

VIRGINIA: At a Business Meeting of the Board of Supervisors of the County of Patrick, held at the Patrick County High School Cafeteria on Monday, February 28, 2011 at 6:00 p.m.

PRESENT: Roger Hayden, Chairperson; Lock Boyce, Vice – Chairperson; Crystal P. Harris, Ron Knight, Karl Weiss Board Members

STAFF PRESENT: Tom Rose, County Administrator; Alan Black, County Attorney; and Geri Hazelwood, Assistant to the County Administrator/Clerk; Department heads and Constitutional Officers.

Others present were: Nancy Lindsey, The Enterprise; Tom Bishop, Patrick County Chamber of Commerce, Richard Rogers, WHEO

Mr. Chairperson called the meeting to order.

Rev. Whitlow provided the invocation.

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

On motion by Ron Knight seconded by Lock Boyce to approve the agenda as presented, Ron Knight amended the agenda by adding two additional towers for discussion and carried unanimously

Voting Aye: Knight, Boyce, Harris, Weiss, Hayden

Voting Nay: None

On motion by Karl Weiss to approve the minutes from February 14, 2011 and seconded by Lock Boyce and carried unanimously.

Voting Aye: Knight, Boyce, Harris, Weiss, Hayden

Voting Nay: None

Public Comment Period

Mr. Chairperson opened public comment period.

Mr. Jack Horton, Mayo River District spoke on the following topics: 5% cut across the Board is not enough, taxes, and discrepancies with the Building Official.

Mr. Horton thanked the Board.

Mrs. Lisa Martin, Mayo River District; "The Big Read" kickoff, Mrs. Martin provided the Board with the following resolution which they approved as follows:

On motion by Lock Boyce to approve the resolution as presented seconded by Ron Knight and carried unanimously

Voting Aye: Knight, Boyce, Harris, Weiss, Hayden

Voting Nay: None

**RESOLUTION DECLARING MARCH 2011
"THE BIG READ MONTH" IN PATRICK COUNTY**

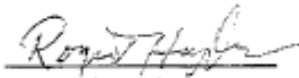
WHEREAS, the Patrick County Public Schools, the Reynolds Homestead and the Patrick County Library have received a Big Read Grant from the National Endowment for the Arts to conduct a Big Read project in Patrick County; and

WHEREAS, The Big Read committee have decided to hold its month-long series of events on "The Poetry of Emily Dickinson in March 2011; and

WHEREAS, the purpose of The Big Read programming is designed to restore reading to the center of American culture and encourage reading for pleasure and enlightenment; and

WHEREAS, the partners in this project have created diverse programming that involves students and citizens across all areas of the county intended to encourage discussion and learning;

NOW, LET IT BE RESOLVED, that in support of The Big Read Project in Patrick County, the Board of Supervisors hereby declares March 2011 to be "The Big Read Month" and encourages the citizens of Patrick County to support The Big Read.



Roger Hayden, Chairman
Patrick County Board of Supervisors

2-28-2011

Resolution adopted

Mr. Danny Foley, Mayo River District; spoke concerning jobs, lots for development, Rich Creek entrance, sign, transfer station, need maintenance.

Dr. Whitlow and his wife, Dan River District; spoke their concerns for the Bookmobile. They ask that the valuable service to their school (Trinity Christian School) not be cut.

Mr. Jim Allen; accompanied by Mrs. Jane Carlson, Executive Director; Caring Hearts Free Clinic; provided the Board with the following handout and asked that they continue their support.

**CARING HEARTS FREE CLINIC
2010 AT A GLANCE**

PATIENT SERVICES

Clinics

- Weekly day clinic
- Weekly evening clinic, walk -in and appointment
- Dental clinic
- Pain clinic
- Women's health clinic
- Psychological counseling

Patients 2197 patient visits/722 individual patients
83% live in Patrick County
64% below FPL; all are below 2xFPL

Referrals 240 patients referred to outside specialists. CHFC organizes appointments and assists with payment/obtaining reduced fee

COMMUNITY SUPPORT

Volunteers/Staff

- 3 doctors, 3 nurse practitioners/physician's assistants
- 7 nurses, 5 nurse's assistants, 7 practical nurses
- 2 dentists and 3 dental hygienists
- 1 optometrist
- About 15 medical/medical services students
- 2 psychologists
- 20-30 non-medical volunteers
- 3 administrative staff

Funding and services for the Clinic - major donors

- Virginia Association of Free Clinics
- R. J. Reynolds Trust
- Pioneer Hospital
- Patrick County
- AEP
- Town of Stuart
- Local businesses and individuals
- Local churches
- Dr. Richard Cole
- Stuart Rotary Club
- LABCorp

Mrs. Becky Mann, Dan River District; spoke on behalf of the Bookmobile services and asked that the Board not make any cuts to the library budget.

