lines either. There are going to be no people condemned to get right-of-ways and all that stuff; the power will go in to the AEP lines and that's it. Only a small amount of power will be produced by wind turbines

and they actually may be an energy sink; and that's false. If they were an energy sink, no company would be working with them and the wind energy would not even be considered. They do put out a considerable amount of energy. The taxpayers will pay all of the company's costs and profits; that is completely not borne out. Degradation of land surrounding each wind turbine; each wind turbine is going to take a small amount of space and the person that is leasing the space is gonna have to lease something less than one acre, or somewhere in that neighborhood. It will be the ruination of the Blue Ridge Parkway, and I've got that in writing. It won't be the ruination of the Blue Ridge Parkway. The decline of property values in Patrick County; there has been no evidence to support even in other areas, which have wind turbines. The loss of income to business and to the county; there is nothing that we can use, verifiable information of any kind that supports this. Loss of animal habitats; we're doing a heck of a lot more to reduce animal habitats right now with forest fragmentation, a lot of this building. There are people moving into the area, they're building large houses on ridgelines and everything and then they gripe about what other landowners are doing. There was a letter in the Roanoke Times this last week complaining about people building houses on slopes and ridgelines. They're having a big fit about it in the Roanoke Valley about the very same thing. I had a guy call from Connecticut and he's against wind turbines in Patrick County. Why should we abrogate the rights of landowners for the benefit of a few based on a lot of misinformation, false allegations, and what I consider is ignorance based on lack of people doing research, and otherwise in selfish personal agendas on the part of a few people, which will affect every property owner in the County. There's an awful lot to consider on this. This ad in the paper, that thing is a farce. It shows one view of forty-two plus windmills; there is no declaration that this is a hypothetical assumption or anything else in this; it actually kind of presents it as fact. Nobody has any solid indications of whether or not this County will even support wind turbines. If they do, there is no solid indication of where they are supposed to go. So, I think that we are monkeying around with somebody's real estate rights, with every landowner's rights and once we start losing rights, the easier they are to lose. I do not want to see the Constitution of the either the U.S. or the State just treated lightly for any reason. The rights of the landowners have to be considered sacred as far as I'm concerned." Mr. Large stated, "Mr. Chairman, with

all do respect, some of these property owners here today are ridge view owners and they have to be represented by us as well and I think that we have the votes to do that and I would request that we vote now.” The Chairman stated, “well, if they want to stop the windmills, let them buy the land that they want to put the windmills on and they can stop it.”

On motion by H. Danny Foley, Sr., seconded by Jonathan Large and carried, the Board does here by amended motion extend for sixty days the following ordinance commencing on August 8, 2006:

Pursuant to Code of Virginia Section 15.2-2280, be it ordained that, the entire area of Patrick County is designated the Tall Structures Zoning District; within this District no structure shall be permitted to be constructed exceeding one hundred (100) feet in height. This prohibition shall be without any other exception and there shall be no variances, nor conditional or special use permits granted from this ordinance; this ordinance is adopted on an emergency basis in conformity with Code of Virginia Section 15.2-1427(F); further, this ordinance will be properly advertised for adoption as a regular ordinance in accordance with the Code of Virginia, and that prior to this Board’s voting on its formal adoption, the public be invited to comment upon it.

Voting Aye: Young, Foley, and Large

Voting Nay: Martin

Absent: Harris

Mr. Foley stated that this would be the last extension that the County could adopt. Mr. Monday stated, “I don’t really recommend one beyond this. I’m not aware of a locality that has gone passed three consecutive emergency ordinances.” Mr. Young stated, “my argument for, I think, is a pretty good argument. Our Planning Commission is, at this present time, working on a county-wide zoning plan and that plan is exactly how this and other similar occurrences should be dealt with in Patrick County and I think any court would realize we are trying to address a problem in a proper, long-range, well thought out manner by not going at this in a piecemeal sort of fashion but that we are looking at a county plan for the future.” Mr. Large expressed his concern that the Planning Commission may not be “up to speed” within sixty days to address the issue. Mr. Young stated, “it might be”. Mr. Foley stated that the Planning Commission might be a year away

