

VIRGINIA: At a regular meeting of the Board of Supervisors of the County of Patrick, held at the Patrick County Veterans' Memorial Building thereof on Monday, November 6, 2006 at 2:00 p.m.

PRESENT: Roger L. Martin, Chairman; David G. Young, Vice Chairman; H. Danny Foley, Sr., Crystal P. Harris, and Jonathan Large, 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.

The Chairman called the meeting to order.

The County Attorney gave the invocation.

The Board recited the Pledge of Allegiance to the Flag, followed by a Moment of Silence in honor of U. S. military personnel serving abroad.

On motion by David G. Young, seconded by Crystal P. Harris and carried, the agenda for the meeting was approved.

Voting Aye: Martin, Young, Foley, Harris, and Large

Voting Nay: None

On motion by David G. Young, seconded by Crystal P. Harris and carried, the minutes of the October 6, 2006 meeting were approved.

Voting Aye: Martin, Young, Foley, Harris, and Large

Voting Nay: None

The Chairman opened the Public Comment Period. The Chairman asked for comments from the public. Twelve citizens spoke during this session.

1.) Richard Cox spoke in opposition to the construction of wind turbines in Patrick County. He said that it was his understanding that a public hearing would be held today regarding same; however, he was later advised that it was no longer the case. He stated, "As a citizen of Patrick County, I have been motivated to step forward and become a critic of the actions, or more correctly, the inactions of this Board for the past several months. I'm especially appalled at the comments and statements of certain members of this Board concerning the intent of

those who oppose an issue before this Board when they appear before you. Actions and inactions often speak louder than words, which are uttered publicly. My appearance here today is in regards to a very definite and primary cause, the issue wind turbines being placed in Patrick County. While the issue is at the forefront of my comments, I am equally concerned about the method and manner in which this Board addresses major issues of public concern that affects all residents and citizens of Patrick County. The handling of the Parks and Recreation Commission, the School Board issues, the Annex issue, the questioning of the EMS Coordinator's use of a special response vehicle to properly carry out his duties, and I could go on and on based on discussions contained in the minutes of this Board's meetings. Not only have the members of this Board been insulted by certain members, but the public has received insult when they appeared to express their opinions on issues that affect all. The windmill issue has risen to the forefront because it serves as another example of how this Board has responded in an ineffective and unresponsive manner to the citizens who elect them. During the discussions prior to today, you have received the signatures of over 1,000 citizens in opposition to windmills and yet you have ignored or overlooked those very citizens. Today, I have other petitions to give you, which contain over 200 additional signatures in opposition of these monstrosities. Instead of acting in a decisive manner as an elected body, you have chosen to survey a selective segment of the citizenry..." The Chairman advised Mr. Cox that his three-minute allotment had expired. Mr. Cox stated that he would like to make further comments later in the meeting. The Chairman advised that the Board "has quite a bit of business to conduct today".

The County Attorney stated, "To the extent that the public thought that there would be a public hearing on this ordinance today, that blame needs to be placed entirely at my feet. The requirements for the adoption of an ordinance by a county states that it needs to be advertised in the newspaper and that's why the ad was placed by me in there. There is no special requirement for a tall structures ordinance to have a public hearing. In the past, the Board has typically adopted ordinances after they have been advertised and I operated on the assumption that a public hearing was not necessary because there has been a considerable amount of public discussion on this issue to the extent however, that the public thought there

was going to be a public hearing on this, you need to blame the County Attorney and not the Board of Supervisors.”

2.) Nancy Stanley spoke in opposition to the construction of wind turbines in Patrick County. She said that the lack of enactment of the Tall Structures Ordinance might be a mistake due to the possible decrease in tourism in the County. She stated that windmills might devalue land values, may have emotional impacts, and some citizens might relocate due to same. She stated, “The biggest issue is the economic issue. We are going to lose money if we don’t enact this Tall Structures Ordinance.”

3.) Jeanne Eutsler spoke in opposition to the construction of wind turbines in Patrick County. She advised she is afraid that the construction of wind turbines in Patrick County is a “done deal”. She stated that windmills would be detrimental to the entire county and it’s mountains and forests. She asked the Board to protect the Appalachian Ridges.

The audience began to clap. The Chairman stated, “I want to bring to your attention, one of the rules is there won’t be any clapping because people with an alternate view may be intimidated, so lets run this meeting the way it should be”.

4.) Mike Bridges addressed the Board regarding the proposed Enterprise Zone Subzone designation. He advised that on behalf of the Blue Ridge Passage Resort, he is requesting that the proposed Enterprise Zone Subzone be located in Meadows of Dan. He stated that the business is in the process of a multi-million dollar expansion. He noted that the subzone would benefit all of the businesses in that community, which are mostly tourism oriented.

5.) Eric Johnson asked the County Attorney three questions. He asked, “Is there anything unconstitutional about the proposed Tall Structures Ordinance?” Mr. Monday stated, “No”. Mr. Johnson asked, “Is there anything in either the State or United States Constitutions that guarantees a property owner can do anything that he or she wants to with his property?” Mr. Monday stated, “No”. Mr. Johnson asked, “Is the zoning ordinance that regulates use of private property considered confiscation of that property?” Mr. Monday stated, “It depends on how restrictive it is, but generally, no.” Mr. Johnson stated, “So that dog won’t hunt. The good people of Patrick County who oppose wind turbines are not terrorists out to hijack the Constitution.”

6.) Kerry Hilton spoke in opposition to the construction of wind turbines in Patrick County. He advised that wind turbines are not efficient sources of energy.

7.) Hal Strickland spoke in opposition to the construction of wind turbines in Patrick County. He stated that there would be a probable loss of tax base in the County if windmills were constructed.

8.) Gloria Hilton spoke in opposition to the construction of wind turbines in Patrick County. She asked, "Is this a public meeting, or is it not?" The County Attorney stated, "There is no official public hearing, but I would say this has the same effect". Mrs. Hilton asked if each speaker is still limited to three-minute periods while speakers at public hearings are not. Mr. Monday stated, "At a public hearing, the Chairman can set what ever parameters he wishes for taking comments from the public. There is nothing in the Code that says time is unlimited or what have you." Mrs. Hilton stated that there was not a time limit placed on speakers during the Mayo River Rail Trail public hearing at the October Board meeting. Mr. Large stated, "I would just like to add too, that it is the Chairman's, he sets that up and it's not the rest of the Board. So I guess I'm setting myself aside from that." Mrs. Hilton advised that windmills cause health problems and produce noise. She read a letter from Senator Roscoe Reynolds stating his support for green energy and solar energy, but not for small wind turbines.

