

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, September 26, 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. Issuance of Bonds Proposal Public Hearing: Judy Lacks, School Superintendent, in attendance. The Chairman opened the hearing for public comment on a proposed issuance of General Obligation Bonds through Virginia Public School Authority to replace interim financing for improvements, renovations and replacement of school buildings and related facilities, including specifically, but not limited to, Woolwine Elementary School and Patrick County High School. The Chairman asked for any additional comments; none were made and the public hearing was closed.

On motion by Darrell Cockerham, seconded by David G. Young and carried, the following resolution is hereby adopted:

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED
 \$\$2,403,450 GENERAL OBLIGATION SCHOOL BONDS
 OF THE COUNTY OF PATRICK, VIRGINIA, SERIES 2005,
 TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY
 AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, in April 2004, the Commonwealth of Virginia Board of Education (the "Board of Education") placed the applications (collectively, the "Application") of the School Board of Patrick County, Virginia (the "School Board"), for loans in the aggregate amount of \$2,289,000 (collectively, the "Literary Fund Loan") from the Literary Fund, a permanent trust fund established by the Constitution of Virginia (the "Literary Fund"), for the construction, renovation and expansion of school buildings, more particularly described as the improvement and renovation of Woolwine Elementary School and Patrick County High School (collectively, the "Project"), in Patrick County, Virginia (the "County"), on the First Priority Waiting List;

WHEREAS, the Board of Education was to have approved the release of Literary Fund moneys to the School Board and make a commitment to loan such moneys to the School Board (the "Commitment") within one (1) year of placement of the Application on the First Priority Waiting List upon receipt of the Literary Fund of an unencumbered sum available at least equal to the amount of the Application and the approval, by the Board of Education, of the Application as having met all

conditions for a loan from the Literary Fund;

WHEREAS, the Board of Education was thereafter to have given advances on the amount of the Commitment for the Literary Fund Loan to the School Board, as construction or renovation of the Project progressed, in exchange for temporary notes from the School Board to the Literary Fund (the "Temporary Notes") for the amounts so advanced;

WHEREAS, after the completion of the Project and the advance of the total amount of the Commitment, the Temporary Notes were to have been consolidated into a permanent loan note of the School Board to the Literary Fund (the "Literary Fund Obligation") which was to evidence the obligation of the School Board to repay the Literary Fund Loan;

WHEREAS, the Literary Fund Obligation was to have borne interest at two percent (2%) per annum and mature in annual installments for a period of twenty (20) years;

WHEREAS, in connection with its 2005 Interest Rate Subsidy Program (the "Program"), the Virginia Public School Authority expects to offer to purchase certain general obligation school bonds of the County, and the Board of Education will offer to pay, to the County, a lump sum cash payment (the "Lump Sum Cash Payment") equal to the sum of (i) the net present value difference, determined on the date on which the VPSA sells its bonds, between the weighted average interest rate that the general obligation school bonds of the County will bear upon sale to the VPSA and the interest rate that the Literary Fund Obligation would have borne plus (ii) an allowance for the costs of issuing such bonds of the County (the "Issuance Expense Allowance");

WHEREAS, the Board of Supervisors (the "Board") of the County has previously approved, and the County has issued, its Bond Anticipation Notes dated March 26, 2004, and August 20, 2004, respectively, in the principal amounts of \$1,497,467 and \$791,533, respectively (collectively, the "BANs"), in anticipation of the issuance of the County's bonds to provide long-term financing for the Project;

WHEREAS, the Board has determined that it is necessary and expedient to borrow not to exceed \$10,500,000 and to issue its general obligation school bonds for the purpose of financing or refinancing the costs of the Project;

WHEREAS, the County has held a public hearing, duly noticed, on September 26, 2005, on the issuance of the Bonds (as defined below) in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (the "Virginia Code"); and

WHEREAS, the School Board of the County has, by resolution, requested the Board to authorize the issuance of the Bonds (as hereinafter defined) and consented to the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PATRICK, VIRGINIA:

1. Authorization of Bonds and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bonds in an aggregate principal amount not to exceed \$2,403,450 (the "Bonds") for the purpose of financing or refinancing the Project for school purposes, and more specifically for the purpose of repaying the BANs. The Board hereby authorizes and directs the County Administrator, in cooperation with the School Board, to investigate the advisability of issuing the Bonds to the Virginia Public School Authority and to make application therefor to the Virginia Public School Authority. In anticipation of such application being approved, the Board hereby authorizes the issuance and sale of the Bonds in the form and upon the terms established pursuant to this Resolution.

2. Sale of the Bonds. It is determined to be in the best interest of the County to accept the anticipated offer of the Virginia Public School Authority (the "VPSA") to purchase from the County, and to sell to the VPSA, the Bonds at a price, determined by the VPSA to be fair and accepted by the Chairman of the Board and the County Administrator, that is not less than 98% of par and not more than 108% of par upon the terms established pursuant to this Resolution. The Chairman of the Board, the County Administrator, and such officer or officers of the County as either may designate are hereby authorized and directed to enter into a Bond Sale Agreement dated as of September 28, 2005, with the VPSA providing for the sale of the Bonds to the VPSA in substantially the form submitted to the Board at this meeting, with such changes and completions as the officers executing such agreement shall approve by their execution and delivery thereof, which form is hereby approved (the "Bond Sale Agreement").

