

VIRGINIA: At a work session of the Board of Supervisors of the County of Patrick, held at the Patrick County Administration Building thereof on Monday, October 24, 2005 at 2:00 p.m.

PRESENT: H. Danny Foley, Sr., Chairman; Darrell Cockerham, Crystal P. Harris, and David G. Young, Board Members; Regena H. Handy, County Administrator; Michael Burnette, Assistant County Administrator; Eric Helms Monday, County Attorney; and Mary Beth Roberson, Assistant to the County Administrator.

ABSENT: Roger L. Martin, Vice Chairman.

Call to Order: Chairman H. Danny Foley, Sr.

Items for Consideration:

I. Presentation by Health Department Officials: Jason L. Brown, Patrick County Building Official, and Glenda C. Morse, Administrative Assistant, in attendance. Dr. Edward Van Oeveren, Director, and Charles Toothman, Business Manager, made a presentation to the Board regarding a new project proposal for Patrick County. Dr. Van Oeveren advised that a total of \$18,131 in County funds is available to carry forward from FY2005 in addition to \$31,806 in State match to County carryover, which totals \$49,937. He proposed using the funds to provide County Staff on-line access to Health Department well and septic records. He advised that the proposed project would increase efficiency and improve customer service. Dr. Van Oeveren stated that the estimated total project cost would be \$22,200, which would be shared by the Counties of Franklin, Henry, and Patrick at a cost of \$7,400 per locality. He requested a carryover amount of \$2,686.79 from Patrick County with \$4,713.21 in State match to County carryover funds. Mr. Brown stated that this program might speed up the building permit process.

On motion by Crystal P. Harris, seconded by David G. Young and carried, the Board does hereby approve the Health Department's proposed program to provide on-line access of well and septic records by Patrick County Staff, with a cost to the County of \$2,686.79 in FY 2005 carryover funds.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

II. Federal Government's Proposed Closing of Local Farm Service Agency Offices:

The County Administrator advised that a proposal by the Federal Government to close the local farm service agency offices had recently been reversed.

III. Assistant County Administrator's Report: The Assistant County Administrator gave an update on the Mid-Atlantic Broadband Project. Mr. Burnette advised that the Mid-Atlantic Broadband Cooperative is seeking a location to construct a 12' x 20' shelter to store equipment and to act as the termination point for the fiber. He stated that due to many of the activities that are ongoing at the Patrick County Community Center, such as Patrick Henry Community College's Distance Learning Program, the Cooperative would like to house the equipment at DeHart Park in Stuart. He advised that the construction of the proposed building would not require any county funds. Mr. Burnette presented the Board with a proposed easement agreement between the County and the Cooperative. The County Attorney advised that he had reviewed the proposed easement agreement and approved same. The Board scheduled a Public Hearing regarding an Easement Agreement between the County and the Mid-Atlantic Broadband Cooperative at 7:30p.m. on November 17, 2005.

IV. Presentation from Utility Management Services: This day came David Hunt, Utility Management Services (UMS), regarding a proposed utility reductions analysis of county facilities. Mr. Hunt advised that UMS tries to find companies a better rate for electricity by studying its usage over the last two years to determine how and when electricity is used as well as peak kilowatts. He advised that Patrick County is on a public tariff rate; therefore, UMS may not be able to find any savings for the County. Mr. Hunt stated that his company found \$19,000 in savings for the Martinsville City School System. He reported that the school system in Franklin County would have been able to save over \$110,000 per year if it had been under a commercial rate structure rather than with VACo/VML. He advised that although Patrick County's contract with VACo/VML does not expire until June 30, 2007, UMS might be able to locate special rates for the County. Mr. Hunt stated that if the Board agrees to participate in this study, a Data Release Authorization and Service

Agreement would be signed and the County would supply copies of its electrical bills and account numbers. He advised that if after the utility analysis is performed, no refunds or savings are identified, there will be no charge to the County; however, if savings are found, UMS will invoice the County every three months for the first thirty-six months for fifty percent of the savings due to rate changes. He noted that the invoice would be sent after the savings are realized. Mr. Hunt stated that the County would have ten days upon receipt of the audit to review before implementation. He advised that UMS is in the process of studying the Patrick County School System. The County Administrator inquired about the timeline of the project. Mr. Hunt advised that the process takes approximately three weeks. He stated that UMS' president had spoken with VACo/VML's attorney and advised him of the potential savings for municipalities and suggested that the organization reconsider its contract with the electrical supplier in 2007. Mr. Hunt presented the Board with a proposed contract. The County Attorney advised that he had reviewed Utility Management Services' proposed contract and approved same.

On motion by Darrell Cockerham, seconded by Crystal P. Harris and carried, the Board does hereby approve the Data Release Authorization and Service Agreement with Utility Management Services, Inc. for a utility reduction analysis of county-owned facilities.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

V. VML / VACo Electrical Rate Assessment: The Board deferred discussion of the VML / VACo Electrical Rate Assessment until a later date due to its agreement with Utility Management Services.

VI. County Maintenance Shed Renovations: The County Administrator asked if the Board had any comments regarding renovations of the county maintenance shed. The Chairman inquired about the installation of an overhang over the door that leads to the storage area. Mr. Cockerham advised that he had discussed the installation of an overhang with the Maintenance Director and it will be installed

after all of the other renovations have been completed. He stated that the Board should consider installing an overhang large enough to cover a vehicle.

