

At a Work Session of the Patrick County Board of Supervisors Monday, June 22, 2009 at 6:00 p.m. in the Third Floor Board Room of the Patrick County Veterans' Memorial Building and County Administration Offices Stuart, VA.

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

STAFF PRESENT: Jay Scudder, County Administrator; Alan Black, County Attorney; Geri Hazelwood, Assistant to the County Administrator, Ms. Chairperson called the meeting to order.

Ms. Chairperson – Call to Order, followed by the Pledge of Allegiance, and a moment of silence for the past and present members of our armed forces.

Approval of meeting agenda

On motion by Jonathan Large seconded by Lock Boyce and carried unanimously the Board approved the meeting agenda as presented.

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

Voting Nay: None

Consent Agenda: Bills, Claims, Transfers, and Appropriations

The Board had discussion.

The Board stated that they want to make sure that all bills are paid on time to ensure no late fees.

Mr. Scudder stated that most bills are paid once a month. He stated that the staff could work around to make sure bills are not being paid late.

Ms. Harris stated that she would like a copy of all bills and had requested them from Ms. Shough to be sent to her. She also stated that she asked for a stamp from Ms. Shough however, she did not receive one.

Mr. Boyce asked about the Trailer, Fire?

Ms. Harris stated that is the Hazmat Trailer.

Mr. Weiss- \$30, 000.00 for the QRV – roll over to the general fund.

Mr. Scudder stated that he would check on these issues with Ms. Shough.

Mr. Large stated that we should have two members in the community to audit those fire/rescue squads that are not currently being audited by the state or by a CPA.

Mr. Black stated that if an audit had been done by a CPA they could share that information with the County.

Ms. Harris stated that most rescue squads have a CPA.

Mr. Boyce stated that CCDF has a CPA.

Mr. Large stated that a CPA would supersede a community worker.

Mr. Scudder stated that he would ask VACO how other jurisdictions do it.

On motion by Ron Knight seconded by Lock Boyce and carried unanimously the Board approved the following claims# 92052-92643.

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

Voting Nay: None

Discussion

Public Utilities: Mr. Boyce asked if anyone was present from the Town office. He stated that he had great concern as to whether the Town water supply would be large enough to take on the Patrick Springs water project when it ran out of water putting out a fire at Stuart Forest Products. He stated that he had spoke with people from USDA and that they stated that you could string enough wells together to provide water to the Patrick Springs project. Public wells could be managed by the PSA as well as a smaller sewer system.

Mr. Knight stated that backflow is designed to prevent that from happening. He stated that the system is pressurized and able to handle it.

Mr. Scudder stated that old galvanized lines are small and need to be replaced by the town. The town is doing the designs for the jail and need to look into it.

Mr. Large stated that engineers showed numbers and studies done to show Patrick County owns these lines and was assured during the annexation that a reservoir "Springs of Life Camp" to help if necessary. If our growth goes above capacity we are responsible.

Mr. Boyce asked how much of the service area was affected.

Mr. Knight stated the whole corridor. He stated that all facilities should have backflow in place.

Mr. Scudder stated that the VACo Annual Conference would be November 6 – 10, 2009 any member wishing to attend let staff know as soon as possible so that reservations can be made. Those members who have not been able to attend should do so.

Mr. Weiss and Ms. Harris stated the importance of the conference and stated that if two other members could not go that they would go in there place.

Mr. Boyce and Mr. Knight stated they would check their schedules.

Mr. Large stated that the conference is very beneficial to the members for networking purposes. He stated that the governor was there last year. Make sure you keep mentioning 58.

6:30 Recess for Public Hearing on the: Tobacco Regional Opportunity Fund Grant

Mr. Scudder stated that he and Mr. Rose had worked on this for a TROF grant and an allotment in the amount of \$440,000.00 total for Pioneer which was over 10% percent of the County's budget therefore requiring a public hearing.

No comment from the public.

Mr. John Tompkins, Interim Administrator of Pioneer Hospital, gave the Board an update on the hospital. He stated that they would use the funds to make necessary upgrades and purchase new medical equipment such as four new view scopes to be used for ultrasounds and colonoscopies. He stated they are averaging 10 a day in-patients and 3 to 5 a day of outpatients. He stated that they are actively involved in recruiting with Dr. Kipreos, Krammer, and Cole. He thanked the Board and the community for their kindness, and Tom Bishop for assisting him with the "return to roots" program. Mr. Tompkins stated that the employees are exceptional, that the facilities kitchen and surgical areas were in outstanding condition. He stated there are many more things that need to be done and that the money will help in getting those things completed.

Mr. Scudder stated that the monies helped to pay for medicaid and incentives and support from local government have been substantial.

Nancy asked what the \$440, 000.00 will be used for.

Mr. Tompkins stated that it would be used to purchase equipment, services, internal refurbishing, cable TV to all departments, and capital adjustments.