3. Details of the Bonds. The Bonds shall be issuable in fully registered form; shall be dated the date of issuance and delivery of the Bonds; shall be designated "General Obligation School Bonds, Series 2005"; shall bear interest from the date of delivery thereof payable semi-annually on each January 15 and July 15 beginning July 15, 2006 (each an "Interest Payment Date"), at the rates established in accordance with Section 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") and in the amounts determined as set forth in the Bond Sale Agreement, so as to fully amortize the principal thereof in not more than twenty (20) years (the "Principal Installments"), subject to the provisions of Section 4 of this Resolution.

4. Interest Rates and Principal Installments. The County Administrator is hereby authorized and directed to accept the interest rates on the Bonds established by the VPSA, provided that each interest rate shall be ten one-hundredths of one percent (0.10%) over the interest rate to be paid by the VPSA for the corresponding principal payment date of the bonds to be issued by the VPSA (the "VPSA Bonds"), a portion of the proceeds of which will be used to purchase the Bonds, and provided further, that the true interest cost of the Bonds does not exceed five and sixty one-hundredths percent (5.60%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of the VPSA. The County Administrator is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of the VPSA, provided that the aggregate principal amount of the Bonds shall not exceed the amount authorized by this Resolution. The execution and delivery of the Bonds as described in Section 8 hereof shall conclusively evidence such interest rates established by the VPSA and Interest Payment Dates and the Principal Installments requested by the VPSA as having been so accepted as authorized by this Resolution.

5. Form of the Bonds. The Bonds shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

6. Payment; Paying Agent and Bond Registrar. The following provisions shall apply to the Bonds:

(a) For as long as the VPSA is the registered owner of the Bonds, all payments of principal, premium, if any, and interest on the Bonds shall be made in immediately available funds to the VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date or Principal Payment Date, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next preceding such Interest Payment Date or Principal Payment Date.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Bonds.

(c) SunTrust Bank, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Bonds.

7. No Prepayment or Redemption. The Principal Installments of the Bonds shall not be

subject to prepayment or redemption prior to their stated maturities.

8. Execution of the Bonds. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Bonds and to affix the seal of the County thereto.

9. Pledge of Full Faith and Credit. For the prompt payment of the principal of and premium, if any, and the interest on the Bonds as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any of the Bonds shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Bonds as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10. Use of Proceeds Certificate and Certificate as to Arbitrage. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute a Certificate as to Arbitrage and/or a Use of Proceeds Certificate each setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the Bonds and on the VPSA Bonds except as provided below. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Bonds will be invested and expended as set forth in such Certificate as to Arbitrage and such Use of Proceeds Certificate and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the Bonds and on the VPSA Bonds will remain excludable from gross income for Federal income tax purposes.

11. State Non-Arbitrage Program; Proceeds Agreement. The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Bonds. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Bonds by and among the County, the other participants in the sale of the VPSA Bonds, the VPSA, the investment manager and the depository, substantially in the form submitted to the Board at this meeting, which form is hereby approved.

12. Continuing Disclosure Agreement. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix F to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12 and directed to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by the VPSA to be a MOP (as defined in the Continuing Disclosure Agreement).

13. Filing of Resolution. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

14. Further Actions. The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary

or desirable in connection with the issuance and sale of the Bonds and any such action previously taken is hereby ratified and confirmed.

15. Effective Date. This Resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of the County of Patrick, Virginia, hereby certifies that the foregoing constitutes a true and correct copy of a resolution duly adopted at a meeting of the Board of Supervisors held on September 26, 2005, and of the whole thereof so far as applicable to the matters referred to in such resolution. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. The undersigned Clerk further certifies that the members of said Board of Supervisors were present or absent as set forth below and that the members present voted on such resolution as set forth below.

| <u>Members</u> | <u>Present</u> | <u>Absent</u> | <u>Vote</u> |
|---------------------|----------------|---------------|-------------|
| H. Danny Foley, Sr. | X | o | Aye |
| Crystal P. Harris | X | o | Aye |
| Darrell Cockerham | X | o | Aye |
| David G. Young | X | o | Aye |
| Roger L. Martin | o | X | --- |

[Subsidy]

EXHIBIT A

(FORM OF TEMPORARY BOND)

NO. TS-1

\$2,289,000

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
COUNTY OF PATRICK
General Obligation School Bond
Series 2005

The COUNTY OF PATRICK, VIRGINIA (the "County"), for value received, hereby acknowledges itself indebted and promises to pay to the VIRGINIA PUBLIC SCHOOL AUTHORITY the principal amount of Two Million Two Hundred Eighty-nine Thousand Dollars (\$2,289,000), in annual installments in the amounts set forth on Schedule I attached hereto payable on July 15, 2006 and annually on July 15 thereafter to and including July 15, 2025 (each a "Principal Payment Date"), together with interest from the date of this Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of each year, commencing on July 15, 2006 (each an "Interest Payment Date"; together with any Principal Payment Date, a "Payment Date"), at the rates per annum set forth on Schedule I attached hereto. Both principal of and interest on this Bond are payable in lawful money of the United States of America.

For as long as the Virginia Public School Authority is the registered owner of this Bond, SunTrust Bank, as bond registrar (the "Bond Registrar"), shall make all payments of principal, premium, if any, and interest on this Bond, without the presentation or surrender hereof, to the Virginia Public School Authority, in immediately available funds at or before 11:00 a.m. on the applicable Payment Date or date fixed for prepayment or redemption. If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of principal, premium, if any, or interest on this Bond shall be made in immediately available funds at or before 11:00 a.m. on the business day next

preceding the scheduled Payment Date or date fixed for prepayment or redemption. Upon receipt by the registered owner of this Bond of said payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Bond to the extent of the payment so made. Upon final payment, this Bond shall be surrendered to the Bond Registrar for cancellation.

