

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, May 9, 2005 at 6:00 p.m.

PRESENT: H. Danny Foley, Sr., Chairman; Roger L. Martin, Vice 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.

The Chairman called the meeting to order.

The Chairman gave the invocation.

The Board recited the Pledge of Allegiance to the Flag, followed by a Moment of Silence in honor of U. S. military personnel serving abroad.

On motion by Crystal P. Harris, seconded by David G. Young and carried, the agenda for the meeting was approved.

Voting Aye: Foley, Martin, Cockerham, Harris, and Young

Voting Nay: None

On motion by Darrell Cockerham, seconded by David G. Young and carried, the minutes of the April 11, 2005 meeting and work notes of the April 25, 2005 work session were approved.

Voting Aye: Foley, Martin, Cockerham, Harris, and Young

Voting Nay: None

On motion by David G. Young, 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]; and personnel matters [Section 2.2-3711(A)(1), 1950 Code of Virginia, as amended].

Voting Aye: Foley, Martin, Cockerham, Harris, and Young

Voting Nay: None

The Assistant County Administrator and County Attorney temporarily left

the meeting during executive session.

On motion by Darrell Cockerham, seconded by David G. Young 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, Martin, Cockerham, Harris, and Young

Voting Nay: None

The Board recessed for ten minutes.

The Board reconvened into regular session.

This day came a delegation of citizens to address the Board regarding parks and recreation in Patrick County. The Chairman welcomed the group of citizens and read the guidelines for those who would like to address the Board.

Mr. Cockerham began the discussion by addressing two rumors that have been circulating throughout the County since the Board's April work session. He stated the rumor about the County constructing a jail on the five acres that adjoin DeHart Park that has been filed in with the excess dirt from the new Food Lion store is a lie. He said that the second rumor that the Board of Supervisors has cut the \$1,500

funding for each park is not true. Mr. Cockerham advised that the Board has not yet discussed the parks' budget; therefore, it would be impossible to reduce it.

Mr. Barry Hutchens approached the Board and expressed his appreciation for the opportunity to voice his concern and support for the parks and recreation program in Patrick County. He presented the Board with a plat of the five acres of land that are adjacent to DeHart Park and a petition comprised of approximately 1,000 signatures, which requests the Board to do the following: (1) Increase the budget support to maintain and enhance existing park facilities and recreational programs throughout the County; and (2) To designate the five acres of land adjacent to DeHart Park in Stuart solely for recreational use.

David Ratliff addressed the Board on the behalf of hundreds of concerned citizens across Patrick County regarding the trend of action taken by the Board of Supervisors as it relates to parks and recreation in the county over the past several years, and more specifically the position discussed at the April work session regarding the land adjacent to DeHart Park in Stuart. He noted that Patrick County has many commendable attributes, which includes the park system. Mr. Ratliff advised that maintenance and improvement of the park system has become a volunteer effort with little evidence of governmental support. He stated that the community needs the Board's help to improve the recreational facilities to the level of those in surrounding counties. On behalf of all Patrick County citizens, he asked that budgetary cuts to the parks and recreation budget be eliminated and that funding and qualified personnel to administer this vital part of county human services be restored. Mr. Ratliff noted that people of all ages utilize the parks in our county on a regular basis. He discussed the Carroll Wellness center located in Carroll County, which serves a broad client base, and suggested the construction of a similar facility in Patrick County. He noted that Mr. Young has spent many hours working with youth in the community in relation to gun safety and Mr. Cockerham has been instrumental in recreation and youth programs, which is appreciated. He advised that it is through park facilities and recreational programs that the county will guide the next generation to take the reigns and become civic-minded coaches, mentors, team members, rescue squad and fire department members, and productive members in our community. On behalf of the concerned citizens, he requested the Board to form a group to assess the needs and future of the parks and recreation program and that it reverse its course of action and designate the land adjacent to DeHart Park for recreation development. Mr. Ratliff

advised that the previously barren land has been developed to this point by donations of fill dirt and labor from various development projects in the area with the idea that it would be used for recreational purposes and not as an incentive for any other business or governmental project. He stated that the compaction of the fill dirt would not be suitable for significant commercial development without considerable work.

Ammon Sears addressed the Board. He advised that rumors can be vicious and that he was pleased to hear Mr. Cockerham address the rumors that have been circulating in the community. He stated that he had asked Glen Wood, Wood Brothers Racing, if he was interested in the property that is being discussed tonight. He advised that Mr. Wood stated that he has no interest in that property and that Wood Brothers would never return to Patrick County. Mr. Sears stated that Clyde Crissman, Recreation Director, has done a wonderful job and that there is no better investment than the parks and recreation program. He proposed that the IC DeHart property be designated as a playground and amusement center for the residents of Patrick County. He stated that many people consider Mr. Martin to be the “senior member” of the Board and requested that he use his influence on the other four Board members. Mr. Sears asked that the five acres be designated solely for recreational use.

The Assistant County Administrator and County Attorney rejoined the meeting in open session.

Mr. Young advised that he and Mr. Cockerham had visited the Carroll Wellness Center over two years ago and had spoken with Mike Turman, who was responsible for the center’s construction. He stated that the Economic Development Authority has pursued this project, as far as planning, for the Nevamar property; however, its proximity to the floodplain was a concern and the property’s best use appears to be industrial. Mr. Young advised that he and Mr. Cockerham had met with members of the Rotary Club a few weeks ago to discuss various issues relating to the construction of some joint venture programs and noted that the County has looked at these types of projects since he began his position on the Board three years ago. He stated that he and Mr. Martin are on the Budget Committee and that they have not yet discussed the Parks and Recreation budget. He said that the Wal-Mart project is basically a done deal and that the County will own a sizable portion of the Fulflex property, which would make the most beautiful park facility. He advised that the County owns fifty acres at the Transfer Station and proposed constructing a par three golf course on twenty of those acres.

Mr. Cockerham advised that two different parcels of land are being discussed. He stated that one site is the five acres that has been filled in with the dirt from the new Food Lion store and the other parcel on top of the hill beside Wood Brothers, which currently includes a ball field and is located in the Patrick County Business Park that was purchased by a previous Board. He advised that the five acres with the fill dirt is part of a ten-acre lot that was purchased by the Board and the School Board, which is valued at \$10,000 to \$15,000 per acre. Mr. Cockerham noted that this property was offered to a business a few years ago at a price of \$140,000; he proposed that if this land is donated, the County should cut a check for each district in the amount of the land as valued. He noted that the Mayo River District does not have a park.

Barry Hutchens stated that DeHart Park serves the entire county.

Jonathan Large stated that the community would like to know why the County purchased an option on the Fulflex property instead of buying it. He advised that everyone uses DeHart Park but that Ararat and the other districts would like their own park. He asked the Board if the County had the option to purchase the Fulflex property. The County Attorney advised the Board to hold any discussion concerning that issue until the Wal-Mart deal has closed.