9.) Scott Eutsler spoke in opposition to the construction of wind turbines in Patrick County. He advised that the Save our Appalachian Ridges (SOAR) organization has conducted public information sessions regarding wind turbines and noted that they have not meet anyone in favor of same. He noted the petitions that have been presented to the Board and stated that Patrick County citizens "strongly" oppose wind turbines. He stated, "It does concern me; however, that there seems to be so much confusion regarding whether or not the current ordinance banning tall structures is temporary, is it permanent, or is it for that matter even in existence; and that seems to be among the members of the Board and certainly among the members of the community. I would really like to know where we stand with that. Mr. Monday, if you could, I've got a draft of the Board of Supervisors' work session from November 29, 2004 and there's an abandoned structures draft ordinance and it states approximately twenty-five Patrick County residents attended and spoke in opposition

of an abandoned structures ordinance. Mr. Foley stated that the Board was only looking at this issue and that a public hearing must be held before an ordinance can be adopted. Has that changed in two years?" Mr. Monday stated, "No, sir. The law in Virginia has always been that an ordinance has to be advertised twice and that's it." Mr. Eutsler asked, "Okay, so we don't actually need a public hearing to make an ordinance legal?" Mr. Monday stated, "Correct". Mr. Eutsler stated, "My question is, are we protecting ourselves? Are we dotting all our i's and crossing all our t's? It seems like we are trying to do what we can to keep these structures out but I'm concerned that we might be leaving loop holes that high powered attorneys for CEI could come and shoot holes in." He further stated, "I would like to add one final thing and then I'll leave. In this same abandoned structures ordinance, it states that 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 their land devalues their neighbor's property. So, Mr. Martin, it did seem that you are interested in what would happen.." The Chairman stated, "Your time is up, Sir". Mr. Eutsler stated, "And I just wonder what makes you change your mind at this point. If you were interested on November 29, 2004, why are you still not interested?" The Chairman stated, "I'm sorry, your time is up". Mr. Eutsler stated, "I'm sorry it is too".

10.) Sara Jordan stated that she would like to give her three-minute allotment to Richard Cox. Mr. Cox presented the Board with the petitions that he mentioned earlier in the meeting. He stated that the members of the Board were elected to represent constituents in their districts, as well as the constituents in the entire county.

11.) Juliet Davis spoke in opposition to the construction of wind turbines in Patrick County. She stated that windmills would deface Patrick County and that she cannot visualize any benefit from the construction of same.

12.) Kay Eutsler read a letter written by Deborah Quesenberry stating her opposition to the construction of wind turbines in Patrick County and presented the Board with information regarding same.

13.) The County Attorney advised that Thomas Underwood had requested that his letter be read and pictures of houses on the mountain tops be viewed by the Board during the meeting. Mr. Monday read the letter in its entirety, which states that Mr. Underwood opposes the proposed Tall Structures Ordinance.

The letter states, “So instead of developing our mountain tops with expensive, fuel hungry homes, new roads, more power lines and more traffic, would it not make more sense to allow wind turbines to produce our power and use it for our schools or government buildings?”

The Chairman closed the Public Comment Period.

The County Administrator reported on the activities of her office for the preceding month, as required by Section 15.2-407 (B), 1950 Code of Virginia, as amended.

a. Proposed Ordinance to establish fees at the Transfer Station: The County Administrator noted that the Board had requested a written proposal from the Committee that studied the proposed ordinance to establish fees at the Patrick County Transfer Station. She presented the Board with same. Mr. Large advised that the County must purchase a scanner, gun, an additional reader, and software for the proposed card system at the facility, which would cost approximately \$2,570. Mrs. Harris asked that the Committee study the idea of issuing vouchers to Rural Services customers to enable them to dispose of cardboard boxes, debris from house renovations, and large items at the Transfer Station. Mr. Young advised that currently, there is a charge for the disposal of “builder’s trash” at the facility, which would not change. He noted that it would be advantageous for Rural Services customers, who would use the facility “once in a blue moon”, to pay the proposed standard fee of \$5.00 per load of household trash instead of purchasing the proposed card for \$50. Mr. Large advised that he received one phone call in opposition to the proposed fees. He stated that the County must generate money to fund the Transfer Station either by increasing taxes or a fee based on usage. He said the Committee felt that a usage fee would be the best way to address this issue. The Chairman stated Rural Services provides a good service for residents; therefore, the County must ensure that the company is not negatively affected by the proposed ordinance. Mr. Young stated, “This in no way would affect Rural Services’ presence”. Mr. Foley stated that he has seen an increase in the amount of litter along the road since the Board began discussing the proposed fees. He advised that if the proposed fee schedule is put into place, citizens might begin burning their trash in their backyards, which could lead to forest fires. He stated that he does not know if implementing

fees at the facility would be a good idea. Mr. Large stated, "I personally want to reiterate again that this in no way, shape, form, or fashion is a way to go against Rural Services because in my area, and I think in a lot of the outlying areas, it's actually cheaper to pay the Rural Services fee than it would be for me to load up my truck and drive to the Transfer Station and there wasn't a discussion at all about Rural Services." The County Administrator noted that there was an in-house discussion regarding this issue with the understanding that whatever decision the Board made, the franchise agreement with Rural Services must be protected. She stated that Rural Services is very beneficial to the County. Mr. Young stated, "The bottom line is that tax dollars are used to the level of about \$500,000 to support the Transfer Station. As I said before, if I ride the train, I need to buy the ticket." The Chairman stated, "I do agree that the Transfer Station can't keep operating at an almost \$500,000 deficit without some way of making it pay for itself". Mr. Large encouraged suggestions from the Board and from citizens regarding this issue. Mr. Young advised that the Committee is still obtaining cost estimates for software and hardware for the proposed ID card system and asked that the issue be tabled until the December meeting. The Board tabled the proposed ordinance to establish fees at the Patrick County Transfer Station until the December meeting.

b. Review of VACo's 2007 Draft Legislation Program: The County Administrator presented the Board with VACo's 2007 Draft Legislative Program and noted that a vote on the final document would take place on Tuesday, November 14th during VACo's Annual Conference. She asked the Board if there were any comments that they would like to forward to VACo regarding the document. The Chairman stated that he disagrees with VACo's stance on Eminent Domain. Mrs. Handy noted that VACo is aware of the Board's stance on same.

c. Consideration of NC/VA Tourism Initiative Memorandum of Agreement: The County Administrator presented the Board with a Memorandum of Agreement in relation to the Northwest North Carolina / Southwest Virginia Regional Tourism Initiative. She noted that to this point, Patrick County has not been financially involved but has participated as a non-voting member. She advised that Article XII of the Memorandum requires the County Attorney to review the document to ensure that the Board would be acting within the scope of its powers in adopting the agreement. Mr. Monday advised that the Board is authorized to adopt the

Memorandum of Agreement. The Assistant County Administrator stated that the NC/VA Regional Tourism Initiative is a very worthwhile project and recommended that the Board continue to participate as a non-voting member at this point.