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and the premium, if any, and interest on this Bond. The resolution adopted by the Board of Supervisors authorizing the issuance of the Bonds provides, and Section 15.2-2624, Code of Virginia 1950, as amended, requires, that there shall be levied and collected an annual tax upon all taxable property in the County subject to local taxation sufficient to provide for the payment of the principal, premium, if any, and interest on this Bond as the same shall become due which tax shall be without limitation as to rate or amount and shall be in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond is duly authorized and issued in compliance with and pursuant to the Constitution and laws of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia 1950, as amended, and resolutions duly adopted by the Board of County Supervisors of the County and the School Board of the County to provide funds for capital projects for school purposes.

This Bond may be exchanged without cost, on twenty (20) days written notice from the Virginia Public School Authority, at the office of the Bond Registrar on one or more occasions for two or more temporary bonds or definitive bonds in fully registered form in denominations of \$5,000 and whole multiples thereof, and; in any case, having an equal aggregate principal amount having maturities and bearing interest at rates corresponding to the maturities of and the interest rates on the installments of principal of this Bond then unpaid. This Bond is registered in the name of the Virginia Public School Authority on the books of the County kept by the Bond Registrar, and the transfer of this Bond may be effected by the registered owner of this Bond only upon due execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Bond, the Bond Registrar shall exchange this Bond for definitive Bonds as hereinabove provided, such definitive Bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

The principal installments of this Bond are not subject to redemption or prepayment.

All acts, conditions and things required by the Constitution and laws of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in due time, form and manner as so required, and this Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of the County of Patrick, Virginia, has caused this Bond to be issued in the name of the County of Patrick, Virginia, to be signed by its Chairman or Vice-Chairman, its seal to be affixed hereto and attested by the signature of its Clerk or any of its Deputy Clerks, and this Bond to be dated September 26, 2005.

COUNTY OF PATRICK, VIRGINIA

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS, INCLUDING ZIP CODE, OF ASSIGNEE)

PLEASE INSERT SOCIAL SECURITY OR OTHER

IDENTIFYING NUMBER OF ASSIGNEE: _____

the within Bond and irrevocably constitutes and appoints

_____ attorney to exchange said Bond for definitive bonds in lieu of which this Bond is issued and to register the transfer of such definitive bonds on the books kept for registration thereof, with full power of substitution in the premises.

Date: _____

Signature Guaranteed:

(NOTICE: Signature(s) must be guaranteed by an "eligible guarantor institution" meeting the requirements of the Bond Registrar which requirements will include Membership or participation in STAMP or such other "signature guarantee program" as may be determined by the Bond Registrar in addition to, or in substitution for, STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.

Registered Owner
(NOTICE: The signature above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or change.)

SCHEDULE I

PRINCIPAL PAYMENT SCHEDULE
[to be determined by VPSA]

**VIRGINIA PUBLIC SCHOOL AUTHORITY
BOND SALE AGREEMENT**

Dated as of September 28, 2005

Name of Jurisdiction (the "Local Unit"): County of Patrick, Virginia
Sale Date: Not earlier than October 3, 2005, nor later than October 20, 2005
Closing Date: On or about November 10, 2005
Proceeds Requested: \$2,289,000
Maximum Authorized Par Amount: \$2,403,450
Amortization Period: 20 years

1. The Virginia Public School Authority ("VPSA") hereby offers to purchase your general obligation school bonds at a price, determined by the VPSA to be fair and accepted by you, that, subject to VPSA's *purchase price objective* and market conditions described below, is substantially equal to Proceeds Requested set forth above (as authorized by your bond resolution) from the proceeds of the VPSA's bonds. The sale of VPSA's bonds is tentatively scheduled for October 12, 2005 but may occur at any time during the period described above as the Sale Date. You acknowledge that VPSA has advised you that its objective is to pay you a purchase price for your bonds which in VPSA's judgment reflects their market value ("*purchase price objective*") taking into consideration such factors as the amortization schedule you have requested for your bonds relative to the amortization schedules requested by the other localities for their respective bonds, the purchase price received by VPSA for its bonds and other market conditions relating to the sale of the VPSA's bonds. You further acknowledge that VPSA has advised you that such factors may result in your bonds having a

value other than par and that in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested you may need to issue a par amount of bonds that is greater than or lower than the Proceeds Requested. You at the request of VPSA, will issue an amount of the local school bonds not in excess of the Maximum Authorized Par Amount to provide, to the fullest extent practicable given VPSA's *purchase price objective* and market conditions, a purchase price for your bonds and a proceeds amount that is substantially equal to the Proceeds Requested. You acknowledge that the purchase price for your bonds will be less than the Proceeds Requested should the Maximum Authorized Par Amount be insufficient, based upon VPSA's *purchase price objective* and market conditions, to generate an amount of proceeds substantially equal to the Proceeds Requested.

2. You represent that on or before September 28, 2005, your local governing body will have duly authorized the issuance of your bonds by adopting a resolution in the form attached hereto as Appendix B (the "local resolution") and that your bonds will be in the form set forth in the local resolution. Any changes that you or your counsel wish to make to the form of the local resolution and/or your bonds must be approved by the VPSA prior to adoption of the local resolution by your local governing body.
3. You hereby covenant that you will comply with and carry out all of the provisions of the Continuing Disclosure Agreement in the form attached hereto as Appendix F, which agreement is hereby incorporated by reference herein and expressly made a part hereof for all purposes. The VPSA has defined a Material Obligated Person ("MOP") for purposes of the Continuing Disclosure Agreement as any Local Issuer the principal amount of whose local school bonds pledged under VPSA's 1997 Resolution compromises more than 10% of the total principal amount of all outstanding 1997 Resolution bonds. MOP status will be determined by adding the principal amount of your local school bonds to be sold to the VPSA and the principal amount of your local bonds previously sold to the VPSA and currently pledged under VPSA's 1997 Resolution and measuring the total against 10% of the face value of all bonds outstanding as of the Closing Date under VPSA's 1997 Resolution. If you are or may be a MOP, the VPSA will require that you file all the information described in the following paragraph prior to VPSA's distributing its Preliminary Official Statement, currently scheduled for October 3, 2005.