from being prepared to address same. Mr. Young advised that it might take a year to determine if there is enough wind in the County for wind turbines. He stated, “my feeling is that we deny the permit, we get sued. If we approve the permit, we get sued. I don’t want either one.” The Chairman stated, “I don’t think we’ve a place in this thing right now anyway, but that’s beside the point apparently.” Mr. Large stated, “that’s another issue I think we’re gonna have to tackle within sixty days, whether to do or not”.

Two citizens asked to address the Board regarding the proposed windmills

(1) Kerry Hilton thanked the Chairman for his remarks and stated, “I sure do appreciate you making a point towards us”.

(2) Sue Shelor stated that a windmill next to her land would devalue same, which would infringe upon her rights as a landowner.

**VII. Presentation of 2005-2006 Year-End Reports and Delinquent Tax Lists by County Treasurer:** The Treasurer presented the Board with the 2005-2006 Year-End Reports and the 2005-2007 Delinquent Tax.

a. 2005-2006 Year-End Reports: The Settlement of receipts and reimbursements from July 1, 2005 to June 30, 2006, as prepared by Carolyn I. Tatum, Treasurer, was presented. Said Settlement is approved and ordered recorded. Mrs. Tatum advised that twenty-four Fund Reports/Account Reports are completed and balanced and the General County Fund Report reflects an ending balance of \$1,040,951.87 as of June 30, 2006. She noted that of that amount, \$92,935.96 in School Construction/Lottery Monies and \$76,226.71 in grant monies for Emergency Services reverted back to the General County Fund.

### **Copy of Year-End Report in Minute Book**

b. 2005 Delinquent Tax List: The Board is this day in receipt of a list of delinquent land and personal property taxes for the year 2005, as prepared by Carolyn I. Tatum, Treasurer. Mrs. Tatum noted that the collection for Real Estate Tax was 98.21% and Personal Property was 97.28%. Mr. Foley stated that the collection rates are better than the rates in surrounding counties. Mrs. Tatum advised that there are currently forty-two delinquent tax accounts setup on a

monthly payment plan. She noted that historically, the Board advertises the list of delinquent taxes in the local newspaper; however, running the ad does not result in the payment of many overdue accounts. The Chairman said that he could not see spending the County's money on the advertisement if it does not encourage citizens to pay their taxes. Mrs. Tatum stated that her office receives phone calls from people who would like to purchase property that is on the list. Mr. Monday stated that there are approximately fifteen parcels on the list that are marketable. Mrs. Tatum noted that the County could seize delinquent tax parcels as far back as twenty-five years. The Chairman advised that the County needs to act on the parcels before the time period elapses. The County Attorney recommended looking at parcels with the largest amount of delinquency and potential profitability. Mr. Young noted that many people pay the real estate tax on parcels of land believing that after so many years of doing so, the land would revert to them. Mr. Monday advised that is incorrect.

On motion by Roger L. Martin, seconded by David G. Young and carried, the Board made the direction not to advertise the 2005 Delinquent Tax List in the local newspaper, as it has done traditionally based upon conversation taken earlier in the meeting.

Voting Aye: Martin, Young, Foley, and Large

Voting Nay: None

Absent: Harris

**VIII. First Responder Unit Request by Emergency Services Coordinator: Michael Hudson, Emergency Services Coordinator, in attendance. Mr. Hudson requested that the Board adopt a resolution to EMS license the Emergency Management's Ford Excursion in order to carry items such as oxygen and to appoint him as a first responder. He noted a recent incident in which a man had a reaction to a bee sting and he rushed the man to the emergency room because he did not have the needed items to treat the patient and there was not enough time to wait on an ambulance. He noted that a first aid bag is all that he is allowed to carry at the present time. Mr. Hudson advised that the Excursion currently has the needed insurance coverage that would be required to carry a first responder's equipment and that his department has a majority of the needed equipment, which is currently stored in the**

