

VIRGINIA: At a Regular Meeting of the Bland County Board of Supervisors held at the Bland County Courthouse located in Bland, Virginia, on the twenty-eighth day of June 2005, 5:00 p.m., the following duly elected and qualified members were present or absent.

PRESENT: John C. Thompson, Karen H. Hodock, Jason R. Ramsey, Henry M. Blessing

ABSENT: None

ALSO PRESENT: Jonathan D. Sweet, County Administrator, Carol Hall, Deputy Administrator,
Frank Slavin, County Attorney

CALL TO ORDER

Chairman John Thompson called the regular meeting to order.

INVOCATION

The invocation was offered by Supervisor, Karen Hodock.

PLEDGE TO FLAG

Chairman Thompson led the pledge alliance to the flag.

June 28, 2005 MEETING AGENDA APPROVED

*****MOTION to approve the June 28, 2005 meeting agenda with changes (appointment to Service Authority, year end appropriations, two additional requests from the school system and a personnel issue under closed session) was made by Jason Ramsey and seconded by Henry Blessing.

Vote on this motion was as follows: Karen Hodock, yes; Jason Ramsey, yes; Henry Blessing, yes; John Thompson, yes. The motion passed unanimously.

CONSENT AGENDA

*****MOTION to approve the Consent Agenda as presented which consist of the minutes of the Regular Meeting of May 24, 2005, May 2005 bills in the amount of \$510,629.52, the June 1, 2005 and June 16, 2005 payrolls totaling \$131,551.73, reports from the Sheriff, Animal Control, Building Official, Public Works, E-911 Coordinator, Meals and Lodging and Recycling was made by Jason Ramsey and seconded by Henry Blessing.

Vote on this motion was as follows: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed unanimously.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Resident Engineer, Frank Phipps briefed the Board on; 1) a work bridge has been constructed upon State Rt. 644; 2) guardrail completed upon Rt. 613; 3) Rt. 680 and Rt. 608 guardrail completed; 5) paving near courthouse is complete; and 6) pot holes near Bland post office to be filled.

Marty Holloway, Assistant Resident Engineer appeared with an update to include hidden driveway signs being erected in the Rocky Gap area and the status of Rt. 608 being priority #3 within the 05-06 Six Year Secondary Road Plan.

Resident, Shirley Cox approached the Board with the request of road improvements to State Rt. 612, Kimberling Road using the Rustic Road Concept.

SOCIAL SERVICES REPORT APPROVED

*****MOTION to approve the April 2005 Social Services report in the amount of \$48,191.06 with the local allotment of \$7,247.28 was made by Jason Ramsey and seconded by Karen Hodock.

Vote on this motion was as follows: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

SCHOOLS REQUISITION AND REQUESTS APPROVED

*****MOTION to approve the July 2005 school board's request of \$650,000.00 was made by Jason Ramsey and seconded by Henry Blessing.

The vote on this motion is as follows: Karen Hodock, yes; Jason Ramsey, yes; Henry Blessing, yes; John Thompson, yes. The motion passed.

*****MOTION to approve the transfer and appropriation of \$14,232.27 from the Special Fund to the Schools 2004-2005 budget was made by Jason Ramsey and seconded by Henry Blessing.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

*****MOTION to authorize the transfer and appropriate \$151,328.00 from the LGIP fund to the schools 04-05 budget was made by Jason Ramsey and seconded by Henry Blessing.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

*****MOTION to amend the appropriations in the 04-05 schools budget for construction and lottery funds as per letter dated June 21, 2005 for a difference of \$13,356.00 was made by Jason Ramsey and seconded by Henry Blessing.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

*****MOTION to approve the transfer and appropriation of the lottery funds remaining in the 04-05 schools budget from the school operating fund to the construction/lottery fund held in LGIP in the amount of \$184,533.48 was made by Jason Ramsey and seconded by Henry Blessing. The motion passed.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

*****MOTION to adjust the schools 04-05 Title I program to reflect actual grant figures of \$132,830.00 was made by Jason Ramsey and seconded by Henry Blessing.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

*****MOTION to appropriate the schools cafeteria payrolls in the amount of \$153,624.03 to the 04-05 budget was made by Jason Ramsey and seconded by Henry Blessing.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

*****MOTION that all requests made during the 04-05 school year to transfer funds from the Special Fund and the LGIP fund to the school's budget were authorized and appropriated was made by Jason Ramsey and seconded by Henry Blessing.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

SCHOOLS 04-05 BUDGET'S LOCAL MATCH TO BE REDUCED

The County Administrator advised that the schools 04-05 budget was based upon a projected ADM of 905 with a local requirement of \$1,681,421.00 when indeed the actual ADM was 892.63 reducing the local match by \$21,931.00.