On motion by Crystal P. Harris, seconded by David G. Young and carried, the Board does hereby approve Patrick County's participation in the NC/VA Regional Tourism Initiative as a non-voting member and adopts the following Memorandum of Agreement:

MEMORANDUM OF AGREEMENT

THE NORTHWEST NORTH CAROLINA / SOUTHWEST VIRGINIA REGIONAL TOURISM INITIATIVE

By action of its Board of Supervisors, on November 6, 2006, Patrick County, Virginia, hereby joins with other counties in North Carolina and Virginia to establish and empower the Northwest North Carolina / Southwest Virginia Regional Tourism Initiative (hereinafter called the Regional Tourism Initiative). The Regional Tourism Initiative is composed of county governments that desire to engage in joint efforts to develop and improve their local tourism economies, and the tourism economy of the region.

ARTICLE I: THE REGION DEFINED

The counties in northwest North Carolina and southwest Virginia that join the Regional Tourism Initiative through adoption of this Memorandum of Agreement constitute and define the region.

ARTICLE II: PURPOSE

The purpose (*the mission*) of the Regional Tourism Initiative is to support and market the tourism sector of the region and the member counties in order to accomplish the following:

- 1. Provide the region's citizens with new and improved employment opportunities in the tourism industry and in the many businesses that provide goods and services to this sector of the economy.**
- 2. Assist tourist-oriented businesses in advertising to national and international tourist markets.**
- 3. Increase the tourism cash flows into the regional economy and the local economies.**
- 4. Increase the tax revenues of the member counties in order to lower the overall tax burden for the citizens of the member governments.**
- 5. To build national and international awareness of the natural beauty of the region, and its opportunities for wholesome, family-oriented tourism.**

ARTICLE III: MEMBERSHIP

Membership in the Regional Tourism Initiative is open to county governments in northwestern North Carolina and southwestern Virginia that desire to work as partners to achieve the purposes of the Regional Tourism Initiative. Counties may join or leave the Regional Tourism Initiative by majority vote of their governing bodies. There are two categories of membership:

- 1. Voting Members. County governments that have budgeted their share of the Regional Tourism Initiative's annual budget are voting members. Each county has one vote.**

2. **Non-voting Members.** County governments that have adopted this Memorandum of Agreement, but have not budgeted their share of the Regional Tourism Initiative's annual budget are non-voting members. If at any time during the fiscal year a county government budgets its share of the annual budget, it automatically becomes a voting member.

ARTICLE IV: STANDING COMMITTEES

This Memorandum of Agreement creates two standing committees to guide the work of the Regional Tourism Initiative. These are a Steering Committee and a Tourism Advisory Committee.

ARTICLE V: STEERING COMMITTEE

The Steering Committee shall be the governing body of the Regional Tourism Initiative, and shall be composed of the following officials:

- Two officials from each member county. The Governing Boards of the member county governments shall appoint their representatives. The appointees may include an elected member of the Governing Board, the Chief Administrator or Manager of the member government, other local government staff member, or other appointee of the Governing Board. Appointments shall be ongoing until replaced by the Governing Board.
- Two members from the Tourism Advisory Committee, one from Virginia and one from North Carolina. The members shall be appointed by the Tourism Advisory Committee for one-year terms ending June 30, or until a successor is appointed.

The Steering Committee shall have policy-making and administrative powers necessary to accomplish the purposes of the Regional Tourism Initiative. Such powers shall include holding meetings, adopting bylaws, electing officers, making staff assignments, appointing committees, developing and carrying out work programs and budgets, applying for and administering grants, and other essential duties.

The Steering Committee for FY 2006-07 shall be composed of the two officials from each county who previously were appointed by the participating counties; two members of the Tourism Advisory Committee; and two members that may be appointed by their Governing Boards as additional county governments execute this Memorandum of Agreement.

ARTICLE VI: TOURISM ADVISORY COMMITTEE

The Tourism Advisory Committee shall be appointed by the Steering Committee, in such numbers and for such terms of office as decided by the Steering Committee. It is anticipated that the Tourism Advisory Committee will be comprised of professionals in tourism and economic development from the several member county governments, as well as from governmental agencies and educational institutions of Virginia and North Carolina, and from the private sector of the tourism industry.

The purpose of the Tourism Advisory Committee is to give professional advice to the Steering Committee to help define and advance the mission of the Regional Tourism Initiative, and to carry out special projects.

ARTICLE VII: OFFICERS

Officers of the Regional Tourism Initiative shall be a Chairman and a Vice Chairman, elected by and exercising the powers granted by the Steering Committee. Since this is a two-State

program, it is anticipated, but not required, that one officer will be from the State of North Carolina and one officer shall be from the Commonwealth of Virginia. The Steering Committee shall determine matters such as equitable rotation of officer positions among the member governments, length of term, and scope of official duties. Other offices may be created, based upon determination of need by the Steering Committee.

ARTICLE VIII: REPORTING

The Steering Committee of the Regional Tourism Initiative shall report to the member county governments on a periodic basis, including an annual report, and at other times as may be requested by the Governing Boards of the member governments.

ARTICLE IX: PROGRAM MANAGEMENT

The Steering Committee shall appoint a Program Manager. The Program Manager can be a member government, a non-profit organization, or other agency deemed suitable to carry out the daily management of programs of the Regional Tourism Initiative. The Program Manager shall be the Fiscal Agent of the Regional Tourism Initiative. It shall carry out administrative duties such as developing and retaining official records, applying for and managing grants, overseeing and supporting the activities of working committees of the Regional Tourism Initiative, developing reports, and other duties that may be assigned by the Steering Committee. The Program Manager shall be entitled to recover costs of operation, subject to approval by the Steering Committee.

