

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, April 12, 2010 at 6:00 p.m.

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

STAFF PRESENT: Jay Scudder, County Administrator; Tom Rose, Assistant County Administrator; Alan Black, County Attorney; and Geri Hazelwood, Assistant to the County Administrator/Clerk; Donna Shough, Finance Officer

Others present were: Nancy Lindsey, The Enterprise; Richard Rogers, WHEO, Tom Bishop, Chamber of Commerce, Ms. Janet Rorrer and Ms. Carolyn Tatum

Call to order: Mr. Chairman

Rev. 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 Ron Knight seconded by Lock Boyce and carried unanimously the Board approved the agenda as presented.

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

Voting Nay: None

On motion by Lock Boyce seconded by Crystal P. Harris and carried unanimously the Board approved the February 22, 2010 minutes as presented.

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

Voting Nay: None

## Presentation, Ms Lisa Price Hughes, Updates to Six Year Plan

The Board had discussion and approved the six – year secondary road plan for FY 2010 – 2016 and the construction budget for FY 2010- 2011. The list included the additions of Trent's Store Lane (Rte 757) and Kelly Mill Road (Rte 725) as originally proposed as well as new additions Red Rough Road (Rte 637) and Tatum Lane (Rte 756).

On motion by Ron Knight seconded by Crystal P. Harris and carried 4 to 1 the Board approved the six year plan as presented.

Voting Aye: Boyce, Knight, Harris, Weiss

Voting Nay: Hayden

Ms. Harris apologized to the citizens who had come to the meeting to hear a presentation on broadband high speed internet from Mr. Ralph Ison. She asked that Mr. Scudder get the people's names and numbers who were in attendance and contact the representative and have them respond to such citizen's.

Mr. Scudder passed around a sign in sheet for all citizens to sign.

Mr. Chairman opened the public comment period.

Ms. Tracy Mitzen, Smith River District, spoke on broadband service be connected to Apple Tree, Lone Ivy, and Morrison School Rd. She stated that the need was great for DSL, high speed internet service and would like to be able to pay the same amount as others who have the service in other areas in the county.

Mr. Walter Payne and Danny Young concurred.

Mr. Weiss thanked her for her comments and stated that his daughter lives in the area and has the same problems. He asked Mr. Hayden who has served on the Broadband Committee to address the citizens.

Mr. Hayden spoke of 14 switching stations to be installed by Centrylink which will include the Woolwine area. The only area that will not be activated is Goosepoint. Mr. Hayden gave the number 694- 9972 for the citizens to be able to directly contact their local Centrylink representative. He stated that Mr. Ralph Ison would be at the April 26, 2010 meeting to give a presentation to the Board.

Mr. Hayden and Mr. Weiss stated that they were informed that 95% of Patrick County would have DSL by 2010.

Mr. Sparks stated that Little Russell Creek Lane has approximately 20 homes and the homeowners pay a maintenance fee and they also pay taxes and need to have their road maintained.

Mr. Knight stated that it is a private housing area; VDOT is not adopting any new roads unless they are brought up to State specifications.

Mr. Large spoke to the Board concerning the Schoolboard spending and presented the Board with handouts. He stated that while he was on the BOS he had asked questions from the Schoolboard and never got answers. He stated that if answers were given then he would not have had to go to court and spend money just to get an honest answer. He asked that the Board take a close look at the budget .

The Board discussed their disappointment in a citizen not being able to get an answer to a question from the Schoolboard.

Mr. Danny Foley presented the Board with a handout which referred to additional costs being passed on to the consumer. He asked that the Board pass a resolution to be submitted to the General Assembly in opposition to the rate increases.

The Board discussed their opposition to the APCO rate increases as well as any additional increases. The Board asked for the legal advice of County Attorney, Mr. Alan Black.

Mr. Black suggested that they contact Roscoe Reynolds and Ward Armstrong as to how to word the resolution and give advice as to whom to send it to. Be brief and concise.

Mr. Boyce and Mr. Weiss asked that Mr. Scudder have the resolution by the April 26, 2010 meeting.

The Board thanked Mr. Foley.

Mr. Vivier spoke concerning revenue sources. He stated that if the Board were to lower the tax rate from 48 cents to 46 cents then we would have to raise the levy.

Mr. Hullett stated that the more frequent the reassessments assuming the benefits outweigh the cost; we could go from every 4 yrs. to 2 yrs.

The Board thanked Mr. Hullett.

Mr. Chairman closed the public comment period.

Mr. Scudder, County Administrator

Mr. Scudder stated that he was looking into the fee schedules and structures for the Patrick County Transfer Station to see what can be changed and will come back to the Board with recommendations.

The Board discussed a situation where a church had been charged to dispose of items that required a fee. The church has a yard sell every year and all proceeds go to the "Ross Harbour Scholarship". Mr. Scudder stated that we do not have anything in the ordinance that exempts churches from paying fees. Ms. Harris stated that she would write the church a personal check.

Mr. Black stated that a new ordinance could be written and brought to public hearing to be discussed.