Teresa Nelson stated that she has two sons in this county and that she is not from Patrick Springs or Stuart; she is from Patrick County. She advised that the children in attendance are our future. Ms. Nelson asked the Board if there was a cut in the parks and recreation budget last year. Mr. Young and Mr. Cockerham answered no. Ms. Nelson asked about the budget for the year before last. Mr. Cockerham advised that the maintenance portion was removed from the parks and recreation budget. She asked the Board not to make any cuts in the parks and recreation budget for the coming year.

The Chairman advised that the Board has no intention to close any of the parks.

Mrs. Harris stated a caller had informed her of a rumor that the Board had plans to close some parks.

Ms. Nelson stated that she had heard that it was a quote from the Board that if they could close DeHart Park they would.

Mr. Cockerham noted that the Board has no control over the parks.

Mrs. Harris stated that she had coached softball and has been on the field for a longtime. She said that it insults her to hear the community say that the Board is trying to close parks.

Mr. Young noted that the parks and recreation budget has increased each year since budget year 2001-2002.

Mr. Cockerham advised that the County funds the mowing and contributes \$1,500 per year to each of the five parks in Patrick County. He noted that before Alfred Brammer held a position on the Board, the County did not give any contributions to the parks.

Mr. Rusty Smith approached the Board. He advised that the land that is being discussed was a ditch that was filled with dirt. He noted that the grass was donated and that Clyde Crissman, Recreation Director, has worked on this project. Mr. Smith stated that the best thing that the Board has done was to remove county maintenance responsibilities from the Parks and Recreation Department. He noted that the pool at DeHart Park is twenty-eight years old, it is run on a shoestring budget, and that they are experiencing lifeguard issues.

Janna Foley Bunham approached the Board and advised that she has lived in Patrick County for her entire life and has played ball since the first grade. She stated that the county could host moneymaking tournaments if there were additional ball fields. Ms. Bunham said that she is twenty-five years old and is ready to “hit the door”; she said that she does not want to be a part of this county and she does not want to stay here because of “the way it is”. She stated that she loves everyone in this room, but at the same time with the way it is being run and not having the facilities, where will her children go to play sports. She referred to an article in the local paper regarding the possible use of the land for administrative services and advised that if the county puts any administrative services on that hill, she would sell her house and move.

The Board recessed for twenty-five minutes.

The Board reconvened into regular session.

Stephanie Martin, Woolwine resident, stated that she would hate to see Stuart denied a ballpark just because the same could not be provided to each area of

the County. She advised that Stuart is the center of the County and this is not a “Stuart thing”. As a Woolwine resident, she stated that she supports a field in Stuart.

Amy Corns, DeHart Park Pool Manager, stated that recreation in Patrick County is her passion. She advised that she has a college degree in recreation and turned down a position at the Carroll Wellness Center to stay in this County. Ms. Corns noted that Stuart Parks is having difficult finding lifeguards, Patrick County parks are wonderful, and she wants to see them grow.

Alfred Brammer, Woolwine resident, approached the Board and stated that recreation has enhanced the economic development in Patrick County. He requested that if the Board finds a surplus in the County budget, that an increase in the parks and recreation budget be considered.

Mr. Young noted that based on requests verses revenue at this time in the budget process, there is a deficit of \$845,296.

Blanco Midkiff, Woolwine resident, approached the Board and advised that the group of people at this meeting are a cross-section from all over the County who are asking that a piece of property be donated to the parks and recreation program. He stated that he does not believe that turning this property over to the program would cost the County a dime. He said that industries look at the recreational programs that are offered in localities when determining where to locate. Mr. Midkiff advised that this group of people did not come to ask for something for every park, but they are asking for a piece of property that the Board of Supervisors can turn over to Parks and Recreation without having to raise taxes.

Pamela Nowlin, Stuart resident, approached the Board and stated that she grew up playing softball and basketball. She stated that the recreation program has grown by leaps and bounds and advised that the parks need to grow as well. Mrs. Nowlin asked the Board to keep the kids playing sports to prevent them from getting into trouble.

Melvin Ratliff, Patrick Springs resident, approached the Board and explained how a ball field in Patrick Springs was created in the early 1970’s. He advised that the needed funds for ball fields could be found. He asked the Board to search for the needed funds.

Carol Taylor, Stuart Resident, appeared before the Board and stated that she has been involved with almost every aspect of parks and recreation within the County and she knows that a lot of blood, sweat, and tears have gone into getting the

park system to where it is today. She advised that she is employed by a textile industry and applauded the Board for its efforts to bring that business to Patrick County. Mrs. Taylor urged the Board to give prospective businesses a tour of the parks in our County, which have been maintained primarily by volunteers. She stated that many children and adults have been involved in the swim certification program offered at DeHart Park; which has increased the safety of Patrick County citizens. She noted that the County is reimbursed for the salaries of park staff through the DeHart Park budget.

Mr. Sears asked if the Board would act on his request to designate the five acres adjoining DeHart Park for recreational use only. The Chairman advised that the Board would discuss his request and would seek consultation with the County Attorney. Mr. Cockerham stated that the Board must do some research before making a decision. The County Attorney advised that the County must hold a public hearing before county owned property could be sold or donated.

Mr. Martin stated that the county's economy is in tough shape, there are a lot of young families who are losing their jobs and their homes, and the elderly cannot afford to pay additional taxes. He said that it is his responsibility to look out for all of the people in this county, not just a few. He advised that he would seek out the highest and best use of the land that is being discussed. Mr. Martin noted that the health of the county depends on the health of the taxpayers. He said that the Budget Committee has not addressed this issue yet, but that it would in the near future. He advised that no one on the Board wants to raise taxes and he appreciates everyone who attended the meeting.

The Chairman advised that the Board has no plans to close or downsize any of the parks in Patrick County. He ended the discussion of the parks and recreation program and thanked everyone in the audience for attending.

The Board recessed for ten minutes.

The Board reconvened into regular session.

Mr. Cockerham temporarily left the meeting.

The County Attorney, Eric Monday, discussed the revised Subdivision Ordinance. Mr. Monday advised that the Board had reviewed the amended Subdivision Ordinance at its April 25th work session, which was advertised and available for public review.

On motion by David G. Young, seconded by Roger L. Martin and carried, the Board hereby adopts the following amended Subdivision Ordinance:

REVISED DRAFT COPY, April 20, 2005

Deletions in ~~red double strikethrough~~, additions in red type italics underlined. Please note proposed additions:

Article 4-r-5, Article 7-e-4, and Article 9-b (line 9).

**SUBDIVISION ORDINANCE
OF PATRICK COUNTY, VIRGINIA**

At a regular meeting of the Board of Supervisors of the County of Patrick, held at the Patrick County Administration Building thereof on Wednesday, February 12, 2003 at 2:00 p.m., the following ordinance previously proposed by the Board of Supervisors of Patrick County, and after having been duly advertised for adoption as provided by law following public notification of same, on motion by Charles Smith, seconded by David Young, and carried, is hereby adopted as follows:

ARTICLE 1

Short Title

This Ordinance shall be known and cited as **Subdivision Ordinance of Patrick County, Virginia.**

ARTICLE 2

Authority and Enactments

The Board of Supervisors of Patrick County, Virginia, pursuant to the authority conferred by Section 15.2-2200 et seq. of the Code of Virginia, 1950, as amended, does hereby ordain and enact into law this Ordinance.