You acknowledge that if you are, or in the sole judgment of VPSA may be, a MOP following the issuance of your local school bonds that are the subject of this Bond Sale Agreement, the VPSA will include by specific reference in its Preliminary Official Statements and final Official Statements (for this sale and, if you remain a MOP or become a MOP again after ceasing to be a MOP, for applicable future sales) the information respecting you ("Your Information") that is on file with the Nationally Recognized Municipal Securities Information Repositories or their respective successors ("NRMSIRs") and the Municipal Securities Rulemaking Board or its successors ("MSRB"). Accordingly, if it appears that you will be a MOP (I) following the delivery of your local school bonds to the VPSA in connection with this sale, or (II) during the course of any future sale, whether or not you are a participant in such sale, you hereby represent and covenant to the VPSA that you will file such additional information, if any, as is required so that Your Information, as of each of (I) the date of the VPSA's applicable Preliminary Official Statement (in the case of this sale, expected to be October 3, 2005), (II) the date of the VPSA's applicable final Official Statement (in the case of this sale, expected to be October 12, 2005) and (III) the date of delivery of the applicable VPSA bonds (in the case of this sale, expected to be November 10, 2005), will be true and correct and will not contain any untrue statement of a material fact or omit to state a material fact which should be included in Your Information for the purpose for which it is included by specific reference in VPSA's official statement or which is necessary to make the statements contained in such information, in light of the circumstances under which they were made, not misleading. You

further agree to furnish to the VPSA a copy of all filings you make with NRMSIRs and the MSRB subsequent to the date of this Agreement. Such copy will be furnished to the VPSA on or before the day that any such filing is made.

The VPSA will advise you within 60 days of the end of each fiscal year if you were a MOP as of the end of such fiscal year. Upon written request, the VPSA will also advise you of your status as a MOP as of any other date. You hereby covenant that you will provide the certificate

described in clause (e) of Section 4 below if VPSA includes Your Information by specific reference in its disclosure documents in connection with this sale or any future sale, whether or not you are a participant in such sale.

4. VPSA's commitment to purchase your bonds is contingent upon (I) VPSA's receipt on the Closing Date of (a) your bonds which shall include and otherwise meet the Standard Terms and Conditions contained in Appendix A hereto, (b) certified copies of the local resolution (see Appendix B attached hereto) and the school board resolution (see Appendix E attached hereto), (c) an executed agreement, among VPSA, you and the other local units simultaneously selling their bonds to VPSA, the depository and the investment manager for the State Non-Arbitrage Program ("SNAP"), providing for the custody, investment and disbursement of the proceeds of your bonds and the other general obligation school bonds, and the payment by you and the other local units of the allocable, associated costs of compliance with the Internal Revenue Code of 1986, as amended, and any costs incurred in connection with your participation in SNAP (the "Proceeds Agreement"), (d) an executed copy of the Use of Proceeds Certificate in the form attached hereto as Appendix C, (e) if the VPSA has included by specific reference Your Information into the VPSA Preliminary and final Official Statement, your certificate dated the date of the delivery of the VPSA's bonds to the effect that (i) Your Information was as of the date of the VPSA's Preliminary and final Official Statements, and is as of the date of the certificate, true and correct and did not and does not contain an untrue statement of a material fact or omit to state a material fact which should be included in Your Information for the purpose for which it is included by specific reference in VPSA's official statement or which is necessary to make the statements contained in such information, in light of the circumstances under which they were made, not misleading, and (ii) you have complied with your undertakings regarding the amendments adopted on November 10, 1994 to Rule 15c2-12 under the Securities Exchange Act of 1934, as amended, (f) an approving legal opinion from your bond counsel in form satisfactory to VPSA as to the validity of the bonds and the exclusion from gross income for federal and Virginia income tax purposes of the interest on your bonds, the conformity of the terms and provisions of your bonds to the requirements of this Bond Sale Agreement including the appendices attached hereto, and the due authorization, execution and delivery of this Bond Sale Agreement, Continuing Disclosure Agreement and the Proceeds Agreement, and the validity of the Continuing Disclosure Agreement and the Proceeds Agreement, (g) a transcript of the other customary closing documents not listed above, and (h) the proceeds of VPSA's bonds, (II) if you will be using the proceeds of your bonds to retire a bond anticipation note, certificate of participation or other form of interim financing (the "Interim Security"), receipt by VPSA of (a) an opinion of your bond counsel that, as of the Closing Date, the Interim Security will be paid in full or defeased according to the provisions of the instrument authorizing the Interim Security (in rendering such opinion bond counsel may rely on a letter or certificate of an accounting or financial professional as to any mathematical computations necessary for the basis for such opinion) and (b) an executed copy of the escrow deposit agreement/letter of instruction providing for the retirement of the Interim Security and (III) your compliance with the terms of this agreement. One complete original transcript of the documents listed above shall be provided by your counsel to Sidley Austin Brown & Wood LLP on the Closing Date or, with VPSA's permission, as soon as practicable thereafter but in no event more than thirty (30) business days after the Closing Date.