On motion by Darrell Cockerham, seconded by David G. Young and carried, the Board does hereby authorize the County Maintenance Department to proceed with any and all necessary contracted arrangements and purchases to complete renovations to the County Maintenance Shed.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

VII. Further Review of the 2006 Virginia Association of Counties Legislative

Program: The County Administrator asked the Board if they would like to make any additions to the 2006 Virginia Associations of Counties Legislative Program draft. She noted that the Board had submitted a legislative agenda, which was sent to VACo. The Assistant County Administrator advised that the Industrial Access Road Program change, which was requested by the Board, was not included in VACo's program. He asked that the Chairman, who is a member of VACo's Transportation Committee, promote the change in regulations for Industrial Access Program to allow that the five year period requirement for appropriate investment begin at the end of road completion rather than at grant approval.

VIII. Update on Plans regarding the Wall of Honor: Mr. Young gave an update on the Wall of Honor. He advised that the committee, which is comprised of members from Patrick County Veterans' organizations, has been organizing the events that will be held on November 11, 2005. He stated that the itinerary includes a parade, brief speeches by various dignitaries and citizens, and the unveiling of the Wall of Honor. Mr. Young advised that the County is responsible for mounting the plaques and providing lighting. The County Administrator noted that the Maintenance Department is currently installing tract lights for the wall. Mr. Young stated that Mr. Martin has been very involved in this endeavor and that the Board Chairman would be the Master of Ceremonies. He noted that no invitations would be sent out but the event would be publicized through the media and direct personal contact. He

advised that the committee would be responsible for the setup and cleanup of the event and the ordering of the plaque that will be placed on a wall in front of the building.

IX. Meeting Schedule: The regular meeting for the month of November is scheduled for Thursday, November 17th, beginning at 6:00 p.m. The work session will be held on November 28th commencing at 2:00 p.m.

X. Economic Development Authority Board Appointment:

On motion by David G. Young, seconded by Darrell Cockerham and carried, the Board does hereby appoint Noel Wood to serve as an at-large representative on the Patrick County Economic Development Authority (EDA) effective immediately and ending August 11, 2006.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

On motion by Crystal P. Harris, seconded by Darrell Cockerham and carried, the Board convened into Executive Session to discuss legal matters [Section 2.2-3711(A)(7), 1950 Code of Virginia, as amended]; prospective business matters [Section 2.2-3711(A)(5), 1950 Code of Virginia, as amended]; and personnel matters [Section 2.2-3711(A)(1), 1950 Code of Virginia, as amended].

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

On motion by Crystal P. Harris, seconded by Darrell Cockerham 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: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

XI. Report and Discussion of Road Matters with VDOT Official: 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. Red Rough Road: Mr. Cockerham, on Mr. Martin's behalf, inquired on the possibility of hard topping Red Rough Road. Mrs. Hughes advised that the road has been added to her list of road improvement requests.

b. Gravel Roads in Patrick County: Mrs. Hughes advised that VDOT would be conducting traffic counts on all gravel roads in Patrick County to determine if they meet the qualifications to be hard topped.

c. Route 8 up Floyd Mountain: Mrs. Hughes stated that VDOT has completed the shifting of Route 8 up Floyd Mountain due to slides that had occurred in that area.

d. Five Forks Road: Mr. Young advised that a resident on Five Forks Road had reported a drainage problem, which caused a vehicle to hydroplane into his yard recently. He also reported that residents in that area are seeking the lowering

of the speed limit. Mrs. Hughes advised that she would look at the accident data for the area.

e. **Drainage Problem on Route 600:** Mrs. Hughes advised that VDOT is looking into the drainage problem on Route 600 on Roy McAlexander's property.

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

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

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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: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

XII. VDOT Proposed Six-Year Plan Public Hearing: A Public Hearing was this day held by the Virginia Department of Transportation and the Patrick County Board of Supervisors from 7:00p.m. to 8:00p.m. on the proposed Six Year Plan (2006-2012) for secondary roads as required by Section 33.1-70.01, 1950 Code of Virginia, as amended. Numerous 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.

XIII. Route 58 Discussion: This day came Glenn Roycroft, Economic Development Authority Chairman, to discuss the Route 58 Project. Mr. Roycroft thanked the Board, County Administrator, Assistant County Administrator, EDA, surrounding counties, and individuals who have assisted in efforts to complete the Route 58 Project. He advised that funds must be found and allocated to finish this project. Mr. Roycroft introduced Whitt Clement, former Secretary of Transportation, and advised that he has been hired to lobby for the completion of the Route 58 Project. Mr. Clement advised that Route 58 is not federally funded and there are no additional bonds to be sold for same. He noted that new money for this road was last received in 1999. Mr. Clement advised that now is the time to request the General Assembly to pass legislation to authorize additional bonds to be supported in the future with General Funds to pay the debt service. He stated that a very targeted approach would have the most successful outcome in this endeavor. He advised that over the next several months, he would work with Governor Warner's

office to see if the Governor's proposed two-year budget bill could include General Funds to support additional bonds for Route 58; if that is not successful, area legislatures would be requested to submit budget amendments and standalone legislation to the budget in both the House and the Senate seeking use of General Funds to support the maximum number of bonds for Route 58. He stated that it is his belief that there will be an effort this winter to use General Fund dollars for transportation, which would be a good opportunity to request funds for the completion of Route 58. He noted that there would be more attention given to transportation this session than there has been over the last several years. Mr. Clement advised that if Route 58 funds are approved, it is not guaranteed that all of the money would be allocated to the portion of the road in Patrick County. The County Administrator recognized George Nester, Floyd County Administrator, and Dan Sleeper, Pittsylvania County Administrator, who were in attendance.

Ordered that the Board be adjourned until November 17, 2005 at 6:00p.m.

Work notes prepared and submitted by

Mary Beth Roberson, Assistant to the County Administrator