

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, September 14, 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; and Geri Hazelwood, Assistant to the County Administrator/Clerk

ABSENT: Alan Black, County Attorney

Others present were Nancy Lindsey, The Enterprise.

The Chairperson called the meeting to order.

Rev. Gerald Milton, Sycamore Baptist Church; 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 Lock Boyce seconded by Ron Knight and carried unanimously, the Board approved the minutes for the August 10, 2009, August 24, 2009, and May 18, 2009 work session meetings were approved with the noted change.

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

Voting Nay: None

Mr. Boyce stated that he did not want to do away with the ambulance program. He wanted to base what is given to the squads on need, not just because it is one's turn. He

continued with the importance of soft billing and how Jeb Stuart who runs 80% of calls is doing well with soft billing.

Mr. Large asked if there was anyway he could back up that information.

Mr. Boyce stated that they serve the largest populated areas of the county.

Mr. Scudder said that the county could compile a report to reflect the number of calls each squad or department makes annually.

#### Public Comment Period

The Chairperson opened the public comment period.

Mr. Mario Delgato, Peter's Creek District; spoke of Land Use and how or if the county was considering it at this time. He stated that he was the Chairman of the Taxpayers' Watchdog group.

The Board thanked Mr. Delgato.

Mr. Johnny Martin, Peter's Creek District; thanked the Board for the hospital. He stated that Schoolboard projects should have been discussed before now. He stated that the Board needed to get the taxes down where people could afford them.

The Board thanked Mr. Martin.

Mr. Danny Foley, Mayo River District; presented the Board a letter which he read to them. He thanked Mr. Scudder and his office staff. He referred to the December 2007 meeting minutes when the Board approved a \$37 million school capital improvement project paid for by state funds at two percent. He stated that the county's bond project of \$24 million has an even higher interest rate. He stated that the schoolboard will pay \$10 million of the \$24 million project. Mr. Foley inquired who would pay the interest and suggested it be divided between county and school board.

The Board thanked Mr. Foley.

Mr. Ed Neyman, Blue Ridge District; asked the Board if the tax tickets will be evenly split, and if there will be one notice or two mailed. He stated that with the reassessment people who inherited property are left paying large tax bills. He stated that he was in support of Land Use Taxation.

Mr. Boyce stated that there would be one notice and two tax tickets.

The Board thanked Mr. Neyman.

Mr. Kenneth Harbour, Smith River District; spoke in opposition of Land Use Taxation stating that it would benefit the large landowner and hurt the small landowner.

The Board thanked Mr. Harbour.

Ms. Harris closed the public comment period.

Ms. Harris asked if the Board had any comments.

Mr. Boyce stated that he's the only farmer on the Board and that he is a big supporter of Land Use Taxation. He stated that the expense of shifting the tax burden from the large land owner to the small would only be about \$20.00 to \$30.00 per year. He stated that the assessors are only interested in the fiction of how land could be divided up. Example: 200 acres and turn it into 10 acre farm sites assessed at \$10,000 an acre. He stated that you can't sell your land for that price. He stated the next assessment would then assess each acre for \$10,000. He stated that he needs the help of the people.

The Board thanked Mr. Boyce

Mr. Knight stated that a Land Use Committee had been formed by two people from each district one that would qualify for land use and one that would not qualify. He stated that the committee was formed to see if Land Use was needed on Patrick County. He stated that he would support their decision. He stated that in his opinion that Land Use Taxation would make a five cent increase in taxes. He stated that people need to get involved whether for it or against it.

Mr. Large thanked Mr. Martin for his positive comments. Mr. Large stated that even though his comments were not news worthy from past meetings, he would suggest that the public attend the Schoolboard meetings. He encouraged people to get involved.

According to Mr. Weiss a land use committee had been put together, and he had attended a meeting and gave them his opinion on land use, and they are still meeting and will come back to the Board with their comments. Mr. Weiss stated that more than one member on the Board farms. He thanked Mr. Martin for his positive comments on the Hospital. He stated that concerning the schoolboard, people should attend their meetings and let them know their thoughts and that seventy cents of every dollar the county takes in goes to the schools. He encouraged people to attend the Schoolboard meetings which are during the day.

Mr. Delgato spoke of Proposition 13 which applied to the state of California.

Mr. Scudder let the Board know that proposition 13 is not legal in Virginia.

Mr. Knight apologized to Mr. Foley concerning his vote on the school project. He said the former Board did vote for the project however he and Mr. Large voted against it. He reminded Mr. Foley that the new Board cut it by \$10 million.

Ms. Lisa Price Hughes: Resident Engineer; VDOT

Ms. Hughes stated that Governor Kaine made more budget cuts, which reduced VDOT 's allocation by \$136 million dollars this fiscal year. She stated that the Rt. 8 connector has begun and that Rye Cove Road would be closed on September 23, 2009.

