

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, October 27, 2008 at 6:00 p.m.

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

ABSENT: N/A

STAFF PRESENT: Jay Scudder, County Administrator; Tom Rose, Assistant County Administrator; Alan Black, County Attorney; and Geri Hazelwood Assistant to the County Administrator.

The Chairman called the meeting to order.

Rev. Tom Sheppard gave 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 and abroad.

On motion by Lock Boyce seconded by Karl Weiss and carried unanimously, the agenda for the meeting was approved.

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

Voting Nay: None

On motion by Lock Boyce seconded by Ron Knight and carried unanimously, the minutes for the September 22, 2008 & October 2, 2008 meeting were approved.

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

Voting Nay: None

Public Comment Period:

The Chairman opened the public comment period.

Several people spoke in favor of the Mayo River Rail Trail including; Mayor, Jim McHone, Richard Krett, Dr. James Keesee, Barbara Pendleton, Candace Korzenko, Patrick Powell, Larry Belcher, Kay Dunkley, Director of Reynolds Homestead, Jim

Allen, and Tom Bishop, Director of the Patrick County Chamber of Commerce. The Board also received letters of support for the Mayo River Rail Trail from Wayne and Betty Kirkpatrick, Brian Williams, Outreach and Conservation Coordinator; Ellen Jessee, Chair, Martinsville – Henry County Rivers and Trails Group, and Jim Frith; Frith Construction.

Freddie Hiatt spoke in opposition of the trail.

Steve Redd spoke to the Board concerning real estate tax.

Walter Payne and Stacy Cunningham spoke to the Board with needs to have High Speed Internet throughout Patrick County.

Danny Wood spoke to the Board concerning the Patrick Springs Water and Sewer Project, County Budget, State funding cuts, and the new jail.

Mr. Thomas spoke his concerns of who would be able to police the trail; He was also there in support of Roger Hayden and his diligence in trying to get High Speed Internet.

The Board thanked everyone who spoke during the public comment period.

Mr. Chairman closed the Public Comment Period.

Public Hearing: Virginia Department of Transportation; 6 yr. Plan – Public Comment

Patrick County Six-Year Plan 2009-2015

Public Hearing

October 27, 2008

ROUTE	REMARKS	SUBMITTED BY
690 (Taylor View Drive)	Mr. Flagg stated that he and his neighbors were not interested in a Rural Rustic Project, but only requested regular maintenance and Children Playing Sign.	Randall Flagg (spoke with Mr. Flagg on 10/28/08.) He attended the Board Meeting but left during the public comment period.
668 (Long Branch Road)	Paving (Rural Rustic)	Roger/Patricia Fox- Spoke to Ms. Fox on 10/28/08. Her husband attended the Board Meeting, but left during the public comment period, see attached email.
817 (Howell Bottom Road)	Paving (Rural Rustic)	Chris Riffe, Peg Dieffenbach, Ryan Willock, Michael J. Bell, Lester Craig, Clanton Howell
756 (Tatum Lane)	Paving (Rural Rustic)	Burgie L. Penn, Tommie/Carolyn Tatum, Charlotte Davis

792 (Pine Spur Lane)	Paving (Rural Rustic)	Estelle M. Wrede, Neldia Hiatt, Carroll Vick
609 (Belcher Mountain Road)	Paving from route 758 to route 610 (Rural Rustic)	Gene Triker
773 (Ararat Highway)	Widen Shoulders, Bike Lanes, Sidewalks in downtown Ararat	Janet Epperson
681 (Commerce Street)	Increased Traffic @ Walmart, Advance Auto, Wendy's-(PLEASE HELP)	Blair Clarke

Mr. Bobby Rorrer asked VDOT to close the road adjacent to Hardin Reynolds Memorial School and reroute traffic to Crossover Road. They have safety concerns for the students who must cross the road to get to the gym. Mr. Weiss and Mr. Knight also had concerns for safety on this road. Ms. Hughes stated that a public hearing would have to be held before the road could be closed.

Ms. Lisa Price Hughes spoke to the Board and the citizens of Patrick County letting them know of funding cuts to the secondary roads for the coming year and over the next six years. The Board did not approve the six - year plan (refer to handout) per Ms. Hughes. She wanted to provide the Board with allocation figures from the state.

On motion by Lock Boyce, seconded by Karl Weiss and carried unanimously Mr. Chairman closed the Public Hearing.

Reports

Ms. Donna Brown gave a report to the Board on the next generation technology pilot project for the E – 911 system. The pilot project targets Patrick, Franklin, and Henry County. The new technology brings a complete change to the current infrastructure of the county’s 911 system.

The Board thanked Ms. Brown and Mickie Martin, E-911 coordinator.

Mr. Roger Haden, Chairman of the Broadband Taskforce, presented the Board with the following letter:

Thanks to the Board of Supervisors for initiating and supporting the Patrick County Broadband Taskforce.

Wireless Technology is a viable means of supplying High Speed Internet connectivity to the rural areas of Patrick County. Not only will it supply the General Public, but also Emergency Services, Fire, Rescue and The Sheriffs Department will benefit as they can have access in their Vehicles to High Speed Internet. Study is underway by Trificient to provide Patrick County with a course of action. A full report from Trificient will be provided within 60 Days.

June of 2008 Governor Timothy Kaine, announced the formation of a Broadband Roundtable to recommend strategies for low-cost, "Last Mile Broadband", led by former Governor Mark Warner and Virginia Secretary of Technology Aneesh Chopra. The final report was delivered to Governor Kaine September 8, 2008.

Their findings determined that Broadband is a priority for Economic Growth, Education, Health Care, Job Creation, Personal and home based businesses.

"Broadband is indeed Essential Infrastructure."

