

VIRGINIA: At a regular meeting of the Board of Supervisors of the County of Patrick, held at the Patrick County Veterans' Memorial Building on Tuesday, October 13, 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 PRESENT: Jay Scudder, County Administrator; Tom Rose, Assistant County Administrator; Alan Black, County Attorney; and Geri Hazelwood, Assistant to the County Administrator/Clerk

ABSENT: Nancy Lindsey, The Enterprise.

Others present were Richard Rogers, WHEO.

The Chairperson called the meeting to order.

Rev. J. R. Vipperman 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 agenda for the meeting was approved.

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

Voting Nay: None

On motion by Jonathan Large seconded by Lock Boyce and carried unanimously, the Board approved the minutes for the September 14, 2009 meeting were approved with the noted change.

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

Voting Nay: None

Mr. Boyce on p. 3 of the minutes stated to change to "house site".

Public Comment Period

The Chairperson opened the public comment period.

Mr. Bill Cottrell, Peter's Creek District; spoke concerning the vote on lowering the tax rate before raising the tax rate to 48 cents per 100. He asked when the Land Use Committee meets and if the meeting would be open to the public.

The Board thanked Mr. Cottrell.

Mr. Johnny Martin, Peter's Creek District; spoke concerning politics and issues with the Sheriff's Office starting a SWAT team.

The Board thanked Mr. Martin.

Mr. Freddie Hiatt, Peter's Creek District; spoke to the Board concerning high taxes.

The Board thanked Mr. Hiatt.

Mr. Ed Neyman, Blue Ridge District; spoke concerning taxes, land use, and giving money to private businesses.

The Board thanked Mr. Neyman.

Mr. Danny Wood, Peter's Creek District; read from a letter addressing the Board concerning issues with water and taxes.

The Board thanked Mr. Wood.

Mr. Roger Hayden, Dan River District, read from a letter addressing the Board concerning Broadband and high speed internet for Patrick County.

Ms. Teresa Potter, Smith River District; read from a letter in favor of providing high speed internet services countywide.

Ms. Harris closed the public comment period.

Ms. Harris asked if the Board had any comments.

Mr. Boyce spoke in opposition of the Mayo River Rail Trail, Rocky Knob Project, and spending taxpayer's money to provide internet service to the entire county. He also spoke in opposition of the EDC acting without the Board's approval on decisions such as appropriately giving tax breaks to stimulate the economy.

The Board thanked Mr. Boyce

Mr. Knight made no comment.

Mr. Large made the comment that taking an oath obligates us to state the facts and then opinions. The information discussed concerning Ten Oaks was something that took place five years ago. He stated that one way the County could save tax money would be to look into the schools budget. Mr. Large stated that no one mentioned looking into cuts to the schools when all of the other departments made cuts.

Mr. Weiss addressed the concerns that the public had made. He addressed Mr. Cottrell by explaining that the Land Use Committee was formed consisting of ten members, two from each district, one large landowner and one small. They were put in place to form a recommendation to the Board. He made reference to a SWAT team being formed in Patrick County, stating that the Sheriff had never made mention of one. He addressed Mr. Hiatt stating that he has always gotten along with the Board members. He stated that he and Mr. Boyce don't agree on a lot of things, but always give each other respect. He addressed Mr. Neyman stating that Primland is a big taxpayer in the County. Primland has not asked the County for money. He stated that Primland is in the State designated Enterprise Zone and benefits are available through the state. They did not qualify for any tax breaks in the County's Enterprise Zone. Mr. Weiss stated that every household needs high speed internet services. According to Mr. Weiss the EDA Board not the EDC has always asked for the full Board's support and does not make decisions without it.

Ms. Harris explained that while she was out due to the death of her son, she had found that the vote had never been formally made to lower the tax rate prior to raising it to 48 cents. The Board did go back as a housekeeping issue and vote to lower the rate.

Mr. Hayden stated he did not mention \$1 million dollars. He asked that Mr. Scudder schedule a meeting with CenturyLink and the Broadband Taskforce.

Mr. Chip Bassett, Bassett Financial;

Mr. Scudder introduced Mr. Chip Bassett.

Mr. Bassett gave the Board a copy of his presentation on the financing of the jail.

