

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

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

ABSENT: None

ALSO PRESENT: Ron Hachey - County Administrator, Melissa French – Secretary, James  
Cornwell, County Attorney

OTHERS PRESENT: Marty Holloway – VDOT; several citizens

#### CALL TO ORDER

Chairman 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.

#### BOARD APPROVED AGENDA

\*\*\*\*\*MOTION to approve the October 22, 2002 agenda as presented was made by Robert Munsey, seconded by Danny Kinder with Wade Blankenship and Frank Chandler voting yes.

#### CONSENT AGENDA

\*\*\*\*\*MOTION to approve the Consent Agenda was made by Robert Munsey, seconded by Danny Kinder with Wade Blankenship and Frank Chandler voting yes. Items within the Consent Agenda included: 1) minutes of the regular meeting of September 24, 2002 and continued meeting of October 8, 2002; 2) additional bills for the month of September 2002 in the amount of \$2,085.55 and bills for the month of October 2002 in the amount of \$173,110.48; 3) payroll for the second half of September 2002 and the first half of October 2002 in the amount of \$119,333.03; and 5) reports of the Treasurer, Commissioner of Revenue, Recycling Program, Building Official and E-911 Coordinator.

#### VIRGINIA DEPARTMENT OF TRANSPORTATION

VDOT Assistant Resident Engineer Marty Holloway updated the Board in regard to projects underway including; 1) the completion of the Route 606 and upcoming action by the CTB, 2) the Route 52 bridge construction, 3) the near completion of the Route 611 work, and 4) the Route

608 bridge widening in Crandon. Mr. Holloway noted that he anticipates a public hearing in December on the update to the Bland County Six-Year Secondary Road Improvement Plan.

#### APPALACHIAN INDEPENDENCE CENTER, INC.

Chairman Chandler noted that Community Action Specialist William Duncan had requested time to speak to the Board, but that he was not present to speak. Mr. Chandler noted that they had a letter in their packet from Mr. Duncan requesting that the board hold their meetings be held in a facility that is handicapped accessible. Mr. Duncan suggested that all meetings be moved to the Bland County Library.

#### SOCIAL SERVICES

\*\*\*\*\*MOTION to approve the August 2002 Social Services report in the amount of \$52,153.77 with the local share being \$7,437.47 was made by Danny Kinder, seconded by Robert Munsey with Wade Blankenship and Frank Chandler voting yes.

#### SCHOOLS

Mr. Hachey noted that Dr. Alderman had called to let the Board know that he wouldn't be able to make the Board meeting since he was in staff meetings all days. Mr. Hachey noted that although the schools had not been cut back by the first round of state cutbacks, Dr. Alderman has informed him that they are doing contingency planning if they do receive a 5% cutback in December.

\*\*\*\*\*MOTION to approve the school's November 2002 requisition in the amount of \$652,000.00 was made by Robert Munsey, seconded by Danny Kinder with Wade Blankenship and Frank Chandler voting yes.

#### TREASURER JOANN SHEWEY REPORTS TO BOARD

Treasurer JoAnn Shewey briefed the Board about the following items: 1) the tax tickets that went out recently with the real estate bills totally \$1.583m and the personal property bills totaling \$1.1m, and 2) the 11% cutback of state funds to her department that will amounts to approximately \$7,300. She requested that the Board not make up the difference by cutting salaries.

#### COMMISSIONER OF REVENUE REPORTS

Deputy Cindy Wright advised the Board that approximately \$6,500.00 would need to be cut from the Commissioner of Revenue's Budget to make up the state's shortfall.

### SMYTH-BLAND REGIONAL LIBRARY REPORT

Representative Harry Shupe reported that the library's monthly circulation was up 42% over last year's figure with kid-materials-usage up 150% above last year. He noted that the library's budget would be cut by the state by 15%.

### RECREATION COMMITTEE UPDATE

Committee Member Cindy Wright noted that the Board had a copy of recent committee minutes in their packets. She noted that the committee plans to complete Phase 1 of the community park

improvements by January 2003 with the exception of Rocky Gap since the County has only recently acquired the land from VDOT and Little Creek where the residents decided to forego any park improvements on the fire department property at this time.