TREASURER'S REPORT

Treasurer Joann Shewey requested clarification in the figures of the schools' requests. The transfer of the FFA scholarship from under the County's control as advised by the auditors was discussed.

NATIONAL INCIDENT MANAGEMENT SYSTEM RESOLUTION APPROVED

*****MOTION to adopt the National Incident Management System (NIMS) Resolution as presented was made by Henry Blessing and seconded by Karen Hodock.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

EMERGENCY MANAGEMENT 04/05 BUDGET APPROPRIATION APPROVED

*****MOTION to appropriate \$2000.00 to the county's 04-05 budget accepting the Local Capability for Readiness Assessment (LCAR) grant was made by Karen Hodock and seconded by Jason Ramsey.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

SMYTH BLAND REGIONAL LIBRARY

Representative Harry Shupe informed the Board of the latest statistics of the library.

COUNTY ATTORNEY REPORTS

County Attorney Frank Slavin advised the Board of the status of the Thompson condemnation suit and trial conference.

APPOINTMENTS

Bland County Service Authority

*****MOTION to reappoint John Thompson to the Service Authority for a 4 year term to expire May 31, 2009 was made by Henry Blessing and seconded made by Jason Ramsey.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, abstain. The motion passed.

2005-2006 ADDITION TO REGISTRAR'S BUDGET APPROVED

*****MOTION that \$500.00 be added to the General Registrar's 05-06 budget for DSL connection was made by Jason Ramsey and seconded by Henry Blessing.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

2005-2006 COUNTY BUDGET ADOPTION

*****MOTION to adopt the Bland County 2005-2006 fiscal year budget in the amount of \$13,524,706.00 with no change to the levies, (real estate \$.69 per \$100 value; personal property \$2.29 per \$100 value; machinery/tools \$.89 per \$100 value and merchant capital \$.73 per \$100 value) was made by Jason Ramsey and seconded by Karen Hodock.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

HOLLYBROOK/MECHANICSBURG VOLUNTEER FIRE DEPT ENTERTAINMENT PERMIT&WAIVER OF PERMIT APPROVED

*****MOTION to approve the Hollybrook/Mechanicsburg Volunteer Fire Department's Entertainment Permit for September 17, 2005, waive the fee and note that the county would not be responsible for any liability was made by Jason Ramsey and seconded by Henry Blessing.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

SUPERVISOR REQUEST ADDITIONAL INFORMATION TO ENTERTAINMENT PERMIT FORM

Supervisor Karen Hodock requested a section for description of activity be added to the Entertainment Permit application form.

QUARTER TIME BUILDING PERMIT FEE WAIVED

*****MOTION to waive the building permit fee in the amount of \$732.60 for Quarter Time was made by Jason Ramsey and seconded by Karen Hodock.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed

DEPARTMENT OF HEALTH 2005 CONTRACT AMENDMENT APPROVED

*****MOTION to accept the Department of Health 2005 contract amendment which includes a payment of \$68,156.00 was made by Henry Blessing and seconded by Jason Ramsey.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

FIRE PROGRAMS APPROPRIATION TO 04-05 BUDGET APPROVED

*****MOTION to approve the additional appropriation to the 04-05 budget to reflect (\$13,531.53) actual revenue received for the Fire Programs allocation was made by Jason Ramsey and seconded by Henry Blessing.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

CIRCUIT COURT OFFICE 04-05 BUDGET APPROPRIATION APPROVED

*****MOTION to approve an additional appropriation (\$12,146.00) to the Circuit Court Clerk Department 04-05 budget for expenses to secure remote access of land records, 100% revenue to be received from the compensation board to offset this expense was made by Karen Hodock and seconded by Henry Blessing.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

COUNTY ADMINISTRATOR EMPLOYEMENT CONTRACT APPROVED

*****MOTION to void the contract of employment for the county administrator dated 6-2-2003 and approve the employment contract dated 6-2-2005 with the changes was made by Jason Ramsey and seconded by Henry Blessing.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

INTERSTATE PATROL OFFICER 2005-2006 AGREEMENT ACCEPTED

*****MOTION to accept the 2005-2006 employment agreement of the Interstate Patrol Officer (IPO) was made by Karen Hodock and seconded by Henry Blessing.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