PATRICK COUNTY

Financing Plan For Jail and Public Safety Project

Prepared By



October 13, 2009

PATRICK COUNTY

Financing Plan

\$6,445,000 (estimated) Virginia Resources Authority

Purpose: Long-term financing for part of County's project costs

Issuer: Virginia Resources Authority

Security: Lease Agreement with County
Payments subject to annual appropriation
Leasehold Deed of Trust on new building

Terms: Fixed Interest Rate
Final Maturity 2039
First Principal Payment October 1, 2011 (Fiscal Year 2012)
Optional prepayment after 10 years

Timetable: November 5, 2009 Pricing
November 19, 2009 Closing

\$2,300,000 Grant Anticipation Note

Purpose: Interim financing for VDOC portion of project Costs

Issuer: Patrick County Economic Development Authority

Security: Pledge of capital cost reimbursement from VDOC
Interest payments by County subject to annual appropriation
Backup moral obligation of County to repay principal
Additional real estate collateral required

Terms: Variable interest rate
Draw Down "line of credit" structure
Optional prepayment at any time

Timetable: October 16, 2009 Distribute Request for Proposals
November 13, 2009 Proposals Due
November 11, 2009 Board of Supervisors selects winning bid
November 12, 2009 EDA meeting to approve transaction
November 24, 2009 Closing - Draw 5% of Principal
January 1, 2012 Approximate VDOC reimbursement date

Note: Virginia Department of Corrections ("VDOC") reimburses for 25% of approved project costs approximately 12 months after occupancy

PATRICK COUNTY

Financing Plan (continued)

\$3,245,196 County Contribution

\$3,200,000 available June of 2010 from change to semiannual tax collections

\$45,196 for Planning Study already paid

PATRICK COUNTY

Estimated Project Costs

Construction Costs:

Jail Portion	\$ 9,960,000
Sheriff's Office Portion	776,472
Construction Subtotal	\$ 10,736,472

Jail Transition Costs:

Pre-Opening Deputy Compensation	318,073
Equipment for Deputies	26,000
Deputy Physicals	1,950
Pre-Opening Dietary Personnel	10,795
Pre-Opening Medical Personnel	3,000
Dietary/Food for Start-up	10,000
Disposable Items for Start-up	15,000
Jail Vehicles	45,000
Jail Transition Subtotal	\$ 429,818

911 Center Costs:

New 150' tower	92,000
Radio equipment and antenna	56,000
Pre-wiring of new 911 room	12,000
911 Subtotal	\$ 160,000

Other Project Costs:

Land (in 2010 budget)	-
Furniture, Fixtures & Equipment	120,000
Permits & Fees	1,500
Contingency (3%)	322,094
Subtotal	\$ 443,594

TOTAL PROJECT COSTS **\$ 11,769,884**

PATRICK COUNTY

Estimated Sources & Uses of Funds

Sources of Funds:	VRA Bond Issue	Grant		TOTALS
		Anticipation Note	County Contribution *	
VRA Bond Issue	6,445,000			6,445,000
Interest Earnings on VRA Project Fund	5,818			5,818
Grant Anticipation Note/VDOT Reimbursement		2,300,000		2,300,000
County Contribution (semiannual tax collections)			3,245,196	3,245,196
TOTAL SOURCES OF FUNDS	\$ 6,450,818	\$ 2,300,000	\$ 3,245,196	\$ 11,996,014

Uses of Funds:	Project Costs	Costs of Issuance	Rounding Amount	TOTAL USES OF FUNDS
Project Costs	6,269,688	2,255,000		11,769,884
Costs of Issuance	177,178	45,000		222,178
Rounding Amount	3,952			3,952
TOTAL USES OF FUNDS	\$ 6,450,818	\$ 2,300,000	\$ 3,245,196	\$ 11,996,014