ARTICLE 3

Jurisdiction

This Ordinance shall govern all subdivision of land lying within the boundaries of Patrick County, Virginia, except the Town of Stuart.

ARTICLE 4

Definitions

Definitions: For the purpose of this Ordinance, certain words used herein are defined as follows:

- a) Agent: The Real Estate tax mapper of Patrick County, Virginia.
- b) Block: A parcel of land entirely surrounded by public streets.
- c) Board of Supervisors: The Board of Supervisors of Patrick County, Virginia.
- d) Building Setback Line: A line establishing the minimum allowable distance between the nearest portion of any building and the V.D.O.T. right of way line. The set back line shall be 25 feet.
- e) Cul-de-sac Street: A street with only a single means of ingress and egress and having a turnaround of at least 75 feet in diameter for a safe and convenient reverse traffic movement.
- f) Family Member: An immediate family member including a child, spouse, sibling, grandchild, grandparent or parent. Sibling shall include half siblings and child shall include step children.
- g) Highway Engineer: The resident engineer employed by the Virginia Department of Transportation.
- h) Lot: A numbered and recorded portion of a subdivision.
- i) Lot line revision: A change in the lot lines of existing parcels of property which will create a combined lot with one tax identification number and will not leave a substandard remnant.

- j) Monument: A metal rod ½ inch or more in diameter and 24 inches or more in length imbedded 20 inches or more to designate a fixed point, buried vertically in the earth, designed for maximum permanency, by a surveyor to mark corners.
- k) Planning Commission: The Planning Commission of Patrick County, Virginia.
- l) Plat: Includes the terms map, plan, plot, replat, or replot; a map or plan of a tract or parcel of land which is to be, or which has been subdivided.
- m) Remnant: The lands remaining from a tract or parcel of land created by a conveyance or subdivision of land.
- n) Street: A dedicated and accepted public right of way for vehicular traffic in compliance with V. D.O.T. requirements.
- o) Site Plan: A proposal for a development or a subdivision including all covenants, grants or easements and other conditions relating to use, density of development, common open space, public facilities, and such other information as required by this ordinance.
- p) Substandard Lot: Any lot containing a total area of less than one acre, or, in the case of a lot served by local government provided public water and public sewer lines, any lot containing a total area of less than one half acre. Land area within a street right of way shall not be included in the measurement of the lot size to determine substandard lots.
- q) Subdivider: Any person, firm, partnership, association, corporation, estate or trust, or any other group or combination acting as a unit, dividing or proposing to divide land so as to constitute a subdivision as herein defined.
Any such entity is a subdivider if it conveys a parcel consisting of an area less than 2 acres from one or more tracts or if such entity conveys a parcel leaving as a remainder tract a parcel less than 2 acres.
- r) Subdivision: A “subdivision” shall include all divisions of a tract or parcel of land into two (2) or more lots, building sites, or other divisions of land creating one or more lots less than 2 acres in size. However the following shall not be included within this definition nor be subject to the regulations prescribed by this Ordinance.
 1. ~~Any conveyance creating a lot line revision, or any conveyance where the total number of lots is not increased and no substandard lots are created. Any lot line revision of boundary lines and which is identified as such on the instrument creating such conveyance.~~
 2. ~~The division of land into parcel of two (2) acres or more where no street right of way dedication is involved, provided, however, that the Clerk of the Circuit Court of Patrick County shall not admit any plat containing a roadway within the boundary of the aggregate of all lots shown to record unless such plat contains the following language conspicuously on its face:
~~THE ROADS AND RIGHT OF WAYS AS SHOWN HEREON ARE FOR PURPOSES OF ILLUSTRATION ONLY, AND THEY HAVE NOT, NOR ARE THEY REQUIRED TO BE, DEDICATED FOR USE AS PUBLIC ROADS OR RIGHT OF WAYS NOR TO BE MAINTAINED AS SAME.~~~~
 2. The public acquisition by purchase of strips of land for the widening or opening of streets and the abandonment of strips of land created by the relocation of public streets.
 3. Any division of land which may be ordered by the Circuit Court, Commonwealth of Virginia or the United States.
 4. A conveyance of a parcel to an immediate family member of the owner provided that the conveyance shall comply with the minimum lot size for the purpose of building or setting a residence upon the parcel. The owner may convey no more than one parcel to each family member for the lifetime of the owner unless otherwise in compliance with this ordinance and the conveyance shall provide for an easement of right of way of not less than 20 feet in width for access to a public street.

5. **Any substandard lot which is restricted to, or dedicated for, use as a cemetery for the interment of human remains, and which includes express language of such restriction or dedication in the instrument creating such lot.**

ARTICLE 5

Application

- a) Every subdivider of land within the boundaries of Patrick County shall submit to the Planning Commission plats and required information pertaining to the subdivision which shall conform to

- the requirements set forth in this Ordinance.
- b) No construction activity of any kind, including grading, installation of improvements, and buildings shall begin on any land subject to this Ordinance without prior approval of the preliminary plat by the Planning Commission.
 - c) No subdivider shall transfer or sell with reference to a plat any lot contained within a subdivision lying in the County's jurisdiction nor shall the County issue a building or construction permit until such subdivision and plat have been granted final approval by the ~~Planning Commission or Board of Supervisors~~, in accordance with the procedure set forth in this Ordinance, and such plat has been duly recorded by the Clerk of the Circuit Court of Patrick County.
 - d) The Clerk of the Circuit Court of Patrick County shall not record a plat of subdivision until after approval has been given of the Final Plat by the Planning Commission or in case of appeal, the Board of Supervisors in accordance with the procedures set forth in this Ordinance, ~~and such approval has been duly~~ evidenced in writing on the original of the Final Plat and shall not admit to record any plat containing a roadway within the boundary of the aggregate of all lots shown unless such plat contains the following language conspicuously on its face:
THE ROADS AND RIGHT-OF-WAYS AS SHOWN HEREON ARE FOR PURPOSES OF ILLUSTRATION ONLY, AND THEY HAVE NOT, NOR ARE THEY REQUIRED TO BE, DEDICATED FOR USE AS PUBLIC ROADS OR RIGHT-OF-WAYS NOR TO BE MAINTAINED AS SAME.
 - e) The County will not allow the extension of water or sewer mains or permit any utility connections or provide any public service to any subdivision unless it conforms to the provisions of this Ordinance. No subdivision shall be approved until all lots therein have been approved either for a central water and sewer system or an individual septic and water system.
 - f) No subdivision shall be approved where sanitary sewers are not provided without written approval from the health department consisting of a statement that the area contained in each subdivision lot is satisfactory for the installation of septic tanks.
 - g) Nothing in this Ordinance shall prevent the installation of privately owned water distribution systems or sewage collection and treatment facilities, provided however, that any such installations must meet all of the requirements of the Department of Environmental Quality, the State Health Department, and any other State or local regulatory body having authority over such installations.
 - h) All lots hereafter established or conveyed shall have a minimum of fifty (50) feet frontage on a street or a private roadway with deeded access to a street. Provided that strips of land conveyed in fee simple for the purpose of ingress and egress to rear lots shall not have the area of the roadway strip included in the area measured for minimum lot size.