INTERSTATE PATROL OFFICER ADDITIONAL 04-05-PAYMENT APPROVED

*****MOTION to approve the additional payment with fringes not to exceed \$1774.41 to be paid to the Interstate Patrol Officer within the June 2005 payroll, as requested by

the sheriff but contingent upon the auditor's approval was made by Henry Blessing and seconded by Karen Hodock.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

04-05 BUDGET AMENDMENTS & ADDITIONAL APPROPRIATIONS APPROVED

*****MOTION to approve the 2004-2005 budget amendments and additional appropriations list as presented was made by Jason Ramsey and seconded by Henry Blessing. A copy of the list is filed with the BOS monthly packet.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

SPEEDY RECOVERIES AND THOUGHFULNESS EXPRESSED

During Supervisor's Time thoughtfulness of speedy recoveries and prayers were expressed toward school board member Roger Morehead, former Planning Commission member Martin Tate and former board of supervisor member Bill Ramsey.

NEWBERRY REZONE PUBLIC HEARING OPENED

Chairman John Thompson opened the public hearing to receive public comment on the application of Randall and Kristina Newberry to rezone a parcel of land (16.58 acre) at the Bastian interchange from agricultural to Industrial.

PUBLIC COMMENT

Owner Randy Newberry approached the Board advising that it is his desire to donate the 16.58 acres to the County for economic development, at no cost, if conditions are met; 1) that at least 3 acres be set aside for future recreation purposes; 2) that a right-a-way capable of accommodating a 8-foot walking trail be dedicated across the property; 3) that the existing trees remain on the front lots; 4) that any industry which might locate within the property be of non-polluting type; 5) that the county look to develop covenants that would promote respectable facilities; and 6) that the county be responsible for all costs associated with this transaction. A more detailed copy of Mr. Newberry's letter is filed with the BOS June 05 packet.

GRATITUDE EXPRESSED TO RANDALL AND KRISTINA NEWBERRY

Chairman John Thompson expressed appreciation to Mr. and Mrs. Newberry on the unbelievable generosity of the land donation to the county.

PUBLIC HEARING CLOSED

Mr. Thompson closed the public hearing.

NEWBERRY REZONE APPROVED

*****MOTION to approve the rezone request of Mr. Newberry for the 16.58 acre tract located on the north side of Rt. 52, Tax parcel 49-1-2 thru 11, located at the Bastian Interchange from agricultural to industrial was made by Henry Blessing and seconded by Karen Hodock.

The vote on the motion was: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, yes; John Thompson, yes. The motion passed.

ZONING AMENDMENT (STORAGE YARD, CONTRACTOR'S) PUBLIC HEARING

Mr. Thompson opened the public hearing announcing the purpose of the hearing was to receive public comment on the proposal to add Storage Yard, Contractor's with a Conditional Use Permit as a permitted use within an Agricultural District and to add its definition to Sec. 62-1 (Definitions).

PUBLIC COMMENTS

Resident Randy Newberry inquired as to if current contractors would be grandfathered.

The county administrator responded that current contractors would be grandfathered but only for the equipment currently own. They would not be grandfathered should they purchase a new or additional piece of equipment.

PUBLIC HEARING CLOSED

Mr. Thompson closed the public hearing.

STORAGE YARD, CONTRACTOR 'S GIVEN BACK TO PLANNING COMMISSION

With no action taken it was the consensus of the Board that this topic be given back to the Planning Commission for more clarification.

CLOSED SESSION

“Move to go into a closed session to discuss a Personnel matter pursuant to 2.2-3711-A, subparagraph 1 of the Code of Virginia was made by Jason Ramsey, seconded by Karen Hodock.

Vote on the motion was as follows: Jason Ramsey, yes; Karen Hodock, yes; Henry Blessing, yes; John Thompson, yes. The motion passed.

“Move to return to Regular Session, adopt the certification and waive the reading of the certification of a Closed Session but certify that only items announced by the Board were discussed in Closed Session was made by Jason Ramsey, seconded by Henry Blessing.

Vote on the motion was as follows: Jason Ramsey, yes; Karen Hodock, yes; Henry Blessing, yes; John Thompson, yes. The motion passed.

ADJOURNMENT

This meeting was adjourned until 5:00 p.m., July 26, 2005 to the Bland County Courthouse.

John C. Thompson, Chairman

Jonathan Sweet, County Administrator