

VIRGINIA: At a Regular Meeting of the Bland County Board of Supervisors held at the Courthouse, Bland, Virginia on the twenty-eighth day of May 2002, the following duly elected and qualified members were present or absent.

PRESENT: Frank W. Chandler, Chairman, Wade D. Blankenship, Robert O. Munsey,  
Danny Kinder

ABSENT: None

ALSO PRESENT: Ron Hachey, County Administrator, Carol J. Hall, Secretary, John Rife,  
Assistant to the County Attorney

OTHERS PRESENT: Frank Phipps, Marty Holloway, Virginia Department of Transportation;  
Wayne Quesenberry, The Bland County Messenger; and several citizens

CALL TO ORDER Chair Frank Chandler called the regular meeting to order.

INVOCATION Supervisor Robert Munsey offered the invocation.

PLEDGE ALLIANCE Supervisor Wade Blankenship led the pledge of alliance to the flag.

KARIN HARMAN RESOLUTION OF APPRECIATION ADOPTED

Mr. Chandler asked Ms. Harman to come to the front of the courthouse and then read the resolution of appreciation to her.

\*\*\*\*\*MOTION to adopt the resolution of appreciation recognizing the retirement of Treasurer Karen Harman was made by Danny Kinder, seconded by Wade Blankenship with Frank Chandler and Robert Munsey voting yes.

Ms. Harmon then thanked the Board and all those present for all of their help over the years.

BOARD APPROVED AGENDA

\*\*\*\*\*MOTION to approve the May 28, 2002 agenda was made by Robert Munsey, seconded by Wade Blankenship with Danny Kinder and Frank Chandler voting yes.

CONSENT AGENDA

\*\*\*\*\*MOTION to approve the Consent Agenda as amended was made by Robert Munsey, seconded by Wade Blankenship with Danny Kinder and Frank Chandler voting yes. Items within the Consent Agenda included: 1) minutes of the regular meeting of April 23, 2002 as amended; 2)

minutes of the continued meeting of May 14, 2002; 3) Bills and Payroll for the month of May 2002 in the amount of \$347,370.07; 4) and reports of the Treasurer, Commissioner of Revenue, Recycling Program, Building Official and Animal Control Officer.

#### VIRGINIA DEPARTMENT OF TRANSPORTATION

VDOT Resident Engineer Frank Phipps updated the Board in regard to the Rt. 604 bridge project, the Rt. 611 road project, the Rt. 609 Bridge and roadway project, the Rt. 52 road treatment project, the Meadowview Subdivision road improvement project and the old Rt. 61 bridge deed, which will be received within the next 30 days. Mr. Phipps advised that due to the reduction in state funding, several projects have been pushed back in the 2002-03 thru 2007-08 Secondary Road Six Year Plan, but now have been eliminated from the plan.

Mr. Phipps noted that the Board does not need to have another public hearing, but they may want to discuss it at the next Board meeting as an informational item. Mr. Chandler instructed the County Administrator to place it on the June 25<sup>th</sup> agenda as well as making sure that the media covers the subject.

#### BLAND COUNTY RESCUE SQUAD

Captain Lonnie Gay was present to update the Board on rescue Squad activities. He noted that the Squad is very low on funds and that they are trying to get their finances in order so that they can get an audit done as asked for by the Supervisors. He also presented a list of the Rescue Squad's Board of Directors and members.

#### SOCIAL SERVICES

\*\*\*\*\*MOTION to approve the March 2002 Social Services request in the amount of \$42,451.06 with the local match of \$6,140.92 and the April 2002 Social Services request in the amount of \$96,076.56 with the local match of \$31,500.67 was made by Danny Kinder, seconded by Wade Blankenship with Robert Munsey and Frank Chandler voting yes.

#### SCHOOLS

\*\*\*\*\*MOTION to: 1) approve the schools' June 2002 requisition in the amount of \$1,355,645.00, 2) approve the request to adjust the appropriation for the Title 1 program in the amount of \$89,192.00 for the year 2001-2002, and 3) table the request of an additional \$8,136 to be added to the 2001-2002 budget until the end of the budget year was made by Danny Kinder,

seconded by Robert Munsey with Wade Blankenship and Frank Chandler voting yes.