ARTICLE 6

Preliminary Plats

- a) Filing: Whenever a subdivision is proposed to be made and before any sale of the subdivision as a whole or any part thereof is made, the owner or proprietor of a proposed subdivision, or his duly authorized representative, shall file the original and eight copies of a preliminary plat of the proposed subdivision with the Secretary of the Planning Commission at least ten (10) days prior to the Planning Commission's next regularly scheduled meeting.
- b) Contents; Approval: The subdivider shall present to the Secretary of the Planning Commission a preliminary plat, plainly marked as such, preferable on a scale of one inch equals one hundred feet, showing the following:
 1. Subdivision name.
 2. Name and address of the record owner of the land proposed to be subdivided and the owner or proprietor of the subdivision, and the surveyor.
 3. The location, width and names of all existing or platted streets or other public ways within or adjacent to the subdivision; existing permanent buildings; natural watercourses; and other important features.
 4. Location and names of adjoining subdivisions or names of the owners of adjoining lands, together with accurate legal references.
 5. Profile of each street with proposed grades, if required.
 6. All parcels of land designated for future street widening shall be dedicated.
 7. Location and dimensions of all easements.

8. Lot lines indicating dimensions and acreage.
 9. Flood zone designations.
 10. A vicinity sketch indicating the nearest streets.
 11. Topography map on a suitable scale and contour intervals when required by the agent.
 12. Date, scale of plat and north point of map. True meridian shall be used where practicable; otherwise, the date of the magnetic meridian shall be given.
- c) The preliminary plat shall be approved or disapproved or approved with modifications not later than sixty (60) days after the date it is presented to the Planning Commission and considered at a regular meeting thereof. If conditional approval or disapproval is given, the reasons for such action shall be stated in writing. If the Planning Commission fails to act prior to the expiration of the said 60 day period, the subdivider may request approval of the preliminary plat by the Board of Supervisors at its next regularly scheduled meeting.
 - d) Unless a final plat or request for extension is filed with the Secretary of the Planning Commission within six (6) months after the approval of the preliminary plat, the preliminary plat shall thereupon become void and shall be so marked by the Secretary. Provided, that if the subdivider has begun site and/or facility development and has provided a performance bond or security approved by the Planning Commission, the time for recordation may be extended to one year or for a period agreed upon in the security agreement.
 - e) One copy of the preliminary plat shall be returned to the owner or proprietor of the subdivision, or his representative, with the date of the approval or disapproval noted thereon with the signature of the Chairman.
 - f) The subdivider shall present to the County Building Inspector an erosion and sediment control plan which shall indicate the methods to be utilized in minimizing potential erosion and sediment, both during construction and upon completion of the subdivision, such plan and control methodology to be developed in accordance with this ordinance and the erosion and sediment control ordinances.

ARTICLE 7

Final Plats

- a) Single Lot: Single lot conveyances, plats, and family subdivisions may be administratively approved by the Agent provided that the following minimum requirements are met:
 1. All lots are lot line revisions; or
 2. All lots conveyed or retained are 1 (one) acre or more in size; and
 3. All lots contain at least 50 feet of road frontage ~~and or in the case of family subdivision,~~ provide for a permanent easement of right of way for a roadway of at least 20 feet in width for access to a public street.
 NOTE: the deletion of this language is permitted by the Code requirements for family subdivisions, see Virginia Code § 15.2-2244(A).
 4. No more than one single lot conveyance of less than 2 acres from a larger tract may be administratively approved over a 12 month period.
 5. All single lot conveyances by a subdivider of less than 2 acres must be submitted to the Agent for review and approval prior to recordation by the Clerk.
 6. No lot of less than 2 acres shall be subdivided, transferred or sold unless a final plat of the lands conveyed has been approved and recorded pursuant to this Ordinance.
 7. No conveyance of any lot creating a remnant of less than 2 acres shall be subdivided, transferred or sold unless a final plat of the remnant has been approved and recorded pursuant to this Ordinance.
- b) Filing: The owner or proprietor of the subdivision shall file with the Secretary of the Planning Commission final subdivision plats within 6 months of approval of the preliminary plat. One copy of street profiles with grades or topographic map, if required, shall also be filed with the Secretary.
- c) Form: The final subdivision plat shall be prepared by a certified land surveyor or civil engineer and shall be clearly and legibly drawn in compliance with the Virginia Public Records Act, section 42.1-76 et seq. The final plat shall comply with all standards of practice and conduct as set forth and as amended by the Board of Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. Any final plat that must be reviewed by the Planning Commission (i.e. a plat that cannot be administratively reviewed by the Agent), shall be drafted in compliance with the Virginia Coordinate System as set forth in Section 55-

287, et seq. of the 1950 Code of Virginia, as amended. The original and two copies shall be submitted to the Secretary. After approval, the original and one copy shall be returned to the owner or proprietor of the subdivision for recordation in the precise form as approved.

d) **Contents: Monuments:** In addition to the requirements for the preliminary plat, the final plat shall show:

1. Sufficient data to readily determine the location, bearing and length of every street line, lot line, block line and boundary line and to reproduce the same on the ground from permanent monuments. Linear dimensions shall be in feet and decimals.
2. The names of all streets and the name of the subdivision, a vicinity sketch, the north point, scale, date and utility easements.
3. A statement to the effect that the owner of the subdivision, as a condition precedent to the approval of the final plat and subdivision and the acceptance of the dedication if the roadways, streets and alleys shown thereon by the Planning Commission or, in case of appeal, the Board of Supervisors does, on his behalf and for his heirs, successors, devisees and assigns, specifically release the County from any and all claims for damages arising from the design, construction, maintenance or grade of any roadway, street, and/or alley as shown on the plat.

e) **Forms for Final Certifications:** The following certificates shall be lettered or rubber stamped on the Final Plat in such a manner as to insure that said certificates will be eligible on any prints made therefrom:

1. **Certificate of Approval by the Planning Commission:**

I, _____, Chairman of the Patrick County Planning Commission, hereby certify that the said commission fully approved the Final Plat of the Subdivision entitled _____, on the ____ day of _____, 200__.

Chairman

2. **Certificate of Ownership and Dedication:**

I (We) hereby certify that I am (we are) are the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish minimum building lines, and dedicate all streets, alleys, walks, parks, and other sites as noted. Furthermore, I (we) certify the land as shown hereon is within the jurisdiction of Patrick County, Virginia.

Owner

Owner

Date

3. **Certificate of Accuracy:**

I, _____, certify that this plat was drawn from an actual survey that I conducted; that the deed and map reference providing source of title are _____, that the boundaries not surveyed are shown as broken lines from information found in Book _____, Page _____; that this plat was prepared in accordance with the provisions of the Subdivision Ordinance of Patrick County, Virginia.

Witness my hand and seal, this ____ day of _____, 200__.