* Note: Includes \$45,196 already paid for Planning Study

PATRICK COUNTY

Estimated Annual Debt Service

Fiscal Year	Virginia Resources Authority Bonds			YDOC Grant Anticipation Note *			Total Debt Service
	Interest	Principal	Debt Service Subtotal	Interest	Unused Facility Fee	Debt Service Subtotal	
2010	124,066.25	-	124,066.25	1,880.86	1,131.41	3,012.37	127,078.62
2011	338,262.50	0	338,262.50	49,646.70	934.16	50,580.86	388,843.36
2012	335,737.50	100,000	435,737.50	52,978.77	-	52,978.77	488,716.27
2013	330,366.25	105,000	435,366.25	-	-	-	435,366.25
2014	324,712.50	110,000	434,712.50	-	-	-	434,712.50
2015	318,806.25	115,000	433,806.25	-	-	-	433,806.25
2016	312,637.50	120,000	432,637.50	-	-	-	432,637.50
2017	306,075.00	130,000	436,075.00	-	-	-	436,075.00
2018	299,118.75	135,000	434,118.75	-	-	-	434,118.75
2019	291,900.00	140,000	431,900.00	-	-	-	431,900.00
2020	284,287.50	150,000	434,287.50	-	-	-	434,287.50
2021	276,281.25	155,000	431,281.25	-	-	-	431,281.25
2022	267,881.25	165,000	432,881.25	-	-	-	432,881.25
2023	258,956.25	175,000	433,956.25	-	-	-	433,956.25
2024	249,596.25	185,000	434,596.25	-	-	-	434,596.25
2025	239,631.25	185,000	424,631.25	-	-	-	424,631.25
2026	229,031.25	205,000	434,031.25	-	-	-	434,031.25
2027	218,006.25	215,000	433,006.25	-	-	-	433,006.25
2028	206,456.25	225,000	431,456.25	-	-	-	431,456.25
2029	194,381.25	235,000	429,381.25	-	-	-	429,381.25
2030	181,650.00	250,000	431,650.00	-	-	-	431,650.00
2031	168,131.25	265,000	433,131.25	-	-	-	433,131.25
2032	153,966.25	275,000	428,966.25	-	-	-	428,966.25
2033	139,125.00	290,000	429,125.00	-	-	-	429,125.00
2034	123,506.25	305,000	428,506.25	-	-	-	428,506.25
2035	107,100.00	320,000	427,100.00	-	-	-	427,100.00
2036	89,775.00	340,000	429,775.00	-	-	-	429,775.00
2037	71,531.25	365,000	436,531.25	-	-	-	436,531.25
2038	52,389.75	375,000	427,389.75	-	-	-	427,389.75
2039	32,156.25	395,000	427,156.25	-	-	-	427,156.25
2040	10,893.75	415,000	425,893.75	-	-	-	425,893.75
	\$ 6,536,285.00	\$ 6,445,000	\$ 12,981,285.00	\$ 184,585.42	\$ 2,055.57	\$ 106,672.00	\$ 13,087,857.00

* Assumes reimbursement from YDOC January 1, 2012 in an amount at least equal to \$2,900,000.

The Board had discussion.

Mr. Paul Jacobson, Sands Anderson; VRA ; Approving Lease Financing

Mr. Jacobson presented the Board with the following resolution in which they would need to take action on. The Board had discussion and approved the VRA Lease Financing as follows:

COPY

**RESOLUTION OF BOARD OF SUPERVISORS OF PATRICK COUNTY, VIRGINIA
APPROVING LEASE FINANCING OF JAIL AND RELATED FACILITIES**

WHEREAS, the Board of Supervisors (**the "Board"**) of Patrick County, Virginia (**the "County"**) has determined (i) that a true and very real need exists for the design, acquisition, improvement, construction and equipping of a new jail and other public safety facilities in the County (**the "Project"**) to be located on certain real estate to be owned by the County (**the "Real Estate"**) described in the Deed, the Prime Lease and the Financing Lease (each as hereinafter defined); (ii) that the Project is essential to the governmental functions of the County; and (iii) that it reasonably expects the Project to continue to be essential to the governmental functions of the County for a period not less than the terms of the Prime Lease and the Financing Lease; and

WHEREAS, the Board proposes to enter into (a) the Financing Lease with VRA and (b) related documents in connection with financing the acquisition, construction and equipping of the Project; and

WHEREAS, Virginia Resources Authority ("**VRA**") has indicated to the County that it is willing (a) to issue its Infrastructure and State Moral Obligation Revenue Bonds (Virginia Pooled Financing Program), Series 2009B (**the "VRA Bonds"**) and to provide a portion of the proceeds thereof to the County to finance the Project in an amount not less than \$6,321,188.00 (**the "Proceeds Requested"**); (b) to acquire a leasehold interest in the Real Estate pursuant to the terms of the Prime Lease; and (c) to lease the Real Estate to the County pursuant to the terms of the Financing Lease (**collectively, the "Lease Obligations"**);