Mr. Alderman requested that BCC inmate labor be used for the sealing of the Bland School's parking lots and the cleaning of a fence line. The County Administrator was asked to make this request to the BCC Warden.

#### SMYTH-BLAND REGIONAL LIBRARY

Harry Shupe, Bland's Library Representative, expressed his appreciation of the sealing of the library parking lot and also reported the latest statistics on library activities and usage figures.

#### PARKS AND RECREATION COMMITTEE REPORT

Member Cindy Wright updated the Board in regard to the delivery of playground equipment and requested the approval of a swing set for the field at the Hollybrook Community Center and panels for a new Bland ball field backstop. \*\*\*\*\*MOTION to authorize the purchase of the swing frame and the panels was made by Robert Munsey, seconded by Danny Kinder with Wade Blankenship and Frank Chandler voting yes.

#### SWIMMING POOL UTILIZATION HALTED

\*\*\*\*\*MOTION to not move forward with the County's utilization of the Boy Scouts' swimming pool due to a combination of the following reasons: 1) the costs of the supplies/utilities for the pool; 2) the high cost of obtaining a \$3 million liability insurance policy; and 3) the fact that there was a lack of adult applicants for the 2 lifeguard positions was made by Danny Kinder, seconded by Wade Blankenship with Robert Munsey and Frank Chandler voting yes.

#### FAIR ASSOCIATION-FAIRGROUNDS

The County Administrator was instructed to schedule a meeting with Fair Association members, representatives of the ball association as well as with Supervisors Munsey and Blankenship to develop an agreement to resolve conflicts in the management and usage of the county property known as the Bland County Fairgrounds.

#### PUBLIC COMMENTS

Bland resident Nancy Tate appeared before the Board inquiring as to the status of the building known as the former Bland County Jail. Mrs. Tate had a petition with the request that a committee or other organization be able to lease the building. Mr. Chandler informed her that the County would not be able to lease the building to anyone unless they had a \$400,000.00 commitment to renovate the building.

Bland resident Meek Bowen III appeared before the Board with his concern about the need for the new addition/renovation to the courthouse and the amount of revenue that would be needed to fund such a project.

#### COUNTY ATTORNEY REPORTS

Attorney John Rife advised the Board that twelve tax parcels that had been tax-delinquent were sold and that the proceeds from the sale amounted to \$252,322.04. The money from the sale would be placed in an escrow account for two years and if no claims against the money were received within two years, the money would then be released and placed into the county's general fund.

#### BLUE RIDGE APPRAISAL COMPANY

The County Administrator advised that representatives of the Blue Ridge Appraisal Company would be coming to re-assess the 1,466 parcels that the company could not verify were visited during the recent reassessment.

#### RECYCLING

The County Administrator was instructed to contact Interstate Contractors and request that a representative be present at the June 25, 2002 regular meeting to discuss concerns about the recycling program.

#### APPOINTMENTS

\*\*\*\*\*MOTION to reappoint Raymond Boswell to the Bland County Planning Commission for a 4-year term to expire on March 31, 2006 was made by Wade Blankenship, seconded by Danny Kinder with Robert Munsey and Frank Chandler voting yes.

\*\*\*\*\*MOTION to reappoint Danny Kinder to the Bland County Service Authority for a 4-year term to expire May 31, 2006 was made by Robert Munsey, seconded by Wade Blankenship with Frank Chandler voting yes and Danny Kinder abstaining.

\*\*\*\*\*MOTION to reappoint Star Bishop to the Board of Social Services for a 4-year term to expire on June 30, 2006 was made by Danny Kinder, seconded by Robert Munsey with Wade Blankenship and Frank Chandler voting yes.

EROSION AND SEDIMENTATION FEE WAIVED

\*\*\*\*\*MOTION to waive the Erosion and Sedimentation permit of \$50.00 for the Bland County Courthouse renovation/construction project was made by Robert Munsey, seconded by Wade Blankenship with Danny Kinder and Frank Chandler voting yes.