Mr. Large inquired about Rt. 773.

Ms. Hughes stated that there were no funds for Rt. 773 improvements

Ms. Harris asked if the guardrails would be placed at Jack's Creek, Mill House areas.

Ms. Hughes stated that there was not enough room to add guardrails to Jack's Creek, Mill House; however they would put up reflectors.

Mr. Weiss asked about Children at Play signs.

Ms. Hughes stated that the Board would need to pass a resolution and then VDOT would look into it.

Mr. Large thanked VDOT for the work they done at the Angel Overlook.

Ms. Hughes stated that mowing was a big service cut and that they would mow 58 once more and that is it.

Mr. Knight stated that he appreciates the work that Ms. Hughes has done for the district.

Mr. Scudder thanked Ms. Hughes for the work that has been done. He asked if she could elaborate on 58 becoming a federally funded project.

Ms. Hughes stated that 58 had always been funded with state dollars, no federal. She stated that due to the state cuts they have decided to federalize the project. They will have to redo the engineering study to see if it could become a federal project.

The Board thanked Ms. Hughes.

Ms. Harris stated that she would like to see Ms. Hughes every other month to give the Board updates.

County Administrator's Report

Mr. Scudder stated that the Board would need to approve the Piedmont Community Services 2009 – 2010 Performance Agreement which is done annually.

Mr. Scudder stated that he had received information concerning the state budget cuts in the six figures and that the county will have to absorb the costs. The list is broken down by categories as follows: Sheriff, \$65,000; County Attorney, \$5,600; Clerk of Circuit Court, \$16,000; Treasurer, \$5,000; Commissioner of Revenue, \$6,800; Registrar, \$5,173. He stated that Social Services should not cut any staff, however ; cuts to programs and services will be made.

Dam Regulation: He stated that the dam regulations changed dramatically. He stated that a flood inundation study showing the breach of dam in catastrophic event, engineering would be imminent. He stated that the county owns the dams here in Patrick County and is responsible for them. He stated that the study would need to be figured into next year's budget and would be in the six figure range.

Mr. Scudder stated that Mr. Boyce and Mr. Weiss could give a report on the jail.

Mr. Boyce stated that the good news is that the cost of the jail is \$9,960,000.00 and about 20 percent will be reimbursed by the state. He stated the cost of \$776,472 which is lower than they thought covers the cost to build the Sheriff's office, Magistrate's office, and the 911 center. He stated that the twice year billing one time windfall of three million dollars will help to pay down the debt on the jail. He stated that they are using a lot of locals such as J.C. Joyce to help with construction. He stated that within 14 months we should be housing prisoners. He stated that this is the best thing for the county.

Mr. Weiss stated that he also attended the meeting on the jail. He, like Mr. Boyce, stated that it is positive for the county. He stated that the Sheriff said that we should not have to pay to house prisoners.

Mr. Large stated that he hoped the county would breakeven.

Mr. Boyce asked the Sheriff how long the current jail would stay open if we derail the project. The Sheriff stated six months. Mr. Boyce asked how much it would cost the county if that were to happen and he stated \$1.4 million dollars.

Mr. Scudder stated that he had asked Board members to write down names of people who were interested in high speed internet and give them to him. He stated that Embarq had been very responsive. He encouraged the public to call their supervisor. He

stated that Embarq would make a presentation at the October meeting reflecting plans for 2009 and 2010.

Ms. Harris also encouraged the public to call their supervisor and Jay and that she as well as others had been contacting Boucher's office. She stated that this has been in the works for a couple of years.

Mr. Weiss asked that Nancy Linsey, report in the paper that if any citizen would like to have high speed internet to please call.

Mr. Rose stated that the Angel Overlook was ready and the ceremony would be held on Saturday at 12:00.

Mr. Large asked that whoever took the picnic table to please return it. He asked that the grass be raked before the ceremony on Saturday.

Mr. Scudder stated that all of the easements have been attained for the PSWS project. He stated that the information had been recorded and was being sent to Rural Development, and ready for bid.

#### Bill, Claims, Transfers, and Appropriations

Mr. Boyce asked about the \$1500 for Round the Mountain.

Mr. Scudder stated that it was an annual fee.

Mr. Boyce asked about the \$70,000.00 tourism budget.

Mr. Weiss stated that the tourism budget was \$47,000.00 and that the rest of that money is salaries for the staff.

Mr. Scudder stated that there was an extra bill that needed to be included in the bill packet for Marsh Architect for the value engineering study. He said that out of the four companies that bid two actually recommended Marsh Architecture.

On motion by Lock Boyce seconded by Jonathan Large and carried unanimously the Board approved the County General Claims as presented this day and as evidenced by check number's # Vendor 93048-93306 Payroll 31809-31950 Health Insurance Fund 39-40 and 181-182 Inmate Commissary 201-205 HEM 301.