WHEREAS, in connection with the acquisition of the Lease Obligations by VRA, the County has agreed to make rental payments to VRA under the Financing Lease (**the "Lease Payments"**);

WHEREAS, VRA has advised the County that the sale date of the VRA Bonds is tentatively scheduled for November 6, 2009 but may occur, subject to market conditions, at any time between November 1, 2009 and December 1, 2009 (**the "VRA Sale Date"**), and that VRA's objective is to pay the County an amount which, in VRA's judgment, reflects the market value of the Lease Payments under the Financing Lease (**the "Purchase Price Objective"**), taking into consideration such factors as the purchase price received by VRA for the VRA Bonds, the underwriters' discount and other issuance costs of the VRA Bonds, and other market conditions relating to the sale of the VRA Bonds;

WHEREAS, such factors may result in the County receiving an amount other than the par amount of the aggregate principal components of the Lease Payments under the Financing Lease and consequently the aggregate principal components of the Lease Payments under the Financing Lease may be greater than the Proceeds Requested in order to receive an amount of proceeds that is not less than the Proceeds Requested;

(VRS2009 / 01260-07/188)

WHEREAS, VRA has advised the County that the aggregate total principal components of Lease Payments will not exceed the Maximum Authorized Principal Amount (as hereinafter defined) and the interest component of the Lease Payments will not exceed the Maximum Authorized Interest Rate (as hereinafter defined);

WHEREAS, the County has submitted its application to VRA to undertake the Lease Obligations; and

WHEREAS, there have been presented to this meeting drafts of the following documents (**together, the "Basic Documents"**) in connection with the transactions described above, copies of which shall be filed with the records of the Board:

- A. Prime Lease between the County and VRA dated as of November 1, 2009 conveying certain interests in the Real Estate and the Project to VRA (**the "Prime Lease"**);
- B. Financing Lease between the County and VRA dated as of November 1, 2009 conveying to the County a leasehold interest in the Real Estate and the Project (**the "Financing Lease"**); and
- C. Local Lease Acquisition Agreement between the County and VRA providing for the County to execute and deliver the Financing Lease and related documents and for a portion of the proceeds of the sale of the VRA Bonds to be provided by VRA to the County (**the "Local Lease Acquisition Agreement"**);
- D. Non-Arbitrage Certificate and Tax Compliance Agreement between the County and VRA concerning, among other things, the expenditure and use of proceeds of the VRA Bonds and the Financing Lease and the use of the Project (**the "Tax Compliance Agreement"**);
- E. Leasehold Deed of Trust and Security Agreement between VRA and certain deed of trust trustees to be named therein dated as of November 1, 2009 (**the "Leasehold Deed of Trust"**); and
- F. Deed conveying title to the Real Estate from the Economic Development Authority of Patrick County, Virginia to the County (**the "Deed"**), to be accepted by the County and recorded in the land records of the County;

NOW, THEREFORE, BE IT RESOLVED, THAT:

I. It is hereby found and determined that the terms of the Basic Documents in the respective forms presented to this meeting and incorporated in this Resolution are in the best interests of the County for the design, acquisition, improvement, construction and equipping of the Project and that the Project is essential to the governmental functions of the County.

3. The same officers of the Board, and the Assistant County Administrator and the County Attorney be, and each of them hereby is, authorized and directed to procure, execute and deliver any and all other agreements, financing statements, papers, instruments, title insurance policies, real property surveys and inspections, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out the purposes and intent of this resolution and the Basic Documents, and are specifically authorized to cause title to the Real Estate to be vested in the County and to execute the acceptance of the Deed on behalf of the County. The same officers, and the County Treasurer, are authorized to make payment to cause the Deed of Trust recorded on November 26, 2008 as instrument number 080002748 in the office of the Clerk of the Patrick County Circuit Court to be satisfied and released in full so that it is no longer a lien on the Real Estate, such funds are hereby appropriated for this purpose and such payment shall constitute payment of the purchase price for the Real Estate.

The same officers are authorized and directed to work with the County's financial advisor, Bassett Financial Management, LLC, the County's bond counsel, Sands Anderson Marks & Miller, a Professional Corporation, and representatives of VRA, including without limitation McGuireWoods LLP, Bond Counsel to VRA, to perform all services and prepare all documentation necessary or appropriate for the execution, delivery and recording, as appropriate, of the Basic Documents.

