

VIRGINIA: At a regular meeting of the Board of Supervisors of the County of Patrick, held at the Patrick County Veterans' Memorial Building on Monday, August 10, 2009 at 6:00 p.m.

PRESENT: Crystal P. Harris, Chairperson; Ron Knight, Vice – Chairman, Karl Weiss, Jonathan Large, and Lock Boyce, Board Members.

STAFF: Tom Rose, Assistant County Administrator; Alan Black Attorney; Geri Hazelwood, Assistant to the County Administrator/Clerk.

ABSENT: Jay Scudder, County Administrator

Others present: Nancy Lindsey, The Enterprise; Tom Bishop, WHEO.

The Chairperson called the meeting to order.

Pastor Jim Churchwell provided the invocation.

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

On motion by Lock Boyce seconded by Ron Knight and carried unanimously, the amended meeting agenda was approved.

Voting Aye: Boyce, Knight, Weiss, Large, and Harris

Voting Nay: None

On motion by Lock Boyce seconded by Karl Weiss and carried unanimously, the Board approved the minutes for the July 13, 2009 regular meeting.

Voting Aye: Boyce, Knight, Weiss, Large, and Harris

Voting Nay: None

Public Comment Period

Ms. Chairperson opened the public comment period.

Mr. Eugene Philips, Smith River District; spoke with concerns of recording, and reporting. He spoke in opposition of twice yearly billing and a 4% countywide meal's tax. He stated that the funding that was given to the hospital should have been allocated instead of given whole heartedly. He stated that the Board should not enter into a contract for the Jail without having seen the contract and that a commitment is not a contract. He thanked Ms. Harris and Karl Weiss for their vote.

The Board thanked Mr. Philips.

Ms. Chairperson closed the comment period.

Ms. Chairperson asked if the members would like to make any comments.

Mr. Boyce stated that twice yearly billing will help keep tax down. He stated that things still need to be cut. He stated that every county surrounding Patrick has county – wide meal's tax. He stated that everyone should be thankful for Pioneer.

Mr. Knight concurred.

Mr. Large stated that all meetings are recorded and that the reporting is brief. He stated that the county can not hold funds and make money. He stated that money could not be taken from the Mayo River Rail Trail funding to support other projects.

Mr. Weiss stated that twice yearly billing will help keep the levy down and that paying for taxes in two payments versus one will be easier. He stated that he is proud to have Pioneer here.

Ms. Harris stated that she was not in favor of twice yearly billing but will stand behind her colleagues.

Mr. Boyce stated that the jail is a necessity and there will be a contract.

Ms. Harris stated that she voted against the jail because she had not seen a contract.

President of VACO, Mr. Donald Hart

Mr. Hart stated that he is located in Accomack County and has been on the Board for 29 years, age 24 – 53. He stated that he is a father of four, one serving our country in the Middle East. He thanked the Board for the moment of silence. He is the President of VACO, Virginia Association of Counties for the year and his goal is to reach out to each and every county in Virginia while he serves this year. He stated that Patrick County is

important to VACO. He stated that it was his goal to unite each county and stand together. He stated the many ways that VACO can save the county money. He asked that each Board member get involved with the legislative committees so that your county has a voice. He told the Board to contact him if they had any questions. His quote "A man's word is his bond and a handshake is his contract". He stated that Patrick County is not alone. Mr. Hart thanked the Board.

The Board thanked Mr. Hart.

Mr. Large, Mr. Weiss, and Ms. Harris stated the importance of attending the VACO Conference held annually at The Homestead. They stated that it is a great learning experience and a place for networking. They stated that when VACO speaks people listen.

End of the Year Reports

Ms. Tatum presented the Board members with copies of the year end reports. (see packets)

Mr. Large asked if the \$275,000 was reflected in those figures. Ms. Tatum stated no, it only reflects through June 30, 2009.

Ms. Tatum asked the Board if they would like for her to advertise delinquent taxes in the local newspaper. She stated that she had not advertised for the last two years. The Board stated no they did not see that she should advertise the delinquent taxes in the local paper.

The Board had discussion.

Mr. Boyce asked if there was anyway to extend the deadline for payment in the 2010 tax year without penalty instead of June 5 make it June 30.

Ms. Chairperson recessed for the previously advertised public hearing at 6:45 August 10, 2009 to approve the amended Patrick County Public Schools 2009 – 2010 total operational budget.

Ms. Harris asked if there was any public comment, there was no comment from the public.

