

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, October 16, 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 Lisa Sheppard, Administrative Assistant.

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 Crystal P. Harris, seconded by H. Danny Foley, Sr. and carried, the agenda for the meeting was approved.

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

Voting Nay: None

On motion by Crystal P. Harris, seconded by H. Danny Foley, Sr. and carried, the amended minutes of the September 11, 2006 meeting were approved.

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

Voting Nay: None

The Board held a discussion regarding Robert's Rules of Order. The County Attorney advised that per the Board's request, he reviewed Robert's Rules of Order regarding motions. He presented the Board with information regarding same, with a copy filed with the papers of the meeting. Mr. Monday noted that the Board had adopted Robert's Rules of Order for small boards; therefore, a motion does not require a second to be properly brought before the Board to be voted on. He advised that the Board's Chairman is able to participate in debates and votes. He referred to the "Robert's Rules of Order Chart" and advised that the most common motions that the Board would be dealing with would be the "Main Motions". He stated that a four-fifths vote is required to close the debate on an issue. He stated that the second category of motions is "Incidental Motions", which "trump" the first category of motions. He advised that the third type of motions are "Motions that bring a question again before the Assembly", which are sort of "throw away motions" and have no precedence over main motions or incidental motions. Mr. Foley asked, "Once a negative vote has been taken, can it be reconsidered?" Mr. Monday stated, "It can, but you would first have to move to reconsider it and then you could take that vote again. You would certainly be voting on one thing; you would move to rescind your previous action. So you would move to rescind, you cannot interrupt the previous speaker, you all do not need a second, you can debate that issue, and that would

have to pass by a two-thirds vote. If you are moving to reconsider a previous motion; a reconsideration would have to be done during that meeting. A move to rescind a previous action is to cancel something that you've done at a previous meeting. So if you want to reconsider it during the course of this meeting, then you would move to reconsider, which would require a simple majority. If you are moving to cancel something that you have done, say at last month's meeting, you need to move to rescind and that would require the four-fifths majority." Mr. Foley asked, "So it wouldn't have to be amended?" Mr. Monday stated, " No, sir. You could amend the motion, but if you just want to reconsider the whole shebang, you can move to reconsider. If that were approved, then you could move to the question itself and vote on it." Mr. Foley asked, "So when you make a motion and a second, then you can't have debate, it doesn't have to be voted on at that time?" Mr. Monday advised a debate is always held for main motions and that an occasional motion that comes up and a Board Member believes that the debate has gone on too long, he or she could move to close the debate and call the question. He noted that if four Board Members agree to close out the debate, the debate would end and a vote could be taken. He stated, "First, you would have to vote on calling the question and that does not have debate. Someone could say 'I move to call a question' and that takes precedence over the motion that's on the floor; if it gets four votes, then that's it."

The Chairman opened the Public Comment Period. The Chairman asked for any comments from the public. No comments were made and the Chairman closed the Public Comment Period.

The County Administrator noted the recent renovations to the Board Room and suggested hanging pictures from various areas of Patrick County on the walls. Mr. Young stated that the addition of pictures would be a great idea. The Board directed Mrs. Handy to proceed with obtaining pictures for the Board Room.

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. Report from Board Committee on proposed ordinance to establish fees at Patrick County Transfer Station: The County Administrator noted that at the September Board meeting, the Chairman appointed Board Members Young and Large to a committee to study a proposed fee schedule for the Transfer Station and to present their proposal to the Board at today's meeting. Mr. Large stated that the Committee discussed the issuance of an identification card that could be produced by county staff with an annual purchase price of \$50 per card. He advised that the card could be scanned at the Transfer Station, which would provide information such as the number of vehicles that enter the facility per year. He stated that the Committee discussed the possible construction of convenience centers in each community in the future, which would also require the use of an identification card. He advised that the proposed card would not penalize citizens who take their

neighbor's trash to the facility and would eliminate accountability and cash collection concerns. Mr. Young stated that the proposed identification card would indicate which areas of the County are utilizing the facility. He advised that there would be a standard fee for citizens who do not purchase a card but want to dispose of household trash at the Transfer Station. He stated that citizens who live in another locality but own land in Patrick County would have the option of purchasing an identification card or be charged the standard fee if they could provide proof of landownership. He advised that the Committee would like to see the program commence on January 1, 2007. The County Administrator noted that for an additional fee, the proposed card might be able to encompass a photograph of the individual, which could serve as another form of identification for citizens. Mr. Young noted that senior citizens who would otherwise have to travel out of the County to obtain a photo identification card could use the proposed card for same. Mr. Large stated, "We are trying to make it more affordable and attractive to the residents of the County." Mr. Young advised that replacement cards would be available for an undetermined fee and that the replacement card would void the lost card. Mr. Foley inquired about the location of the proposed scanner. Mr. Young advised that the scanner would probably be installed near the weigh station. He noted that if convenience centers were constructed in the future, surveillance cameras would be set up and gates would be installed at the entrance of same. The Chairman inquired about the cost of the proposed software. Mr. Young stated that the cost would be very minimal and noted that the Emergency Services Coordinator purchased the needed equipment to produce the identification cards, which has the capability of bar-coding all of the needed information and would cost approximately \$1.00 per card. Mr. Large advised that the County would need to purchase a scanner. Mr. Young stated that the issue should go to a vote at the November Board Meeting in order to have the system up and running in January. Mrs. Handy stated that the Board would receive a written proposal regarding this issue as soon as possible.

B. Presentation of Woolwine Ruritan Club Proclamation: The County Administrator advised that the Woolwine Ruritan Club will be celebrating its 50th Anniversary in December and has requested the Board to approve a proclamation noting their contributions to the County. She presented a draft proclamation to the Board.