5. This Bond Sale Agreement shall take effect on September 28, 2005.

Virginia Public School Authority

Name of Jurisdiction: County of Patrick,
Virginia

By: _____
Authorized VPSA Representative

By: _____

Name: H. Danny Foley, Sr.

Title: Chairman of the Board of Supervisors

(For information only; not part of the Bond Sale Agreement.)

Please have the presiding officer, or other specifically designated agent, of your governing body execute 2 (two) copies of this Bond Sale Agreement and return them, along with the tax questionnaire attached hereto as Appendix D, no later than close of business on September 28, 2005 to, Richard A. Davis, Public Finance Manager, Virginia Public School Authority, P. O. Box 1879, Richmond, Virginia 23218-1879 or by hand or courier service, James Monroe Building 3rd Floor, 101 N. 14th Street, Richmond, Virginia 23219. *The VPSA recommends the use of an overnight delivery service to ensure timely arrival of your documents.* If your governing body or bond counsel requires more than one originally signed Bond Sale Agreement, please send the appropriate number; all but one will be returned at closing.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

II. Proposed Utility Tax Ordinance Revisions: The County Attorney advised that he had discussed this matter with the Chairman and no discussions are needed at this time.

III. Proposed Ordinance Revisions: The County Attorney advised that he had discussed this matter with the Chairman and no discussions are needed at this time.

IV. Utility Reduction Services Company Proposal: The County Administrator advised that she had met with a representative from Utility Management Services regarding the company's proposal to review utility bills for errors, overcharges or other ways to reduce utility bills. She presented the Board with a brochure from the firm, which advises that there would be no charge if savings were not found. If savings were found, the firm would invoice the customer for 50% of the rate change

for thirty-six months. The Chairman inquired about the possibility of other firms offering the same service at a lower rate. The Board requested that Utility Management Services give a presentation at a future work session.

V. 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. **Annual Six-Year Plan Meeting:** Mrs. Hughes advised that VDOT has changed the Annual Six-Year Plan Public Hearing to a Meeting, which will be held on September 27, 2005 beginning at 2:30 in Salem. She advised that submitting last year's list of priority projects at tomorrow's meeting would be sufficient. The County Administrator advised that she would present the list at the meeting on behalf of the Board.

b. **Schedule Date for Local Six Year Plan Hearing:** Mrs. Hughes advised that VDOT would be holding a Local Six-Year Plan Public Hearing on October 24th from 7:00p.m. - 8:00p.m., which will be held during the Board's work session.

c. **Church Hill Lane:** In response to a citizen inquiry forwarded by the County Administrator, Mrs. Hughes advised that Church Hill Lane is a Rural Addition and noted that the budget does not include any Rural Addition funds. She stated that the County could contribute up to 5% of the allocation for those projects.

d. **Route 8 Connector Road Project:** Mrs. Hughes advised that an arborist with Bartlett Tree Experts reported that the old oak tree behind the Masonic Lodge in Stuart had been damaged by lightning, which would require cutting out a large part of the tree. She noted that the roadbed of the proposed connector road would be constructed over the root system, which would be even more detrimental to the tree. Mrs. Hughes advised that the road could be shifted over; however, usable land would have to be taken and a large kink in the road would result. She noted that shifting the road may not prevent further harm to the tree and VDOT would be liable for any damages that the tree may cause in the future.

e. **Busted Rock Road Abandonment Request:** Mrs. Hughes advised that VDOT has no objection to the abandonment of a portion of Busted Rock Road,

which will be considered by the Board at Public Hearing later in the meeting.

VI. American Red Cross Update: This day came Sharon Held, Bernie Day, and Ralph Lawson, Henry-Martinsville-Patrick American Red Cross Representatives, to give an update of programs and services relating to Patrick County. Mrs. Held advised that since the Board's May Work Session, their organization met with Clyde Crissman, Recreation Director, and found a suitable place to temporarily store equipment and supplies. She noted that they are still looking for a permanent site for storage and an office, which would require a restroom and that it be handicap accessible.

Mr. Day, Red Cross Chapter Board Member, advised that the organization is in the process of securing a donated facility in the Town of Stuart. Mrs. Harris stated that Jamie Clark had expressed concern about the lack of training courses in Patrick County. Mrs. Held advised that the organization is working with Patrick County instructors to make sure that they have all needed materials. She noted that the Red Cross held non-pool lifeguard training at the Patrick Henry Community College site in Stuart as well as workplace training and continuing training at the Patrick County High School. Mrs. Harris asked if the staff in Martinsville has had contact with the former Red Cross representatives in Patrick County, who attended the May Work Session. Mrs. Held advised that they have not had any contact with those individuals other than a phone call after Hurricane Katrina in which the caller had offered services. The County Administrator advised that there is storage and office space in the basement of the Adult Education Building; however, there is no restroom. Mrs. Held advised that they have trucks and manpower to move the supplies when a location is secured. Mrs. Harris inquired about the amount of time it took for the Red Cross to arrive on the scene following a tractor-trailer wreck on the mountain. Mrs. Held stated that the Sheriff's Department called her office and asked if they had been contacted and she advised that they had not. She advised that the staff assessed the situation through the Sheriff's Department and immediately put supplies together and were on the scene within two hours. She noted that there is no cell phone service in that area of Patrick County. Mr. Cockerham inquired on the proposed staff for the Patrick County office. Mrs. Held advised that the office would be open from 9:00am until 4:30p.m. Monday thru Friday and emergency services are offered through communication tools twenty-

four hours a day. She stated that they had hoped to receive funds through the National American Red Cross to hire an employee; however, no monies will be received. She noted that there are no grants to fund salaries and Henry County and Martinsville City contribute \$126,000 per year to the organization. She advised that the Martinsville-Henry office employs two full-time and two part-time employees. Mrs. Held stated that the Stuart staff must have job skills that would warrant a salary of \$30,000 annually. The Chairman inquired about the \$10,000 that was donated from the Hendricks family following the plane crash in Patrick County. Mrs. Held advised that the donation could help fund the employee's salary, that she had contacted the donor and discovered directly from them that those funds have absolutely no restrictions whatsoever. The Chairman requested that another update be given in four months.