Concern is the growing geographically and demographically imposed "Digital Divide", as many Rural Communities Lack Access to Affordable Broadband Infrastructure.

Therefore, the Roundtable has prepared Guidelines and Recommendations to assist Localities in providing Broad Band to Rural Areas.

We are following this procedure and find it very informative. One very important recommendation pertains to Conditional use Permits, Tower Ordinances, as Counties that have such ordinances have faired better financially.

It is our recommendation that we implement such action as to make available antenna space, "at no cost to the county", on Towers constructed in Patrick County, to accommodate the County's Emergency Services and Other County Communication Needs. County Administrator,

Jay Scudder is very well versed in Special use Permits and Ordinances and will explain more in detail.



Mr. Jay Scudder stated that we do not have an ordinance in place that regulates towers and allows co - location.

Mr. Alan Black stated that the FCC regulates them and that we can try to put an ordinance in place.

The Board had discussion.

On motion by Lock Boyce seconded by Ron Knight, and carried unanimously, the Board requests that the Patrick County Planning Commission construct a model ordinance on tower space.

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

Voting Nay: None

Mr. Stephen Steele, Anderson and Associates, gave a presentation to the Board on the Mayo River Rail Trail. (See file) He prepared a project cost summary included as follows:

Mayo River Rail Trail Project Cost Summary

prepared for

Patrick County Board of Supervisors

Project Funding Awarded to Date

Funding Source	Amount
VDOT Transportation Enhancement Program FY 2007- 2008	\$58,000.00
VDOT Transportation Enhancement Program FY 2008- 2009	<u>\$58,000.00</u>
	\$116,000.00
Easements	\$72,000.00
Stock Donation	\$6,722.00
Kodak American Greenways Grant	\$2,000.00
Virginia Recreational Trails Fund Grant	<u>\$52,135.00</u>
	\$133,357.00
Total Project Funding Awarded to Date	\$249,357.00
Estimated Project Costs	Phase 1 \$260,675.00
	Phase 2 \$387,550.00
	Phase 3 <u>\$406,225.00</u>

\$1,054,450.00

Allowable Project Costs Based on Existing Match

Available Existing Match	\$133,357.00	20%
Grant Funds	<u>\$666,785.00</u>	80%
	\$800,142.00	

Mr. Steele stated that the next step would be to publicly advertise a consulting firm to allocate the funds.

The Board had discussion.

The Board thanked Mr. Steele and staff.

Jay Scudder, County Administrator

Mr. Scudder stated that the Board would need to appoint members to the 2009 Board of Equalization. There will be a Planning Commission meeting to discuss the adoption of the Comprehensive Plan. Mr. Scudder suggested that each member, go and gather information from each district.

A letter was received from DHCD (Department of Housing & Community Development) stating that West Piedmont Planning District Commission be designated to serve as our Local Development District in conjunction with the ARC, (Appalachian Regional Commission). The ARC will give the localities great possibilities for economic development projects.

Approval: Bills, Claims, Transfers, and Appropriations

On motion by Lock Boyce, seconded by Ron Knight and carried unanimously the Board approved County General Claims as presented this day and as evidenced by check numbers # 90779-91002, payroll; 30346-30468, bills.

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

Voting Nay: None

Board Appointments

On motion by Lock Boyce, seconded by Crystal P. Harris and carried unanimously the Board approved the following appointments:

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

Voting Nay: None

The Board of Supervisors would like to recommend Galen Gilbert to serve on the West Piedmont Disabilities Services Board for a term of 3 years effective October 2008 –2011.

The Board of Supervisors would like to recommend Scott Eutsler to serve on the Public Service Authority (PSA) for a term of 3 years effective October 2008- 2011.

Consent Agenda

On motion by Lock Boyce, seconded by Ron Knight and carried unanimously the Board approved the consent agenda items as follows:

**Voting Aye: Knight, Harris, Weiss, Boyce, and Large
Voting Nay: None**

Request for Approval

The Tourism Office would like to request your approval to apply for a grant from the Virginia Tourism Marketing Leverage Program. The money will be used for brochure development.

CSA

Per letter dated October 13, 2008, from Benny Summerlin, Henry County Administrator, an additional amount of \$3,341 is requested for Patrick County's share of FY 2009 increase in administrative costs for Comprehensive Services Act. A transfer of funds from General County to CSA, and a check for this amount, is requested, as the additional amount was not known prior to preparing the 2008-09 budget.

Patrick County Health Department Year End Settlement – 2008

Per letter dated October 16, 2008, from Gordon Green, M.D., Director, West Piedmont Health District, a request has been made to allow the Patrick County Health Department to retain F/Y 2008 surplus funds of \$5,743 rather than returning them to the County for the year-end settlement. These funds will be added to the

F/Y 2007 retained funds (approved by the Board of Supervisors at the June 9, 2008 meeting) in the amount of \$10,253.43, to purchase a vehicle for use by the Patrick County office.

Executive Session:

On motion by Lock Boyce, seconded by Ron Knight, the Board convened into Executive Session to discuss Legal Matters [Section 2.2-3711(A)(7); Real Estate matters [Section 2.2-3711 (A)(3)] and Personnel matters [Section 2.2-3711. (A)(1)].

Roll Call Vote:

Knight: yes

Harris: yes

Weiss: yes

Boyce: yes

Large: yes

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 Crystal P. Harris, seconded by Karl Weiss, and carried

the Board reconvenes into regular session.

Roll Call Vote:

Knight: yes

Harris: yes

Weiss: yes

Boyce: yes

Large: yes

On motion by Lock Boyce, seconded by Crystal P. Harris and carried unanimously the Chairman ordered that the Board be adjourned until November 24, 2008 commencing at 6:00 p.m.

, Chairman