

Patrick County Board of Supervisors

Work Session

Third Floor – County Administration Building, Stuart, Virginia

2:00 p.m. – Monday, November 29, 2004

PRESENT: Crystal P. Harris, Chairperson; H. Danny Foley, Sr., Vice Chair; Roger L. Martin and David G. Young, Board Members; Regena H. Handy, County Administrator; Michael Burnette, Assistant County Administrator; Eric Helms Monday, County Attorney; and Mary Beth Roberson, Assistant to the County Administrator.

ABSENT: Darrell Cockerham, Board Member.

Call to Order: Chairperson Crystal P. Harris.

Items for Consideration:

I. Abandoned Structures Draft Ordinance: Approximately twenty-five Patrick County residents attended and spoke in opposition of an abandoned structures ordinance. Mr. Foley stated that the Board is only looking at this issue and that a public hearing must be held before an ordinance could be adopted. Mr. Martin advised that most people in Patrick County take a lot of pride in their property and that dumping tires, trailers, and trash on land devalues their neighbor's property. The Chairperson advised that representatives from the Health Department and the Patrick County Building Official were present and willing to answer any questions from the public. She noted that the Board had been informed that several residents would be attending the meeting at 6:00p.m. to voice their opinion on this issue and invited the attendees to be present.

II. 2005 – 2006 Budget Format: The Board informally approved the proposed budget format.

III. Official Abstract of Votes from the Electoral Board: The County Administrator presented an official and formal certification of votes cast in Patrick County during the November election, which was prepared by the Electoral Board. Said report was approved and ordered filed with the papers of this meeting.

IV. Animal Control Issues: Mrs. Handy stated that a citizen had suggested adopting a dog leash law and hiring an additional animal control officer at the Board's last meeting. The Board determined that there is no indication that would warrant another officer or the need for a leash law.

V. National Association of Counties Funding Request: The County Administrator advised that Virginia would be hosting the National Association of Counties (NACO) in 2007. She stated that the Virginia Association of Counties (VACO) is asking each county to contribute \$1,000 towards its efforts to "welcome home to Virginia" county officials from across the nation and to solicit corporate sponsorship from the community. Mrs. Handy stated this would be a one-time contribution and that the County currently pays annual dues to VACO. She asked the Board to consider this request.

VI. Cell Phone Use by County Employees While Driving County Vehicles: The County Administrator advised that Mr. Martin had requested that the Board discuss a proposed policy

that would prohibit employees from talking on cell phones while driving county owned vehicles. Mr. Martin advised that if the County had a policy in place that would prohibit cell phone use by County employees while driving, it would transfer the liability from the County to the individual. Supervisors Young and Foley stated that they would like to see an expert liability study before a vote is taken on this issue.

VII. DMV Special License Plate Money: Mrs. Handy advised that the Virginia Department of Motor Vehicles offers customers an Animal Friendly license plate and \$15.00 of the proceeds goes to the locality after the first 1,000 plates are sold; \$90.00 is in Patrick County's fund for Fiscal Year 2004. Mr. Martin advised that this money might create a disruption within the community. Mr. Young stated that \$90.00 is not worth creating an argument. He advised that if the fund became several hundred dollars and would benefit more than three pet owners, the Board would consider accepting those funds.

On motion by David G. Young, seconded by Roger L. Martin and carried, the Board does hereby return the funds from the Virginia Department of Motor Vehicles that were generated from the sale of the Animal Friendly license plates in the amount of \$90.00.

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

VIII. WHEO Weather Station Reply: Mrs. Handy noted that the Board had requested that the National Weather Service (NWS) designate WHEO Radio Station as an official weather station for the area. She advised that a letter from the NWS in response to the County's request states that WHEO is a severe weather spotter and recommends increasing the number of spotters in Patrick County, in which they would be glad to provide weather spotting training seminars. The Board requested Mrs. Handy to follow up on this request.

The Board recessed for fifteen minutes.

The Board reconvened into regular session.

IX. VDOT Report and Discussion of Road Matters: This day came Lisa Price Hughes, Resident Engineer, Virginia Department of Transportation (VDOT), to discuss matters pertaining to the primary and secondary road systems in Patrick County.

a) Six Year Plan: Mrs. Hughes noted that the Board approved the Six Year Plan at the November 15th meeting in which Corns Road was added as a Rural Rustic Road as Priority #13. She advised that a resolution is needed from the Board to add that road to the plan.

