

VIRGINIA: At a Business Meeting of the Board of Supervisors of the County of Patrick, held at the Patrick County Veteran's Memorial Building on Monday, June 13, 2011 at 6:00 p.m.

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

STAFF PRESENT: Tom Rose, County Administrator; Alan Black, County Attorney; and Geri Hazelwood, Assistant to the County Administrator/Clerk; Donna Shough, Finance Officer.

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

Mr. Chairperson called the meeting to order.

Mr. Tom Bishop gave the invocation.

The Board recited the Pledge of Allegiance to the Flag, led by Crystal P. Harris followed by a moment of silence in honor of U.S. military serving here and abroad.

On motion by Lock Boyce to approve the meeting agenda seconded by Karl Weiss as amended by revisiting the \$75.00 fee for the rental of the Rotary Building after the public comment period and to present a plaque in honor of Leevi Barnard before public comment and carried unanimously.

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

Voting Nay: None

On motion by Lock Boyce seconded by Crystal P. Harris the minutes for May 9, 2011 and May 23, 2011 were approved as presented.

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

Voting Nay: None

Bills, Claims, Appropriations

The Board had discussion concerning appropriations, the Board requested to receive copies of all reimbursements as they come into the County via email. Mr. Knight asked if the appropriation request from Mrs. Rogers should be included in the vote to approve the bills, claims, and appropriations. The request was not included in the packet because it was not received until June 10, 2011 at which time the packets had been delivered.

On motion by Lock Boyce to approve the bills, claims and appropriations as presented General Fund 98252-98665 Asset Forfeiture-State 427 Inmate Commissary 422-426 Jail Construction 100209-100226 PSA 150034-150038 and specifically to include the request from Joan Rogers, Director of the Department of Social Services;



1791
THE PATRICK COUNTY
DEPARTMENT OF SOCIAL SERVICES
106 RUCKER STREET • SUITE 128
STUART, VIRGINIA 24171
TELEPHONE (276) 694-3328

June 10, 2011

MEMORANDUM

TO: Members, Patrick County Board of Supervisors

FR: Joan V. Rogers, Director *JVR/rms*

RE: Request for Budget Appropriations

I am requesting the Board of Supervisors' approval of a semi-annual appropriation in the amount of \$813,455 to cover our agency's payroll, service delivery expenditures and general operating expenses for the period of June 2011 through December 2011. This type of appropriation is more feasible, due to the constant change in our monthly expenditures.

Please contact me if you should have any questions. Thank you.

rms

seconded by Ron Knight and carried unanimously.

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

Voting Nay: None

Presentation; Plaque in honor of Leevi Barnard

Mr. Hayden presented a plaque honoring Leevi Barnard provided by the University of North Carolina. The request was made to hang the plaque on the wall of honor in the Patrick County Veteran's Memorial building.

On motion by Lock Boyce seconded by Karl Weiss to hang the plaque honoring Leevi Barnard on the wall of honor in the Patrick County Veteran's Memorial building and carried unanimously.

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

Voting Nay: None

Public Comment Period

Mr. Roger Olear Williams Peter's Creek District, representing the Red Cross; he presented signed petitions with 690 names in opposition to the \$75.00 fee for the rental of the Rotary buildings.

Mr. Doss Cummings, Blue Ridge District; Director of the Skatepark Committee; approached the Board asking for the use of half of the basketball court which is not currently being used at Dehart Park or the area outside the tennis courts to be designated for the use of skateboarding. The Dehart Park Committee designated the use of said area for a 2 hour skate clinic during the 4th of July, however; the committee is not in support of designating the half basketball court nor the area near the tennis courts which is for parking for permanent skateboard use. Mrs. Cummings, Blue Ridge District, presented the Board with the following handout:

You Help Write The History Of Tomorrow When You Help A Child Today.