Mr. Johnny Martin, Peter's Creek District; spoke concerning 5% not being enough of a cut to the budget, jobs, MRRT, and Shooting Range.

Mr. Charles Vivier, Blue Ridge District; provided the Board with the following handout:

Mr. Bill Cottrell relinquished his time.

Mr. Clayton Kendrick, , spoke concerning adjusting the personal property taxes on the small businesses, selling of the old Sheriff building if not needed.

Mr. Chairperson closed the public comment period.

The Board members asked if a five percent cut to the Library's budget would cut the Bookmobile's service. Mr. Ward said that it would. They thanked Mr. Foley for bringing the information to the Board concerning the maintenance of Rich Creek. They thanked Mr. Allen for the work that the volunteers at the Caring Hearts Free Clinic do for the county citizens.

Mr. Chairperson closed the comment period.

REPORTS:

According to Mrs. Lisa Price Hughes, DOT Resident Engineer; a copy of the proposed six year plan will be provided in March. The Board will have a public hearing on the six year plan April 11, 2011 at 7:00 pm. Mrs. Hughes stated that she would like approval of the six year plan at the May meeting. She stated that there are four paving projects, \$67,000.00 allocated, and may be able to add one to two more.

The Board thanked Mrs. Hughes.

Mr. Black; Letter of Approval

Mr. Black and the Board discussed the signed letter of approval (see below) and decided that they would honor it. They still need to obtain a building permit and an E&S permit through the county.

On motion by Lock Boyce to endorse the letter from Mr. Scudder to US Cellular as dated October 8, 2010 seconded by Ron Knight and carried unanimously.

Voting Aye: Knight, Boyce, Harris, Weiss, Hayden

Voting Nay: None

Mr. Black made the Board aware of another proposed cell tower which is within the 2 mile according to the ordinance.

Mr. Black stated that he would take the "Communications Tower Ordinance" back to the Planning Commission to be amended and then it will be brought back to the Board with their recommendations. The Board discussed having a public hearing for both the Planning Commission and Board with a quorum present. They also discussed the importance of co location.

They discussed whether the Board would be involved with the whole process in dealing with all towers or to act as an "appeal board" for the Planning Commission. Mr. Black's recommendation was for the Board to act as an appeal board for the disputed cell towers.



October 6, 2010

Jay Scudder
Patrick County, Virginia
P.O. Box 488
Stuart, VA 24171
276-693-2002

RE: US Cellular Proposed Tower Off of Penn Store Road

Address: Off of Penn Store Road, Patrick County, Spencer, Virginia 24165

Dear Mr. Scudder,

US Cellular is proposing to construct a 188' monopole on the parcel identified as Tax ID 6409-06-8 owned by W. Craig Marshall, Jr. This project will include a 100' x 100' lease area which will be enclosed by a chain link security fence. The lease area will be graveled and will contain an equipment shelter to hold the US Cellular radio equipment.

This letter is designed to represent zoning approval from Patrick County. As requested US Cellular demonstrated at the September 21st, 2010 Planning Commission meeting that the proposed site meets all of the requirements of the Patrick County Ordinance. Per previous conversations with your department we have satisfied the zoning requirements of Patrick County Virginia and may now move forward with the building permit application. If you would sign off on this letter below and fax it back to me at (253) 484-5879, I would appreciate it. Thank you for your assistance with this issue and if you have any questions please do not hesitate to call me at (407) 489-5879.