MT. ROGERS PDC FY '02-'03 PROJECT

\*\*\*\*\*MOTION that Mt. Rogers update the Bland County Comprehensive Plan as the County's FY '02-'03 project was made by Robert Munsey, seconded by Danny Kinder with Wade Blankenship and Frank Chandler voting yes.

INTERSTATE CONTRACTORS AGREEMENT APPROVED

Chairman Frank Chandler advised the Board members that Interstate Contractors has approved and signed the Solid Waste Collection Agreement for the 1-year period from July 1, 2002 to June 30, 2003.

BLUEFIELD, VA BUILDING INSPECTIONS SERVICES

The County Attorney was instructed to draft an agreement regarding the sharing of building officials between Bland County and Bluefield, Virginia to include specific amounts or per diem rates and bring it back to the board at the next regular meeting.

RURAL DEVELOPMENT LOAN RESOLUTION APPROVED

\*\*\*\*\*MOTION to approve and authorize the signing of the Rural Development loan papers was made by Danny Kinder, seconded by Robert Munsey with Wade Blankenship and Frank Chandler voting yes.

6:30 p.m. PUBLIC HEARINGS

PRESENT: Frank Chandler, Wade Blankenship, Robert Munsey  
ABSENT: Danny Kinder

COURTHOUSE SECURITY PUBLIC HEARING OPENED

Chairman Frank Chandler opened the public hearing announcing that the public hearing was being held to receive public comment on a proposed Ordinance "Establishing an Assessment to Provide for Courthouse and Courtroom Security in the County of Bland."

PUBLIC COMMENTS

None.

PUBLIC HEARING CLOSED

\*\*\*\*\*MOTION to close the public hearing was made by Wade Blankenship, seconded by Robert Munsey with Frank Chandler voting yes and Danny Kinder absent from meeting.

COURTHOUSE AND COURTROOM SECURITY FEE ADOPTED

\*\*\*\*\*MOTION to adopt and assess a \$5.00 fee to any individual convicted of a traffic or criminal violation in the County of Bland was made by Wade Blankenship, seconded by Robert Munsey with Frank Chandler voting yes and Danny Kinder absent from meeting.

PROCESSING FEE PUBLIC HEARING OPENED

Chair Frank Chandler opened the public hearing announcing that the purpose of the hearing was to receive public comment on the proposed Ordinance "Establishing a Processing Fee to Individuals Convicted in the County of Bland, Virginia and Admitted to a Local or Regional Jail."

PUBLIC COMMENTS

None.

PUBLIC HEARING CLOSED

\*\*\*\*\*MOTION to close the public hearing was made by Robert Munsey, seconded by Wade Blankenship with Frank Chandler voting yes and Danny Kinder absent from meeting.

PROCESSING FEE ORDINANCE APPROVED

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\*\*\*\*\*MOTION to establish an ordinance establishing a processing fee of \$25.00 against any individual convicted in the County of Bland and sentenced to imprisonment in the County of Bland or any of the surrounding regional jails was made by Robert Munsey, seconded by Wade Blankenship with Frank Chandler voting yes and Danny Kinder absent from meeting.

#### FREEBORN CONDITIONAL USE PERMIT PUBLIC HEARING OPENED

Chairman Frank Chandler opened the public hearing announcing that the purpose of the hearing was to receive public comment on the application of Ingrid Freeborn for a Conditional use Permit to operate a crafts shop on Rt. 52 in Rocky Gap.

#### PUBLIC COMMENTS

Applicant Ingrid Freeborn spoke to the Board describing her plans to make and sell pottery items.

#### PUBLIC HEARING CLOSED

\*\*\*\*\*MOTION to close the public hearing was made by Robert Munsey, seconded by Wade Blankenship with Frank Chandler voting yes and Danny Kinder absent from meeting.