Skateboarding is one of the fastest-growing activities for youth in America and throughout the world. This fun and exhilarating activity is a great way of fighting childhood obesity while providing a fun method of learning many life-skills. The increased popularity of skateboarding has created an unprecedented demand for more skateparks, sound instruction, and access to safe opportunities for skating. *Skate parks can accommodate skaters, in-line skaters and skateboarders.*

The Patrick County Skate Park Association is seeking \$50,000 in funding to build a (\$65,000) Skate Park here in Patrick County. A 60' x 100' concrete pad with ramps, jumps, obstacles and steps to accommodate the dare-devil athletic prowess of our young people – and maybe some not-so-young people. We have a building site, located within Dehart Park, in the Town of Stuart, and have raised (to date) approximately \$12,000, of the needed \$65,000.

The Patrick County Skate Park

Our plan is to build an outdoor, concrete, "neighborhood" park also known as a "street plaza" park. This style park emulates, and improves upon, the street skating experience with some obstacles designed to look like natural street terrain such as stairs, railings, planters and benches. This style park will undoubtedly get more use since it can accommodate beginner as well as accomplished skaters and skateboarders.

The Skate Park will be located within Dehart Park providing a centralized location and easy access. The Skate Park is safer for our children and poses no more insurance/risk liability to the County or Town than any other park activity.

Less than 5% of all skateboarding accidents occur at skate parks, most occur on uneven surfaces like streets and sidewalks.

NEISS (National Electronic Injury Surveillance System - a division of the Consumer Protection Safety Council) injury statistics for 1998 show the following sports ranked by number of reported injuries per 100,000 participants.

**Basketball - 223.5
Baseball - 115.7
Soccer - 62.0
Skateboarding - 20.2**

These personal characteristics, along with improved balance and coordination, flexibility, muscle strength, endurance and cardiovascular fitness are some of the important benefits gained by skateboarding!

- Self-discipline
- Self-confidence
- Individuality
- Creativity
- Persistence, concentration & focus
- Social skills
- Teamwork
- A sense of fair play and respect for others

This year we are stepping-up our efforts to get a skate park in place for our Patrick County youth and we need your help.

Please let our community leaders know that you support a wide variety of recreational opportunities within Dehart Park and the County, including the Skate Park. That skateboarding youth are no different than ballplayers, swimmers, runners, video game players, etc. - they are all children who need to play!

Finally, we are asking your financial support to help in providing a safe, health-benefiting, recreational opportunity for the youth of Patrick County.

Your generosity will help write a better future for Patrick County by helping to build better lives for our children. To make a donation, send a check to:

***Patrick County Skate Park,
P.O. Box 1275
Stuart, Virginia 24171***

Missy Cummings asked the Board to consider one of the two locations to be designated for skateboarding. She read a letter from a grandparent, Mrs. Eutsler who also asked for support of the BOS.

Mr. Danny Foley, Mayo River District; presented the following comments;

AH.
Jeri

BOS Meeting June 13, 2011

Good evening board members,

It appears that the Patrick County Taxpayer Watchdog Group has stepped on some toes and are being labeled political. The Patrick County Taxpayer Watchdog Group has made suggestions to help cut spending and look at ways to save taxpayer money.

The Patrick County Taxpayer Group has been willing to work with the BOS by bringing up new ideas and asking questions when needed.

The BOS should be glad that citizen's from the county want to help their local government. Local governments all over Virginia are having trouble finding people who are willing to serve on committees.

We found out today that the rules have changed on renting the community room at the college. We don't qualify anymore.

It's democracy only for one opinion or everyone's opinion.

The Mayo River Trail project has been awarded money for the second phase. We ask the BOS not to spend any money that the county would have to pay back if the project is killed next year.

1

The county doesn't need to take any more gambles like the Rich Creek Access road project that was approved in 2001, and the county had to pay back over \$250,000.

The word transparency keeps being used by the school board. If you look at their minutes on 1-20-2011 2 people asked to speak and the school board responded. No mention of what the 2 people said or what response the school board gave. Now that's transparent. People speak, but what's said is not provided to the public.

Thank you

Mr. Sidney Kirk, Dehart Park Committee, he stated that they are not against a skate park being located in Dehart Park and the committee has worked with the Skatepark Committee. An area has been designated for the skatepark near Crissman Field. The Dehart Park committee asked the Board not to designate the two said areas for skateboarding.