On motion by Crystal P. Harris, seconded 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].

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

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: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

VII. Assistant County Administrator's Report:

a. Rich Creek Corporate Park Shell Building: The Assistant County Administrator stated that the Board had authorized the Economic Development Authority to move forward with the design bid process for a proposed shell building. Mr. Burnette reviewed the base bid and two alternate designs. He advised that Alternate One does not include a vestibule and covered entrance and Alternate Two does not include split-face block on the exterior of the building. He noted that the base bid is well within the budget and the EDA requested a change order of up to \$3,000 to install a foundation for a second loading dock and another personnel door. He advised that the total base bid totals approximately \$397,500, which includes the change order. Mr. Burnette stated that the EDA has authorized this contract with Frith Construction Company contingent upon the Board's approval. Mr. Young noted that Frith Construction's bid for the split-face block equals \$76,146 and questioned whether or not it would be warranted. Mr. Burnette recommended installing the block to improve the appearance of the building, which could aid in selling the facility sooner. The Chairman noted that the building would be in an industrial park and questioned the need for the blocks. He suggested the use of shrubbery to improve the facility. Mr. Young stated that \$10,000 worth of shrubs could enhance the appearance a great deal. Mr. Burnette noted that the County has the option of finishing the building and renting it to a tenant or turning it over to a company and stated that this building would be as flexible as possible. He advised that the proposed building would include \$25,000 of County funds and funds from

the sale of the Virginia Narrow Building, along with a grant from the Tobacco Indemnification Commission totaling \$225,000. Mr. Burnette stated that the EDA's recommendation is to move forward with the base bid along with a change order up to \$3,000. Mr. Young stated that Frith Construction's bid of \$76,146 was way out of line with the bids from the other companies. Mr. Burnette noted that there are multiple shell buildings throughout Virginia and the EDA felt that adding the decorative block would be a good marketing tool. Mr. Cockerham stated, "attractiveness does help sell". The Chairman stated that he does not see the point in spending the money on the block. The Board temporarily deferred action regarding this issue.

b. Walmart Project: The Assistant County Administrator reported that the Walmart contractor has requested water service for the Walmart site. He requested authorization to advertise for bids for the extension of water service with bid opening on October 7th and a proposed completion date of November 11, 2005. Mr. Burnette noted that Dewberry and Davis is currently working on the sewer plan.

On motion by Darrell Cockerham, seconded by David G. Young and carried, the Board hereby authorizes the Assistant County Administrator to solicit bids for the extension of water service to the Walmart site.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

VIII. Maintenance of Buildings and Grounds: Teddy Doss, Maintenance of Buildings and Grounds Director, in attendance.

a. Various Uniform and Cleaning Supply Services: The County Administrator presented the Board with a spreadsheet comprised of the bids that were received for various uniform and cleaning supply services. She advised that bids were received from AlSCO, Aramark Uniform, Basic Linen & Uniform Service, Cintas, Sunny Day Cleaning Services, and Unifirst Coporation. She noted that Sunny Day Cleaning Services' bid was comprised of dispensers only. Mr. Doss advised that Sunny Day Cleaning Services would supply the dispensers free of charge. Mr. Cockerham advised that a service stipulation should be included in the new uniform

contract.

On motion by David G. Young, seconded by Crystal P. Harris and carried, the Board hereby awards the bid for 9 soap dispensers and soap, 14 saniscent dispensers, 4 paper towel dispensers, and 8 tissue paper dispensers to Sunny Day Cleaning Services for a term of one year with a second year option and awards Cintas the bid for 7 employees' uniforms, 6 scraper mats, 1 safety mat, 23 mats, and 3 urinal screens for a term of one year with a second year option.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

b. Maintenance Shed at Nevamar: The County Administrator advised that Michael Burnette had taken a poll vote by telephone regarding a HVAC system at the County's Maintenance Shed. Mr. Doss received the following bids: Hydro Air Systems \$6,257; Vaughan Heating and A/C, LLC \$4,650; and Collins HVAC \$4,750. Mr. Doss had recommended Collins HVAC due to the inclusion of a better heat pump model for minimal additional cost.

On motion by David G. Young, seconded by Darrell Cockerham and carried, the Board hereby formally approves the following pole vote taken by telephone on September 19, 2005:

The Board does hereby award Collins HVAC the contract for the heat pump for heating and cooling the Patrick County Maintenance Shed in the amount of \$4,750.

Polled telephone vote of the Patrick County Board of Supervisors by the Assistant County Administrator on September 19, 2005.

