

VIRGINIA: At a business meeting of the Board of Supervisors of the County of Patrick, held at the Patrick County Veterans' Memorial Building on Monday, December 13, 2010 at 6:00 p.m.

PRESENT: Karl Weiss, Chairman, Ron Knight, Vice – Chairman, Crystal P. Harris, Roger Hayden, and Lock Boyce, Board Members.

STAFF PRESENT: Tom Rose, Interim County Administrator; Alan Black, County Attorney; and Geri Hazelwood, Assistant to the County Administrator/Clerk

Others present were: Nancy Lindsey, The Enterprise; Tom Bishop, Chamber of Commerce, Richard Rogers, WHEO

Call to order: Mr. Chairman

Mr. Tom Bishop provided the invocation.

The Board recited the Pledge of Allegiance to the Flag led by Roger Hayden, followed by a Moment of Silence in honor of past and present U. S. military personnel serving domestically or abroad.

On motion by Lock Boyce seconded by Roger Hayden to approve the meeting agenda as presented

The Board had discussion.

On motion by Ron Knight second by Crystal P. Harris to amend the agenda as presented by having Mrs. Lisa Price Hughes give her report after the presentation and carried unanimously.

Voting Aye: Boyce, Hayden, Harris, Knight, Weiss

Voting Nay: None

On motion by Ron Knight seconded by Crystal P. Harris to amend the agenda as presented by adding the DRT onto the action item for consideration of retracting the MRRT resolution carried 4 to 1.

Voting Aye: Hayden, Harris, Knight, Weiss

Voting Nay: Boyce

On motion by Lock Boyce seconded by Roger Hayden and carried unanimously the Board approved the minutes for December 13, 2010 as presented.

Voting Aye: Boyce, Hayden, Harris, Knight, Weiss

Voting Nay: None

PUBLIC COMMENT PERIOD:

Mr. Chairman opened public comment period.

The following citizen's spoke.

Mrs. Barbara Russell thanked the Sheriff for the silence at the shooting range. Mr. Tom Russell stated that the Board needed to provide the Sheriff with a facility to properly train officers.

Mr. Albert Thomas, Peter's Creek District expressed concerns for his well being. He spoke of water issues and issues with the landfill being put in by the County without notifying the citizen's that live in the area.

Mr. Charlie Thomas asked for something in writing stating that there will be no expansion of the 4 – H Shooter's club and to be notified when shooting will take place.

Mr. Jim Allen, Peter's Creek District; spoke in favor of the MRRT.

Mrs. Brenda Burgess spoke on behalf of the 4 – H shooter's and stated that they are fully responsible for the all of the expenses at the range. She stated that only low powered 22 rifles are shot. They shoot in the spring and summer months through September. They do not practice in the winter.

Mrs. Karen Spencer, Peter's Creek District; referenced a letter written on July 13, 2009 to the Board that the 4 – H and Sheriff Department requested to

rename the shooting range. They also requested that they be able to add onto the range and provide water by agreement through the County, and that was done by the BOS in the best interest in that area of the County. When Regina Handy and Chairman David Young were serving the County they stated that they would notify the citizens that were adjoining the 79 acres of property if anything was going to be put on the County owned property.

Mr. Danny Foley; Mayo River District.; Mr. James Austin, Mr. Doug Hullett, Peter's Creek District; spoke in opposition of the MRRT.

Mr. Johnny Martin asked that Mr. Knight give his resignation from serving as Vice Chairman of the Board of Supervisors'.

Mr. Jack Horton spoke to the Board concerning matters with the Patrick County Building Official over an inspection. Mr. Horton asked that Mr. Brown be made to resign.

Mr. Chairman closed the public comment period.

The Board members had discussion.

Mr. Hayden asked the Sheriff if Rabbit Ridge would be a suitable training facility.

Sheriff Smith stated that it was not.