Surveyor

Date

4. Certificate of Approval by the Health Department:

I, _____, Director of the Patrick County Health Department, hereby certify that the said Department fully approved, for the provision of water and sewer, the Final Plat of the Subdivision entitled _____, on the _____ day of _____, 200_____.

Director (or designee)

- f) Preparation: Every final subdivision plat shall be prepared by a competent surveyor or civil engineer duly licensed by the Commonwealth, who shall endorse upon each such plat a certificate signed by him setting forth the source of title of the owner of the land subdivided and the place of record of the last instrument or instruments in the chain of title to include at least the most recent deed. When the plat is of land acquired from more than one source of title, the outlines of the several tracts shall be indicated upon such plat.
- g) Approval Time for Recording: The final subdivision plat shall be approved if found to be in conformity with the requirements of law and of this Ordinance. Such plat shall be filed for recordation in the Clerk's Office of the Circuit Court of Patrick County within six (6) months after final approval thereof, otherwise, such approval shall be withdrawn and the plat marked void and returned to the owner.
- h) Recording Required Generally; Approval of Final Plat Required Prior to Recording: No lot or parcel of land shall be sold or transferred until the final subdivision plat of which the lot or parcel is a part has been recorded as provided in this article. No final plat of a subdivision shall be recorded until it has been first submitted to and approved by the Planning Commission or in the case of appeal, the Board of Supervisors. No clerk of a court shall file or record a plat of a subdivision until such plat has been so approved.
- i) Recordation Required Prior to Issuance of Building Permit: The Building Inspector of the County shall not issue any permit for the erection of any building or structure to be located in any subdivision, until such plat has been recorded.
- j) Grading: Grading operations may begin following approval of the preliminary plat; provided, that such grading shall not be commenced until the subdivider has executed an agreement with the County in which he agrees to (1) satisfactorily complete all grading within the time specified; (2) plant, in accordance with plans and specifications approved by the Building Inspector, all slopes, and maintains such planting for a period of not less than one year; (3) undertake all erosion and sediment control measures in accordance with plans approved by the Building Inspector; (4) install all required street and utility improvements in accordance with plans and specifications approved by the Planning Commission; and (5) indemnify and hold harmless the County, County officials, agents of the County and County employees from any suit, claims or action for damages or any cost incurred by the County as a consequence of failure on the part of the subdivider to comply with the terms of this Ordinance and for any other liability arising out of the development, construction and approval process for the subdivision.
- k) Street Right of Way Width: Minimum street right of way widths shall be at least in accordance with the Virginia Department of Highways and Transportation's minimum requirements, ~~as amended from time to time, and~~ which are in effect at the time of the submission of the final plat to the Planning Commission.
- l) Street Construction Requirements and Design Standards: ~~Unless otherwise specified,~~ All street construction requirements and geometric design standards such as street intersections, pavements and base design, street widths, grades, right of way and pavement radius, temporary turnarounds, and curves, shall be ~~these~~ at least the minimum requirements of the Virginia Department of Transportation for acceptance into the State Secondary System which are in effect at the time of the submission of the final plat to the Planning Commission. All streets shall be designed to coordinate with other existing or planned streets within the general area as to location, widths, grades and drainage.
- m) Lots: All lots shall front upon a public street or a private roadway providing access to a public street. The size, shape, and orientation will provide satisfactory sites for buildings, wells and septic systems if not served by water and facilities meeting the requirements of Article 5, section g.
- n) Remnants: All remnants of lots below minimum size left over after subdividing of a tract must be added to adjacent lots.

- o) Size: The total area of each lot shall contain a minimum of one acre with the exception that lots served by local government provided public water and public sewer lines shall have a minimum of one half acre.
- p) Street names and signs shall be in compliance with E-911 requirements and standards.

Article 8

Public Easements and Utilities

- a) Drainage:
 - 1. The subdivider shall make adequate provisions for storm and floodwater runoff, including the installation of all necessary drainage improvements and the dedication of all necessary drainage easements. The Planning Commission may require:
 - (i) Drainage easements through adjoining property to be provided by the subdivider;
 - (ii) Low lying lands along watercourses subject to flooding or overflowing during storm periods to be preserved and retained in their natural state of drainage-ways.
 - 2. If a subdivision involves new streets, the subdivider shall submit to the Virginia Department of Transportation all necessary information for the determination that adequate provisions for storm and floodwater will be made. Written approval by the Virginia Department of Transportation of the drainage plans shall be submitted to the agent prior to the approval of the final plat.
- b) Stormwater Detention Facilities in Residential Subdivisions:
 - 1. The design for all stormwater detention facilities shall be in accordance with professionally accepted hydraulic engineering practices, the Virginia Erosion and Sediment Control Handbook, or any later comparable source.
 - a. Stormwater detention facilities shall be located in perpetual, unobstructed public easements of appropriate width. They shall be shown on the subdivision plat. They shall be constructed in accordance with accepted construction standards and specifications.
 - b. The Subdivider, his heirs, successors, devisees and assigns shall assume all liability for the maintenance and operation of the stormwater detention facilities and shall hold the county harmless therefrom.
- c) Easements: Utility and other easements shall be provided as follows:
 - 1. The Subdivider shall submit to the Planning Commission a performance bond made payable to the Board of Supervisors to guarantee completion of and payment for all facilities and infrastructure costs associated with the subdivision, including but not limited to road construction, grading, drainage, utility construction, and all common use development to be dedicated for public use, and an additional amount up to 25% of the foregoing as determined by the Planning Commission to protect the Board of Supervisors from financial liabilities involving damages or associated improvements to existing streets, utilities, and other facilities.
 - 2. Utility Easements: Utility easements centered on rear or side lot lines shall be provided where deemed necessary by the Planning Commission and shall be at least ten (10) feet in width, or such greater width as may be needed to meet the requirements of the utilities. Utility easements shall include electrical, phone, cable television, water, sewer, etc.
 - 3. Watercourse and Drainage Easements: Where a subdivision is traversed by watercourse, drainage way, channel or stream, there shall be provided a storm water easement or drainage right of way conforming substantially with the lines of such water course, and such further width or construction, or both, as will be adequate for the purpose. Parallel streets or parkways may be required in connection therewith.

Article 9

Variances

- a) Authority: The Planning Commission ~~or the Board of Supervisors~~ may authorize a variance from

any provision of this ordinance in cases where it is determined that:

1. Strict adherence to the provisions of this ordinance would result in substantial hardship or injustice; *and*
 2. The authorization of the variance will not be of substantial detriment to adjacent or nearby property; *and*
 3. The authorization of the variance will not be detrimental to the public safety, health, or welfare; *and*
 4. The variance will not substantially compromise the intent of this Ordinance. Any variance authorized will be recorded in the minutes, together with an explanation of the reasons for granting the variance.
- b) *Procedure: All petitions for variances shall be made in writing and shall explain fully the grounds therefor. Petitions for variances shall be submitted to the County Administrator at least 14 days prior to the next scheduled meeting of the Commission. At its meeting, the Commission shall review and discuss the petition and shall vote to deny the petition, or to request additional information or alterations to the proposed variance from the petitioner, or to refer it to public comment on such notice and at such time as the Commission may determine, which shall nevertheless occur no more than 30 days thereafter. Within 10 days of any such public comment, the Commission shall vote upon whether to request additional information or alterations to the proposed variance from the petitioner before acting upon the petition, in which situation the procedure shall begin anew, or, if no such additional information or alteration is required, shall vote either to approve or to deny the petition.*
- c) Conditions: When granting variances, the ~~Board of Supervisors~~ *Commission* may impose conditions in order to protect public welfare or to help achieve the intent of this ~~article~~ *Ordinance*. Such conditions may include, but are not limited to, requirements for:
1. Dedication of right of way for public or private streets;
 2. Granting utility easements;
 3. Time limits on recordation of plats for which variances have been granted;
 4. Including a note on the plat to state that a variance has been granted and to explain the provisions of the variance; or
 5. Dedication of open space or recreation areas.