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

WHEREAS, the Woolwine Ruritan Club will observe the 50th anniversary of its origin with a celebration on Sunday, December 3, 2006; and

WHEREAS, the Woolwine Ruritans have been an essential part of the growth of the Woolwine community and, in doing so, greatly improved the quality of life for citizens of the area; and

WHEREAS, the Woolwine Ruritan Club has for fifty years been instrumental in various local endeavors including the building of a school gymnasium and new post office facility, location of a local bank, institution of the volunteer fire department, and other accomplishments; and

WHEREAS, the Woolwine Ruritans have further participated and assisted in many civic efforts involving the Smith River Rescue Squad, DeHart Park, the promotion of Bob White and Jacks Creek covered bridges, school scholarships, athletic boosters and other school activities, by honoring local veterans, contributing to the food bank, and sponsoring the community Christmas tree.

NOW, THEREFORE, BE IT RESOLVED that the Patrick County Board of Supervisors does hereby applaud the Woolwine Ruritan Club on the commemoration of its 50th anniversary.

BE IT FURTHER RESOLVED that the Board urges all citizens to give tribute to previous and ongoing services provided by members of the Woolwine Ruritan Club in its effort to afford a better way of life to the citizens of Woolwine and Patrick County.

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

Voting Nay: None

C. Discussion of current and future reassessment periods: The County Administrator presented the Board with a letter from Janet Rorrer, Patrick County Commissioner of the Revenue, concerning Patrick County's reassessment period. She noted that reassessments in Patrick County are done in six-year intervals, which is the maximum length of time between same. She advised that the reassessment process is expensive and if the Board desires to defer the process for six years, notification would have to be sent to the Department of Taxation. Mr. Young inquired about an "in-house" reassessment and stated that the County has a competent assessor/appraiser on staff. He noted that the most recent assessment cost the County approximately \$300,000 and stated, "If you spread that over six years, we could actually hire somebody, pay him \$50,000 a year, if you include benefits, and come out ahead. I think we'll come out with a better, more manageable system when you consider during the last reassessment, it was put out for competitive bids, which is required, and, of course, we only had one company that chose to bid." He said that overall, the company did a good job, but the process of assessment is very "inexact" and that the County would do a better job with an in-house assessor. He noted that several surrounding counties have an assessor on staff and proposed that Patrick County do the same. The Chairman agreed with Mr. Young's proposal to hire an in-house assessor. Mr. Young stated, "We will develop an in-house program by the time we need to be up and running."

On motion by Crystal P. Harris, seconded by David G. Young and carried, the Board does hereby elect to conduct Patrick County's general reassessments at a six-year interval, with the next reassessment of county properties to be effective January 1, 2009.

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

Voting Nay: None

D. Report on Personal Property Tax Relief percentage adjustment: The County Administrator noted that the Board adopted an ordinance on June 30, 2006 that set the Personal Property Tax Relief (PPTR) rate at forty-five percent and authorized the Patrick County Commissioner of the Revenue to adjust the percentage

computation after running the personal property books in late August / September. She presented the Board with notification from Janet Rorrer, Patrick County Commissioner of the Revenue, advising that the PPTR rate for vehicles in the 2006 tax year is forty-nine percent, which is beneficial for personal property taxpayers. She stated that Mrs. Rorrer will adjust the rate and that no action by the Board is needed regarding same.

E. Review of APCo electric rate for political subdivisions: The County Administrator presented the Board with notification from the VML/VACo/APCo Steering Committee regarding Appalachian Power Company's (APCo) petition to the SCC requesting authorization to increase its base rates by \$225.8 million. She noted that the VML/VACo/APCo Steering Committee is attempting to avoid excessive rate increases for Virginia localities. She advised that the SCC has not taken any action on this issue and that implementation of APCo's proposed increases would begin on and after October 2, 2006 on an interim basis, subject to refund with interest after the SCC concludes its determination of same. She stated that no action by the Board is needed at this time.

F. Approval of Voting Credentials for VACo Business Meeting: The County Administrator presented the Board with a letter from the Virginia Association of Counties (VACo) regarding the 2006 Annual Business Meeting, which will be held on November 12th - 14th in Bath County. She stated that she would be attending the conference with Board Members Young and Large, and that the Board must designate a representative to cast its vote(s) at that meeting.

On motion by Crystal P. Harris, seconded by Chairman Roger L. Martin and carried, the Board does hereby appoint Supervisor David G. Young as the representative for the Patrick County Board of Supervisors to cast the Board's vote(s) at the 2006 Annual Business Meeting of the Virginia Association of Counties to be held in November 2006.

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

Voting Nay: None

G. Presentation of Veteran's Day Resolution as prepared by Chairman:
The County Administrator presented the Board with a Veteran's Day Resolution that was prepared by the Chairman.

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

WHEREAS, November 11 is Veterans Day, a solemn holiday, a day of remembrance, a day for Americans to honor the men and women serving and who have served in the military of the United States of America; and

WHEREAS, the people in many other countries owe their freedom, their peace, their standard of living and in many cases their national identity to the American Veterans who frequently left foreign battle grounds better than they found when they arrived; and

WHEREAS, the American Veterans have been the protectors of our freedom for well over 2 centuries. The American military has stood fast in the face of malevolent despotic rulers and evil malignant governments. It is because of Americans that the world is as good as we know it today; and

WHEREAS, the American Veterans, people who knew true freedom and their values, both tested in the crucibles of conflict, have been the architects of a nation without peer on the face of the earth; and

WHEREAS, these uncommon Americans made possible and were instrumental in building an uncommon nation and gave us a way of life envied by many others in the world; and

WHEREAS, to those who gave so much, this nation owes a tremendous debt of gratitude; and

WHEREAS, Every day thousands of these valiant men and women pierce the veil and march into the mists of time. We owe it to them to remember who they were and what they did for us. They have earned the honor and respect of a grateful people; and

WHEREAS, It is a right and fitting tribute that we set aside a week in Patrick County to pay homage to the American Veterans; and

NOW THEREFORE BE IT RESOLVED that the Patrick County Board of Supervisors does hereby set aside the week of November 11th each year as American Veterans week in Patrick County, Virginia.