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

Voting Nay: None

#### Consent Agenda

On motion by Karl Weiss seconded by Lock Boyce to approve the noted changes as reflected in the Ordinance Entitled: Elderly and Handicapped Tax Relief;

(Requirements for Exemptions #3. The gross combined income of the owner during the year immediately preceding the taxable year shall be in an amount not to exceed \$22,000.00 instead of \$20,000.00) (Claiming of Exemption: #1. Changed the deadline date from May 1 to March 1 of the taxable year) carried unanimously.

On motion by Karl Weiss and seconded by Lock Boyce and carried unanimously the Board approved the noted changes from 46% to 48% for allocation of PPTRA relief to the Resolution as follows:

Resolution of the Patrick County Board of Supervisors

Be it resolved that this 14<sup>th</sup> day of September, 2009 that the Board of Supervisors does hereby set the percentage computation at 48% for allocation of PPTRA relief to county citizens at a specific amount to be offset against total taxes otherwise due, further, the Commissioner of the Revenue is authorized to adjust the percentage computation after running the personal property books in late August/ September if needed.

Letter of Intent – West Piedmont Multi – Jurisdictional Hazard Mitigation Plan Update

The Board consented to the Letter of Intent.

Formally Confirmed Poll Vote: CCDF Purchase of Fire Truck

On motion by Lock Boyce seconded by Karl Weiss the Board ratified the poll vote as follows carried unanimously.

The Patrick County Board of Supervisors by a poll vote on Monday, August 31, 2009 approved an appropriation in the amount of \$149,000.00 payable by check number # 93047 dated August 31, 2009 from General County Fund for Volunteer Fire Department Capital Equipment for CCDF to purchase a fire truck. The vote carried as follows:

Knight: Yes

Large: Yes

Boyce: Yes

Harris: Yes

Weiss: Yes

Piedmont Community Services 2009 – 2010 Performance Agreement

On motion by Lock Boyce seconded by Ron Knight and carried, the Board does hereby approve the proposed FY 2009 – 2010 Piedmont Community Services

Performance Contract with the Virginia Department of Mental Health, Retardation and Substance Abuse Services, as reviewed and outlined at this meeting.

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

Voting Nay: None

### Virginia Scenic River Resolution

On motion by Lock Boyce seconded by Ron Knight and carried unanimously the Board approved the Resolution as follows:

A RESOLUTION ENDORSING PATRICK COUNTY'S REQUEST TO INCLUDE THE SMITH RIVER AND THE DAN RIVER AS A DESIGNATED STATE SCEINC RIVER

WHEREAS, The Patrick County Board of Supervisors, at their September 14, 2009 regular session, directed the Patrick County Administrator to request that the Virginia Department of Conservation and Recreation to study Smith River and Dan River to determine whether it qualifies for designation as a State Scenic River that was established in 1970;and

WHEREAS, the Virginia Scenic Rivers Program designates and helps protect rivers and streams that possess outstanding scenic, recreational, historic, and natural characteristics that are of statewide significance; and

WHEREAS, the Smith River and the Dan River; and

NOW, THEREFORE, BE IT RESOLVED; by the Patrick County Board of Supervisors, request the Virginia Department of Conservation and Recreation to study the Smith River and Dan River to determine if it qualifies as a State Scenic River.

Mr. Scudder stated that he would like to see other rivers in Patrick County receive scenic river status and would work on that for the future.

### Board Appointment

The Board had discussion concerning conflict of interest issues.

On motion by Lock Boyce to appoint Mr. Danny Wood, Peter's Creek District to serve in place of Mr. Bob Pendleton on the Public Service Authority.

The motion dies for lack of a second.

The Board did not choose to re-appoint Mr. Bob Pendleton.

The Board stated that they would give Mr. Boyce time to find another appointee to represent his district.

On motion by Jonathan Large seconded by Lock Boyce to re-appoint Mr. Rodney Kendrick, Mayo River District and Mr. Darrell Worley, Smith River District to a term of four years beginning September 9, 2009 ending September 8, 2013 and carried unanimously.

On motion by Karl Weiss seconded by Ron Knight and carried unanimously to reappoint the following Planning Commission members for a term of four years beginning July 1, 2009 ending June 30, 2013.

Mr. Ed Anthony, Mayo River District

Mr. Stanley E. Fain, Blue Ridge District

Mr. Gary Griffith, Smith River District

Mr. Rodney Boyd, Dan River District

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

Voting Nay: None

Ms. Chairperson asked if there were any items for executive session or any more business to come before the Board. They stated no.

Adjourn

On motion by Lock Boyce seconded by Karl Weiss and carried unanimously the Board adjourned until October 13, 2009

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

Voting Nay: None

, Chairperson