Voting Aye: Cockerham, Harris, and Young

Voting Nay: None

Unable to contact: Foley and Martin

c. Carpet Cleaning: The County Administrator advised that the carpet in the Administration Building needs to be cleaned due to mold and mildew and requested authorization for Mr. Doss to proceed with soliciting quotes for same. The Board authorized Mr. Doss to solicit bids for professional cleaning of the carpet in the Administration Building.

d. Maintenance Shed Doors: Mr. Doss presented the Board with three quotes for two doors with automatic openers for the Maintenance Shed. He advised that the following quotes were received: Southern Virginia Door \$4,400; Overhead Door Company of Roanoke \$3,700; and Richard Puckett \$3,492 not including installation.

On motion by Darrell Cockerham, seconded by David G. Young and carried, the Board hereby award Overhead Door Company of Roanoke the bid for two 12x12 doors with openers for the Patrick County Maintenance Shed in the amount of \$3,700.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

e. Waterline to Maintenance Shed: Mr. Doss advised that the Town of Stuart would like to use the Maintenance Shed occasionally to repair and conduct regular maintenance of their equipment in exchange for a two-inch waterline to the shed at no charge to the County. He noted that the Town would be hooking up sewer lines to the building.

IX. Emergency Management Issues: Michael Hudson, Emergency Management Coordinator, in attendance.

a. NIMS Certification Regarding Homeland Security: Michael Hudson addressed the Board concerning National Incident Management System (NIMS) Compliance and Day-to-Day Operations. Mr. Hudson advised that the intent of Homeland Security Presidential Directive/HSPD-5, which ordered the development of NIMS, is to ensure that all levels of government across the Nation have the capability to work efficiently and effectively together, using a single national approach to domestic incident management. He stated that the Department of Homeland Security has directed that all federal preparedness assistance to states and local jurisdictions be tied to compliance with the requirements of NIMS. Mr. Hudson advised that beginning October 1, 2005, all recipients of federal preparedness funds must adopt and use NIMS as a condition for the recipient of FY06 preparedness assistance funding. He recommended that the Board adopt the

National Incident Management System at the October 10th Board Meeting.

b. Equipment and Supply Inventory: Mr. Hudson provided the Board with an inventory of equipment and supplies. Said document was noted and ordered filed with the papers of this meeting. He noted that stripes for the Haz-mat and mass casualty trailers will be completed soon.

X. Auditor of Public Accounts: The County Administrator presented the Board with a letter from the Auditor of Public Accounts advising that the Patrick County Treasurer, Commissioner of the Revenue, and Sheriff complied, in all material respects, with state laws, regulations and other procedures relating to the receipt, disbursement and custody of state funds. Said document was approved and ordered filed with the papers of this meeting.

XI. Johnson Street / Business Park Road Renaming Request: The County Administrator presenting the Board with a letter from the E911 Coordinator suggesting name changes to sections of Johnson Street and Business Park Road in Stuart due to various alterations in that area. Mrs. Harris advised that the request should be sent to the E911 Committee before the Board of Supervisors considers the application, which is standard protocol. The Board directed the County Administrator to send the request back to the E911 Coordinator for consideration by the E911 Committee.

XII. Scrap Metal and White Goods Recycling Bid: The County Administrator advised that the Chairman had contacted Hayes Iron and Metal and confirmed that the company would pay the County \$30.00 per ton of scrap metal and white goods. She stated that she had toured the business and it appears to be a very viable company. Mrs. Handy spoke with a representative from Hayes Iron and Metal regarding the possible disposal of approximately twenty voting machines, which he foresaw no problem in doing so. The County Administrator recommended that Hayes Iron and Metal be awarded the contract for this service. The County Attorney advised that he would assist in preparing the contract.

On motion by David G. Young, seconded by Darrell Cockerham and carried, the Board does hereby award the Scrap Metal and White Goods contract to Hayes Iron and Metal, which includes a payment to the County of \$30.00 per ton of scrap metal and white goods for a period of one year with a second year option.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

XIII. Blue Ridge Regional Library Audit: The County Administrator presented the Board a copy of the Blue Ridge Regional Library Financial Report that was compiled by Robinson, Farmer, Cox Associates. She advised that the audit does not reflect any issues of noncompliance. Said document was noted and ordered filed with the papers of this meeting.

XVI. VACo Principles: The County Administrator presented the Board a letter from VACo advising that in response to the proposed real estate tax relief plans that are included in the gubernatorial platforms, VACo has adopted a set of principles stating its longstanding positions on issues such as state revenue sharing and unfunded mandates. Mrs. Handy advised that the document is for the Board's information and no action by the Board is required.

XVII. Deadline for Filing Legislation: The County Administrator presented the Board a letter from Senator Roscoe Reynolds regarding the deadline for filing legislation. She advised that Senator Reynolds must receive all requests no later than November 15, 2005.

XVIII. Transfer Station Loader: The County Administrator stated that Howard Belcher, Transfer Station Supervisor, advised that the loader at the Transfer Station is in need of two new tires, which would cost approximately \$1,500 per tire. The Board directed Mr. Belcher to acquire three quotes for the tires.

XIX. National Association of Counties (NACO): The County Administrator advised that Patrick County had been a member of the National Association of Counties (NACO) in previous years. She stated that annual dues cost \$380 and Patrick County has been given the option to join for the year of 2006 with the remainder of 2005 included at no charge. She noted that NACO offers a prescription drug card for government employees and qualified citizens. Mr. Young stated that the dues are not a large expenditure and is worth considering.

XX. Meeting Schedule: The regular meeting for the month of October is scheduled for Monday, October 10th, beginning at 6:00 p.m. The work session will be held on October 24th commencing at 2:00 p.m.

The Board recessed for five minutes.

The Board reconvened into regular session.