### PRESENTATION

Mr. Chairman presented a certificate in honor of Mrs. Bili Ehmann Poet Laureate 2011.

### REPORT: Mrs. Lisa Price Hughes

Mrs. Lisa Price Hughes explained revenue sharing to the BOS. The revenue sharing program letter follows:



## COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION  
1401 EAST BROAD STREET  
RICHMOND, VIRGINIA 23219-2000

GREGORY A. WHIRLEY  
COMMISSIONER

October 15, 2010

Dear County Administrators/City & Town Managers:

RE: FY2012 Revenue Sharing Program - Call for Letters of Intent

The Revenue Sharing Program has a track record of successfully leveraging local and state funding to complete a myriad of important transportation projects across the Commonwealth. In recent years this program has been funded with up to \$50 million in state funds to be matched with local funds. This year (FY2011) the program was capped at \$15 million in state funding, resulting in many of you not fully receiving the funding you requested.

Based on feedback from you and members of the Commonwealth Transportation Board (CTB), Secretary Connaughton asked that I solicit your interest in participating in the program for the next fiscal year (FY2012). By requesting your interest now, I can present to the CTB the amount of state funds required to fully maximize local participation in advance of the finalization of the FY2012 budget.

In order to do this, we are asking you to provide us with a letter of intent, identifying the amount of funding you will be requesting for FY 2012 (not to exceed \$1 million in state funding). **Please provide this letter of intent to your local VDOT representative no later than December 17, 2010.** This will not formally commit your Board or Council. It will simply provide the CTB with an estimate of the anticipated interest in the program.

As in previous years, a formal application, along with a supporting resolution from your locality, would subsequently be submitted by Friday, April 15, 2011 for each project you wish to be considered for FY 2012 funding. The application along with the Revenue Sharing Program Policy of the Commonwealth Transportation Board can be found on our website, located at: <http://www.virginiadot.org/business/local-assistance.asp>.

If you have any questions about the Program you may contact Debbi Webb-Howells at (804) 786-1519 or by email at [Debbi.Webb-Howells@VDOT.virginia.gov](mailto:Debbi.Webb-Howells@VDOT.virginia.gov). You may also reach me at (804) 786-2745 or [Michael.Estes@VDOT.virginia.gov](mailto:Michael.Estes@VDOT.virginia.gov).

Sincerely,

Michael A. Estes, P.E.

Cc: Commonwealth Transportation Board  
Gregory Whirley  
Virginia Association of Counties  
Virginia Municipal League

FY12 Revenue Sharing Letter of Intent

LOCALITY	FY12 ANTICIPATED PARTICIPATING AMOUNT
Arlington County	\$1,000,000
Augusta County	\$1,000,000
Brunswick County	\$25,000
Chesterfield County	\$1,000,000
Fairfax County	\$1,000,000
Hanover County	\$1,000,000
Isle of Wight County	\$539,906
Loudoun County	\$1,000,000
Patrick County (Town of Stuart)	\$26,500
Roanoke County	\$500,000
Stafford County	\$1,000,000
Warren County	\$1,000,000
Town of Bluefield	\$170,000
Town of Dumfries	\$1,000,000
City of Harrisonburg	\$1,000,000
Town of Pearisburg	\$60,000
City of Winchester	\$1,000,000

as of 12/02/2010

The Board had discussion and was concerned about County's \$13,000.00 liability.

Mrs. Hughes stated that the letter of intent is binding in no way. A resolution would be binding at a later time if approved by VDOT.

The Board stated that they would want the money from the Town of Stuart in hand before we commit by contract.

Mr. Hayden made a motion to table the project.

The motion dies for lack of a second.

Mr. Chairman stepped down and asked that Mr. Knight, Vice – Chairman step into acting Chairman.

Mr. Karl Weiss made a motion to pass a resolution to support the Town of Stuart's letter of intent request for revenue sharing funds seconded by Crystal P. Harris and carried 3 to 2.