Roger Hayden asked if the hospital would partner with the county.

Mr. Tompkins stated that he felt as though they partnered with the community. The county is a private enterprise.

Mr. Large stated that Pioneer has restored a lot of confidence to the County.

Mr. Tompkins stated that Pioneer is a good organization and that he has been with them for 40 plus years.

Ms. Harris stated that the patients who need psychiatric treatment must be transported. She asked if they will be able to treat them in our facility.

Mr. Tompkins stated that yes, to some degree.

Mr. Black stated that it was difficult when the hospital went bankrupt, since January 1999. The county can rest knowing that Pioneer has taken care of things, and alot of pressure off of this Board.

The Board thanked Mr. Tompkins.

Ms. Chairperson closed the public hearing/comment period.

Ms. Chairperson called the meeting to order.

Mr. Knight read the following letter:

To; Patrick County Board of Supervisors,

June 19th 2009

As we all know we lost another Patrick Countian to the war on terrorism, when 1st Lt. Leevi Khole Barnard was killed in a cowardly attack by Radical Extremist Muslims on May 21st 2009. This man was a true HERO, and I think his memory should be kept alive. He made the supreme sacrifice for freedom and our way of life. I ask the Board of Supervisors to take action to name the Ararat Hwy. (hwy 773)in his Honor and Memory as " Lt. Leevi Barnard Memorial Highway"

Thank You



Bob Knight

The Board had discussion with concerns that if they name this bridge for an officer would they be able to do it for others, one suggested to name the new trail in 1st Lt. Barnard's honor, and other concerns that VDOT would even allow it.

Mr. Scudder stated that he would check with the family spokesperson, highway department, and Mickie Martin 911.

Discussion: Diversion of Funds

Mr. Boyce provided the Board with the following letter:

To Whom it May Concern:

Patrick County is at the foot of the Blue Ridge Mountains, along the North Carolina state line. There are nearly 20,000 residents. The economy was based on agriculture, textiles and wood products; but now the economy is largely based on hope. Patrick County rarely enjoys the full benefits of good times, but suffers severely during bad times.

The County budget is roughly 43 million dollars of which about 8.5 million dollars are derived from local revenue, primarily as real estate taxes. A 65% increase in the tax rate was necessary, due mainly to two large mandated projects: a new jail and a general school renovation. In addition, the contingency fund had to be replenished. This increase was on top of an unfair reassessment which raised taxes 300% to 500% on large tracts of land including farms and wooded areas.

Many of our real estate owners are small farmers who worked their entire lives to hang onto their farms. Now, in the midst of a collapse in the real estate market and plunging prices for beef cattle, we are taxing them more than they can bear and the only remedy that will work is a cash infusion.

State and federal funds have been allocated to Patrick County and many elected officials come down here and tell us how delighted we should be but, well, we are not delighted.

There are anywhere from 6 million to 8 million federal and state dollars allocated in funding to four projects that most people in Patrick County neither want nor need. These are:

- 1) The Mayo River Rail Trail
- 2) Renovation of Jack's Creek and Bobwhite Covered Bridges
- 3) An amphitheater in downtown Stuart
- 4) The Rocky Knob Project

These projects not only represent wasted tax dollars that can be used elsewhere, but also they come with "matches" and requirements for maintenance that further deplete critically needed local funds.

Think of it like this: you are broke. Your roof leaks, your plumbing is shot and your electric wiring is in such bad shape that your house may burn down at any time. Along comes a rich uncle who looks at your house and agrees that you desperately need help. Then, he offers to pay you 80% of the cost of paving your driveway.

Would a paved driveway be nice? Yes, in better times, but most people would agree that your rich uncle is also a crazy uncle.

We've been warned repeatedly that if we reject these funds or these projects, the money will just "be wasted somewhere else." Therefore, we wish it clearly understood that we are not rejecting these projects.

Rather, we are asking... nay begging that some or all of these funds be diverted to either our jail project or our school renovation project.

Government at all levels has a reputation for wasteful actions that fly in the face of common sense. For once, let's abandon frivolous programs championed by an elite few in order to properly address the business of government in difficult times.

In the words of Mr. Roger Martin, previously a member of this board, "Let's stop taxing the needy to benefit the greedy."

The Board had discussion that if they asked for the money to be sent back that it would be offensive; others were concerned with specific mandates that go along with grants, they discussed pros and cons concerning the Mayo River Rail Trail. They discussed the county's obligation is to the projects within the county not the town.

On motion by Karl Weiss to write a letter to all five of our elected officials thanking them for all they have done for Patrick County and to let them know that we are in dire need of financial support for the projects that the County is being faced with, seconded by Ron Knight and carried unanimously.

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

Voting Nay: None

The Board had discussion on ARRA: American Recovery and Reinvestment Act. They stated that the funds would have to be used for new projects. Mr. Scudder stated that he would have more information by the next meeting.