Mr. Frank Pettway, Stuart Park, Board of Directors stated that the two areas are not conclusive to skateboarding.

Mr. Chad Collins spoke in support of the Skatepark Committee.

Mr. David Henry, Pastor of Five Forks Wesleyan Church spoke in favor of the use of one of the two said areas to be designated for skateboarding use.

Mr. Galien Gilbert, Peter's Creek District; asked the Board for their support and to contact VDOT and have them to do a study on the intersection in Patrick Springs.

Mr. Danny Wood, Peter's Creek District; expressed concerns on the Patrick Springs intersection, saying it is unfit and had been referred to the "suicide lane"

Mr. Clayton Kendrick, spoke in opposition of charging nonprofit organizations for the use of the Rotary building. He stated that a stop light at the intersection on Patrick Springs is an issue.

Mr. Charles Vivier, Blue Ridge District; presented the following comments;

Patrick County has a Solid Waste Disposal ordinance (date unknown) which gives the County the **authority** to issue to a Franchisee an exclusive right or privilege to collect, transport and dispose of garbage and refuse within the County of Patrick (except Stuart).

It is my personal recommendation (not of Watchdogs) that the County discontinue the perpetuation of a monopoly for the near future until further study of the matter.

However, it should be noted that the consideration given by any Franchisee for the monopoly is a schedule of fees which **fix the charges** for services rendered to its customers during a contract period.

Discontinuing the bidding process does not put the present Franchisee out of business. Rural Services, Inc. would be free to operate in any manner it chooses. They would be relieved of their obligation to collect garbage.

By not taking any bids or issuing ANY permits or franchisee agreements, the County opens up the free market opportunity to any persons, corporations or associations.

However, by not acting, the County would also create the possibility of no service in some areas or of confusing overlapping service, much like the propane industry experiences.

The Agreement with Rural Services, Inc. terminates at midnight on June 30, 2011. The Franchisee was to have provided reasonable and satisfactory service in substantial compliance with the Agreement.

It is my unsubstantiated contention that RSI did not comply with the Agreement and its services have not been subscribed to by the majority of households.

The goal of the County should be greater participation by households in mass transit ~~BULK~~ garbage pickup and a minimization of household trips to the transfer station. Any Franchisee should reasonably be expected to promote that goal through its services.

Charles Vivier 2011.06.13

The Board had discussion.

They discussed whether to continue with RSI or go with another company. Most members were satisfied with the services provided and encouraged the public to take advantage of the services. The Board discussed that charging non profits rent to use the Rotary buildings was not favorable. Some Board members supported the Dehart Park committee's recommendation not to put the skatepark in the two locations that were of discussion, other members thought it would be a good location. Concerns for the intersection in the Patrick Springs area are being looked into by VDOT Resident Engineer, Lisa Price Hughes. Mr. Knight suggested spending left over monies from budgets 2/3 on an employee bonus and 1/3 to be given the Skatepark Committee.

The Board took a break from 8:30 pm – 8:55pm

On motion by Karl Weiss seconded by Lock Boyce to rescind the resolution for the rental of the Rotary Field buildings back to the way it was and carried unanimously.

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

Voting Nay: None

On motion by Ron Knight seconded by Karl Weiss that two thirds be used for a onetime bonus for county employees except for school employees be given to the employees who make less than 40,000 and the other one third be given to the Skatepark Committee

The Board had discussion.

On motion by Crystal P. Harris to table until after June 30, 2011 seconded by Lock Boyce and carried 3 to 2.

Voting Aye: Boyce, Harris, Hayden

Voting Nay: Knight, Weiss

Line of Duty Act (LODA)

It was the consensus of the Board to go with VACo July 1, 2011 – July 1 2012 and to wait until August to see what the VRS numbers will be once they have been updated to a current status.

GASB 54 Resolution

On motion by Lock Boyce seconded by Ron Knight to approve the resolution as presented and carried unanimously.