On motion by David G. Young and seconded by H. Danny Foley, Sr. and carried:

WHEREAS, the 1977 Session of the Virginia General Assembly amended Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, which in part, provided the opportunity for each county to work with Virginia Department of Transportation in developing a Six Year Road Plan, and

WHEREAS, this Board had previously agreed to assist in the preparation of this plan in accordance with the Virginia Department of Transportation policies and procedures and participated in a Public Hearing on the proposed plan as well as the Construction Priority List (2005-2006) on October 14, 2004 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed plan and priority list, and

WHEREAS, Lisa Price Hughes, Resident Engineer, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six Year Plan for Secondary Roads (2005-2011) and the Construction Priority List (2005-2006) for Patrick County, NOW, THEREFORE, BE IT RESOLVED that since said plans appear to be in the best interests of the Secondary Road System in Patrick County and of the citizens residing on the Secondary System, said Six Year Plan (2005-2011) and Construction Priority List (2005-2006) are hereby approved as presented at the Public Hearing, as amended.

Voting Aye: Foley, Martin, and Young

Voting Nay: Harris

Absent: Cockerham

b) Slides on Route 58: Mrs. Hughes advised that a week's worth of work is left to do on the slides on Route 58 on the mountain and the paving should be completed within the next week as well.

c) Overlook on Squirrel Spur Road: The County Administrator stated that Mr. Cockerham had requested her to ask Mrs. Hughes if VDOT owns the right-of-way at the overlook on Squirrel Spur Road. Mrs. Hughes advised that the area is on private land and that VDOT has a fifty-foot right-of-way. She advised that there would be no guardrails installed.

d) Citizen Concern with Willis Gap Road: The Chairperson advised that a citizen had expressed their concern for the safety of bus drivers who travel from Blue Ridge Elementary School and onto Willis Gap Road. She asked if white lines or reflectors could be installed in that area. Mrs. Hughes stated that she believes there are yellow lines on that road and that she would check into it.

X. Virginia Byway Designation on Rt. 58 West: The County Administrator advised that the Department of Conservation and Recreation responded in a letter to the Board's request that an area in Meadows of Dan be designated as a Scenic Byway. She stated that the letter recommends that the Board support designation of Route 58 from its intersection with Route 8 to the entrance of the Blue Ridge Parkway near Meadows of Dan. Mrs. Handy noted that Mr. Martin had prepared a resolution for this proposed designation. The County Attorney advised that because some amendments need to be made to the proposed resolution, he recommends adopting it at the December meeting.

XI. Crooked Road Route Through Patrick County: Mrs. Handy stated that Senator Roscoe Reynolds advised the Board that it would need to select its "Crooked Road" through Patrick County. She noted that this is an actual roadway as the trail follows a designated highway. Mrs. Handy suggested designating Route 58 with offshoots or branches to other specific locations. Stanley Fain appeared before the Board to request that the County provide the funding for the "Crooked Road" advertisement at a cost of \$1,000.00, which would advertise all of Patrick County's events. Patty Hazelwood addressed the Board and asked that lodging tax funds be used to pay for the ad. Mr. Young asked Mrs. Hazelwood if there would be a possibility of a matching grant. Mrs. Hazelwood stated that she would like to confer with the other organizations concerning the grant. Cecil Hall stated that the problem with these types of grants is that when the grants are used up, the County ends up with nothing. Wayne Craig recommended that the Board contact Steve Slate concerning the "Great Road" when determining the "Music Trail" through Patrick County. Mr. Fain and several event coordinators stepped out into the hallway to discuss the possibility of a matching grant.

XII. E-911 Ordinance: Michael Hudson proposed March 1, 2005 as the enforcement timeline and that the County designate the E-911 Coordinator and her assistant as the investigating agent for the County. The Sheriff suggested that the Building Official not issue a Certificate of Occupancy until the E-911 sign is installed. The Chairperson recommended that Mr. Hudson and Mickie Martin, E-911 Coordinator, advertise this on the radio station. Mr. Foley suggested bringing this issue up at Crime Watch Meetings. The Sheriff stated that the High School SRO could ask the students to remind their parents to put the signs up. Mr. Martin stated that he would like for this to start out with education and then see how much compliance there is near the deadline.