mass casualty trailer. The Chairman stated, "I think that you could drive a smaller vehicle. You're one person running around in about 10,000lbs of vehicle there and its costing the County already money for brakes, and redoing the rotors, and I don't know what all. Plus, when we get ready to replace that, it's going to cost the County a heck of a lot of money. I think we are putting out a heck of a lot of money for that big vehicle that we don't really need to, I don't think it's justified." He asked if Mr. Hudson could use the County's Blazer. The County Administrator advised that many county employees use the Blazer. Mr. Hudson advised that there is not enough room in the back of the Blazer to carry all of his EMS and Fire Marshal equipment. He noted that he had shown Board Members Foley and Large the back of the Excursion, which is full of equipment. He stated that if he were required to leave the Excursion in the County Administration parking lot, he would have to drive to the parking lot before responding to an emergency. The Chairman asked how often each month he uses the equipment in the back of the Excursion. Mr. Hudson stated, "in the last month, I have done six fire investigations, including one yesterday, one Saturday night, and they had a propane spill just recently; I am working on a local fuel spill in Town, which I have been working on all weekend." He advised that the Excursion was purchased with a grant and gets 15mpg. He noted that the County's Blazer gets 14mpg and the heavy equipment wears out the brakes on same, which is the reason a larger vehicle was acquired for his office. He stated, "I respond in an emergency to help the fire departments fight fires and the EMS when they have a mass casualty incident from my house to the scene if I'm off work, if they call me out. If it's down that half of the County, it would seem to waste gas to drive the little vehicle all the way up to the County, pick up that vehicle, and then respond down there. That's gonna delay the emergency response as well. It's getting as similar gas mileage as any vehicle we have in the County." The Chairman asked what the purchase price was for the Excursion. Mr. Hudson advised that the cost was \$36,000, which was funded by a grant. The Chairman stated, "the taxpayers didn't get it for nothing, the government paid for it. By the time we get ready to replace it, it's gonna be about \$50,000." Mr. Hudson stated, "the reason we bought the vehicle, being a diesel, it's gonna run us at least 250,000 / 300,000 miles where if you bought a gas vehicle, you're gonna look at half of that before you replace it. So when I bought it, I looked at the entire thing from now on

into the future. Plus it's a trailer-towing vehicle as well." Mr. Foley stated, "one of the other things is sort of like my truck, I keep all of my tools in one vehicle; it's just a lot more convenient instead of having to go here and there to find what you need. The same situation really applies in this case. If he had two different vehicles that he was using, then he would have to be switching them back and forth." Mr. Hudson state, "we'll have to equip that other vehicle with red lights, siren, another radio, it would cost us probably a minimum of \$1,500 / \$2,000 just to equip that radio with the equipment to respond to an emergency." Mr. Large asked if other county employees would be able to drive that vehicle after the equipment is installed. Mr. Hudson stated, "they wouldn't be able to unless they went through the proper procedures of having EVOC to drive an emergency vehicle. So that would take the vehicle completely out of service". Mr. Large asked, "so you would have two vehicles?" Mr. Hudson stated, "I would have two vehicles that would be assigned to me at that point". Mrs. Handy stated that one of the reasons that Mr. Hudson is presenting the request to become a first responder is because of the continued difficulty of having EMS volunteer responders during the daytime. She advised that the proposed resolution would add another response team during that time. Mr. Foley noted that it would benefit the County. Mrs. Handy stated, "we are certainly not suggesting that he's going to be able to handle all the calls in the County during the daytime. He would be able to assist from time to time."

On motion by H. Danny Foley, Sr., seconded by Jonathan Large and carried, the Board does hereby approve EMS Agency Licensure of the Patrick County Department of Emergency Management to provide emergency medical services Patrick County in accordance with 15.2-955 of the Code of Virginia.