XXI. Public Hearing for Abandonment of a Portion of Busted Rock Road: Ten citizens were in attendance. The Chairman opened the hearing for public comment on Primland's request to close approximately 1.7 miles on Busted Rock Road from the intersection of Strawberry Hill to the end of state maintenance.

Tina Tatum stated that she opposes the closing of the road because there are three cemeteries in that area where her relatives are buried. The Chairman asked if the cemeteries are behind Primland's existing gate. Ms. Tatum answered yes. The Chairman asked if she has ever had any problem accessing the sites. Cecil Handy advised that they have not had any problems and that he understood the newspaper to say that the road would be closed and citizens would not be able to visit the cemeteries. Mr. Young asked if Primland had made arrangements in the past whenever they wished to visit the cemeteries. Mr. Handy advised that individuals must call ahead of time and inform them of an upcoming visit. Mr. Young stated, "That's not going to change. We have been assured that would not change whatsoever." Ms. Tatum stated that it was their understanding that the road would

be closed and they would not be granted access to the cemeteries. Mr. Cockerham stated, "What they are doing is closing the State from maintaining the road and the present gate is just going to be moved out and the arrangements that you had in the past, you will have again tomorrow. Same thing." Mr. Handy advised that it has been fifty years since he had visited the Vipperman's cemetery, but he was told that it had been pushed over the mountain. Mr. Cockerham inquired about the location of the cemetery. Mr. Handy stated, "Right there where you look over and see Dan River, Busted Rock Road". He advised that Primland has a pile of dirt on top of a grave that it is located at the foot of the mountain under the busted rock. The County Administrator read a letter from Steve Helms, Primland, dated August 29, 2005 advising that access to the cemeteries, which are behind Primland's existing gate, would be unaffected by the abandonment of a portion of Busted Rock Road. Attendees were given a copy of the letter. Ms. Tatum thanked the Board for clearing up the misunderstanding. Mrs. Harris asked if the audience felt satisfied. Mr. Handy stated, "We are if it stays like it is." Harvey Spangler advised that he lives on Cloud Break Road and asked specifically who the applicant is for the closure of the road. He advised that the Board might be granting the request to someone who is not really the requester. He stated that the true owner of the property is Primtimber, Incorporated. Mr. Spangler cautioned the Board not to grant closure of a road to someone's property who may not be the real people who are putting the offer in front of the Board. He advised that primary roads cost approximately \$1million per mile and that if he were a Supervisor, he would not want to give away \$1.7million "scot-free" to this "off shore" corporation. He stated that one of the biggest scandals that ever came up in Patrick County, which cost the County approximately \$275,000 in attorney fees, was due to Primland's request to close a road on the backside. He advised that Primland never proved it had a right to the road that went through the property. Mr. Spangler gave a brief history of the Busted Rock Road and advised that taxpayers paid to build and maintain the road. He stated that giving away the road, no matter who owns property on both sides of the road, is absurd. He advised that Primland or Primtimber could open the road and have a free passage from the pavilion at Poor Farmer's Farm to the Willis Gap Community Center; its miles and miles to go around. Mr. Spangler stated that before the Board

considers giving this private “off shore” corporation a figure of \$1.7 million, which is coming out of the County’s pocket, there should be a County referendum and “the audacity of these people to make an application and not even show at your meeting is an affront to you, Mr. Chairman.” He stated that on December 30, 2003, the company purchased 207 acres on Cloud Break Road and own both sides of the road for a ways. He noted that he has a common property line with them, which is approximately a mile long and when the new Super 58 is built, they will own all four corners of that interchange and maybe two or three corners at the State Shed. He advised that there is a federal statute that requires foreign companies that own agriculture land to register with the Department of Agriculture. He stated that Primland owns 11,094 registered acres; however, the 207 acres on Cloud Break Road have not been registered with the Agriculture Department as of today. Mr. Spangler stated, “I ask you to pass this over. It is not good. It is not good for the County. It is not good for the State. It is not good for these people here who built and supported this road all these years. It is not good for you guys who have paid taxes to support it yourself. It’s not good for the State of Virginia who has put money into the maintenance of the existing road there. Primland is not an entity that will last forever. These people have said somebody else may own it someday. Let’s not cast this thing in concrete when the people who are making the application may be the true owners and they may not”. Mr. Spangler requested that his comments be passed onto Primland. Mr. Young stated that he does not have a problem with closing the road because the maintenance of the road takes money that could be used on other roads in Patrick County. The Chairman asked for any additional comments; none were made and the public hearing was closed.

On motion by David Young, seconded by Darrell Cockerham and carried, the Board does hereby table Primland’s request for abandonment of approximately 1.7 miles on Busted Rock Road from the intersection of Strawberry Hill to the end of state maintenance until the October 10, 2005 Board Meeting.

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 Darrell Cockerham, 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: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

On motion by Darrell Cockerham, seconded by David G. Young and carried, the Board does hereby schedule a Public Hearing for October 24, 2005 regarding the taking of an option of approximately six acres known as Parcel A of the Walmart Property with a purchase price of \$450,000 to Commonwealth Acquisition.

Voting Aye: Foley, Cockerham, Harris, and Young

Voting Nay: None

Absent: Martin

On motion by David G. Young, seconded by Crystal P. Harris and carried, the Board does hereby approve the construction of the proposed shell building at the Rich Creek Corporate Park excluding the split face block fascia.

Voting Aye: Foley, Harris, and Young

Voting Nay: Cockerham

Absent: Martin

Ordered that the Board be adjourned until October 10, 2005 at 6:00p.m.

Work notes prepared and submitted by

Mary Beth Roberson, Assistant to County Administrator