XIII. Regional Jail Study: Mr. Young advised that he was told that the regional jail would be located next to the prison camp on Highway 57 west of Chatham. Mr. Foley stated that he does not believe the regional jail will work because the County would need to build a facility to house the prisoners. He said that the jail would need to be closer or the County should build its own jail. The County Attorney stated that Henry County discussed this issue at their Board meeting and it was determined that this study gives them insufficient information to continue and believes that some of the numbers in the study are inaccurate. He advised that the Martinsville Finance Department has some concerns with the projected construction costs, they believe that the facility could be built cheaper than what has been proposed. Mr. Monday recommended that Patrick County make no commitments to the proposal at this time; the County does not have enough information and there is some concern with the construction cost. He advised that Patrick County should mirror what Henry County has done.

“Crooked Road”: Mr. Fain appeared before the Board after having a discussion with other event coordinators and advised that they, as for-profit organizations, they do not want to use taxpayers’ funds for the advertisement. He stated that they will work with Jeannie Frisco, Assistant for Economic Development and Tourism, to see what options they have.

The Board recessed for fifteen minutes.

The Board reconvened into regular session.

XIV. Transfer Station Issues: The County Administrator stated that the Transfer Station issues would be discussed another day.

XV. Hunting Regulations: The County Attorney suggested amending the County Hunting Ordinance to mirror the State Ordinance. Mr. Foley stated that he does not have a problem with that amendment. Mr. Martin stated that he does not mind what is currently outlined in the State’s ordinance; however, he does not trust the State or the Department of Game and Inland Fisheries. Mr. Monday stated that he would draft an ordinance for the December Board Meeting.

XVI. U.S. Department of Justice’s Approval of Voting Equipment: The County Administrator advised that the County has received approval from the U.S. Department of Justice stating that

they do not object to the purchase of new voting equipment. Said document was approved and ordered filed with the papers of this meeting.

XVII. Homeland Security Grant Designee: The County Administrator advised that the Board had previously passed a resolution that designated her as the agent to receive Homeland Security money and that another resolution is needed. Mr. Martin stated that he would like to see a list of priorities and an assessment of deficiencies and what can be provided to mitigate the deficiencies. Mr. Young stated that Mr. Hudson would need to be present to discuss what can and cannot be purchased with these funds.

On motion by David G. Young, seconded by Roger L. Martin and carried, the Board does hereby designate Regena H. Handy, County Administrator, as the agent for Patrick County to receive Homeland Security Grant money.

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

XVIII. Enterprise Sub-Zone: The Chairperson noted that the Board would hold an Adjourned Board Meeting on December 1st at 7:00p.m. at the Smith River Rescue Squad Building to discuss the proposed Enterprise Sub-Zone in Woolwine.

XIX. December's Meeting Schedule: The County Administrator advised that the Board's next regular monthly meeting will be held on December 13th and the work session is scheduled for December 27th. She asked for any conflicts with those dates; there were no scheduling conflicts.

Continuation of Proposed Abandoned Structures Ordinance: The County Attorney presented the Board with a draft ordinance for its review. Mr. Monday noted that the Board has not specifically addressed motor vehicles; therefore, if the Board would like to omit any reference to motor vehicles, the definition of junk would need to be altered. He advised that if a citizen has a complaint, he or she must sign a compliant form. He noted that the State Code requires nothing in this ordinance; therefore, the County can make any changes that it chooses or it can elect not to adopt it. Approximately seventy-five residents were present; approximately twenty citizens spoke in opposition of the proposed ordinance. Mr. Monday asked the Board to take the draft ordinance and "chop it up" and get it back to him. The Board agreed to table this issue until the December work session.

On motion by David G. Young, seconded by Roger L. Martin and carried, the Board convened into Executive Session to discuss legal matters [Section 2.2-3711(A)(7), 1950 Code of Virginia, as amended]; prospective business matters [Section 2.2-3711(A)(5), 1950 Code of Virginia, as amended]; personnel matters [Section 2.2-3711(A)(1), 1950 Code of Virginia, as amended].

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

On motion by David G. Young, seconded by Roger L. Martin and carried, the

Board reconvened into regular session, based upon the following:

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.

Voting Aye: Harris, Foley, Martin, and Young

Voting Nay: None

Absent: Cockerham

Ordered that the Board be adjourned until Wednesday, December 1, 2004 at 7:00 p.m.

Work notes prepared and submitted by

Mary Beth Roberson, Assistant to County Administrator