Voting Aye: Weiss, Harris, Knight

Voting Nay: Boyce, Hayden

Mrs. Harris asked if a traffic count had been taken at the intersection of 58 and 680?

Mrs. Hughes stated that she could get an update on the traffic count at the intersection of 58 and 680.

Mrs. Hughes gave the Board an update on the status of the funds for Jack's Creek Covered bridge. The preservation funds in the amount of \$220,000.00 have been matched at 20% and the obligation has been met.

Rt. 8 intersection will be paved as soon as the weather permits, the stop sign will be put in place on Main Street and the project is scheduled to be finished by June.

Mr. Knight gave the role of Chairman back to Mr. Weiss.

The Board took a 10 minute break.

REPORT: Mr. Rose and Mrs. Shough

Mr. Rose along with Mrs. Shough explained Line of Duty Act as in the letter that follows:

## Line of Duty Act

The 2010 General Assembly made changes to the funding mechanism and funding source for the Line of Duty Benefits that until FY2011 had been funded by the Commonwealth. The Line of Duty Act (LODA) benefits are not changing. It is only the funding of the benefit that is changing. Those benefits will still be administered by the Commonwealth's Department of Accounts (DOA). For additional information concerning the benefits, please go to the DOA website at [www.doa.virginia.gov](http://www.doa.virginia.gov) and select Line of Duty from the list.

The Virginia Retirement System will be responsible for actuarial services, rate setting, premium collection, and, money management. Contributions to the new Line of Duty Act Fund will be made by the state and localities. (The Commonwealth will pay for state employees and local governments will pay for their eligibles.) The LODA Fund is deemed a separate and independent trust fund, segregated and accounted for separately from all other funds, invested and administered solely in the interest of the covered employees and beneficiaries.

VRS's responsibilities include:

- Surveying all localities to determine the eligible population by Code
  - Volunteers
  - Paid Staff
- Providing data/information from the survey to the actuary to develop contribution rates
- Investment of contributions paid into the fund

Time Frame:

- Fall 2010
  - Conduct preliminary research with various groups including VML, VACo, DOA
  - Employer Update articles to inform employer about the program and to alert to upcoming package arrival (census request)
  - Formal census of all localities both VRS participants and non-VRS participants
- December 2010
  - Employers will eligible members will receive census data from VRS
    - Verify and clarify the data
    - Census data result of research with EMS/VDH and the Virginia Department of Fire Programs
- February 2011
  - Enrollment packet mails to employers and will include a sample resolution and guide, program overview plus additional information
- June 30, 2011
  - Localities make a one time irrevocable election between three options
    - Participate in the fund invested by VRS; or,
    - Create a local "savings" fund to finance each occurrence; or,

- pay-as-you-go per occurrence
- FY2012
  - VRS will bill employers for contributions

Program Features:

- Hazardous duty state and local employees and fire department and volunteers eligible for coverage under the LODA (§9.1-400) are eligible
- For purposes of establishing employer contribution rates, a member of any fire company or department or rescue squad recognized by an ordinance or a resolution of a governing body of any city, county, or town of the Commonwealth as an integral part of the official safety program of such city, county, or town shall be considered part of the city, county, or town served by the company, department, or rescue squad.
- Localities that choose to self-fund and incur a claim that cannot be funded, in whole or in part, may have state funds withheld to reimburse DOA for the payment of the LODA claim.
- State Comptroller makes all Line of Duty Act payments
  - Reimbursed from the fund for payments on behalf of participating employers
  - Reimbursed directly from the self-funded localities
- Localities that elect to participate in the fund will make an annual contribution to the fund

Localities interested in hosting a Line of Duty Act seminar should contact Connie Jones with DOA at 804-786-1856. The seminar covers information on LODA death and disability benefits, policies, and procedures.

The Board had discussion. The Board took no action and will wait until February 2011 to see what takes place at the General Assembly and then decide by June 2011 what action the County will take.