Article 10

Appeals

If the Planning Commission denies or fails to approve any plat, conveyance, or variance and the subdivider contends that such action was contrary to the provisions of this Ordinance or was arbitrary and capricious, he may appeal to the Board of Supervisors by filing Notice with the County Administrator within 60 days of the decision. Likewise, the subdivider may appeal a decision of the Board of Supervisors to the Circuit Court of Patrick County provided that the appeal must be filed with the Clerk of the Circuit Court within 60 days of the decision.

Article 11

Penalties

It shall be unlawful for any person, firm, or corporation to violate any of the provisions of this Ordinance and any violation of any provision therefore shall constitute a misdemeanor and shall be punished by fine of not more than \$500.00 per lot or parcel of land subdivided, transferred or sold, as provided for in Section 15.2-2254 of the 1950 Code of Virginia, as amended.

Article 12

Severability

If any portion of this Ordinance shall be found to be invalid, then that portion shall be severed and the remainder of the Ordinance shall continue in full force and effect.

Voting Aye: Foley, Martin, Harris, and Young

Voting Nay: None

Temporarily 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. Noted for Record Receipt of Department Head Reports:

- (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.

(8) **Tourism Director:** A report of the activities of Jeannie Frisco, Tourism Director, was presented and examined for the preceding month. Said report is noted and ordered filed with the papers of this meeting.

B. **Budget Update:** Mrs. Handy advised that the Budget Committee has been conversing over the telephone and it is hopeful that the Committee will be able to make a recommendation to the full Board at the next work session. The Budget Committee advised that they are moving forward with the budget.

C. **Adelphia:** Mrs. Handy provided the Board with a letter from Clark Hill, PLC advising that Adelphia Communications will be sold. The letter recommends that localities that are currently served by Adelphia should “keep a close eye on this transaction” and to ensure that customer service and rate commitments are not negatively affected by the sale. Mrs. Handy stated that the County had received a letter in today’s mail from Adelphia advising that Time Warner and Comcast Corporation has entered into an agreement regarding the acquisition of Adelphia’s U.S. assets and that sale should be completed within nine to twelve months. She noted that the mailing included a copy of the letter that will be mailed to Adelphia customers concerning this matter. She asked the County Attorney if this action would affect the franchise agreement between the County and Adelphia. Mr. Monday stated that the franchise agreement would need to be revised if the company is sold.

D. **Livestock Damage Claim Form:** The County Administrator advised that a citizen had submitted a livestock damage claim, which states that his pig had been killed by dogs. She advised that Leon Handy, Animal Control Officer, had not had an opportunity to file his report; therefore, she asked that the Board defer the discussion of this matter until the May work session.

Mr. Cockerham rejoined the meeting.

E. **Maintenance Shed Phase II:** Mrs. Handy advised that requests for bids were advertised for Phase II of renovations to the Maintenance Shed at Nevamar. She noted that one bid was received, which was from R.M. Square, Incorporated in the amount of \$20, 216. The Board deferred discussion of this matter until the May work session.

F. **American Red Cross:** Mrs. Handy advised that American Red Cross representatives have accepted the Board’s invitation to attend a board meeting and

that they will be present at the May 23rd Work Session to discuss the local Red Cross situation.

G. Request from School System: The County Administrator presented the Board with a request from the School System regarding additional grant funding. She advised that the School System has received notification of additional funds in its federal e-rate revenues and state technology hardware funds totaling \$233,440.85, which will be used to enhance technology opportunities and purchase equipment for staff and students and to pay internet access fees. She stated that the School Board voted unanimously on May 5, 2005 to revise its 2004-2005 Budget to include these funds, which do not include any local funds.

On motion by David G. Young, seconded by Darrell Cockerham and carried, the Board hereby approves additional state and federal funds in the amount of \$233,440.85 be added to the 2004 – 2005 Patrick County School Budget, increasing the total school budget to \$22,167,916.14.

Voting Aye: Foley, Martin, Cockerham, Harris, and Young

Voting Nay: None

H. Anthem Blue Cross Blue Shield Contract for Inmates: Mrs. Harris noted that the County has saved money in the past with the Anthem Blue Cross Blue Shield contract held for inmates, and noted that a female inmate is pregnant and will require medical assistance. The County Administrator presented the Board with a letter from the Sheriff recommending the renewal of the contract. The Board deferred further discussion of this item to the May 23rd Work Session.

The Assistant County Administrator, Michael Burnette, gave a report on matters relating to his office.

A. Patrick County Marketing Packet: The Assistant County Administrator presented the Board with the new Patrick County Marketing Packet. He stated that the new packet is an update and revamping of the original tri-fold brochure that has been used since 1997. He advised that the new packet is printed in-house, which allows his office to quickly update the information.

B. Wal-Mart: Mr. Burnette advised that Wal-Mart officials have been working on their internal closing today and it is hopeful that the official closing will take place tomorrow. He noted that construction should begin in the near future.

C. Patrick Springs / Charity Address Changes: Mr. Burnett stated that the

Board had asked him to research the possibility of changing Patrick Springs and Charity addresses, which are currently Stuart and Ferrum. He stated that a letter of request and explanation must be submitted to the District Manager in Charleston, West Virginia for review and consideration. Mr. Burnette recommended that a survey of the proposed affected businesses and citizens be conducted before mailing a letter of request and explanation to the District Manager. The Chairman inquired about the cost of mailing those surveys. Mr. Burnette advised that there are roughly 1,000 households and each survey would cost approximately \$0.37.

On motion by David G. Young, seconded by Darrell Cockerham and carried, the Board hereby authorizes Michael Burnette to mail surveys to Patrick Springs residents and businesses in regard to changing their address from Stuart to Patrick Springs with a variety of ways to respond to the questionnaire.

Voting Aye: Foley, Martin, Cockerham, Harris, and Young

Voting Nay: None

D. Rich Creek Corporate Park Shell Building: Mr. Martin noted that the general preliminary estimate for the RCCP Shell Building equals \$500,000 to \$550,000 and that \$465,000 was budgeted for this project. He advised that a discussion would need to be held concerning who would provide the additional funds. Mr. Burnette advised that the Economic Development Authority will discuss this issue at its May meeting to determine if the design should be scaled down, bid the project with alternatives, or seek additional funding. Mr. Martin stated that if the cost equals \$550,000, he would like the project reconsidered.