ARTICLE X: STAFFING

It is intended that the Regional Tourism Initiative will rely heavily upon the services of its Steering Committee, its Tourism Advisory Committee, and its member governments. Opportunities will be sought to use the services of academic institutions, tourism agencies, and private citizens who may be appointed to special studies and committees. Consulting services may be acquired as needed. It is not the intent of the Regional Tourism Initiative to duplicate, supplant, or compete with the work of the Tourism Divisions of the State of North Carolina and Commonwealth of Virginia, and the tourism programs that are already underway in the region.

ARTICLE XI: ANNUAL WORK PROGRAM AND FUNDING

The Steering Committee shall develop an annual work program and budget. If deemed necessary, annual appropriations and special appropriations may be requested from the member governments. The Steering Committee, through its Program Manager, may also seek supplementary funding from sources such as governmental and non-profit agency grants and private donor subscriptions to supplement the annual budget.

ARTICLE XII: AUTHORITY TO ACT

This Memorandum of Agreement has been reviewed by the Attorney of Patrick County, who has given assurance that the Board of Supervisors, is acting within the scope of its powers in adopting the Agreement.

Voting Aye: Martin, Young, Foley, Harris, and Large

Voting Nay: None

d. Receive resolution from Prince George County: The County

Administrator presented the Board with a resolution from the Prince George County Board of Supervisors, which commends John and Reve Walsh's commitment to the

safety of children for their efforts in the Adam Walsh Child Protection and Safety Act of 2007 (HR4472). She stated that the Prince George County Board of Supervisors is asking Virginia localities to follow its example and recognize Mr. and Mrs. Walsh for their tireless efforts.

On motion by David G. Young, seconded by Crystal P. Harris and carried, the Board does hereby adopt the following resolution:

WHEREAS, Adam Walsh, six-year-old son of John and Reve Walsh was abducted and murdered on July 27, 1981, in Hollywood, Florida; and

WHEREAS, since the abduction of their son, John and Reve Walsh have tirelessly dedicated themselves to protecting children from child predators, preventing attacks on our children, and bringing child predators to justice; and

WHEREAS, their commitment and creation of the Center for Missing and Exploited Children has saved the lives of numerous children; and

WHEREAS, a result of their efforts and progress made, The Adam Walsh Child Protection and Safety Act, H.R 4472 was signed into law by President George W. Bush on July 27, 2006; and

WHEREAS, this legislation will ensure that sex offenders register, and keep current, where they reside, work, and attend school. It will create the Dru Sjodin National Sex Offender Public Website to search for sex offenders information in each community, require states to notify each other when sex offenders move from one state to another, and increase law enforcement's ability to combat child pornography by ensuring that law enforcement has access to the same information across the United States. In addition, it will increase penalties for using the Internet for the sexual exploitation of children.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Patrick this 6th day of November, 2006, does hereby commend and thank John and Reve Walsh for using their own personal tragedy for the betterment of the children in our community, in our state, and across the United States of America.

Voting Aye: Martin, Young, Foley, Harris, and Large
Voting Nay: None

This day came **Barnie Day**, Virginia Tobacco Indemnification Commission (VTIC), to update the Board on the activities of the Commission. He presented the Board with a packet of information that explained the Commission's priorities and general funding policies. Mr. Day advised that the Town of Stuart is one of five towns across Southside Virginia that will participate in a test project for the Mid-Atlantic Broadband Cooperative, which will provide high speed Internet access to residents and businesses in those locations. He stated that funding for the project is expected to be formally awarded this Thursday. He noted that Patrick

County has approximately \$800,000 of unallocated VTIC funds for economic development. The Chairman stated, "I think this broadband is fantastic step as far as the economic advancement of this whole country." Mr. Day advised that technology, especially broadband, is the Commission's number one priority. The Chairman stated that he would like to see high speed Internet service available for all residents in the county. The Assistant County Administrator advised that this pilot program would probably be located in the Rich Creek Corporate Park with high speed Internet access in a six-mile radius, which would encompass portions of Patrick Springs and Stuart and approximately 33% percent of the County's population. He noted that a private business would more than likely lose money if it tried to provide broadband service to one community in the county; therefore, Mid-Atlantic Broadband has agreed to include an optional bid for Patrick County that would allow a private business to bid on a countywide system. He stated that VTIC would be allocating \$200,000 per site and that Patrick County could use its \$800,000 of unallocated VTIC funds to implement a \$1million countywide system. Mr. Day advised that the long-term goal of the VTIC is to provide broadband service across the entire tobacco region in Virginia. Mr. Large noted Patrick County's large amount of unallocated VTIC funds and asked if there is any possibility of losing same. Mr. Day advised that the County would not lose any funds. Mr. Burnette stated that without Mr. Day "fighting" for Patrick County, we would not have received all of the funds that we have thus far. He said that on behalf of Patrick County, he expresses its appreciation of Mr. Day and all of his efforts. The Board thanked Mr. Day for his continued hard work and dedication to Patrick County.

The County Administrator continued her report.

e. Receive resolution adopted by VACo Board of Directors: The County Administrator presented the Board with a resolution supporting the National Liberty Memorial, which was adopted by VACo. She noted that the VACo Board of Directors has requested that each county's Board of Supervisors review the resolution and consider the adoption of same. She advised that the resolution urges the Governor of Virginia, along with U.S. Representatives from Virginia, to advance efforts to approve the National Liberty Memorial Act to support a public education campaign and to ensure that sufficient resources are secured to dedicate a memorial to African

– Americans of the Revolutionary War and is proposed to be erected on the Mall in Washington, D.C. The Chairman asked if the resolution includes soldiers of African-American decent that fought on both sides of the Civil War. The County Attorney stated that the resolution pertains to those who fought on the side of the Revolution during the Revolutionary War. The Chairman asked if this would be the last memorial that could be placed on the Mall. Mrs. Handy stated that per the attached documentation from VACo, the proposed memorial would be the last. Mr. Young noted that the County of Charles City Board of Supervisors adopted the resolution in August and asked when the resolution and attached documentation was sent to Patrick County. Mrs. Handy stated that she received the information in mid-October, which was after the Board’s regular monthly meeting. Mr. Young stated that it concerns him that the organization behind this initiative waited until mid-October to forward it to the Board with expectation of action by the Board before the upcoming VACo Conference next weekend. He noted that the packet of information consists of eleven pages and takes more than “one read”. The Chairman stated, “These people should be honored, 5,000 of them. But, it’s the last memorial on the Mall and how are we going to honor the veterans from the other wars like we are in right now and the Vietnam memorial is an extremely important thing? And this is an important thing to consider, too. These people should not be denigrated by any means, but I don’t feel like we really should be dealing with this. It should be dealt with on a higher level.” Mrs. Handy noted that the documentation does not indicate that this issue would be discussed at the VACo Conference. Mr. Foley noted that according to the documentation, the VACo Board of Directors unanimously adopted the resolution. Mrs. Harris asked that the issue be tabled until the December meeting and that the Board members who will be attending the VACo Conference obtain additional information regarding same. The Board tabled the National Liberty Memorial Resolution until the December meeting.