Mr. Rose and Mrs. Shough explained that the Department Heads will be turning in their budgets for the fiscal year 2011 - 2012 by January 15, 2011. They asked the Board what they needed to consider as far as cuts. The Board stated they would like to see a five percent cut across the Board from all departments. The Board also chose to review the budget as a whole, and try to have it adopted by April so that the tax bills and land books can be done. Mr. Rose stated that he would notify all of the Department Heads and Constitutional Officers at the meeting on December 21, 2010.

The Board had discussion.

Fwd: Dec 23

**Subject:** Fwd: Dec 23  
**From:** Tom Rose <trose@co.patrick.va.us>  
**Date:** Tue, 07 Dec 2010 08:36:43 -0500  
**To:** geri Hazelwood <ghazelwood@co.patrick.va.us>

---

**Subject:** Dec 23  
**From:** Janet Rorrer <jrorrer@co.patrick.va.us>  
**Date:** Tue, 07 Dec 2010 08:26:12 -0500  
**To:** Tom Rose <trose@co.patrick.va.us>, Donna Shough <dshough@co.patrick.va.us>, Carolyn Tatum <ctatum@co.patrick.va.us>

Information from WSLs web site, any possibility County will take the 23rd.  
Thanks  
Janet

## Va Gov Gives State Employees Dec. 23 Off

By Associated Press Writer | (AP)  
Published: December 07, 2010  
[» 0 Comments](#) | [Post a Comment](#)

vote  
now

RICHMOND, Va. --

RICHMOND, Va. (AP) Gov. Bob McDonnell is getting into the holiday spirit by giving public employees a gift an extra day off Christmas week.

McDonnell informed Virginia's public employees by e-mail on Monday that they will be getting Dec. 23 off.

The governor asked employees to accept the day off as a small token of his thanks for their hard work during the past year.

McDonnell also reminded public employees to participate in a town hall meeting he has scheduled for next Tuesday. The governor has billed the meeting as a chance to hear from public employees about what matters most to them.

Dec 23.eml	<b>Content-Type:</b> message/rfc822 <b>Content-Encoding:</b> 8bit
------------	--

1 of 1

12/9/2010 12:06 PM

The Board chose to follow the State schedule and give the County employees the 23<sup>rd</sup> day of December 2010 off.

Mr. Rose reported that the recycling grant that Mrs. Hazelwood applied for was received in the amount of \$8,260.00 which will be used for county recycling needs.

According to Mr. Rose MARC is ready to lease the old STEP building from the County. The Board discussed the terms of the lease. They chose to use the same terms as the previous agreement with (STEP). Mr. Black will prepare the lease.

#### UPDATE:

Mr. Rose presented the Board with telecommunication proposals from CenturyLink and Mr. Steve Norman as requested by the Board at the previous meeting. The Board had discussion.

On motion by Lock Boyce to change our current phone system to CenturyLink and act accordingly to get a cost savings seconded by Ron Knight and carried unanimously.

Voting Aye: Boyce, Hayden, Knight, Harris, Weiss

Voting Nay: None

The Board thanked Mr. Rose for his effort in getting a new telecommunications provider.

According to Mr. Rose the HVAC bids are under review. Mr. Weiss asked Mr. Knight and Mr. Hayden serve on the review committee for the HVAC bids and they concurred.

Mr. Rose stated that the windows are a first priority in the many repairs needed to the County Administration building. Mr. Rose asked the Board what is the consensus of the Board. According to Mr. Rose, Maintenance can fix the flashing, nail holes and replace the cap.

#### OLD BUSINESS

On motion by Lock Boyce to direct the Sheriff to find another location for a firing range in the next month by making a list of pros and cons for each location seconded by Ron Knight and carried unanimously.

Voting Aye: Boyce, Hayden, Knight, Harris, Weiss

Voting Nay: None

On motion by Lock Boyce to retract the previous resolution asking for future funding of the MRRT/ DRT

The motion dies for a lack of a second.