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

Voting Nay: None

H. Review of various current contracts with impending expiration dates:

The County Administrator advised that the County currently has several contracts with impending expiration dates. She stated that the heating fuel, propane, and gasoline contracts expire the end of this year and the uniform and supplies services, jail meals, and metal refuse removal contracts have one-year renewal options. She requested authorization to proceed with the bidding process for the heating fuel, propane, and gasoline contracts. The Board directed the County Administrator to proceed with same.

I. Offer of agreement to purchase used oil collected at the Transfer Station: The County Administrator advised that a company had contacted the Transfer Station Supervisor offering to purchase the used oil that is collected at the Patrick County Transfer Station. She noted that the County currently pays a company to remove the oil from the facility. She suggested soliciting bids from other companies that would be willing to purchase the used oil. The Board directed the County Administrator to solicit bids for same.

J. Presentation of Resolution of Support for Cattlemen's Association Agri-Business Grant: The County Administrator advised that per Marion Cobbler's request, she presented the Board with a proposed resolution and information regarding the Value-Added Beef Initiative. She stated that based on the information that Mr. Cobbler provided, this program offers beef producers an opportunity to apply for a 50:50 cost share incentive up to \$4,000 per producer for herd genetics and cattle

handing facilities improvement. She advised that this initiative is a regional project and would be funded by the Virginia Tobacco Indemnification & Community Revitalization Commission. Mr. Young advised that he had spoken with Mr. Cobbler regarding this issue and noted that a majority of those who would benefit from this program are former tobacco farmers. He stated that it is a good, sensible program. He advised that the Patrick County Economic Development Authority approved the program during its last meeting.

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

WHEREAS, Patrick County and its surrounding counties have historically

been tobacco dependent communities; and

WHEREAS, the agricultural sectors of these counties have endured economic losses as a result in the decline of tobacco production; and

WHEREAS, the Southside Value-Added Beef Initiative, a program endorsed and funded through the Tobacco Indemnification and Community Revitalization Commission, has provided much-needed assistance to agricultural producers in eleven other Southside counties to improve the production, management, and marketing capabilities of beef cattle producers; and

WHEREAS, the Beef Initiative would significantly impact beef production in Patrick, Franklin, and Henry Counties through the distribution of cost-share incentive to eligible cattlemen; and

WHEREAS, Franklin County will serve as the applicant and the fiscal agent to the Tobacco Indemnification and Community Revitalization Commission on behalf of surrounding counties noted above,

NOW, THEREFORE, BE IT RESOLVED, that members of the Patrick County Board of Supervisors unanimously endorse the expansion of the Southside Value-Added Beef Initiative to Patrick, Franklin and Henry Counties.

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

Voting Nay: None

K. Invitation to Patrick County Marching Cougars annual celebration:

The County Administrator presented the Board with an invitation for the 20th Annual Celebration of Pride from the Patrick County Marching Cougars and the Patrick County Band Boosters. She advised that the event will take place on October 21st at the John D. Hooker Field at the Patrick County High School. Mr. Foley stated that it is a great event and encouraged the Board to attend. Mr. Young said that it would be a good program.

L. Update on bid solicitation for new bookkeeping software: The County Administrator noted that the County sought bids for new a financial system package for the bookkeeping department. She advised that four bids were received, which are currently being reviewed. She stated that she would be meeting this Wednesday at 11:00 a.m. with a committee comprised of the bookkeeper, Assistant County Administrator, Treasurer, Commissioner of the Revenue, and the County's computer technician to review the bids and determine which companies would be invited to

make a presentation to the committee. She asked that a Board Member attend the committee meeting. Supervisor Young advised that he would attend same. Mrs. Handy advised that the company that provided support for the County's current financial system no longer offers that service.

M. Receipt of Park Requests: The Board is this day in receipt of various requests from local parks.

1.) Mountain Top Recreation Park's Application for Patrick County Recreation Park Grant: The County Administrator presented the Board with the Mountain Top Recreation Park's Application for the Patrick County Recreation Park Grant totaling \$4,520 for grading and hauling, concrete for a picnic shelter, and a batting cage. Mr. Large advised that the Parks and Recreation Committee approved the application.

On motion by Jonathan Large, seconded by David G. Young and carried, the Board does hereby approve Mountain Top Recreation Top's Application for Patrick County Recreation Park Grant in the amount of \$4,520 for grading and hauling, concrete for a picnic shelter, and a batting cage.

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

Voting Nay: None

2.) Mowing at Park in Woolwine: The County Administrator presented the Board with a letter from Deborah Harbour, President of I.C. DeHart Park- Woolwine, advising of the number of hours that are required to mow the park. Mr. Young stated that the letter simply explains what is involved in mowing the park; however, it does not include a request. He asked for additional information. Mr. Large stated that the Woolwine Park has a greater landmass than other local parks and that Mrs. Harbour and her husband are currently being paid for eight hours of mowing. He noted that the County pays individuals for eight hours of mowing at the other parks in the county. He said that he had requested Mrs. Harbour to determine the number of hours that it takes to mow the park, which is seventeen hours of mowing and three hours of weed eating. He stated that one of the Parks and Recreation Committee's concerns was the possibility of a problem during the auditing process due to the fact that Mr. and Mrs. Harbour receive payment from the County and the park for mowing. Mr. Large noted that the park is in the Smith River District and requested that Mrs. Harris contact Garland Cockram regarding this issue. Mrs. Harris advised that she would contact Mr. Cockram. The Board took no action regarding this issue.