f. Receive letter from Auditor of Public Accounts: The Board is this day in receipt of correspondence from the Auditor of Public Accounts advising that audits and reviews of accounts held by the Treasurer, Commissioner of the Revenue, and Sheriff of Patrick County for the fiscal year ended June 30, 2006, in all material respects with applicable state laws, regulations and other procedures relating to the receipt, disbursement and custody of state funds. Said advisement is noted.

g. Further discussion of National Incident Management System (NIMS)

Compliance: The County Administrator noted that at previous meetings, the Board has discussed the need to become National Incident Management System NIMS compliant. She stated that she had requested that Mike Hudson, Emergency Management Coordinator, attend the meeting to discuss the issue and answer any questions from the Board. Mr. Hudson presented the Board with a copy of a power point presentation entitled "Incident Management for Executives" along with the student guide and applicable test. He noted that the Board is required to undergo IS700 training, which Mrs. Harris has completed. He stated that the Board can complete the training through an on-line class or he could conduct a classroom session of same. He advised that the Board needs to do the following steps to become NIMS compliant: (1) complete IS700; (2) formally recognize NIMS, which was completed last year; (3) establish NIMS baseline and strategy for implementation of NIMS, which has been completed; and (4) institute the use of ICS, which has been completed. He noted that he is also working with Town of Stuart officials to assist them in obtaining IS700 training. The Chairman asked what would happen if the Board does not undergo the IS700 training. Mr. Hudson advised that per Presidential Directive V, the Board is required to undergo IS700 training and noted that federal funding is linked to the compliance of NIMS. He noted that at the October meeting, the Board appointed the future County Administrator as the Director for Patrick County in regards to NIMS and noted that Mr. Burnette is currently working on the required certification.

h. Receive notice of Town's Proposed Land Use Ordinance Amendment:

The County Administrator presented the Board with notification from the Town of Stuart regarding a proposed land use ordinance amendment. She stated that according to the notice, a public hearing will be held on November 15, 2006 to consider the reclassification of certain parcels of property from multi-family residential to commercial. The County Attorney advised that no action from the Board is needed.

i. Receive notice of nominations to the Virginia Department of Historic

Resources: The County Administrator presented the Board with notification from the Virginia Department of Historic Resources (DHR) regarding nominations for recommendation to the National Register of Historic Places and for inclusion in the

Virginia Landmarks Register for the following: (1) Reverend Robert Childress Presbyterian Rock Churches, MPD; (2) Bluemont Presbyterian Church; and (3) Mayberry Presbyterian Church, Patrick County. She advised that the notification is simply for the Board's review and noted that the Board can submit comments to DHR regarding the nominations. She stated that a letter of support from the Board would be appropriate. The Chairman stated that the churches are an important part of Patrick, Carroll, and Floyd Counties' history and its people.

On motion by Crystal P. Harris, seconded by David G. Young and carried, the Board does hereby approve the submittal of a letter of support to the Virginia Department of Historical Resources regarding nominations for recommendation to the National Register of Historic Places and for inclusion in the Virginia Landmarks Register for the following: (1) Reverend Robert Childress Presbyterian Rock Churches, MPD; (2) Bluemont Presbyterian Church; and (3) Mayberry Presbyterian Church, Patrick County.

Voting Aye: Martin, Young, Foley, Harris, and Large

Voting Nay: None

j. Consider proposal to update county employee salary scale: The County Administrator noted her upcoming retirement and requested authorization from the Board to commence a review of the employee salary scale prior to her departure. She stated that the county staff is made up of very good, deserving employees and noted that, traditionally, the County has reviewed the salary scale every few years to see if Patrick County is current with surrounding counties and other localities similar in demographics. She advised that the research could become very time consuming; therefore, she might not be able to complete the review before her retirement.

Supervisor Jonathan Large made a motion to authorize the County Administrator to commence a review of the county employee salary scale. Supervisor David G. Young seconded the motion. Mr. Foley asked, "would that also include may be looking at the way the insurance is paid in each locality?" Mrs. Handy advised that it could be included in the review. Mr. Foley stated that he would like to include same. Mr. Large moved to amend the original motion to include the review of county employee insurance benefits. The Chairman stated, "I would also like to see also added to that, a study made of the ability of the taxpayers in the

county, too.” He made a motion to amend the previous motion to include the ability to pay by the taxpayers.

The Chairman called for a vote on the original motion made by Jonathan Large.

Voting Aye: Martin, Young, Harris, and Large

Voting Nay: Foley

The Chairman called for a vote on the second amended motion made by Chairman Martin.

Voting Aye: Martin, Young, and Harris

Voting Nay: Foley and Large

The Chairman called for a vote on the first amended motion made by Jonathan Large.

Voting Aye: Martin, Young, and Harris

Voting Nay: Foley and Large

k. December Meeting Date: The County Administrator advised that the regular meeting for the month of December is scheduled for Monday, December 11th beginning at 2:00 p.m.

l. Pending Business List: The County Administrator presented the Board with a pending business list.

m. Noted for Record Receipt of Department Head Reports:

(1) Sheriff: The report of Patrick County Sheriff David Hubbard of prisoners confined during the previous month in the County Jail was this day presented, which report was examined as required by Section 53-178, 1950 Code of Virginia, as amended, and found to be correct.

(2) Building Inspector: A report of the activities of Jason Brown, County Building Inspector, for the preceding month, including a list of the number of new and used mobile homes for which permits were issued during the

past month, was presented and examined. Said reports are approved and ordered filed with the papers of this meeting.

(3) **DMV Agent:** A report of office activities of Shirley Rorrer, Patrick County Division of Motor Vehicles (DMV) Agent, was presented for the Board's information. Said report is noted and ordered filed with the papers of this meeting.