4. The County represents and covenants that it shall not take or omit to take any action the taking or omission of which would (a) cause the VRA Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (**the "Code"**), (b) otherwise cause interest on the VRA Bonds to be includable in the gross income for Federal income tax purposes of the registered owners thereof under existing law or (c) cause any of the VRA Bonds to be a "private activity bond" within the meaning of Section 141(a) of the Code. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require it at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the VRA Bonds.

5. The County covenants that it shall not permit any proceeds derived from the Lease Obligations to be used in any manner that would result in (a) 10% or more of such proceeds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, provided that no more than 5% of such proceeds may be used in a trade or business unrelated to the County's use of the Project, (b) 5% or more of such proceeds being used with respect to any "output facility" (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that compliance with any such covenant is not required in order to prevent the interest on the VRA Bonds from being includable in the gross income for Federal income tax purposes of the registered owner thereof under existing law, the County need not comply with such covenant to the extent provided in such opinion.

6. The undertaking by the County under the Financing Lease to make Lease Payments shall be a limited obligation of the County, payable solely from funds to be appropriated by the Board from time to time for such purpose and shall not constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith and credit of the County beyond any fiscal year for which the Board has lawfully appropriated from time to time. Nothing herein or in the Lease Obligations shall constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith and credit or taxing power of the County.

7. The Board believes that funds sufficient to make payment of all amounts payable under the Lease Obligations can be obtained. While recognizing that it is not empowered to make any binding commitment to make such payments beyond the current fiscal year, the Board hereby states its intent to make annual appropriations for future fiscal years in amounts sufficient to make all such payments and hereby recommends that future Boards do likewise during the term of the Lease Obligations. The Board directs the County Administrator, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to include in the budget request for each fiscal year during the term of the Lease Obligations an amount sufficient to pay all amounts coming due under the Lease Obligations during such fiscal year. As soon as practicable after the submission of the County's annual budget to the Board, the County Administrator is authorized and directed to deliver to VRA evidence that a request for an amount sufficient to make the payment of all amounts payable under the Lease Obligations has been made. Throughout the term of the Lease Obligations, the County Administrator shall deliver to VRA within 30 days after the adoption of the budget for each fiscal year, but not later than July 1, a certificate stating whether an amount equal to the Lease Payments and any other amounts due under the Lease Obligations which will be due during the next fiscal year has been appropriated by the Board in such budget. If at any time during any fiscal year of the County, the amount appropriated in the County's annual budget in any such fiscal year is insufficient to pay when due the amounts payable under the Lease Obligations, the Board directs the County Administrator, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to submit to the Board at the next scheduled meeting, or as promptly as practicable but in any event within 45 days, a request for a supplemental appropriation sufficient to cover the deficit.

8. To the extent the County intends to satisfy the requirements set forth in Section 265(b)(3) of the Code, and if required by VRA, the County Administrator is hereby authorized to designate the Lease Obligations for purposes of such section.

9. The County authorizes and consents to the inclusion of information with respect to the County to be contained in VRA's Preliminary Official Statement and VRA's Official Statement in final form, both prepared in connection with the sale of the VRA Bonds, a portion of the proceeds of which will be used to purchase the Lease Obligations. If appropriate, such disclosure documents shall be distributed in such manner and at such times as the Chairman of the Board, the Vice Chairman of the Board or the County Administrator, each of whom is authorized to act, shall determine. The Chairman of the Board, the Vice Chairman of the Board or the County Administrator, each of whom is authorized to act, are authorized and directed to

take whatever actions are necessary and/or appropriate to aid VRA in ensuring compliance with Securities and Exchange Commission Rule 15c2-12.

10. The recitals to this resolution are hereby incorporated by reference and are declared to be findings of the Board in connection with its decision to acquire, equip, construct, improve and finance the Project.

11. The Board hereby determines that it is in the best interests of the County to authorize the County Treasurer to participate in the Virginia State Non-Arbitrage Program in connection with the Lease Obligations.

12. Nothing in this Resolution, the Basic Documents or other related documents shall constitute a debt or a pledge of the faith and credit of the County, and the County shall not be obligated to make any payments under the Basic Documents except from funds that may be appropriated by the Board.

13. All acts of the officers, agents and representatives of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the leasing of the Real Estate by the County to finance the Project and the design, acquisition, improvement, construction and equipping of the Project, including execution of design and construction contract documents with English Construction Company, Inc., are hereby approved, ratified and confirmed.

14. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto, to record such document where appropriate and to pay from County funds all appropriate recording fees, taxes and related charges.

15. This Resolution shall be effective immediately upon its adoption.

The members of the Board of Supervisors voted as follows:

Aves

Boyce
Knight
Large
Weiss

Nays

Harris

Abstained

Absent

The attached resolution was adopted at a regularly scheduled meeting of the Board of Supervisors of Patrick County, Virginia, on October 13, 2009.

A Copy Teste:



Clerk, Board of Supervisors, Patrick County, Virginia

On motion by Lock Boyce seconded by Jonathan Large and carried 4 to 1 the Board approved the Lease Financing of the Jail and Related Facilities.

Voting Aye: Boyce, Knight, Large, Weiss

Voting Nay: Harris

Ms. Harris voted no, she stated that she would have liked to have seen the information before the meeting. She stated that she supports the jail project.

Mr. Weiss voted in support of the resolution however, he would have liked to have had more information prior to the meeting.

Mr. Jacobson and Mr. Bassett made the comment that they had been working on the figures for the financing and the lease of the bonds through to today's meeting.

Ms. Linda Edwards White, US Census Bureau

Ms. White presented the Board with a packet of information concerning the Census Bureau. She explained the importance of all people filling out the census form. The form has been shortened to ten questions which is much simpler than the previous forms used. Ms. White stated that they take an oath for life and are liable for a \$250,000 fine or five years in jail for giving out private information. The forms will go out in February – March 2010.

The Board had discussion concerning who should fill out the forms.

Ms. White stated that every person should be counted in Patrick County in order to receive federal funds from the government for all people.

The Board thanked Ms. White.

Mr. Scudder stated that the County would do whatever was needed to help the Census Bureau.

The Board took a 5 minute break.

Resolution GED Week

Ms. Stacey Wright, Regional Program Manager, along with Ms. Wanda Whitlow, and Leigh Ann Hazelwood; WIA Staff; came before the Board requesting a resolution in support of GED and Lifelong Learning week, October 19 – 23, 2009. Ms. Wright commented on the importance of the Census information.

On motion by Lock Boyce seconded by Karl Weiss and carried unanimously the Board approved the Resolution for GED and Lifelong Learning Week, October 19 – 23, 2009.

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

Voting Nay: None

Poll Vote: Cougar Club: “ Brad Clontz Day”

On motion by Lock Boyce seconded by Ron Knight and carried unanimously the Board ratified the poll vote taken for the Proclamation “Brad Clontz Day”.

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

Voting Nay: None

PSA Appointment

On motion by Lock Boyce seconded by Ron Knight and carried unanimously the Board appointed Ms. Cheryl Kiefer, Peter’s Creek District to serve a term of four years on the PSA term beginning September 9, 2009 term ending September 8, 2013.

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

Voting Nay: None

County Administrator’s Report

Mr. Scudder referred to a handout from the Auditor of Public Accounts reporting that for the year ended June 30, 2009, the results of the tests performed found the constitutional officers complied, in all material aspects, with the state laws, and other procedures relating to the receipt, disbursement, and custody of state funds.

Mr. Scudder gave the Board an update from Olver on the Storm Water Prevention Plan Compliance Services Proposal. An Olver staff engineer performed on site training for the staff at the County Transfer Station. The training consisted of assisting the County staff with compliance of the facility’s storm water general permit as well as the annual comprehensive site compliance review for a charge of \$1300.00. Olver will revise the storm water pollution plan and make necessary changes to the previous plan revision as well as incorporate the new permit requirements for a charge of \$2400.00.

Mr. Scudder updated the Board of the status with the City of Danville concerning payment in lieu of taxes for the Hydro Electric facility and property owned by the City of Danville located in Patrick County.

Mr. Black stated that he had not had a chance to study the information thoroughly.

The Board had discussion as to the options they have concerning the payment in lieu of taxes owed by the City of Danville, Hydro Electric facility and property located in Patrick County.

Mr. Scudder stated that he would draft a letter for Ms. Harris, Chairperson; to the City of Danville.

Mr. Scudder informed the Board of a letter he received from STEP, Inc. who has been renting a building from the County. Due to the construction of their own facility here in Patrick County they will no longer need to rent the County's facility after January 1, 2010.