N. Review of General Assembly actions: The County Administrator presented the Board with an article from VACo's County Connections entitled "Special Session Ends with No New Transportation Funding". She advised that the General Assembly did not reach an agreement on a long-term funding solution to the state's transportation problems. The County Attorney stated, "If there are any bills or legislation that you want to ask of the Assembly this year, you might want to adopt them at your November meeting".

I. November Meeting Date: The County Administrator reminded that the Annual VACo Conference falls on November 13th, a normal Board meeting day and

proposed alternative dates for the meeting. She noted that elections would be held on November 7th. Mrs. Harris advised that many Patrick County voters do not feel that there is enough privacy with the new voting machines. She recommended placing some kind of divider between voting machines for the upcoming election. Mr. Foley advised that voters at the Liberty precinct had the same concern. The County Administrator advised that she would convey their concern to the Patrick County Electoral Board. The Board temporarily deferred decision of November meeting date.

J. Pending Business List: The County Administrator presented the Board with a Pending Business list, with a copy filed with the papers of this meeting. She asked that Board to advise her of any items that need to be included on same.

K. 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.

M. National Incident Management System (NIMS): The County Administrator noted that the Board had previously discussed the need for the members of the Board and the County Administrator to undergo NIMS training, which is required by the federal government. She advised that if the County Administrator were appointed as the Emergency Director for Patrick County instead of the Board Chairman, which rotates each year, some need for training could be eased.

On motion by David G. Young, seconded by Crystal P. Harris and carried, the Board does hereby direct that on February 2, 2007, the County Administrator assume the position of Patrick County Emergency Director for the National Incident Management System.

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

Voting Nay: None

The County Attorney gave his report.

A. Update regarding the Annexation Process: The County Attorney updated the Board on the Annexation process. He advised that Circuit Court Judge Martin Clark approved the Town of Stuart's proposed boundary adjustment, which would become effective at the end of this calendar year.

B. Explanation of Referendum Process: Mr. Monday stated that due to recent inquiries, he had researched the referendum process. He stated, "My analysis is for an actual referendum that would be binding and would be conducted by the Electoral Board and would be conducted through our polling places and on official state ballots". He noted that the County would be responsible for the entire cost of same. He stated that there are specific circumstances that allow local issues to be sent to a local referendum. He advised that the Board could request a special legislation bill to allow the Board to send an issue to a referendum; however, that process could take a year to complete. He stated that all other circumstances fall into three categories, which include (1) financial, which require the submittal of revenue bonds to voters for approval and then a referendum could be held; (2) governing, which relates to how the County governs itself in regards to bonding and taxing authorities; and (3) relocating the county seat. He advised that a vote by the Board of Supervisors or the submittal of a petition to the Circuit Court from ten percent of registered voters could send those issues to a referendum. He advised that issues of "public morality" could be addressed on a magisterial district level. He stated, "If it's not specifically stated in the Code that you submit it to a referendum, then its assumed that the governing body makes that decision. You are free to take an informal and non-binding poll of your electorate, or your tax base, or however you wish to conduct that."

A number of bills and claims against the county were presented and examined. The County Administrator noted that the County runs checks mid-month for payment of bills and runs payroll checks at the end of the month. She advised that in an effort to eliminate late payment fees and to pay bills in a timely manner, some vendors are currently being paid at month-end on the same date as payroll. She noted that American Electric Power, Sprint, Downtown Café, Sun Trust Bankcard, and two credit card companies are paid at month-end. She stated that for auditing purposes, she felt that the issue should be noted in the minutes. Mr. Young stated that late fees must be avoided. Mr. Foley advised that he discussed a duplicate check issue with the Bookkeeper and that she would address same. On motion by David G. Young, seconded by H. Danny Foley, Sr. 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. 26231 - 26390

On the General County Fund: Warrants No. 84387 - 84697

On E-911 Communications Fund: Warrants No. 1162 - 1173

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

Voting Nay: None

On motion by David G. Young, seconded by H. Danny Foley, Sr. 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 October 2006: General County Fund - \$896,000.00; Social Services (VPA) Fund- \$152,753.67; CSA Fund \$34,375.00; E911 Communications Fund- \$4,079.18; and County School Funds - \$2,000,000.00; **TOTAL ALL APPROPRIATIONS- \$3,087,207.85**

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

Voting Nay: None

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the Board hereby approves an additional appropriation in the amount of Eleven Thousand Eight Hundred Seven Dollars and Ninety-one cents (\$11,807.91) to the Patrick County Social Services budget for the pay out of annual and sick leave benefits.

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

Voting Nay: None

On motion by David G. Young, seconded by H. Danny Foley, Sr. 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 October 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, seconded by H. Danny Foley, Sr. and carried, it is hereby ordered that Carolyn I. Tatum, Treasurer, transfer the amount of Forty-eight Thousand Three Hundred Seventy-nine Dollars and Twelve Cents (\$48,379.12) from the E911 Fund to the General County Fund, for payment of expenses incurred.

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

Voting Nay: None

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, it is hereby ordered that Carolyn I. Tatum, Treasurer, transfer the sum of Two Hundred Forty-six Thousand Three Hundred Ninety-two Dollars and Ninety-seven Cents (\$246,392.97) from the Contingency Fund to the General County Fund for repayment to the Virginia Department of Transportation for the bonded Industrial Access Project at the Rich Creek Corporate Park.

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

Voting Nay: None

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, it is hereby ordered that Carolyn I. Tatum, Treasurer, transfer the sum of Two Hundred Forty-one Dollars and Ninety-one Cents (\$241.91) from the Capital Depreciation Fund to the General County Fund for payment of expenses incurred during renovations of Patrick County Juvenile and Domestic Relations Court offices.