RESOLUTION

A RESOLUTION TO AUTHORIZE THE ESTABLISHMENT OF POLICY FOR
FUND BALANCE MANAGEMENT

WHEREAS, the Patrick County Board of Supervisors recognizes the need and the importance of maintaining up-to-date Financial Management Policies; and

WHEREAS, in order to implement the Governmental Accounting Standards Board Statement No. 54 and reflect current practices, be it

RESOLVED by the Patrick County Board of Supervisors this 13th day of June 2011,
That the attached, Fund Balance Management Policy, is hereby adopted.

FUND BALANCE MANAGEMENT POLICY
Patrick County, Virginia

I. Purpose

The Board of Supervisors recognizes the significance of maintaining an appropriate level of fund balance as one component of sound financial management; and, therefore, formally establishes this policy for the County's Fund Balance. An adequate fund balance level is an essential element in both short-term and long-term financial planning, and serves to mitigate the impact of future risks, sustain operations during economic downturns, and enhance credit worthiness. Through the maintenance of adequate levels of fund balance, the County can help stabilize funding for operations, stabilize taxes and fees, and realize cost savings in issuing debt. The County has achieved a prudent level of fund balance to enable it to set aside the funds needed to meet the target established herein.

II. Scope

This policy establishes the level of unassigned fund balance required for the County's General Fund and fund balance management. It sets forth the levels deemed appropriate for County operations, and the protocol for the use and maintenance of the established levels.

III. Components of Fund Balance

Fund Balance is the difference between assets and liabilities reported in governmental funds. It serves as a measure of financial resources available for current operations. The Governmental Accounting Standards Board prescribes the classification scheme for components of fund balance. The Types of fund balance components are non-spendable, restricted, committed, assigned and unassigned. The policy will focus on the amount remaining after accounting for non-spendable and restricted fund balance, which is comprised of three elements; committed, assigned and unassigned fund balance.

Types	Definition	Example
Restricted:	Constraints placed on the use of these resources are either externally imposed by creditors, grantors, contributors, or other governments; or imposed by law through constitutional provisions or enabling legislation.	<ul style="list-style-type: none"> • Federal grants, • Unspent bond proceeds • bond covenants, • taxes raised for a specific purpose

Types	Definition	Example
Committed:	Financial resources that can only be used for specific purposes pursuant to constraints imposed by formal action of the Board of Supervisors. Constraints may only be removed or changed by taking the same type of action previously committing these amounts.	<ul style="list-style-type: none"> • Requires action by the highest level of decision making authority. No delegation of authority is allowed • Limitation imposed no later than the close of the reporting period • "Rainy Day" funds with limitation imposed by formal action pursuant to this category. • Encumbrances (amounts imposed by formal action)
Assigned:	That portion of fund balance intended to be used for a specific purpose as expressed by the Board of Supervisors a local body, or official to which the Board of Supervisors has delegated the authority to assign amounts including but not limited to the County Administrator and the Office of Management and Budget.	<ul style="list-style-type: none"> • Encumbrances (Amounts imposed by informal action pursuant to this category, but that are neither restricted nor committed) • Recommended use of fund balance at year-end
Unassigned:	That portion of unrestricted fund balance that has not been committed or assigned for other uses; therefore, it is available to spend in future periods.	<ul style="list-style-type: none"> • 10% set aside for emergency needs as approved by Board of Supervisors

IV. Fund Balance Requirements

- A. The Government Finance Officers Association recommends that at a minimum, the total of committed, assigned and unassigned fund balance in the General Fund be available to cover at least two months of operating revenues or expenditures. The County sets the level of fund balance needed to mitigate risks and minimize costs associated with debt as follows:
1. The targeted level of unassigned fund balance at each fiscal year end shall be set at ten percent (10%) of general operating revenues.
 2. Ten percent (10%) is identified as the minimum amount needed to safeguard the County's financial stability and as one component in maintaining its bond ratings. The level, when combine with committed and assigned balances, provides the County with sufficient funds to operate in excess of two months without interrupting service levels.