Dr. Morris, Superintendent; addressed the Board stating that federal funds do not come without strings, and we are told how to spend those funds. If we spend more that 1% of our total budget we most hold a public hearing.

Ms. Harris closed the public hearing/comment period.

On motion by Lock Boyce seconded by Ron Knight and carried unanimously the Board approved the amended Patrick County Public Schools 2009 – 2010 total operational budget.

Voting Aye: Knight, Large, Weiss, Boyce, and Harris

Voting Nay: None

Mr. Weiss asked if the \$330,000.00 was included for the track and the \$440,000.00 for cafeteria.

Dr. Morris stated no that money was not included, but had already been approved last month. He stated the federal AARA funds don't affect the county and they are 100% accounted for.

Mr. Knight asked if there were any training programs being offered for the food service workers or licensing for the custodians.

Dr. Morris stated that there was no funding for custodial licensing.

Mr. Large asked about building stimulus money.

Dr. Morris stated no.

Mr. Large asked if the HVAC units that were replaced were the School board given salvage value. He stated that he needed an answer.

Dr. Morris stated that he would get back to Mr. Large. He stated that school starts on Wednesday and that as far as construction they are still looking for contractors. He stated that they are staying here in the county, spending money here. He stated that Mr. Bishop had been very helpful. He stated that their office is located at the top of Blue Ridge Street; anyone interested in bidding on projects should go by and pick up a packet.

Ms. Harris stated her concerns for the swine flu in the county schools.

Dr. Morris stated that a letter would be going home with the students on sanitation procedures.

Ms. Harris stated that she and Steve Allen would be attending a Regional meeting with the Mr. Garrett, Health Department to discuss issues.

Mr. Boyce stated that it is a young person's disease and that after 24 hrs fever subsides and that there is no vaccine for it yet.

Dr. Morris stated that hopefully there will be a vaccine by October and the Health Department will administer the vaccines in the schools.

In the absence of Mr. Scudder who after being hospitalized for an illness is home resting. Mr. Rose gave his report.

Mr. Rose stated that the Board needed to rectify a poll vote for setting the meal's tax rate at 4%.

On motion by Lock Boyce seconded by Ron Knight to set the prepared meal's tax if passed at four percent which is the highest level and carried 4 to 1 as follows:

Boyce: Aye

Knight: Aye

Large: Aye

Weiss: Aye

Harris: Nay

Mr. Black stated that he had filed a request with the Circuit Court on Friday to set the meal's tax rate at 4%.

Patrick Springs Water and Sewer Project Phase II Extensions

The engineering study is under way and the Schoolboard has picked up a great deal of the cost. They are coordinating the construction of the building and addition. They are ready to go and very appreciative for the Tobacco Grant funds.

Mr. Knight stated that he wished it could have been included in the first phase of the project.

Mr. Black stated that services and agreement have not been seen nor discussed. He stated that he and Mr. Scudder would revisit and bring it back before the Board.

The Board took a five minute break.

Dr. Morris spoke to the Board concerning the Health Insurance. He stated that our health insurance had improved over the last two years. The wellness program has enabled people to save \$50.00 if a participant. He stated this year in June the suggestion was to increase employer contribution. He stated that the school is \$37.50 and the county's is \$41.50. He stated that the balance is in good shape but not great shape. He stated that it needs to be increased; however, last year's was zero.

Mr. Large stated that he wanted to see money budgeted at 100% for health insurance as a line item not in a slush fund. He stated that it is to increase our benefit and be it for each person even if they are not going to participate in the insurance program.

Ms. Harris recessed for a previously advertised public hearing at 7:15 of twice yearly billing.

Mr. Danny Foley spoke in opposition of twice yearly billing asking the Board to vote no and think of the people living on fixed incomes.

Mr. Clayton Kendrick spoke in opposition of the twice yearly billing of taxes.

Mr. David Puckett spoke in opposition of the twice yearly billing and asked the Board to make it a personal opinion whether you pay it once a year or twice.

Ms. Ellen Puckett spoke in opposition of twice yearly billing stating that she works for the school and only gets paid once a month.

Ms. Harris closed the public hearing /comment.

Mr. Boyce stated that we need land use assessment, this is unfair to the farmer. Contact your supervisors. He stated that having a tax on liquor by the drink will help lower the taxes on land.