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

Voting Nay: None

On motion by David G. Young, seconded by H. Danny Foley, Sr. 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>
Board of Supervisors	\$1,336.92	Other Operating Expenses
Board of Supervisors	\$20.00	NACo Membership
Board of Supervisors	\$565.50	Mileage
Clerk of Circuit Court	\$2,850.00	Preservation Grant from LVA
Commonwealth Attorney	\$1.00	Telephone
Sheriff's Department	\$75.00	Jailer Salary
Sheriff's Department	\$875.00	Overtime – Grant AL-06-52074
Sheriff's Department	\$58.00	Meals – LIDS Conference
Sheriff's Department	\$88.56	Vehicle Expenses
Sheriff's Department	\$2,125.00	Overtime – Grant AL-06-52074
Sheriff's Department	\$75.00	Overtime – High School Security
Office of Emerg. Management	\$344.76	Vehicle & Equipment Supplies
Office of Emerg. Management	\$87.04	EMT Textbooks
Maint. Buildings & Grounds	\$115.85	Repair & Maintenance

Maintenance: Library	\$533.30	Repair & Maintenance
Maint: Park Facilities	\$691.62	Repair & Maintenance
Maint: Sheriff (VA Rest.)	\$175.00	Pest Control Service
Tourism	\$12,000.00	Mayo River Rail Trail
Tourism	\$199.00	Marketing
Tourism	\$199.00	Marketing
Tourism	\$5,680.00	Covered Bridge Restoration

On motion by David G. Young, seconded by H. Danny Foley, Sr. 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>
Commissioner of the Rev.	\$5.00	Office Supplies	Dues
Commissioner of the Rev.	\$100.00	Travel (Conv./Education)	Mileage
DMV Agent	\$36.48	Office Supplies	Travel (Mileage)
Commonwealth Attorney	\$13.00	Telephone	Pager Rental Service
Erosion & Sediment	\$115.70	Vehicle & Equip. Supplies	Travel (Mileage)
Animal Warden	\$140.89	Other Operation Supplies	Medical/Lab Supplies
Transfer Station	\$329.50	Office Supplies	Sec. Alarm Monitoring
Transfer Station	\$92.54	Other Operation Supplies	Sec. Alarm Monitoring
Maint: Bldgs & Grounds	\$16.39	Other Operating Supplies	Telephone
Maint: County Admin.	\$534.80	Rug Rental/Cleaning Supp.	Repair & Maintenance
Economic Development	\$3,000.00	RCCP Signage	RCCP Dev. (Financing)
Economic Development	\$7,009.78	Marketing	RCCP Dev. (Financing)
Tourism	\$700.00	Capital Outlay: Computers	Covered Bridge Restor.

The County Administrator presented the Board with a Child Care and Development Division Request for Supplemental Funding Form Fee System Subsidy Program totaling \$11,168.00. She advised that the Patrick County Social Services Department is requesting a 90%/10% funding ratio, which would total \$1,116.80 of County funds. Mr. Young noted that according to the document, any funding awarded above 100% of a local social services agency's allocation will not become part of the local agency's base allocation in future years.

On motion by David G. Young, seconded by H. Danny Foley, Sr. and carried, the Board does hereby approve the Child Care and Development Division Request for Supplemental Funding Form Fee System Subsidy Program for the Patrick County Social Services Department totaling \$11,168.00 with at 90%/10% funding ratio, which equals \$1,116.80 in County funds; further, it is understood that any funding awarded above 100% of the local social services agency's allocation will not become part of the local agency's base allocation in future years.

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 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

The County Attorney left the meeting following Executive Session and was absent for the remainder of same.

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

A. Results Stuart: The Assistant County Administrator advised that during the ribbon cutting ceremony for Results Stuart, the company and Congressman Rick Boucher announced the addition of fifty new jobs, which increases the total number of jobs to 175 for the company. He advised that wages for a majority of the fifty new jobs would be in excess of \$10.00 per hour. He noted that Results Stuart is located in a portion of the Rich Creek Corporate Park Shell Building. He thanked the Board, EDA, Congress Boucher, and Results Stuart for their assistance in this project.

B. Appointment of New Economic Development Director: The Assistant County Administrator noted that the County advertised, accepted applications, and held interviews for the position of Economic Development Director. He stated that it

is the Personnel Committee's recommendation that Jamie Hutchens be hired for same effective Friday, November 10, 2006.

David G. Young made a motion that the Board accepts the Personnel Committee's recommendation to hire Jamie Hutchens as the Patrick County Economic Development Director effective Friday, November 10, 2006. Jonathan Large called for questions.

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

Voting Nay: None

Mr. Burnette introduced Jamie Hutchens to the Board. Mr. Hutchens thanked the Board for its faith and trust in him and stated that he would do everything he could to progress the economic development of Patrick County.

C. RCCP Access Road Bond Repayment to Virginia Department of Transportation: The Assistant County Administrator noted that the Board's bills packet includes a bill in the amount of \$256,402.75 to the Virginia Department of Transportation for the repayment of the bonded Industrial Access Road at the Rich Creek Corporate Park. He noted that the Board had previously studied this issue and that he set out the Board's repayment plan with a couple of minor changes. He stated that the EDA settlement with the former RJR Hospital Entity, which is not the current hospital board or hospital entity itself, was a little bit higher than anticipated and is approximately \$85,000. He advised that the Nevamar Property was sold for \$35,000 and there is a proposed increase of \$94,034 in the County's Contingency Fund for Budget Year 2006-2007. He noted that \$7,009.78 from the Marketing line item and \$3,000 from the RCCP Signage line item in the Office of Economic Development's budget could be used. He stated that the existing Contingency Fund could be reduced by \$31,761.33. He noted that the previous plan included the removal of \$10,000 for the GIS System; however the system is needed in order to implement zoning in Patrick County. He recommended leaving the GIS System funding "intact". He stated that the revenue that is received from the future sale of the land adjacent to the Wal-Mart property could be divided into the following priorities: (1) \$31,761.33 into the Contingency Fund; (2) \$7,009.78 into Economic Development's Marketing Budget; (3) \$3,000.00 into Economic Development's RCCP Signage Budget; (4) the remainder of the funds would be used for outstanding EDA loan balances and the County's Contingency Fund. He asked the Board to take his funding proposal under consideration.