The Board discussed potential uses for the County's facility.

Mr. Scudder informed the Board based upon a suggestion from the County's auditors, the juror checks that are currently being written by the Treasurer, Ms. Carolyn Tatum to be effective October 1, 2009 be written by Ms. Donna Shough, Finance Officer; to ensure a clear audit trail in the County's bookkeeping system RDA.

Mr. Scudder gave the Board good news of Pioneer closing on the purchase of the hospital.

Mr. Scudder explained a bill from Gatsby, allocation for state benefits.

Mr. Scudder thanked Mr. Rose for writing the grant application for the Tobacco allotment to accommodate Results for a buildout of the current facility to house 100 employees. Mr. Scudder stated that he along with Mr. Bernie Day, Delegate Roscoe Reynolds and others attended the meeting with the Tobacco Commission in Roanoke on Tuesday morning and the allotment was approved in the amount of \$300,000.00.

The Board asked if any money would have to be paid back.

Mr. Scudder stated no. He stated that this is an investment in permanent infrastructure for now and for the future.

Bill, Claims, Transfers, and Appropriations

Mr. Boyce asked about the \$6,944 for Leisure Travel Guide.

Mr. Scudder stated that it was paid for out of the Tourism Budget.

Mr. Boyce referred to the unpaid bills for Boyce Holland. He stated that he does not want the \$32.00 for spay and neuter. He extended this to all vets in the County. He would like to see the adoption fee raised to \$50.00.

On motion by Lock Boyce to cease paying vets for spay and neuter and raise the adoption fee to \$50.00. The motion tabled until the next meeting.

The Board had discussion with Mr. Black concerning the legalities of the adoption spay neuter program.

Mr. Black stated that he would check into it and report back to the Board.

Mr. Weiss asked if there was more than one bid for the carpet.

Mr. Weiss inquired if the \$30,000.00 for juror checks were considered an additional appropriation or reimbursed by the state.

Mr. Weiss inquired about two payments to Primary Physician's Care in the amounts of \$33, 000.00 and \$35,000.00.

Mr. Weiss inquired about the \$13,000.00 to Goodman and Company.

Mr. Scudder stated that the county did receive more than one bid for the carpet. The \$30,000.00 for juror checks is an additional appropriation. The amounts to Primary Physician's Care are the County's portion for those employees who were sick. The \$13,000.00 to Goodman is for the Audit of Auditor's.

On motion by Jonathan Large seconded by Lock Boyce and carried unanimously the Board approved the County General Claims as presented this day and as evidenced by check number's # Payroll 31809-31950; Vendor: General 93275-93514 HEM 302 Inmate Commissary 206-208.

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

Voting Nay: None

Ms. Harris had been made aware that Pioneer Hospital was not accepting the County's insurance.

Mr. Scudder stated that he spoke with Mr. McNulty and Mr. Fontaine and everything was worked out.

Consent Agenda

Request for Transfer

On motion by Lock Boyce seconded by Ron Knight and carried unanimously the Board approved the request for transfer from Patrick County General Fund to Patrick County School Funds the carry forward amount of \$370,000.00 for the water project for Patrick County High School with the Town of Stuart.

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

Voting Nay: None

Executive Session

On motion by Lock Boyce, seconded by Ron Knight 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]; personnel matters [Section 2.2 -3711(A) (1), 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: Nay

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

Ms. Chairperson asked if there was any more business to come before the Board.

Mr. Weiss stated that he didn't prefer to poll vote on issues by phone.

Ms. Chairperson concurred. She apologized to the media for having the meeting on Tuesday night. She stated that she had spoken to Mr. Scudder and had asked not to schedule anymore Tuesday night Board meetings.

Mr. Large stated that he was unable to find out what the County has to fund for the schools. He stated that he the County Schoolboard should be aware that the Department of Education is planning to make cuts by half a million dollars in state funding to schools, this will affect the amount the County is required to spend on education.

The Board made the following changes to meeting dates as follows:

The Board will not have a work session on October 26, 2009.

The Board will not meet on November 9, 2009 due to the VACo Conference.

The Board's next meeting will be held on November 16, 2009.

Adjourn

On motion by Lock Boyce seconded by Jonathan Large and carried unanimously the Board adjourned until November 16, 2009

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

Voting Nay: None

, Chairperson