Mr. Scudder stated that he would work on a new draft ordinance and bring it to the Board for discussion.

Mr. Knight asked why the church didn't donate what was left to Goodwill.

Mr. Hayden asked how you would enforce not charging churches.

Mr. Boyce asked that we think very carefully before we start charging fees for household trash.

Mr. Scudder stated that the Board's Planning Session could be held at the PHCC site in Patrick County during the regularly scheduled work session on May 24, 2010 to discuss the future of Patrick County. There will be a light meal and drinks. The meeting is open to the public.

Mr. Scudder and Mr. Rose gave the Board a presentation stating that Griffith Lumber had been awarded by the Virginia Tobacco Indemnification and Community Revitalization Commission a \$70,000.00 grant to assist them in expanding a facility in Patrick County. They discussed the performance agreement that was provided to each member in detail. (copy on file)

The Board agreed that \$70,000.00 is a small token compared to what Mr. Griffith has put into the county. The Board was very appreciative of Mr. Griffith rebuilding operations in Patrick County and hiring 15 additional employees as well as being able to keep his original staff of 26 employees.

#### Bills, Claims, Transfers, and Appropriations

The Board had discussion concerning the following bills, telephone, law enforcement, Grant ARRA monies, p.21 of unpaid bills Anderson and Associates \$72,800.00 MRRT. The Board discussed vendors not being paid on time for their services.

Mr. Scudder stated that in regards to the Board's comments on the bills that he is working with Centurylink on the phone service, he had asked that all bills be held for the MRRT until all in kind match had been accounted for. He stated that he and Ms. Shough would be attending a meeting in Richmond with Ms. Brooks Ballard to ensure a speedy return on the reimbursement for the jail.

On motion by Lock Boyce seconded by Ron Knight and carried unanimous the Board approved the County General Claims as presented this day and as evidenced by check number's # Vendor Payments - General Fund = 94796 thru 94824, Payroll = 32536 thru 32639, Vendor Payments - General Fund = 94825 thru 95013, Vendor Payments - Inmate Commissary = 236 thru 245, Vendor Payments - Jail Construction Fund = 100001 thru 100004, with holding the \$72,800.00 to Anderson and Associates at the present time for the MRRT line 6083.

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

Voting Nay: None

5 minute break

#### Consent Agenda

On motion by Ms. Crystal P. Harris to appoint Mr. Patrick Powell to serve on the Tourism Advisory Committee (TAC) as Smith River Representative for a term of 3 years seconded by Roger Haden and carried 4 to 1.

Voting Aye: Hayden, Knight, Harris, Weiss

Voting Nay: Boyce

Mr. Hayden asked that the Board cut 2.5% across the Board and since that was not accepted he proposed by motion to change the Personal Property tax rate.

On motion by Roger Hayden to lower the Personal Property and Machine and Tool Tax rate from \$1.71 per \$100 to \$1.53, or 10% which would help our businesses and constituents seconded by Lock Boyce.

The Board had discussion.

Ms. Janet Rorrer stated that the machinery and tool tax applies only to equipment used in manufacturing for converting a raw material to a finished product such as timber to hardwood flooring. According to Ms. Rorrer the personal property and tool tax rate was raised from \$1.36 to \$1.46 in 2002 and then raised to \$1.71 in 2006. She referred to Henry County whose tax rate is lower but they have a business license tax as well as a merchants' capital tax and Patrick County does not.

Mr. Hayden asked Ms. Tatum, County Treasurer; what kind of a revenue loss would that mean?

Ms. Tatum stated that it would be \$234,000.00 of a loss if the Board lowered the levy.

The Board had discussion concerning other neighboring counties personal property rates, health and safety, and cost of operating the EDA. Some of the Board members stated that they were afraid to cut too much off of the revenue for fear of having to raise taxes from 48 cents to 54 cents. The financial forecast that was given to the Board stated that the Board should be able to sustain at its current tax rate until 2015. Mr. Scudder stated that he could not recommend lowering the levy because the taxes offset on another.

Voting Aye: Boyce, Hayden

Voting Nay: Knight, Weiss

Abstain: Harris

The vote failed 2 to 2.

On motion by Lock Boyce to keep the Personal Property and Machinery and Tool Tax at \$1.71 seconded by Ron Knight and carried 3 to 2.

Voting Aye: Boyce, Knight, Weiss

Voting Nay: Hayden, Harris

Adopt the proposed County and Schoolboard budget for FY 2010 - 11

The Board had discussion. Mr. Chairman stated that the Board discussed this year's budget in open forum as a whole. With much tougher times ahead taxes may have to be raised or staff may have to be cut. Mr. Chairman stated that he is proud to have kept every County employee. (Budgets on file)

On motion by Ron Knight seconded by Lock Boyce to adopt the proposed \$42,639,130.00 County budget and Schoolboard budget FY 2010-11 and carried 3 to 2.

Voting Aye: Boyce, Knight, Weiss

Voting Nay: Hayden, Harris

Adjourn

On motion by Lock Boyce seconded by Ron Knight and carried the Board adjourned until April 26, 2010.

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

Voting Nay: None