D. Patrick County Enterprise Zone Subzone Survey Results: The Assistant County Administrator presented the Board with the Patrick County Enterprise Zone Subzone Survey Results, with a copy filed with the papers of the meeting. He advised that surveys were mailed to 300 firms and that forty-nine responses were received, which reflects a sixteen percent return rate. He advised that according to the surveys, it appears that one-third of those businesses are looking to expand within the next year, forty-percent of the respondents would like to expand in the next three years, and twenty-eight percent hope to expand within the next five years. He noted that Ararat, Vesta / Meadows of Dan, and the Critz / County

Line areas do not have an Enterprise Zone. He asked that the Board review the results and determine at its November meeting if the Board desires to create a subzone and, if so, in which area of the County.

E. Prospective Business: The Assistant County Administrator noted that the Board has discussed a prospective business in Executive Session and advised that the company is looking at a one-acre tract that is owned by the County and is located next to Wal-Mart. He stated, "To price that property, we would have to do a bridge as well as utilities extensions; certain infrastructure things that you would have to do serve that one-acre parcel". He said that per the Board's request, he researched the construction cost for the lot so that it could be included in the land's sale price. He advised that Dewberry and Davis estimated the cost to be \$7,300, which includes preliminary layout of the lot based on the fact that it is in a floodplain, appropriate location of all known existing utilities, provide the proposed utility route to the sub-parcel, provide a preliminary cost estimate for the access road that includes a bridge, and to identify any and all regulatory permits regarding floodplains. He noted that an additional appropriation to the Office of Economic Development's Budget would be needed for the project. Mr. Foley stated that due to the potential to sell the lot, he feels that the Board should move forward with the project.

On motion by David G. Young, the Board does hereby approve an additional appropriation of \$7,300 to the Office Of Economic Development Budget to be used to fund the construction and other items needed to sell the county owned one-acre located next to Wal-Mart to be sold.

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

Voting Nay: None

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. Secondary Six-Year Plan Public Hearing: Mrs. Hughes noted that the Secondary Six-Year Plan Public Hearing would be held today at 6:00 p.m., which is held in order to update the current priority list and set the plan's budget for the upcoming year. She advised that the projected budget for this plan is approximately \$1.1 million. She stated that the updated plan would not be approved until VDOT is advised of its "solid" budget figures.

B. Cherry Creek Road: Mrs. Hughes advised that the apparent low-bidder for the Cherry Creek Road project was Carnell Construction and that work on the project should begin within the next couple of months.

C. Safe Routes to School Program: Mrs. Hughes advised that the Safe Routes to School Program is a newly formed federal program. She stated that applications for the program would be accepted this winter. She noted that the purpose of the program is to promote physical fitness for children and would relate

to pedestrian type issues. She advised that the program would be administered locally and VDOT would be the “pass through” agency.

D. Residue Property Requests: Mrs. Hughes advised that VDOT has received two residue property requests and noted that VDOT is attempting to dispose of the residue properties along Route 58. She stated that the two requests are approximately two lots past Hopkins Lumber on Route 58. She advised the Board that VDOT intends to dispose of same.

E. Annual Primary Road Public Hearing: The County Administrator presented the Board with it’s 2005 list of Priority Projects and Other Primary Highway Needs and noted that VDOT’s Annual Primary Road Public Hearing will be held tomorrow in Salem. She advised that in the past, she attended the meeting on behalf of the Board and presented the County’s list of priority projects. She stated that she would do so again and invited Board Members to attend the Hearing, as well. Mr. Young asked that Route 58 be included in the first item under Other Primary Highway Needs, which states: Increase width of Routes 8 and 103 south of the Town of Stuart to twenty-four (24) feet to accommodate commercial truck traffic. Mrs. Hughes recommended the addition of the Route 8 Connector Road Project to the list.

F. Tree Trimming Requests: Mr. Large advised that a business owner had requested that trees be trimmed on Willis Gap Road and Friends Mission Road due to the fact that the limbs are damaging lights on large trucks that travel through the area. He also requested that trees be trimmed from the former library to Sunset Drive to increase the sight distance. Mrs. Hughes noted his requests.

G. Belcher Mountain Road: Mrs. Harris said that she traveled on Belcher Mountain Road recently and advised that there is a problem with the logging company that is working in that area. Mrs. Hughes advised that VDOT is talking with the logging company, which is trying to work with VDOT to resolve the issue. She stated that the logging trucks are “legal weight” and the road is not restricted to a weight limit.

H. Stop Signs on Route 58 in Patrick Springs: Mrs. Hughes advised that VDOT would be installing “red beacons” on the stop signs at the intersection of Routes 58 and 680 in Patrick Springs.

A Public Hearing was this day held by the Virginia Department of Transportation and the Patrick County Board of Supervisors in the Third Floor Conference Room in the Veterans’ Memorial Building commencing at 6:00p.m. on the proposed Six Year Plan (2007-2013) for secondary roads as required by Section 33.1-70.01, 1950 Code of Virginia, as amended. Several county citizens attended the session and made inquiries, comments and requests on certain roads listed in the proposed Six Year Plan. There being no further comment, the Resident Engineer declared the hearing closed.

A Public Hearing was this day held in the Board Room in the Veterans' Memorial Building to receive public comment regarding a grant application through the federal Transportation Enhancement Program for the proposed Mayo River Trail. The Chairman opened the Public Hearing.