Ms. Wright noted that there might be a need for a small amount of engineering assistance with the laying out of the walking trail at the Ceres Park. It was noted that the old backstop frame in Hollybrook might be reusable, but that new wire may need to be purchased. Mr. Chandler noted that the Ruritans have offered to assemble the playground equipment at the Ceres Park.

### CAPITAL IMPROVEMENTS AT THE POLLING PLACES

County Administrator Ron Hachey advised the Board that all ADA-related improvements at the County's polling places would be finished prior to the November 5<sup>th</sup> election.

### COUNTY ATTORNEY REPORT

County Attorney Jim Cornwell informed the Board that the Thompson condemnation suit has been postponed until January 27, 2003. He also noted that 2 of the Commissioners might be disqualified from the case since they do not own property in the County.

### ROAD NAMING PROJECT

E-911 Program Manager Katie Gamble noted that the majority of those residents polled on Route 42 east of Bland preferred the name Blue Grass Trail for this road, which was the name previously adopted by the Board. She also noted that the US Postal Service recommends that if you use north, south, east or west in a road name, that it be put at the beginning of the name rather than at the end of the name. It has been found that residents living along the road sometimes drop these modifiers when put at the end of the name, which thereby creates

confusion with emergency services responders.

#### CIRCUIT COURT CLERK RONNIE HALL SPEAKS ON 02-02 BUDGET CUTS

Clerk Ronnie Hall stated that the recent state budget cuts would total \$12,361.00 for his office and he asked that the Board try to avoid cutting his employees' salaries.

#### PUBLIC SPEAKERS

Rescue Squad Captain Lonny Gap updated the Board on the activities of the squad. He noted that he had been made aware of complaints about the condition of the Bland ball field after the 4-wheeler rodeo was held and noted that this would not happen again.

Edward Havens, a resident of Rt. 606, asked the Board why certain people are allowed to speak at their meetings while others are not. He wanted to let the Board that he still wanted the recently

completed property assessments posted on the Internet and that he was concerned about paying for the upcoming courthouse project for 40 years.

#### APPOINTMENTS

##### Industrial Development Authority

\*\*\*\*\*MOTION to reappoint John Martin to the Industrial Development Authority for a four year term to expire on September 30, 2006 was made by Danny Kinder, seconded by Robert Munsey with Wade Blankenship and Frank Chandler voting yes.

#### PROPOSED AMENDMENTS TO THE ANIMAL CONTROL ORDINANCE

County Attorney Jim Cornwell summarized possible amendments to the current Animal Control Ordinance that could include such items as the licensing of cats and adopting a vicious/dangerous dog ordinance.

\*\*\*\*\*MOTION to schedule a public hearing on the vicious/dangerous dog amendments to the Animal Control Ordinance was made by Robert Munsey, seconded by Danny Kinder with Wade Blankenship and Frank Chandler voting yes.

#### FOREST SERVICE REQUESTS SPECIAL USE AUTHORIZATION OF FACILITIES

The Board then reviewed a list of 7 communications' facilities that are currently located on property in Bland County and owned by the USFS. The USFS is asking that the Board review/approve these uses before reauthorizing them. Mr. Kinder stated that it is in the County's best interest to support these needed communications' facilities.

\*\*\*\*\*MOTION to approve the renewal of 7 Special Use Authorizations for communications equipment on US Forest Service property in Bland County was made by Danny Kinder, seconded by Robert Munsey with Frank Chandler and Wade Blankenship voting yes.

#### F/Y 01-02 BUDGET ADJUSTMENT RESOLUTION APPROVED

\*\*\*\*\*MOTION to approve the budget resolution adjusting the FY 2001-2002 Budget, in the amounts recommended by the County's auditor, was made by Robert Munsey, seconded by Danny Kinder with Frank Chandler and Wade Blankenship voting yes.

#### CAROLINE COUNTY'S REQUEST FOR TOURISM WEBSITE SUPPORT

The Board tabled this request until the Bland County Historical Society makes a recommendation to the Board on whether or not the County should participate in this tourism-related project.