Voting Aye: Martin, Young, Foley, and Large

Voting Nay: None

Absent: Harris

**IX. Discussion of Various Maintenance Issues with Maintenance Director: Teddy Doss, Maintenance Director, was in attendance.**

**a. County Administration Building Needs:**

**1. Mold and Mildew Complaint:** Mr. Doss advised that his office received another complaint regarding possible mold and mildew in the building. He stated that Tom Uihman, Professional Refrigeration, would look into the problem on

Thursday. He advised that his department has opened additional vents to add air pressure to the system; however, it has not resolved the problem. He stated that Mr. Uihman recommended that the Maintenance Department collect a sample of the possible mold and send it to a lab to determine what it is. The County Administrator asked how many dehumidifiers would be needed for the Boardroom. Mr. Doss stated that the Health Department currently has two dehumidifiers and recommended the same for the Boardroom.

2. Replacement of Doors: Mr. Doss advised that the automatic door openers for the exit doors on the first floor of the Veterans' Memorial Building would cost approximately \$5,000. The Chairman asked if automatic door openers could be installed on the existing doors. Mr. Doss stated that they could and would cost approximately \$1,500 per door. The Chairman noted that the knobs on the existing doors are hard to use. Mr. Doss advised that a company in Martinsville quoted approximately \$1,200 to replace the knobs / bars on both sides of the each door. Mr. Foley stated that new doors might be more energy efficient. Mrs. Handy confirmed that the \$5,000 that was quoted included a new door, lever on the outside, inside panic bar, and the opener. Mr. Doss said that was correct. The Chairman asked that Mr. Doss put all of the prices and options in writing for the Board's review. Board members Large and Foley noted that this issue has been discussed for some time and that action needs to be taken regarding same.

b. Repairs to Voting Precincts: Mr. Doss advised that he received an estimate of \$1,500 for asphalt for the handicap parking space, which is 12' x 40' and is currently covered with grass. The Chairman stated that the estimate is a good price for same. Mr. Doss advised that the Patrick Springs voting precinct currently has a 34" door, which must be replaced with a 36" door. He noted that he received an estimate of \$1,000 for same. The County Administrator stated that the Maintenance Department has done a good job on the list of needed repairs for the precincts. Mr. Doss advised that currently, there is no parking lot at the Red Bank precinct and the building is not handicap assessable. He stated that wooden doors at the Peter's Creek precinct need to be changed and the State Board of Elections recommends that the graveled parking area be paved at a cost of approximately \$1,800. He advised that the only needed improvement to the Liberty precinct is

repainting the lines in the parking lot. He stated that doorknobs at Smith River Fire Department and another fire department would need to be changed.

**X. Update and Discussion of Various Issues with Assistant County Administrator:**

**Michael Burnette, Assistant County Administrator discussed the following:**

**a. Update on Virginia Tobacco Indemnification Commission Grants:**

The Assistant County Administrator advised that he had attended a Southside Economic Development Committee meeting last week and that the full Commission meeting will be held on Thursday, July 27<sup>th</sup>. He advised that in the past, the Subcommittee's recommendations are normally accepted by the full Commission and noted that the Subcommittee approved a \$10,000 grant for the Mayo River Rail Trail Project and a \$300,000 grant for the build-out of the RCCP Shell Building; however, the grant application for the Wireless Broadband Project was not approved. He stated that the Subcommittee is uncertain as how to address last mile telecommunications. Mr. Burnette advised that Patrick County and Lawrenceville were the only localities to submit an application for same. He stated that the Subcommittee has proposed the installation of various demonstration wireless broadband projects in four or five communities, which includes Patrick County, at no charge to the localities. He advised that the proposed demonstration project would give an area in Patrick County wireless broadband connectivity at no charge and the County would be able to choose which project would be most beneficial without investing a lot of money. He stated that the demonstration approach would delay the total coverage of the County; however, it would provide a better system in the long run. The Chairman advised that the demonstration project should be constructed in a rural area in the County. Mr. Burnette stated that he would request that the project be located in an area that does not have broadband access and has poor cell phone service.