The Tourism Coordinator introduced Dennis Amos, Anderson and Associates, consulting firm hired by the County to create the proposed trail alignment and estimated project cost for the Rail to Trail initiative. Mr. Amos advised that the alignment would begin at Wal-Mart and proceed with an access road into a parking area that would allow access to the trail itself. He stated, "Proceeding along the trail, we come to a proposed park area. The park area will have a picnic area and other proposed uses. When you proceed beyond the park, there's an existing railroad crossing that crosses the Mayo River." He advised that the existing crossing could provide access to both sides of the river for pedestrians, emergency and service vehicles. He stated, "As you proceed along the trail, we follow some pristine farmland along the river. The County has spoken with all of the property owners that the trail will be located on and they all have indicated that they're agreeable with the project and would like to see the project move forward. Once we get up beyond the KP Hill property, we'll cross over into the floodway. We have already spoken to the Army Corps of Engineers; they do not have any issues with us constructing a rail in the floodway." He advised that there would be a "wayside" that would provide vehicular access to the trail in this area and that a chain linked fence would be installed along the portion of the trail that runs near industrial facilities. He stated that the proposed trail would end at a proposed visitor center, which would also have public access to the trail. He noted that his firm is currently working on a cost estimate for the project. He stated that an initial cost estimate at this point totals \$1million. Mrs. Harris asked if the trail would be handicap accessible. Mr. Amos stated that the trail and all three public access locations would be handicap accessible. Mrs. Harris asked if the project would be funded by a federal grant with an in-kind contribution from the County. Jeannie Frisco stated, "As of right now, the majority of the trail project, we have to supply twenty-five percent. We are close to that twenty percent with just the easements. Of course, we are looking at items to be donated, such as if we can work with a surveyor. There has already been some surveying done on some of the property. We can count that cost as in-kind as well. Mr. Young asked if in-kind contributions could totally fulfill the County's twenty percent match. Mrs. Frisco stated, Yes, with the value of the easements that property owners have committed to, the County is at ten percent of the twenty percent match." Mr. Young noted that Anderson and Associates designed the trails along the New River, which have been under floodwater. He asked Mr. Amos if the trails had been damaged by the floodwater. Mr. Amos stated that the proposed trail would be constructed similarly to the trial along the New River and that the floodwater did not damage that trail. Mr. Young stated that if the floodwater from the New River did not damage the trail, then the water from the Mayo River would not damage the proposed trail in Patrick County. Mr. Amos stated, "The match from the County would not be needed all at the same time". Mrs. Harris asked about the location of the proposed

trail. Mrs. Frisco stated, "We will be connecting Route 58 in the Patrick Springs - Stuart corridor at the stoplight with the access road coming into the trail all the way into Commerce Street on the other side of the Pannill Knitting building in that parking lot. Mr. Kreager has indicated that he will allow trail parking as well as a booth or some other type of facility that we can put brochure information in to market events, accommodations, and attractions throughout Patrick County there at the trail. Of course, that would be an unmanned facility. There would be a split railed fence that would run along Commerce Street adjacent to the trail that would protect bicyclists from the traffic on Commerce Street." Mr. Young stated, "Besides the property owners who have provided easements, there are other patrons to this project or supporters who have signed on. Who are those?" Mrs. Frisco stated, "I spoke with a surveyor and they are speaking with their company to see if they can actually survey the property as an in-kind donation from the company. Of course, EMI Imaging was willing to donate some benches and things of nature. I also want to bring up the fact that there's another grant, we spoke about Safe Routes to School earlier with VDOT. There's a grant called Bikes Belong that the County can apply for in November. The deadline is the end of November; that's \$10,000 that can go towards the match. The school system has indicated their willingness to apply for \$25,000; unfortunately, they missed the deadline this year but that will come around again next year." Mr. Young asked, "This federal Transportation Enhancement program, this money has already been appropriated for exactly this kind of program some where in the United States, right?" Mr. Frisco stated, "That is correct. And in Virginia, there has been \$18 million that has been earmarked. Each state has to set aside ten percent for this type of project, whether Patrick brings it home or whether someone in Southside brings it home, there will be applications that will be submitted for this \$18 million." Mr. Young asked, "And this money can't be spent on anything but projects that are very similar to this?" Mrs. Frisco stated, "That is correct. It cannot be spent on any type of highway improvements. It has to be on a recreational type use." Mr. Large asked, "Do you have any other options? What I'm hearing, basically, about \$100,000 short out of the twenty percent." Mrs. Frisco stated, "That's not counting the grants. You are looking at \$25,000, if the school system receives that award; \$10,000 from Bikes Belong; and then, of course, we will be generating some additional lodging tax with the Town Annexation Agreement, we have the Virginian Motel and a B&B. So we will actually be generating additional revenue that has to be earmarked for tourism." Mr. Large asked, "Has the Town said anything as far as getting on board maybe with the cost?" Mrs. Frisco stated, "The Mayor is here. Perhaps I could turn that question to the Mayor". Mayor McHone advised that the issue has not been discussed with the Stuart Town Council; however, it is a possibility. He stated that the proposed trail would really enhance the County and the Town. Mrs. Harris noted that Mrs. Frisco had mentioned at the last Board meeting that there might be an individual who would be willing to donate land for a proposed trail. She asked Mrs. Frisco for an update regarding same. Mrs. Frisco advised that Katherine Hebert, Martinsville-Henry County Rivers and Trails, is researching that issue. She stated that she had received

phone calls from landowners advising that the entire twenty-six miles is no longer in that individual's name.

The Chairman asked for comments from the public.