#### NOISE ORDINANCE PUBLIC HEARING

After a brief discussion and a motion by Mr. Kinder that did not receive a second, no action was taken on this matter. Mr. Chandler asked that this matter be brought up again on a future agenda.

#### SPOTSYLVANIA COUNTY'S REQUEST RESOLUTION

The Board took no action on a request from Mary Lee Carter for their endorsement of her as an officer on the VACo Board of Directors.

#### SUPERVISORS' TIME

Mr. Munsey noted that since the majority of those responding to the telephone survey wanted the name of Route 42 east of Bland to be called East Blue Grass Trail, then the County should concur with this majority.

Mr. Chandler stated that the Board needs to take on a more aggressive role in recruiting new commercial and industrial companies to the County in order to increase job opportunities and a broader tax base. He noted that the County-owned property in Bastian now has public water as well as public sewer and that it needs to be actively marketed by the County. Mr. Chandler also noted that the preliminary water and wastewater plans for the Bland Courthouse area have been done and that he has been assured that federal funds are available to implement these projects.

Mr. Chandler asked that the Board members give further thought to having 5 election districts in the County instead of the 4 current ones. \_

#### CUTS TO BE ABSORBED WITHIN CURRENT DEPARTMENTAL BUDGETS

It was concluded that all constitutional offices absorb any state cuts within their current adopted budget with no additional help from the County. It was noted that the recent round of cuts should be in the \$31,000 to \$35,000 range. Mr. Blankenship was concerned about the possibility of a 5% reduction for the school system this year as well as how we will be able to handle anticipated cuts in FY '03-'04.

Ms. JoAnn Shewey asked that she be included in the budget planning process in the upcoming fiscal year.

#### CLOSED SESSION

“Move to go into a closed session to discuss a personnel and legal matter was made by Robert Munsey, seconded by Danny Kinder with Wade Blankenship and Frank Chandler voting yes.

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

#### 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 and 3 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.

#### DEPARTMENT OF JUSTICE COMPLIANT/BOARD MEETING PLACE CHANGED

Mr. Cornwell noted that the Board would mediate with the US Department of Justice in an attempt to resolve an ADA-related complaint filed by a Bland County resident.

Although Mr. Duncan from the Appalachian Independence Center was not present at the

meeting, the Board has decided to move their meetings to the School Board Office, which has a meeting room that is better able to accommodate the handicapped residents. It was noted that the Planning Commission, the IDA as well as the PSA would be asked to move their meetings to Bastian as well.

\*\*\*\*\*MOTION to adopt a resolution to move the Board of Supervisors' meetings to the School Board office effective November 2002 with no change in the meeting time was made by Robert Munsey, seconded by Danny Kinder with Wade Blankenship and Frank Chandler voting yes.

#### COUNTY SURPLUS ITEMS AFTER COURTHOUSE RENOVATION

The County Administrator advised that some of the surplus items that have resulted because of the upcoming courthouse addition/renovation project could be used at the Mechanicsburg Cannery, the Bland County Historical Museum and at the Ceres School Building.

#### RANDY NEWBERRY CONDITIONAL USE PERMIT PUBLIC HEARING OPENED

Chairman Frank Chandler opened the public hearing by announcing that the hearing was being held to receive public comment on the request by Randy Newberry for a Conditional Use Permit for an accessory dwelling unit in an existing commercial building on a one acre tract located along Route 52/42 in Bland identified on the Bland County tax maps as 77A3-A-33B.

Mr. Newberry was the only member present in the audience. After a brief discussion, Mr. Blankenship made a motion to approve the request with the following conditions as recommended by the Planning Commission:

1. The apartment will be restricted to 1 bedroom and to a maximum of 2 occupants as required by the Bland County Health Department.
2. The renovations will be made within the walls of the existing building as shown in the "New Floor Plan."

#### MEETING ADJOURNMENT

This meeting was adjourned until November 26, 2002. It was noted that this meeting would be held at the Bland County School Board Office located in Bastian, Virginia starting at 3:00 p.m.

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Frank Chandler, Chairman

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Ron Hachey, Clerk