Mr. Scudder gave the Board an update on the Patrick County Jail, Value Management Analysis please see below:

[Fwd: Patrick County Jail -- Value Management Analysis]

Subject: [Fwd: Patrick County Jail -- Value Management Analysis]
From: Jay Scudder <jscudder@co.patrick.va.us>
Date: Wed, 17 Jun 2009 08:50:26 -0400
To: Geri Hazelwood <ghazelwood@co.patrick.va.us>

BOS packet please

Subject: Patrick County Jail -- Value Management Analysis
From: Bill King <bking@t-l.com>
Date: Tue, 09 Jun 2009 18:11:58 -0400
To: Jay Scudder <jscudder@co.patrick.va.us>
CC: Sheriff Dan Smith <dmsmithpcso@kimbanet.com>, Mark Swecker <mswecker@t-l.com>, Harold Ellis <hellis@ppinfrastructure.com>, "Allen M. Hamblen" <ahamblen@englishconst.com>

Jay -- As per the requirements of the VDOC, the County must do a 'Value Management Study' (more commonly called a 'Value Engineering Study'). This study needs to be done following DC's (25% stage). This needs to happen shortly after the DC's are completed later this month.
On some of our other Jail projects, the Owner determined that since 'Value Management' or 'Value Engineering' technically is a "non-professional service", the Owner requested 4 proposals (in lieu of a professional services RFP process). This fell under the Owner's purchasing policy for "Non-Professional Goods and Services" between \$30,000 and \$50,000. The VDOC budget was \$40,000 for this activity. According to a Value Management firm in Virginia, apparently the Virginia Department of General Services considers Value Management Studies as a "non-professional service".
We realize that the above approach may or may not be acceptable in Patrick County and will depend on your procurement policies and input from your County Attorney as to how you wish to proceed on this matter.
Please let us know how the County wishes to proceed in terms of procurement. We can provide you with sample letter requests and the names of VMA firms, or if you so determine that an RFP is needed, we can provide you with information that would go into the RFP.
Thanks, Bill

Patrick County Jail -- Value Management Analysis.eml Content-Type: message/rfc822
Content-Encoding: 7bit

1 of 1

6/17/2009 8:32 AM

The Board had discussion and asked Mr. Black for his legal advice. Mr. Black stated that the County needed to do an RFP process and not skip it. He stated that it is a tried and true method of professionalism.

The Board asked Mr. Scudder to contact Harold Ellis and make sure that the 25% is part of the current jail budget.

Action

On motion by Lock Boyce and seconded by Ron Knight the Board made an appropriation in the amount of \$440,000.00 from the Tobacco Regional Opportunity Fund Grant to Pioneer Hospital and carried unanimously.

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

Voting Nay: None

Discussion: Referendum

The Board had discussion concerning the referendum for liquor by the drink by district. Mr. Black stated that you have to circulate petitions and must be signed by ten percent or more of eligible voters by each district, and a supervisor cannot sign their own district, and must be witnessed. Mr. Black asked the Board what role they would like to take to ensure time to file with the Circuit Court.

Mr. Scudder stated that a petition from each district would be placed at the County Administration office and Town office.

Mr. Weiss suggested that an ad be placed in the paper.

Mr. Black stated that his office would be a place of contact.

Action Item

Mr. Black stated that there was discussion of lowering the rate once the reassessment was final but just to be safe the Board needed to make a formal vote to lower the tax rate to .3274 percent after the reassessment.

On motion by Lock Boyce seconded by Ron Knight to lower the tax rate from 55 to .3274 as a result of the reassessment and carried unanimously.

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

Voting Nay: None

The Board had discussion concerning an issue with the School project lease purchase for the HVAC units on the new upgrades. It is covered under their operating budget and does not increase due to energy savings or maintenance savings on that line item. It is a 3.5 million dollar lease purchase a 7.15 percent for 15 years.

Mr. Weiss asked if this is paid under Ameresco?

Mr. Scudder stated no, this is covered under the schools operating budget.

The Board stated that this information was not brought to their attention prior and would like an explanation to themselves as well as the public, because now the County is responsible to pay for this through the budget.

The Board had discussion concerning the cafeteria lines and stated that they understood that those lines had to be replaced and was given an explanation to help them understand how those funds were to be spent.

Executive Session

On motion by Karl Weiss seconded by Lock Boyce and carried, 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

Weiss: Aye

Harris: Aye

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 Jonathan Large seconded by Lock Boyce, and carried the Board reconvenes into regular session.

Roll Call:

Knight: yes

Weiss: yes

Large: yes

Boyce: yes

Harris: yes

On motion by Ron Knight seconded by Lock Boyce and carried unanimously to adjourn until July 13, 2009.

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

Voting Nay: None

,Chairperson