Miles Harris stated that the project would cost approximately \$750,000. He asked, "How much is the County going to have to put up and who is going to be responsible for overruns?" The Chairman stated, "Overruns frequently are caused by poor estimating in the first place and also contract changes." Mrs. Frisco stated, "As with any project, the scope of a project can change, but when you have a qualified engineer, that's why we've hired a consultant who could come to the County. They are very well aware, they are professionals in that area, and so that is why we have brought a consultant on board, an engineering firm and we should be on target on these projections." Mr. Harris stated, "We should be." Mrs. Frisco stated, "But what happens is, if we submit the first phase and we estimated it \$250,000 and it ends up being \$300,000, that change goes to the federal Transportation Enhancement program grant. Mr. Harris asked, "Will they cover it?" Mrs. Frisco stated, "Yes, because they understand that the scope of the project is going to change because the cost of steel may go up, the cost of the bridges may go up, the cost of asphalt may go up. So with each phase that we submit, they actually will, once they are on board, once they pass the first phase and they've approved that; normally the first phase is going to be your design and construction costs. And so after that, they understand that due to inflation, those prices are going to change from the original project scope."

Dr. Locke Boyce asked, "Where is the funding for this trail coming from?" Mrs. Frisco stated, "Funding is coming from the federal Transportation Enhancement program." Dr. Boyce asked, "And they've all ready agreed to do this?" Mrs. Frisco stated, "No, that is why we are here tonight for a public hearing. The Board has to approve a resolution and approve the application being submitted." Dr. Boyce asked, "How much funding are they going to provide?" Mrs. Frisco stated, "We'll know that in the spring. What happens is we submit the application and once they are on board, if they approve in the spring, the entire project will be funded eighty percent." Dr. Boyce asked, "Didn't you come in here earlier before this Board and tell them the Tobacco Fund was going to pay for this thing?" Mrs. Frisco stated, "I think where the confusion comes in is that the Tobacco Commission did fund a feasibility study for the trail in the amount of \$10,000 with the County matching \$2,000. So the Tobacco Commission did fund a study." Dr. Boyce stated, "But they're not going to fund the trail. Are you going to get eighty percent funding of a trail that's going to cost us \$750,000?" Mrs. Frisco stated, "I think I've addressed the Board regarding this, but since you came in late, so of that, what I said previously, \$75,000, almost half of the match has already been estimated in just the easements. That's not counting grants for the school system for \$25,000, Bikes Belong for \$10,000, Governor Kaine just introduced the program 'Safe Routes to School' that we can, of course, approach and I have a letter from Congressman Boucher indicating his willingness to help us pursue other funding opportunities." Dr. Boyce stated, "That's a long way from paying \$750,000." Mrs. Frisco stated, "But once they

approve it in the spring, they are on board with the completion of the project.” Dr. Boyce stated, “You have no guarantee that they are going to pay...” The Assistant County Administrator asked Dr. Boyce to address his comments to the Board. Dr. Boyce asked, “Who is going to be responsible for maintaining this trail?” Mr. Young stated, “We are already mowing a large portion of it because we own a large portion of it.” Dr. Boyce asked, “What percentage of those three miles do you own?” Mr. Burnette stated, “About half.” Dr. Boyce asked, “Who’s going to police it?” Mr. Young noted that he has been on the New River Trail, the Virginia Creeper Trail, and the trail in Radford and that they were not policed. He stated, “This trail is in a very safe area.” Dr. Boyce asked, “What does this trail offer us that we don’t have at DeHart Park now? Why should the taxpayers in this county, with all of the things that we have to do, be required to invest an unknown amount of money in this walking trail, which has as far as I can tell, very minimal advantage to this county, if any?” Mr. Young stated, “I think it will provide a great deal of economic benefit as well as....” Dr. Boyce asked, “How are you going to get economic benefit? That has never been explained to me.” Mr. Young stated, “The last time I rode New River Trail ...” Dr. Boyce stated, “That’s New River Trail. This is a three-mile trail through an industrial district of Patrick County. That makes a big difference.” Mr. Young stated, “The last time I rode it, I stopped at a store in Galax and bought drinks and food to carry on the trail. I assume that people will do the same here.” Dr. Boyce stated, “I’m just here, I’m one of the largest taxpayers in this county. I want you all to know that I am adamantly opposed to this particular project and that you are getting ready to have a very large building built from the School Board and we are going to have many other important, crucial issues that do affect people vitally in Patrick County. You might build you a nice little foot trail to walk on, but there are things that are going to be necessary to stop suffering and to improve the quality of life in this county. The education and the safety of our citizenry that are going to be underfunded if you invest in too many of these frivolous projects like this one. I think you should just take it into consideration. Think hard about what you are doing. Treat this money from us as taxpayers as a sacred trust.”

Mayor James McHone stated, “I think the trail would be a very good thing for Patrick County and the Town of Stuart. It would be a good place to take an evening walk.” He noted that bikes cannot be ridden on the trail at DeHart Park. He stated that there will be a lot of in-kind donations for the proposed trail and that the trail would increase tourism in the area.

Greg Arens spoke in support of the proposed trail and noted that local residents and tourists would use same.

Lisa Hollingsworth spoke in support of the proposed trail. She advised that the trail would improve the community’s quality of life, the health of its residents, and would have a positive impact on its economy and tourism industry.

There being no further comment, the Chairman closed the public hearing.

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

WHEREAS, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or state agency in order that the Virginia Department of Transportation establish a transportation enhancement project in Patrick County.

NOW, THEREFORE, BE IT RESOLVED, that Patrick County requests the Commonwealth Transportation Board to establish a project for the improvement of the Mayo River Rail Trail.

BE IT FURTHER RESOLVED, that Patrick County hereby agrees to pay a minimum twenty (20) percent of the design, right-of-way, and construction of this project, and that, if Patrick County subsequently elects to cancel this project, Patrick County hereby agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the Department is notified of such cancellation.

Voting Aye: Martin, Young, and Harris

Voting Nay: Foley and Large

The Board scheduled the November meeting for Monday, November 6, 2006 commencing at 2:00 p.m.

Ordered that the Board be adjourned until November 6, 2006 at 2:00 p.m.

, Chairman