E. U.S. Route 58: Mr. Martin stated that the safety concerns on U.S. Route 58 in the Meadows of Dan area need to be readdressed. He advised that he was disappointed because the problem was stated in a petition and a lot of people who sign petitions have no idea what they are signing and do not take the time to determine the overall long-term consequences. He suggested using the violations that are being given to the truck drivers to indicate what the problem is and then find a solution. Mr. Martin asked that the issue be revisited. Mr. Burnette commended the Board and the EDA for their efforts in trying to resolve the issues relating to safety and over-length truck regulations. He stated that VDOT has already begun some safety enhancements on that stretch of Route 58.

F. Public Service Authority: Mr. Martin recommended that the Patrick County PSA contact Carroll County to gain knowledge and guidance as it prepares to

take over the Patrick Springs Water and Sewer Project.

A number of bills and claims against the county were presented and examined. On motion by David G. Young, seconded by Darrell Cockerham 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. 23684 - 23830

On the General County Fund: Warrants No. 78304 – 78655

On E-911 Communications Fund: Warrants No. 932 – 942

On Asset Forfeiture Fund: Warrants No. 43

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: Martin

On motion by David G. Young, seconded by Darrell Cockerham 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 May, 2005: General County Fund - \$286,000.00; Law Library- \$0.00; Asset Forfeiture Fund - \$109.95; Social Services (VPA) Fund- \$175,000.00; Comprehensive Services Act- \$35,000.00; E-911 Communications Fund- \$35,744.22; County School Funds - \$233,440.85; TOTAL ALL APPROPRIATIONS- \$765,295.02.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: Martin

On motion by David G. Young, seconded by Darrell Cockerham and carried, it is hereby ordered that Carolyn I. Tatum, Treasurer, transfer the amount of Forty-five Thousand Six Hundred Seventy-six Dollars and Thirty-six Cents (\$45,676.36) from the E911 Fund to the General County Fund, for payment of expenses incurred.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: Martin

On motion by David G. Young, seconded by Darrell Cockerham and carried, the Board hereby formally approves the following poll vote taken by telephone on Tuesday, May 3, 2005 and Wednesday, May 4, 2005:

The County Administrator is hereby directed to draw a warrant in the amount of \$190,208.00 to County Attorney Eric Helms Monday to be placed in his escrow account in reference to payment associated with the Walmart business deal.

Polled telephone vote of the Patrick County Board of Supervisors by the County Administrator on Tuesday, May 3, 2005 and Wednesday, May 4, 2005.

Voting Aye: Foley, Martin, and Young

Voting Nay: None

Unable to Contact: Cockerham and Harris

On motion by David G. Young, seconded by Darrell Cockerham and carried, the following requests for additional appropriations are hereby approved.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: Martin

<u>Department</u>	<u>Amount</u>	<u>For</u>
E-911	\$1,677.63	Hospitalization Insurance
Board of Supervisors	\$242.78	Travel (Mileage)
Board of Supervisors	\$107.91	Travel (Meals & Lodging)
County Administration	\$512.64	Part-time Salaries
County Administration	\$248.00	Postal Services
County Administration	\$758.02	Telephone
County Administration	\$934.46	Office Supplies
County Administration	\$94.56	Vehicle & Equip. Supplies
County Administration	\$256.09	Other Operating Supplies
County Administration	\$11.38	Travel (Mileage)
Comm of Revenue	\$298.00	Capital Outlay
Circuit Court	\$36.00	Postage
Special Magistrates	\$98.97	Electrical Services
Special Magistrates	\$234.84	Heating Fuel
Special Magistrates	\$261.07	Telephone
Special Magistrates	\$187.39	Travel (Mileage)
Court Services	\$5,500.00	Electronic Monitoring

Sheriff Department	\$1,050.00	Overtime
Sheriff Department	\$1,814.42	Law Enf. (Veh. & Equip. Supplies)
Sheriff Department	\$2,235.48	Law Enf. (Veh. & Equip. Supplies)
Sheriff Department	\$454.70	Miscellaneous Equipment
Sheriff Department	\$1,736.08	Miscellaneous Equipment
Sheriff Department	\$8,585.00	Part-Time
Sheriff Department	\$605.63	Part-time
Sheriff Department	\$2,300.00	Miscellaneous Equipment
Sheriff – SRO High School	\$2,406.42	Salaries
Sheriff – SRO High School	\$184.09	FICA
Sheriff – SRO High School	\$324.87	Retirement – VRS
Sheriff – SRO High School	\$261.72	Hospitalization Insurance
Sheriff – SRO Elementary School	\$10,351.71	Salaries
Sheriff – SRO Elementary School	\$764.53	FICA
Sheriff – SRO Elementary School	\$1,353.00	Retirement – VRS
Sheriff – SRO Elementary School	\$1,570.32	Hospitalization Insurance
Sheriff- Law Enforcement	\$9,957.40	Overtime
Sheriff- Law Enforcement	\$8,987.88	Vehicle & Equipment Supplies
Sheriff- Law Enforcement	\$790.36	Miscellaneous Expenses
Sheriff- Maint. Of Jail	\$10,120.00	Board of Prisoners
Animal Warden	\$101.96	Telephone
Medical Examiner	\$50.00	Comp. of Medical Examiner
Maint. County Administration	\$732.87	Rug Rental/Cleaning Supplies
Maint. Courthouse/Jail	\$1,456.09	Repair & Maintenance
Maint. Courthouse/Jail	\$793.13	Electrical Services
Maint. Courthouse/Jail	\$31.73	Water,Sewage,Garbage
Maint. Courthouse/Jail	\$274.07	Rug Rental/Cleaning Supplies
Maint. Park Facilities	\$742.60	Repair & Maintenance
Maint. Sheriff (VA Rest.)	\$86.00	Pest Control Service
Maint. Sheriff (VA Rest.)	\$257.02	Water,Sewage,Garbage
Maint. Transfer Station	\$1,613.00	Repair & Maintenance
Maint. Transfer Station	\$1,350.00	Groundwater & Gas Monitoring
Maint. Transfer Station	\$252.02	Electrical Services
Maint. Transfer Station	\$137.33	Rug Rental/Cleaning Supplies
Mental Retardation	\$790.10	Auto Expense: Develop. Center
Mental Retardation	\$1,529.61	Auto Expense: PARC Workshop
Transportation of Elderly	\$29.61	Telephone

P.C. Education Foundation	\$1,191.49	Salaries & Wages
P.C. Education Foundation	\$593.98	Hospitalization Insurance
Economic Development	\$2,408.28	Office Supplies
Economic Development	\$260.00	Travel (Conv. & Education)
Economic Development	\$1,999.20	Furniture & Fixtures
Economic Development	\$2,032.80	Cap. Outlay: Computer Equipment
Economic Development	\$1,100.00	Tourism
Economic Development	\$5,000.00	Marketing
Economic Development	\$190,208.00	Wal-Mart Business Deal
Non-Departmental	\$427.53	Auto Expenses: Social Services
Non-Departmental	\$53.46	Supplies: Planning Commission
Non-Departmental	\$48,156.00	Revenue Sharing Match Project
E-911 (Fund code 2)	\$15,916.00	Wireless Mapping