#### BILLS, CLAIMS, TRANSFERS AND APPROPRIATIONS

The Board had discussion concerning a request by the Sheriff for an additional appropriation on p. 6 of the bills which resulted from having to house inmates elsewhere. There was a question concerning a VACO conference that Mr. Scudder attended which showed the county paying for. It was clarified that the conference was one in which Jay attended while working for the County of Patrick not the recent VACO conference. On p. 7 there was a question concerning the amount charged to the County \$4,000 to \$13,657.00 for heating fuel at the courthouse.

On motion by Crystal P. Harris seconded by Ron Knight to pay the bills as presented

The Board had discussion.

On motion by Crystal P. Harris to amend the previous vote to pay the bills contingent upon the data provided seconded by Ron Knight and carried 4 to1 to pay the County General Claims as presented this day and as evidenced by check number's # General Fund 96826-97018, Inmate Commissary Fund 277-280, HEM Fund 314, Jail Construction Fund 100104-100115, PSA Fund 150008-150010

Voting Aye: Hayden, Harris, Knight, Weiss

Voting Nay: Boyce

#### ACTION:

On motion by Lock Boyce seconded by Ron Knight and carried unanimously the Board appointed the following members to be re-appointed to serve on the BOCA as presented:



**COUNTY OF PATRICK**  
*Office of the County Administrator*

December 3, 2010

Dear Board of Supervisor Members:

Recently, at the organizational meeting of the Board of Appeals on November 17, 2010, it was brought to my attention that three members of the Board of Appeals are nearing their term dates. Mr. Roger Conner will reach his term date on January 28, 2011, while Mr. David Lawson and Mr. Nelson Stanley (alternate) are nearing term dates of February 11, 2011.

I would like to request that the Board of Supervisors re-appoint Mr. Conner (active member), Mr. Lawson (active member), and Mr. Stanley (alternate) for another term of 4 years. These three gentlemen meet the USBC requirements for the positions they currently hold on the Board of Appeals. Each of them have agreed to serve another term if you, the Board, so desire to re-appoint them into these positions.

During the November 17, 2010 meeting, Mr. Bruce Mosley was elected Chairman. Mr. Mosley was also in agreement for each of these members to be re-appointed to the positions.

Please feel free to contact me with any questions.

Sincerely,

Jason Brown  
Patrick County Building Official

P. O. Box 486 • 106 Rucker Street • Stuart, Virginia 24171  
Telephone: (276) 694-6094 • Fax: (276) 694-2160  
<http://www.co.patrick.va.us>

Voting Aye: Boyce, Hayden, Harris, Knight, Weiss

Voting Nay: None

On motion by Lock Boyce seconded by Crystal P. Harris to appoint Mr. Tom Russell, Peter's Creek District representative to the Patrick County Planning Commission and carried unanimously.

Voting Aye: Boyce, Hayden, Harris, Knight, Weiss

Voting Nay: None

EXECUTIVE SESSION:

On motion by Lock Boyce seconded by Crystal P. Harris the Board convened into Executive Session to discuss personnel matters [ Section 2.2 – 3711(A)(1)

Roll Call Vote:

Boyce: Aye

Hayden: Aye

Knight: Aye

Harris: Aye

Weiss: Aye

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.

On motion by Crystal P. Harris seconded by Roger Hayden and carried unanimously the Board reconvened into regular session where only personnel matters to review candidates for the County Administrator position were discussed.

Voting Aye: Boyce, Hayden, Knight, Harris, Weiss

Voting Nay: None

The Board requested that staff move forward in setting up the interviews with the five potential candidates.

Adjourn

On motion by Crystal P. Harris seconded by Lock Boyce and carried unanimously the Board adjourned until January 10, 2010.

Voting Aye: Boyce, Hayden, Knight, Harris, Weiss

Voting Nay: None

---

Chairman, Karl V. Weiss