**b. Enterprise Zone:** Mr. Burnette noted that the Board had directed him to begin thinking about the creation of a second Enterprise Subzone. He advised that according to figures from the West Piedmont Planning District Commission, there are currently thirty-nine businesses in the Meadows of Dan community and twenty-six in Ararat. Mr. Foley asked how many businesses are currently in the Woolwine Subzone. Mr. Burnette stated that there are approximately twenty

businesses in same. The Chairman stated that the County must determine where it could best use its acreage and set priorities. He asked Mr. Burnette to provide him with a map of DSL availability in Patrick County. Mr. Burnette advised that he would check into same. He stated that there were a large number of business announcements and incentive usage in all three existing zone areas. He stated that the existing zones could be adjusted to take in additional sites, which must be done before the end of the calendar year. Mr. Foley recommended sending out surveys to business owners in Ararat and Meadows of Dan to see how many users there would be in each area. Mr. Burnette said that his office would do so in the next week or so.

**XI. Items for Discussion with County Attorney: Eric Helms Monday, County Attorney, discussed the following:**

a. **Proposed Transfer Station Fees:** The County Attorney advised that the proposed Transfer Station fees that were adopted with the 2006-2007 General County Budget had not changed; therefore he would draft an ordinance, which could be advertised and adopted at the August meeting. The County Administrator reminded the Board that the proposed fee schedule previously discussed includes a \$3.00 fee for up to six bags of garbage and a load with more than six bags would have to be weighed. Mr. Foley asked if additional staff would have to be hired due to the fee schedule. Mr. Young stated that he did not think that would be the case because citizens would wait until they have collected a load of trash before using the facility, more citizens would rent dumpsters, and more recycling would take place, which would reduce the flow of traffic at same. Mr. Large advised that there is some interest in the idea of having a company bid on taking over the responsibilities of the Transfer Station. Mr. Young noted that he simply suggested a fee of \$3.00 for six bags and that the number of bags for that amount could be adjusted if the Board desires.

b. **Rotary Field Lease:** Mr. Monday advised that the Rotary Field Lease is an ongoing contract negotiation stage; therefore, discussion of same would be held during Executive Session.

c. **Proposed Ordinance to Collect Response Costs:** Mr. Monday advised that a new State Code allows localities to adopt an ordinance to recover

costs at the time of sentencing for any accidents or incidents that are caused by a drunk or reckless driver in which law enforcement, rescue squads, and fire departments respond to. He stated that localities could charge the actual cost of the response or a \$250 flat fee. He recommended that the Board adopt an ordinance that would allow Patrick County to impose a fee of \$250 at the time of sentencing for those accidents or incidents, which would be deposited into the General County Fund. He noted that if the County did not charge the flat fee, a member of each agency that responds to an accident or incident would have to provide the number of hours that were spent for each case to determine the fee, which would be counterproductive. He advised that the Clerks of Court would prefer that Martinsville City, Henry County, and Patrick County adopt the same ordinance. He advised that Patrick County could also be doing a little bit more to “maximize our local take” on violations of traffic laws. He stated that when someone is charged under both the State Code and the Local Ordinance, the governing bodies split the fines and costs. He said that the County should “jack-up” what it is collecting from traffic infractions. He advised that he would draft ordinances relating to the discussed proposed ordinances for the Board’s review.

**XII. Review of Performance Agreement with Piedmont Community Services:** The Board is this day in receipt of the Piedmont Community Services Board’s (PCSB) Performance Contract with the Virginia Department of Mental Health, Mental Retardation, and Substance Abuse Services. The County Administrator noted that approval of the contract does not make the Board a party to the agreement and does not create any additional responsibility or cost to the County.