On motion by David G. Young, seconded by Darrell Cockerham and carried, the following requests for transfer of funds are hereby approved.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: Martin

<u>Department</u>	<u>Amount</u>	<u>From</u>	<u>To</u>
Comm. of Rev.	\$1,085.17	Part-time Salaries	Capital Outlay
Treasurer	\$800.00	Tax Ticket Forms	DMV Withholding Fee
Circuit Court	\$55.00	Repair & Maint.	Recording Costs
General District Court	\$130.00	Furniture & Fixtures	Office Supplies
Comm. Attorney	\$69.40	Office Supplies	Computer Equipment
Sheriff	\$664.92	Computer Equip.	Misc. Equipment
Sheriff-Law Enforcement	\$97.00	Uniforms,Wearing App.	Advertising
Sheriff-Law Enforcement	\$397.51	Uniforms,Wearing App.	Office Supplies
Sheriff-Law Enforcement	\$199.00	Computer Equipment	Dues
Sheriff-Law Enforcement	\$120.00	Computer Equipment	Training Expenses
Sheriff-Maint of Jail	\$4,180.52	Doctors' Fee	Hospital Service
Sheriff-Maint of Jail	\$109.62	Doctors' Fee	Personal Supplies for inmates
Building Inspection	\$150.00	Office Supplies	Vehicle & Equip. Supplies
Building Inspection	\$200.00	Motor Vehicle Ins.	Vehicle & Equip. Supplies
Animal Warden	\$445.43	Record Books	Other Operating Supplies

Emergency Mgmt.	\$517.90	Grant Planning	Travel
Emergency Mgmt.	\$517.90	Grant Planning	Travel
Emergency Mgmt.	\$281.97	Travel	Uniforms
Office of Em. Services	\$1,950.00	Misc. Grants	C.E.R.T. Grant
Transfer Station	\$419.26	Other Oper. Supplies	Vehicle & Equip. Supplies
Transfer Station	\$700.00	Other Oper. Supplies	Scrap Tire Disposal
Maint. of Bldgs & Grds	\$9,207.15	HVAC Srv. Contract	Repair/Maintenance
Maint. of Bldgs & Grds	\$26.28	HVAC Srv. Contract	Telephone
Maint. of Bldgs & Grds	\$80.00	HVAC Srv. Contract	Uniforms/Wearing App.
Maint: County Admin.	\$516.51	Fire Alarm Monitoring	Repair & Maint.
Maint: Nevamar	\$13.17	Fire Alarm Monitoring	Electrical Services
Maint: Nevamar	\$93.97	Fire Alarm Monitoring	Telephone
Maint: Library	\$85.58	Heating Fuel	Electrical Services
Maint: Animal Pound	\$78.69	Repair/Maintenance	RugRental/Cleaning Supplies
Maint: Rotary Field	\$642.18	Repair/Maintenance	Water/Sewer/Garbage
Trans. Of Elderly	\$156.79	Motor Vehicles&Equip.	Telephone
Trans. Of Elderly	\$978.83	Motor Vehicles&Equip.	Vehicle&Equip. Supplies
Recreation Dept.	\$191.47	Office Supplies	Vehicle&Equip. Supplies
Econ. Development	\$59.75	Travel-Mileage	Travel (Meals/Lodging)
Econ. Development	\$340.00	Code Books	Travel (Mileage)
Recycling	\$69.19	Recycling Education	Other Operating Supplies
E-911 (Fund Code 2)	\$174.75	Address Maintenance	Road Sign Maintenance

On motion by Roger L. Martin, seconded by David G. Young and carried:

WHEREAS, our children are the greatest gift that caring responsible adults may be given by a beneficent providence, and

WHEREAS, irresponsible governments are freeing convicted sexual offenders to live within our population without providing notice or detail, and

WHEREAS, on an increasing frequent basis, young children are being kidnapped, molested, and murdered by these criminals especially from households where irresponsible adults failed to provide the security and oversight the children depended on, and

WHEREAS, the people of the county need to know the names and addresses of any convicted sexual offenders currently living in our midst, and

WHEREAS, the county must take every action possible to identify and if possible to remove these sexual offenders from the county and to provide the highest level of protection possible by keeping the public informed of who and where these offenders are on a

frequent basis, and

NOW THEREFORE BE IT RESOLVED that the Patrick County Board of Supervisors does hereby request the county sheriff and administration to publicize the current internet list of convicted sexual offenders living in the county complete with names, addresses and other appropriate details which is upgraded and verified and that the County request the local media assist in publicizing this website, whose address is sex-offender.vsp.state.va.us/cool-ICE/

BE IT FURTHER RESOLVED that the Patrick County Board of Supervisors does hereby request that the county sheriff diligently surveill these offenders for any possible violation of their parole or reporting requirements and that the sheriff take all appropriate actions to remove these criminals from the county, and

BE IT FURTHER RESOLVED that the Patrick County Board of Supervisors does hereby direct the County Administrator to send a letter to the appropriate State representatives requesting that legislation be enacted to stop freeing convicted sexual offenders and to sentence sexual offenders to the maximum sentence available under the law.

Voting Aye: Foley, Martin, Cockerham, Harris, and Young

Voting Nay: None

On motion by Roger L. Martin, seconded by Crystal P. Harris and carried, the Board of Supervisors hereby approves and agrees to the following: (1) That all inquiries of any potential significance from any attorney other than the County Attorney be referred without comment by the county employees to the County Administrator; (2) If the County Administrator deems appropriate they will be directed to the County Attorney; (3) County employees may only respond to inquiries of a general innocuous informational nature; (4) The County cannot be committed or obligated except as authorized by the full Board of Supervisors or at least a quorum contingent upon the advice of the County Attorney; (5) That all agreements binding the County be in writing, duly signed and recorded in the Board of Supervisors' minute book and that all parties to the agreement be in full accord before the County is committed; and (6) That the County specifically avoid any interaction or participation even if only by perception with any organization embroiled in bankruptcy, legal problems or in anything that may be considered a repugnant public controversy.

Voting Aye: Foley, Martin, Cockerham, Harris, and Young

Voting Nay: None

Jamie Clark, WHEO Radio Station, approached the Board and stated that he has made numerous requests to the County Administrator's Office that he be

informed of Budget Committee Meetings and noted that it was stated tonight that the Committee had been discussing the budget over the telephone. Mr. Clark requested that the Committee hold those discussions in open session so that the public could be informed of what actions are being taken. Mrs. Harris stated that the Board normally holds the budget meetings in open session; however, Mr. Martin has been in poor health and the Committee did not want to cause any delays with the budget. Mr. Clark offered to meet with the Committee at any location or to hold a conference call from his office. The Budget Committee agreed hold a committee meeting that would be accessible by the public.

Ordered that the Board be adjourned until its Work Session commencing at 2:00p.m. on May 23, 2005.

, Chairman