#### FREEBORN CONDITIONAL USE PERMIT APPROVED W/CONDITONS

\*\*\*\*\*MOTION to approve the Conditional Use Permit of Ingrid Freeborn with the conditions set forth by the Planning Commission was made by Robert Munsey, seconded by Wade Blankenship with Frank Chandler voting yes and Danny Kinder absent from meeting. Conditions to the permit are as listed: 1) The entrance shall be designed to meet VDOT standards with the radii and width of pavement for a standard commercial entrance to ensure safety for all patrons using the site, 2) The Rocky Gap Fire Department shall be shown the kiln's operation when installed so that they are familiar with how it runs, and 3) A site plan of sufficient detail shall be submitted and subsequently approved showing the commercial entrance, regular parking spaces, handicapped parking space, business sign location, outside trash dumpster location (if needed) with screening and any other site amenities before the building is opened for business.

#### KECK CONDITIONAL USE PERMIT PUBLIC HEARING OPENED

Chairman Frank Chandler opened the public hearing stating that the purpose of the hearing was to receive public input on the application of George Keck for a Conditional Use Permit for a crafts shop on Rt. 42 just east of Ceres.

### PUBLIC COMMENTS

George Keck spoke to the Board with the desire to keep an old building alive and conduct a woodworking shop in it.

### PUBLIC HEARING CLOSED

\*\*\*\*\*MOTION to close the public hearing was made by Robert Munsey, seconded by Wade Blankenship with Frank Chandler voting yes and Danny Kinder absent from meeting.

### KECK CONDITIONAL USE PERMIT APPROVED W/CONDITIONS

\*\*\*\*\*MOTION to approve the Conditional Use Permit of George Keck for a craft shop on Rt. 42 with the conditions set forth by the Planning Commission was made by Wade Blankenship, seconded by Robert Munsey with Frank Chandler voting yes and Danny Kinder absent from meeting. Conditions to the permit are as listed: 1) The entrance shall be designed to meet VDOT standards with the proper radii and width of pavement for a standard commercial entrance to ensure safety for all patrons using the site, 2) The retail hours of operation shall be limited to normal business hours in order to keep a low intensity of usage in this rural area of the County, and 3) A site plan of sufficient detail shall be submitted and subsequently approved showing the entrance, regular parking spaces, handicapped parking space, business sign location, outside trash dumpster location (if needed) with screening and any other site amenities before the building is opened for business.

### REGIONAL JAIL INMATES PROGRAM

Mr. Blankenship advised the Board of a new policy administered through the regional jail for participating localities that allows inmate labor to pick up trash. He noted that the cost to the County would be \$15.00 per hour for an inmate crew of 5 or 6 people plus guards.

### AEP PUBLIC HEARING OF THE 750KV TRANSMISSION LINE

The County Administrator was directed to send a letter to the AEP public hearing on the 750kv line restating the Board's previous reasons for opposing the project.

### CLOSED SESSION

"Move to go into a closed session to discuss; 1) an contractual matter with Blue Ridge Appraisal; 2) an economic development matter; and 3) a personnel matter pursuant to the provisions of Section 2.1-344A, subparagraph 1, 3 & 7 of the Code of Virginia" was made by Robert Munsey,

seconded by Wade Blankenship with Frank Chandler voting yes and Danny Kinder absent from meeting.

“Move to return to Regular Session and adopt the following certification of a closed session was made by Robert Munsey, seconded by Wade Blankenship with Frank Chandler voting yes and Danny Kinder absent from meeting.

#### CERTIFICATION OF A CLOSED SESSION

WHEREAS, the Bland County Board of Supervisors convened a closed meeting on this date pursuant to an affirmative recorded vote and pursuant to the provisions of Section 2.1-344A, subparagraph 1, 3 & 7 of the Code of Virginia and in accordance with the Virginia Freedom of Information Act.

WHEREAS, Section 2.1-344A of the Code of Virginia requires a certification by the Bland County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Bland County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting in which this Certification Resolution applies; and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Bland County Board of Supervisors.

#### CONTINUANCE OF MEETING

Chairman Chandler announced that this meeting would be continued until 6:30 p.m. on June 11, 2002. It was noted that the continued meeting will be held at the Bland County Courthouse to conduct a public hearing on the County's FY 2002-2003 Budget.

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Frank Chandler, Chairman

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Ron Hachey, Clerk