(4) **Treasurer:** A trial balance of the records of Carolyn I. Tatum, Patrick County Treasurer, as of the last day of the previous month and a statement of depositories made during the same month was submitted. Said report is noted.

(5) **Animal Control Officer:** A report of the activities of C. Leon Handy, County Animal Control Officer, were presented and examined for the preceding month. Said report is noted and ordered filed with the papers of this meeting.

(6) **Maintenance Supervisor:** A report of activities of Teddy Doss, Maintenance Supervisor was presented and examined for the preceding month. Said report is noted and filed with the papers of this meeting.

(7) **Emergency Management:** A report of the activities of Michael Hudson, Emergency Management Coordinator, was presented and examined for the preceding month. Said report is noted and ordered filed with the papers of this meeting.

(8) **Tourism Director:** A report of the activities of Jeannie Frisco, Tourism Director, was presented and examined for the preceding month. Said report is noted and ordered filed with the papers of this meeting.

(9) **Recreation Director:** A report of the activities of Clyde Crissman, Recreation Director, was presented and examined for the preceding month. Said report is noted and ordered filed with the papers of this meeting.

n. **Christmas Parade:** The Board is this day in receipt of an invitation from the Patrick County Jaycees to participate in the annual Christmas Parade to be held on Saturday, December 2nd commencing at 2:00 p.m.

The Assistant County Administrator reported on the activities of his office.

a. **Enterprise Zone Subzone Designation**: The Assistant County Administrator noted that at the October meeting, the Board discussed the proposed Enterprise Zone Subzone. He stated that the Board must decide what course of action the County will take regarding the designation of a second Subzone. He noted that the survey information that he presented to the Board in October indicates that the most need and interest in a Subzone would be in the Meadows of Dan and Ararat Communities. He stated, "A medium term proposal would be that we create our Subzone as a Meadows of Dan Subzone connecting through Primland down the mountain and into Ararat and having one large Subzone that would cover both communities because they do have to touch. Unfortunately, the problem with that right now is that we have a limited amount of acreage that we are able to do with the Enterprise Zone, so it would need General Assembly approval of increased Enterprise Zone acreage and that's something that we cannot do until the next General Assembly Session. We lead the charge to get a second Subzone. My opinion is that it's going to be extremely hard to get a third Subzone." He recommended that the Meadows of Dan community be designated as the second Subzone and that the Board request additional acreage from the General Assembly so that the Ararat community could be added to the Subzone in the near future.

Supervisor Roger L. Martin made a motion to designate the Meadows of Dan community as the second Enterprise Zone Subzone and that the Board request additional acreage from the General Assembly so that the Ararat community could be added to the Subzone in the near future. Supervisor David G. Young seconded the motion. Mr. Foley asked if any other localities have requested a third Subzone from the General Assembly. Mr. Burnette advised that, at this point, he is not aware of any localities that have requested same. Mr. Large asked if the Subzone designation could be "rotated" on an annual basis. Mr. Burnette advised that it is his understanding that rotating a designation would not be feasible. He noted that any expansions that are completed between January 1, 2006 and December 31, 2006 would qualify for Enterprise Zone grant funds, which would be applied for in the spring of 2007. The Chairman called for a vote.

Voting Aye: Martin, Young, and Harris

Voting Nay: Foley and Large

b. RCCP Shell Building Update: The Assistant County Administrator noted that Results Stuart, which occupies a portion of the RCCP Shell Building, employs approximately 175 people and has a three-year lease with the County for the office space. He advised that there is a potential opportunity for the County to receive Tobacco Regional Opportunity Fund (TROF) grant funds to complete the build-out of the remaining portion of the shell building. He stated that because the County is making a substantial investment in the shell building, it could apply for a TROF grant to assist in “paying down” the costs of the building. He noted that when a business receives TROF monies and does not fulfill the requirements in the performance agreement, it must repay the grant funds. He asked for comments from the Board regarding the submittal of an application for a \$200,000 TROF grant. He noted that if Results Stuart breaches its performance agreement with the County, the County would be required to repay the \$200,000 grant. He recommended submitting an application for the grant. He stated, “You have already paid it out of your pocket. If you go for this grant and you get \$200,000 and you end up having to pay it back, you are no more out of pocket than you are today. There is certainly a good chance that Results will do exactly what they said they were going to do and we would actually be \$200,000 to the good, assuming that we could get approval from the Tobacco Commission.” Mr. Young noted Results Stuart’s three-year contract with the County and that Mr. Burnette’s recommendation sounds like a “no brainer” to him. The Chairman stated, “I’d just hate to windup in the situation where we were with VDOT. We wound up loosing half million dollars.” Mr. Burnette stated that the Board has already paid the \$200,000 and this would be an opportunity to “get it back”. Mr. Foley asked if the amount of monies requested from TROF could increase and if a match in funds is required. Mr. Burnette advised that the TROF grant does not require a match and that after speaking with Tobacco Commission representatives, he has been led to believe that the County could apply for a grant in the range of \$200,000. He stated that the most common reason for a call-center business to leave a community is due to workforce issues. He noted that Results Stuart has been very pleased with the quality of Patrick County’s workforce.

On motion by David G. Young, seconded by Crystal P. Harris and carried, the Board does hereby direct the Assistant County Administrator to apply for a \$200,000 Tobacco Regional Opportunity Fund grant to assist in “paying down” the costs of the RCCP Shell Building.

Voting Aye: Martin, Young, and Harris

Voting Nay: Foley and Large

The County Attorney, Eric Helms Monday, gave his report.