On motion H. Danny Foley, Sr., seconded by David G. Young and carried, the Board does hereby approve the proposed FY 2006 – 2007 Piedmont Community Services Performance Contract with the Virginia Department of Mental Health, Mental Retardation, and Substance Abuse Services, as reviewed and outlined at this meeting.

Voting Aye: Martin, Young, Foley, and Large

**Voting Nay: None**

**Absent: Harris**

**XIII. Consideration of Proposed CONTACT Proclamation: The Board is this day in receipt of a proposed CONTACT Proclamation from the Contact Organization, which is a hotline program that assists citizens during a crisis. Mrs. Handy advised that the proposed proclamation designates August 27<sup>th</sup> as Contact Sunday to recognize the contributions that the organization makes to Martinsville City and the Counties of Patrick, Henry, and Franklin.**

**On motion by Jonathan Large, seconded by H. Danny Foley Sr. and carried, the Board hereby adopts the following:**

**WHEREAS, CONTACT is a United Way funded non-profit agency serving Martinsville, Henry, Patrick and Franklin Counties: and**

**WHEREAS, CONTACT offers a telephone crisis line that is staffed 24 hours a day, 365 days a year by volunteers who have gone through intensive training and receive continuing education; and**

**WHEREAS, CONTACT also provides a reassurance line in which volunteers make daily calls to area elderly and shut-ins who have no one else to check on them; and**

**WHEREAS, the local CONTACT organization is affiliated with CONTACT USA and Lifeline International and must abide by a stringent accreditation policy to retain its affiliation with those organizations; and**

**WHEREAS, the local organization was chartered in 1972 and has offered 34 years of continuous service to the communities it serves.**

**NOW, THEREFORE, I, Roger L. Martin, Chairman of the Board of Supervisors of Patrick County, Virginia, do hereby proclaim and declare August 27, 2006 as CONTACT SUNDAY in the County of Patrick, hereby recognizing the contributions CONTACT has made to the communities of Martinsville, Henry, Patrick and Franklin Counties, and urging citizens to support the work of our local CONTACT organization.**

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

**Voting Nay: None**

**Absent: Harris**

**XIV. Advisory of New State Reimbursement Rate for Mileage Costs:** The County Administrator advised that the State has increased its mileage reimbursement rate to \$0.445 per mile commencing July 1<sup>st</sup>. She noted that the new state rate is considerably higher than the County's rate.

**XV. Meeting Schedule:** The regular meeting for the month of August is scheduled for Monday, August 14<sup>th</sup> beginning at 2:00 p.m. and the work session will be held on Monday, August 28<sup>th</sup> commencing at 10:00 a.m.

**XVI. Other Business:** The Chairman advised that he received a lot of calls stating that Rural Services "was slinging" old produce from Wood's Produce all over the road. He stated that the callers sent him pictures of same. He said that he spoke with Johnny Marion, owner of Rural Services, who "was very good about it" and he spoke with Mark Wood, owner of Wood Produce. The Chairman advised that there was a "wet spell" and the dumpsters were filling with water; however, the problem should go away during dryer weather. He stated that if the County had another way of disposing of organic material, it would "take a lot off of the Transfer Station". The County Administrator stated that she would be glad to look into same.

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

Voting Aye: Martin, Young, Foley, and Large

Voting Nay: None

Absent: Harris

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: Martin, Young, Foley, and Large**

**Voting Nay: None**

**Absent: Harris**

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the Board does hereby authorize the Tourism Director to engage in competitive negotiations and arrive at a contractual arrangement with Anderson and Associates regarding the Mayo River Rail Trail Project, not to exceed \$12,000, contingent upon approval of the Virginia Tobacco Indemnification Commission Fund Grant.

**Voting Aye: Martin, Young, and Foley**

**Voting Nay: Large**

**Absent: Harris**

**Ordered that the Board be adjourned until August 14, 2006 at 2:00p.m.**

**Work notes prepared and submitted by**

**Mary Beth Roberson, Assistant to the County Administrator**