Sincerely,

Tom Sciroto
Consultant to US Cellular
3806 Thirlane Road
Roanoke, VA 24019
407-489-5879

Jay Scudder, Const Administration 10/8/10
Jay Scudder Title Date

National Park Service, Mr. Mike Molling, Bull Mountain Tower

According to Mr. Hayden this tower falls within the Communications Tower Ordinance. I and Mrs. Hazelwood researched to see if the NPS had been through the proper channels although, the NPS was unaware of the proper channels. The NPS should have gone through the Planning Commission and the BOS for approval. Mr. Mike Molling stated that they would dismantle the current tower with no net gain of towers, and co locate with Patrick County and the State police and that is how the MOU was crafted in the summer of 2009 with Mr. Scudder. Mr. Hayden did not think that the tower should be dismantled. Mr. Molling stated that they would dismantle the tower and give it back to the and the and the county could then do with the tower whatever they wish. Tyson, Technical Advisor with ATT Government Solutions; stated that it has potentially 20% growth with leaving the guy tower for cellular service it is engineered for additional items to be placed on it, the current Patrick County tower. The NPS tower's alternative is to not have a cellular service on this tower. AEP has to give permission and easements and leases are required and they do not want a Commercial Cell Tower on Bull Mountain. Mr. Hayden stated that we should table it.

Mr. Black stated that we do not own the land and it is owned by a subsidiary of AEP.

Mr. Hayden stated that we should talk to the Planning Commission before taking the tower down and we should have a public hearing on it.

Mr. Knight stated that we would have a variance.

Mr. Black stated that it is a MOU and I recommend that it go before the Planning Commission and we will hear the Planning Commission's recommendations. This is to improve our 911 service and is a positive thing for Patrick County. Tyson stated that it would be at the same height, but the antennas would be higher.

Mike stated that ten towers are going up allowing ATT to start work on the site and we are 30 days out from obtaining the easement and starting work.

The staff needs to call a Planning Commission meeting and have a public hearing to discuss the disassembling or not of the existing Patrick County tower on Bull Mountain within the next 30 days.

Mrs. Harris stated that she was concerned with interference.

The permit fees were waived at a prior meeting and approved in the minutes.

On motion by Lock Boyce to approve the MOU with the exception of dismantling of the existing tower in a timely fashion seconded by Crystal P. Harris carried unanimously.

Voting Aye: Knight, Boyce, Harris, Weiss, Hayden

Voting Nay: None

The Board took a break at 7:54pm-8:15pm

Mr. Black, Draft Cross Connection Ordinance

The PSA recommends that the Board adopt the cross connection policy in the form of an ordinance with the addition of penalties and criminal sanctions also recommended by the Town of Stuart. This will prevent unmonitored private water systems from contaminating the public system. According to Mr. Black everywhere it says director I am going to change that to designated agent (draft copy on file). The Board discussed whether Mr. Tilley would be paid for doing the inspections for the county. Mr. Rose stated that they do have an agreement with the Town of Stuart and he would check into it and get back to the Board.

On motion by Lock Boyce to propose the Cross Connection Ordinance for adoption to go to public hearing March 14, 2011 at 7:00 pm seconded by Ron Knight carried unanimously.

Voting Aye: Knight, Boyce, Harris, Weiss, Hayden

Voting Nay: None

Patrick County Website

The VTC gave a grant to the TAC in the amount of \$5,000 and the TAC has a match of \$5,000.00 totaling \$10,000.00. The TAC would like to update the County's website as well as the Tourism website. The quotes were out for a few weeks. We have not had formal advertisements. The Board had discussion and would like to see someone local get the work.

On motion by Karl Weiss to go ahead with the analysis for the Patrick County website seconded by Crystal P. Harris and carried 4 to 1.

Voting Aye: Knight, Harris, Weiss, Hayden

Voting Nay: Boyce

Sharing Extension Ag Agent

The Board had discussion.

On motion by Lock Boyce to agree to share Patrick County's Ag Agent with Carroll County and seconded by Karl Weiss carried unanimously.

Voting Aye: Knight, Boyce, Harris, Weiss, Hayden

Voting Nay: None

Discussion of the 2011 – 2012 FY Budget

The Board began their discussion of the proposed budget for FY 2011 -2012 year. They made the following recommendations for change:

On motion by Lock Boyce to decrease the BOS salaries by 10% seconded by Ron Knight and carried unanimously

Voting Aye: Knight, Boyce, Harris, Weiss, Hayden

Voting Nay: None

On motion to amend the motion by Roger Hayden to reduce the BOS salaries by five percent seconded by Karl Weiss and carried 3 to 2

Voting Aye: Weiss, Hayden

Voting Nay: Knight, Boyce, Harris

Adjourn

On Motion to adjourn by Mrs. Harris seconded by Lock Boyce until Wednesday, March 9, 2011 at 6:00pm and carried unanimously.

Voting Aye: Knight, Boyce, Harris, Weiss, Hayden

Voting Nay: None