a. Prohibition of Tall Structures Ordinance: The County Attorney noted that the proposed Prohibition of Tall Structures Ordinance and the Emergency Tall Structures Ordinance are not identical. He advised that the proposed ordinance includes exemptions for towers used solely for telecommunications and spires or steeples constructed for places of religious worship and a six-month sunset clause; however, it does not include any variances or special use permits. Mr. Large asked when the six-month period would begin. Mr. Monday advised that it would begin on the day in which the Board enacts the ordinance. Mr. Foley asked if the ordinance would be legally binding. Mr. Monday confirmed that it would be legally binding and noted that the Board is not required to “wait out” the full six-month clause. The Chairman stated, “If this HR4772, a House Bill which has been voted out 231 to 181 and is supposed to be sent to the Senate becomes law, any person, any landowner that feels like his property rights have been abridged can take his case, and sue the county or whoever the political subdivision is, to Federal Court. I would have to question that on the basis of this, for the purpose of it, I think he would win. This ordinance would constitute a regulatory taking of a person’s right’s, a landowner’s rights. It abridges the landowner’s right to profit from his own property, and for what purpose? People with no ownership interest want to control use of another’s property. I think it’s arbitrary and discriminatory since we are putting in telecommunications because we already got them and we need them and then the spires and steeples, minarets or whatever, for places of religious worship, so that’s my objection to it.” Mr. Monday advised that HB4772 was passed in the House of Representatives but has not been passed by the Senate. He stated that the bill does essentially federalize eminent domain cases and is a “pro property owner” bill. He stated, “I do agree with Mr. Martin that if the bill is passed into law that we will see an

increase in litigation around the Country.” Mr. Martin stated, “It would also have the potential to bankrupt the County, as far as these lawsuits are concerned”. Mr. Young stated, “In our study on parliamentary procedures at the last meeting, if we enact any ordinance and we find later that it contravenes federal law or we fear that there is a problem, such as if the Senate passes the same bill this coming session, all we need to do is revisit and rescind the decision. It’s obvious that if that occurred and this Board felt that the passage of any ordinance that we had visited was going to bankrupt the County, we would go back and do some soul-searching real quick.” The County Attorney stated, “You, as a Board, have responded to actions by the Federal Government before when the Fourth Circuit took it upon themselves to drive anything other than the most vague reference to religion from your invocation”. The Chairman asked the County Attorney about an advertisement for the proposed Prohibition of Tall Structures Ordinance. Mr. Monday advised that the advertisement had been written and appeared in the local newspaper; therefore, the Board can take any action that it desires regarding same. Mr. Foley asked, “Eric, today if we wanted too, we could just do this for two months until January’s meeting?” Mr. Monday stated, “You could amend it to put a sunset clause in what ever period you want”. The Chairman asked, “Should we wait and vote on this after that”? Mrs. Harris stated, “No.” Mr. Monday stated, “Again, that depends on you all’s pleasure today. Currently, you need to enact something if you wish to continue the prohibition. You need to enact something to replace the emergency ordinance.”

On motion by David G. Young, seconded by Crystal P. Harris and carried, the Board does hereby adopt the following ordinance:

“Prohibition of Tall Structures”

No structure shall be permitted to be constructed anywhere in Patrick County exceeding one hundred (100) feet in height, excepting structures that are erected and used exclusively for the purposes of telecommunications and also excepting towers, spires or steeples constructed for places of religious worship. This prohibition shall be without any other exception and there shall be no variances, nor conditional, nor special use permits granted from this ordinance.

This ordinance shall expire automatically six months from its enactment.

Voting Aye: Young, Foley, Harris, and Large

Voting Nay: Martin

b. General Assembly Pre-filing Period: The County Attorney noted the upcoming General Assembly Pre-filing period and asked if any members of the Board have legislation that they would like to see submitted to Delegate Armstrong and/or Senator Reynolds.

Mr. Large discussed items related to recreational parks in Patrick County.

a. Mountain Top Park: Mr. Large presented the Board with Mountain Top Park's Application for Patrick County Recreation Park Grant in the amount of \$5,415.83. He advised that the funds would be used to purchase a scoreboard and a new picnic shelter cover, which was approved by the Recreation Commission. Mr. Young inquired about a 12-guage generator that was listed on an invoice from Eagle Carports, Incorporated. Mr. large stated that "12-guage" might refer to the thickness of the metal. Mrs. Harris asked Mr. Large to contact the park for an explanation of the 12-guage generator and to present that information to the Board at the December meeting. Mr. Large stated that the company probably means that the metal building is "generated 12-guage".

On motion by Crystal P. Harris, seconded by David G. Young and carried, the Board does hereby approve Mountain Top Park's Application for Patrick County Recreation Park Grant in the amount of \$5,415.83 for the purchase of a scoreboard and a new picnic shelter cover.

Voting Aye: Martin, Young, Foley, Harris, and Large

Voting Nay: None

b. New Ball Field at DeHart Park: Mr. Large presented the Board with pictures of the newly created ball field at DeHart Park, which is located on the land that was donated to DeHart Park by the County on December 12, 2005. Mr. Young stated that the ball field looks good. Mr. Large stated that the transformation from a hollow to a ball field was very impressive.

A number of bills and claims against the county were presented and examined. The Chairman advised that there were a number of bills and department head signatures on same that were not legible. He inquired about a \$308.00 monthly charge for the lease of a copier. The County Administrator advised that the Bookkeeper could not locate said bill; however, she would continue to research same. Mr. Large asked if the Board had previously voted on expending \$5,000 for the Crooked Road Project. Mr. Young advised that the funds were included in the current fiscal year's budget for the project. On motion by David G. Young and carried, the bills and claims were ordered paid and the following warrants were issued in payment of same:

On the General County Fund: Warrants No. 26391 - 26553

On the General County Fund: Warrants No. 84698 – 84742

Voting Aye: Martin, Young, Foley, Harris, and Large

Voting Nay: None

On motion by David G. Young and carried, the requests for appropriations are approved, as presented, therefore,

BE IT RESOLVED by the Board of Supervisors of the County of Patrick, Virginia, that the following appropriations be, and the same hereby are, made for the month of November 2006: General County Fund - \$821,000.00; Social Services (VPA) Fund- \$152,753.67; CSA Fund \$34,375.00; E911 Communications Fund- \$5,921.16; County School Funds - \$2,000,000.00; and School Construction Funds- \$500,000.00: **TOTAL ALL APPROPRIATIONS- \$3,514,049.83**

Voting Aye: Martin, Young, Foley, Harris, and Large

Voting Nay: None

On motion by David G. Young and carried, it is hereby ordered that Carolyn I. Tatum, Treasurer, transfer the sum of Nineteen Thousand Seven Hundred Sixty-one Dollars and Twenty-six Cents (\$19,761.26) from the Capital Depreciation Fund to the General County Fund for payment of expenses incurred for the purchase of a vehicle for the Department of Animal Control.

Voting Aye: Martin, Young, Foley, Harris, and Large

Voting Nay: None

On motion by David G. Young and carried, it is hereby ordered that Carolyn I. Tatum, Treasurer, transfer the sum of Seven Hundred Fifty Thousand Dollars and Zero Cents (\$750,000.00) from the General County Fund to the County School Fund to meet costs for November 15, 2006 contingent upon the definite need for funds and availability in the General County Fund.