Mr. Knight stated that by signing the petitions you are not supporting drinking, you are letting it go to referendum so that people can have a chance to vote. No one can tell what kind of money it can bring. He stated that it would be disappointing if people don't even get to vote. He stated that it would make a tremendous impact on Economic Development.

Mr. Large stated that twice year billing is better than raising taxes given the situation during this tough economic time.

Mr. Weiss stated that meal's tax will be on the referendum.

The Board concurred.

Ms. Harris stated that she voted against the four percent rate because she thought it was too high she wanted it to be three percent on the meal's tax.

On motion by Lock Boyce seconded by Ron Knight to have twice yearly billing for taxes and carried 4 to 1:

Voting Aye: Knight, Large, Weiss, and Boyce

Voting Nay: Harris

Mr. Black stated that interest will accrue and will need a vote if the Board chooses to have a grace period.

Ms. Tatum asked that whatever they chose to do for personal property that they choose the same for real estate.

The Board had discussion.

On motion by Lock Boyce seconded by Karl Weiss to allow a 26 day grace period on interest for personal property and real estate and carried unanimous.

Voting Aye: Knight, Large, Weiss, Boyce, and Harris

Voting Nay: None

Dr. Morris and Mr. Large had discussion concerning the health insurance. Mr. Large stated that money should be dedicated to only insurance. Mr. Weiss concurred stating that 1 million dollars does not cover enough.

Dr. Morris stated that we have to make the insurance better, and stabilize rates. He stated that we have to communicate better with staff. He stated that even though things are not where they need to be they are better than what the rates were two years ago when they went to bid.

Mr. Rose stated that US Cellular had notified the county of putting up a new cellular tower.

Dr. Morris stated that they would like to be involved if at all possible.

Mr. Black stated that it was just information.

Mr. Weiss asked if there was a height restriction.

Mr. Rose stated, no.

Mr. Weiss presented pictures the black bears at Fred Clifton Park. He asked that signs be placed at the park letting people know bears are there and not to feed them.

Mr. Boyce stated that the bears are indigenous.

Ms. Harris stated that Mr. Scudder was looking for trash cans.

Bill, Claims, Transfers, and Appropriations

On motion by Lock Boyce seconded by Karl Weiss and carried unanimously the Board approved the County General Claims as presented this day and as evidenced by check #'s: General Fund 92879-93014, HEM 8, and Inmate Commissary 18-26

Voting Aye: Boyce, Knight, Weiss, Large, and Harris

Voting Nay: None

Executive Session

On motion by Jonathan Large seconded by Lock Boyce, the Board convened into Executive Session to discuss legal matters [Section 2.2-3711(A)(7), 1950 Code of Virginia, as amended]; real estate [Section 2.2-3711(A)(3), 1950 Code of Virginia, as amended]; and contract matters [Section 2.2-3711(A)(30), 1950 Code of Virginia, as amended].

Roll Call Vote:

Boyce: Aye

Knight: Aye

Large: Aye

Harris: Aye

Mr. Weiss voted no because he stated that no matters that are to be discussed in executive session are supposed to be confidential and that he continues to hear them on the Monday radio show.

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.

On motion by Lock Boyce seconded by Ron Knight and carried unanimously the Board reconvened into regular session.

Voting Aye: Boyce, Knight, Weiss, Large, and Harris

Voting Nay: None

Board Appointment

On motion by Karl Weiss seconded by Ron Knight and carried unanimously the Board re – appointed Crystal P. Harris to the Step, Inc. Board of Directors for another term beginning July 1, 2009 and ending June 30, 2011.

Voting Aye: Boyce, Knight, Weiss, Large

Voting Nay: None

Mr. Knight had received a letter to present to the Board for discussion:

On request by the Board of Supervisors to be sent to Ms. Lisa Price Hughes, VDOT Engineer to look into having lines painted on the Abram Penn Hwy. (SR 626), from US 58, through Critz to the County Line Road.

The Board had discussion concerning Ms. Hughes and the number of times a year she should come before the Board. Mr. Large stated that Ms. Harris as Chairperson could ask her to come six times a year. Mr. Knight stated that he would like for her to come as often as she can maybe once every two months.

The Board made the recommendation to go to Jay.

Mr. Knight stated that he would like for her to call with support.

On motion by Lock Boyce seconded by Jonathan Large and carried the Board adjourned until August 24, 2009 at 6:00 p.m.

Voting Aye: Boyce, Knight, Weiss, Large, and Harris

Voting Nay: None

, Chairperson