V. Fund Balance Requirements

- A. Appropriations from the fund balance below the minimum of ten percent of operating revenue shall occur only in the event of emergency needs as approved by the Board of Supervisors.
- B. Fund Balance shall be evaluated during the annual budget process. It shall be the goal of the Board of Supervisors to adopt a budget that maintains the target established herein.
- C. When both restricted resources and other resources are available to be used for the same purpose, it is the County's policy to use restricted resources first, and then committed, assigned and unassigned fund balance as they are needed.

VI. Policy Compliance

- A. The County shall demonstrate compliance with this policy in its annually adopted budget.

VII. Governmental Fund Categories and Fund Types

- A. General Fund
 - 1. The County's general operating fund accounts for all governmental activities unless required to be accounted for in another fund.
- B. Capital Projects Funds
 - 1. Fund balances in the Capital Funds are maintained to support the projects as directed by the Board of Supervisors. The balances in these funds are either committed or assigned for specific projects/uses.
 - 2. Annually, cash transfers are made from the supporting operating fund for projects that are approved as cash basis.
 - 3. Specific individual capital project funds.
 - 4. The fund balance in these funds minimizes any potential liability for the General Fund.
- C. Special Revenue Fund
 - 1. Any revenue in excess of expenditures is retained in these funds. If expenditures are approved in excess of revenues, the General Fund will bear the cost. The fund balance target established for the General Fund takes this potential liability into account.
- D. School Operating Fund
 - 1. The Schools Operating Fund does not maintain a fund balance.
 - 2. The General Fund is the primary support for the Schools Operating Fund. In the event, the Schools experience revenue shortfalls or increased costs of operation, the General Fund may be impacted. The fund balance target established for the General Fund takes this liability into account.
- E. Proprietary Funds
 - 1. The County currently has two Proprietary Funds: Health Insurance and Special Welfare.

2. These operations are intended to be self-supporting.

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

Voting Nay: None

According to Mr. Rose there was no increase for FY 2012 VRS or life insurance.

Updates:

According to Mr. Rose the implementation of the new telephone system is going well. Mr. Hayden and Mr. Rose complemented Raymond Wagner for the work he did on the old Sheriff's department; Adult Ed has moved into the old Sheriff's Department and things are going well. The PSWS is picking up customers.

Mr. Black stated that an anonymous annual donation was made to the Animal Pound. The Treasurer and Ms. Vaden will accommodate these donations. The spay /neuter of the adopted animal will be done at the vet of the person's choice. Ms. Vaden will carry the adopted animal to the vet of the person's choice.

Old business:

The Board discussed whether IRS filing reports would be sufficient instead of an audit report because nonprofit bylaws do not require audits and some non profits are so small the audit would cost more. Larger 501 C-3's have an external audit. The Board concurred to the providing of the summary sheet from said audit reports.

Executive Session

On motion Karl Weiss by seconded by Lock Boyce to go into executive session to discuss Personnel Matters 2.2 – 3711 (A) (1) Board appointment; and

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.

Roll Call:

Knight – aye

Boyce - aye

Harris- aye

Weiss- aye

Hayden- aye

RECONVENE

On motion by Lock Boyce seconded by Karl Weiss the Board reconvened from executive session where only Personnel Matters 2.2 – 3711 (A) (1) a Board appointment were discussed and carried unanimously.

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

Voting Nay: None

ACTION

On motion by Lock Boyce seconded by Ron Knight to appoint Mr. Dean Gilbert and Mr. Victor Williams as members of the Patrick Henry Community College Board. The term of appointment commences on July 1, 2011 and will end on June 30, 2015 and carried unanimously.

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

Voting Nay: None

The Board withdrew those intersections from the 2035 WPPDC Long Range Transportation Plan that was not the voice of the whole Board.

On motion by Lock Boyce to direct Mr. Rose to notify West Piedmont of the withdrawal of said intersections seconded by Karl Weiss and carried unanimously.

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

Voting Nay: None

ADJOURN

On motion by Ron Knight seconded by Lock Boyce to adjourn and carried unanimously

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

Voting Nay: None

Roger T. Hayden, Chairman