Voting Aye: Martin, Young, Foley, Harris, and Large

Voting Nay: None

On motion by David G. Young and carried, the following requests for additional appropriations are hereby approved.

Voting Aye: Martin, Young, Foley, Harris, and Large

Voting Nay: None

<u>Department</u>	<u>Amount</u>	<u>For</u>
Clerk of Circuit Court	\$125.00	Telephone
Sheriff's Department	\$607.50	Salaries – Deputies
Sheriff's Department	\$9,997.00	Salaries – Dispatchers
Sheriff's Department	\$675.00	High School SRO
Sheriff's Department	\$8.40	Miscellaneous Expenses
Sheriff: Maint. of Jail	\$52.40	Laundry Services & Supplies
Sheriff: Maint. of Jail	\$63.00	Personal Supplies for Inmates
Maint: Park Facilities	\$225.02	Repair & Maintenance
Local Health Department	\$8,218.75	Payment to Local Health Depart.
Recreation Department	\$55.97	Maint. on Recreation Equipment
Recreation Department	\$4,520.00	Recreation Park Grant
Economic Development	\$5,000.00	Cont. Longwood Small Bus. Dev. Ctr.
Tourism	\$998.00	Marketing
Tourism	\$248.75	Marketing
Tourism	\$0.47	Telephone
Extension Office	\$280.00	4-H Support Materials
Non-Departmental	\$722.00	Worker's Compensation Insurance
Capital Depreciation	\$761.26	Motor Vehicles & Equipment

On motion by David G. Young and carried, the following requests for transfer of funds are hereby approved.

Voting Aye: Martin, Young, Foley, Harris, and Large

Voting Nay: None

<u>Department</u>	<u>Amount</u>	<u>From</u>	<u>To</u>
Treasurer	\$100.00	Travel / Education	Travel / Mileage
Court Services	\$49.22	Other Operation Supplies	Travel
Building Inspection	\$36.81	Postal Services	Office Supplies
Animal Pound	\$96.59	Travel (Conv/Education)	Travel (Meals/Lodging)
Maint: Bldgs & Grounds	\$450.00	Repair & Maintenance	Telephone
Maint: County Admin.	\$1,447.37	Rug Rental/Cleaning Sup.	Repair & Maintenance
Maint: Adult Education	\$16.03	Electrical Services	Repair & Maintenance
Maint: Courthouse/Jail	\$388.77	Rug Rental/Cleaning Sup.	Repair & Maintenance

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

Voting Aye: Martin, Young, Foley, Harris, and Large

Voting Nay: None

On motion by Crystal P. Harris, seconded by David G. Young 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: Martin, Young, Foley, Harris, and Large

Voting Nay: None

This day came Joshua Hendricks, Assistant Resident Engineer, Virginia Department of Transportation (VDOT), to discuss matters pertaining to the primary and secondary road systems in Patrick County.

a. **Cherry Creek Road**: Mr. Hendricks advised that Carnell Construction was unofficially awarded the contract for the Cherry Creek Road project totaling \$1.1million.

b. **Blueberry Lane**: Mr. Hendricks stated that VDOT is waiting for environmental clearance before beginning the Blueberry Lane project, which is scheduled to commence in the spring. He noted that Sprint has relocated all of the telephone lines under the road in that area.

c. **Route 58 Demolition Contract**: Mr. Hendricks reported that VDOT is executing a contract for the demolition of vacant structures along Route 58.

d. **Route 58 Speed Study**: Mr. Hendricks stated that according to the Route 58 speed study that was conducted by VDOT, the speed limit can be raised to 60 miles per hour on the Meadows of Dan bypass and from the Henry County Line to Mountain View Loop near J.C. Joyce Trucking and Paving.

e. **Secondary Six-Year Plan Hearing**: The Board is this day in receipt of documentation from VDOT regarding the Secondary Six-Year Plan Hearing that was held on October 16th. He advised that Routes 691, 637, 687, and 647 are included in the plan; however, Route 626, which involves day lighting a curve, was not included in the plan and that no funding is currently available for same. He stated that Route 691 would be widened and paved in the spring, Route 637 has no funding but is included in the plan, Route 687 will be completely funded in Fiscal Year 2010, and Route 647 will be completely funded in Fiscal Year 2009. Mrs. Harris inquired about the safety issue on Route 626. Mr. Foley advised that there is a sharp curve next to a river on Route 626, which is traveled by school buses. Mrs. Harris noted that the

same problem exists on Pilson Sawmill Road. Mr. Hendricks advised that he attended a videoconference earlier today regarding the Six-Year Plan. He stated that VDOT should be advised of budget projections / allocations for the plan, along with this Fiscal Year's budget, by January 2007.

f. Squirrel Spur Road: The Chairman noted that there were white lines on Squirrel Spur Road before the road was rebuilt and asked if white lines could be painted on the new road as a safety precaution. Mr. Hendricks advised that VDOT's line striping crew has already completed its work in this area and he is unaware of their schedule. He noted the Chairman's request.

g. Revenue Sharing Program: The Board is this day in receipt of notification regarding VDOT's Revenue Sharing Program for FY 2007. The County Administrator noted that for the last several years, the County has not had any extra funds to contribute to the Revenue Sharing Program. Mr. Hendricks advised that localities must have approximately \$1million to participate in the \$15million program. He noted that interstate road maintenance is scheduled to become completely outsourced by FY 2009.

h. Annual Primary Road Public Hearing: The County Administrator noted that she attended VDOT's Annual Primary Road Public Hearing on October 17th and presented Patrick County's list of primary highway transportation needs on behalf of the Board. She advised that she has a copy of the booklet from the hearing for the Board's review.

On motion by Jonathan Large, seconded by David G. Young and carried, the Board hereby appoints Betty Bowman to serve as a representative of the Dan River District on the Patrick County Public Service Authority effective immediately to fill the vacancy due to Arthur Boyd's resignation.

Voting Aye: Martin, Young, Foley, Harris, and Large

Voting Nay: None

Mr. Young stated, "I would ask that the Govdeals decision be put on the December calendar and try to put the County at work selling property that way. I talked with the Sheriff today and he seemed very interested in the proposal." Mr.

Foley stated that he was surprised at the selling prices of the items that are sold on Govdeals. Mr. Young stated that using Govdeals would be a good way to dispose of the County's surplus property.

**Ordered that the Board be adjourned until December 11, 2006 at
2:00 p.m.**

, Chairman