

VIRGINIA: At a Regular Meeting of the Bland County Board of Supervisors held at the Bland County School Board Office, Bastian, Virginia on the twenty-fifth day of November 2003, the following duly elected and qualified members were present or absent.

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

ABSENT: None

ALSO PRESENT: Jonathan D. Sweet, County Administrator; Carol Hall, Secretary; James E. Cornwell, County Attorney

OTHERS PRESENT: Frank Phipps and Marty Holloway – VDOT; several citizens

#### CALL TO ORDER

Chairman Frank Chandler called the regular meeting to order.

#### PLEDGE OF ALLIANCE

Mr. Chandler led the pledge of alliance to the flag.

#### INVOCATION

Supervisor Robert Munsey offered the invocation.

#### BOARD APPROVED AGENDA

\*\*\*\*\*MOTION to approve the November 25, 2003 agenda as presented was made by Wade Blankenship seconded by Robert Munsey with Danny Kinder and Frank Chandler voting yes.

#### CONSENT AGENDA

\*\*\*\*\*MOTION to approve the Consent Agenda as presented 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 October 28, 2003 and Special Called meeting of November 12, 2003; 2) bills for the month of November 2003 in the amount of \$333,819.97; 3) payroll for October 31, 2003 and November 17, 2003 at a total of \$121,517.91 and 4) reports of the Treasurer, Sheriff, Commissioner of Revenue, Recycling Program, Building Official, Animal Control, Public Works and E-911 Coordinator.

#### VIRGINIA DEPARTMENT OF TRANSPORTATION

Resident Engineer Frank Phipps appeared before the Board with an update on projects throughout the County to include: 1) Rt. 614 speed study approved at 35 mph, 2) Rt. 608 project completed; 3) Rt. 606 and Rt. 604 bridges completed with lights removed.

#### Rt. 615 ROW Bastian

Bastian resident Donald Brizendine appeared before the Board with the concern of the Board granting to VDOT any additional right-of-way off Rt. 615 Bastian area for drainage purposes. Mr. Brizendine noted that if granted he was requesting; 1) that his Land Use Permit fee paid in 1998 be returned to him; 2) either the county or VDOT be responsible for the moving of his

fence and install upon the new established ROW; (Currently his fence is upon the 80' ROW); 3) that any ROW granted upon Rt. 615 be uniform from one end to the other; and 4) that any deeds and filing fees be waived by the Board and not be an expense of the landowners.

Mr. Chandler clarified to the audience that currently VDOT has a 30' ROW upon Rt. 615 but requested a 50' ROW to properly maintain drainage which would leave 30' still belonging to the County that could be granted back to the landowners. VDOT representative Frank Phipps stated that normally the ROW needed is 40 feet.

Discussion on the Rt. 615 ROW continued until it was concluded that the County Attorney work with the VDOT Bristol office regarding surveying options and such.

### SOCIAL SERVICES

\*\*\*\*MOTION to approve the Social Services, September 2003 report in the amount of \$45,641.13 with the local share of \$5,774.84 was made by Wade Blankenship, seconded by Robert Munsey with Danny Kinder and Frank Chandler voting yes.

### SCHOOLS

\*\*\*\*\*MOTION to approve the schools December 2003 requisition in the amount of \$650,000.00 was made by Robert Munsey, seconded by Wade Blankenship with Danny Kinder and Frank Chandler voting yes.

### PUBLIC SPEAKERS

Bill Archer of the Bluefield Daily Telegraph appeared before the Board with the request that the Board adopt a resolution in support of the renaming of the East River Mtn. Tunnel to the H. Edward Steele Memorial Tunnel. The Board members expressed personal opinions on the request but no formal action was taken by the Board.

### 2004 ELECTED SHERIFF JERRY THOMPSON

Newly elected Sheriff Jerry Thompson advised that per code statute based upon population the County of Bland had in the past received funding for one extra road deputy. He informed that the Compensation Board would continue to fund this position after July 1, 2004.

### COUNTY FINANCES

Mr. Chandler spoke in regard to the County's finances, adding that the County was in excellent fiscal shape and reported to the audience the surplus of funds at the end of the previous four years.

### APPOINTMENTS

Road Viewers appointment – Tabled for the new board members

Mount Rogers Planning District Commission – Tabled for the new board members

Mount Rogers Planning District Commission \*\*\*\*\*MOTION to reappoint Brenda Thompson as the At-Large member to the Mount Rogers Planning District Commission for a 4-yr term to expire December 31, 2007 was made by Robert Munsey, seconded by Danny Kinder with Wade Blankenship and Frank Chandler voting yes.

Planning Commission appointment - James Atwell expired term -No action taken

Planning Commission appointment – Rocky Gap position expiring Dec 2003 - tabled for new board

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Planning Commission appointment \*\*\*\*\*MOTION to reappoint Stephen Kelly to the Bland County Planning Commission 4-yr term to expire December 31, 2007 was made by Robert Munsey, seconded by Danny Kinder with Wade Blankenship and Frank Chandler voting yes.

Planning Commission appointment – board member position expiring Dec 2003 – tabled for new board

Smyth-Bland Regional Library Board of Directors -- Tabled for the new board

Southwest Development Financing, Inc. – Tabled for the new board

### BOS DECEMBER 2003 MEETING DATE CHANGE

\*\*\*\*\*MOTION that the Board of Supervisors' December 2003 regular meeting be held 4:00 p.m. on December 16, 2003 at the Bland County Library was made by Danny Kinder, seconded by Robert Munsey with Wade Blankenship and Frank Chandler voting yes.

RIDGEWAY SUBDIVISION RESOLUTION ADOPTED

\*\*\*\*\*MOTION to approve the Ridgeway Subdivision resolution contingent upon; 1) the written consent by more than 75% of property owners to contribute; 2) the charge to be on a per lot basics and not per foot; 3) a determination of the complete costs; and 4) an execution by the property owners agreeing to pay was made by Robert Munsey, seconded by Wade Blankenship with Danny Kinder and Frank Chandler voting yes.

LEASE/PURCHASE AGREEMENT FOR CAD& GIS SYSTEM APPROVED

\*\*\*\*\*MOTION to approve the Lease/Purchase Agreement for payment of the CAD & GIS System contingent upon that the \$28,000 for medical dispatch and the \$495 maintenance fee be pulled out and any nonsubstantial changes mentioned by counsel was made by Robert Munsey, seconded by Wade Blankenship with Danny Kinder and Frank Chandler voting yes.

LOCAL STATE OF EMERGENCY DECLARED

\*\*\*\*\*Due to the heavy rains which resulted in severe flooding in Bland County on November 19, 2003 move to adopt the Local Emergency Resolution was made by Danny Kinder, seconded by Robert Munsey with Wade Blankenship and Frank Chandler voting yes.

GREENBRIER PIPELINE PROJECTED SUSPENDED

The County Administrator informed the Board that due to customer pullouts (basically a lot of the power plants who were going to locate along the route) resulting in 67% capacity verses the 90% need the Greenbrier Pipeline project had been suspended.

TOBACCO ALLOTMENT BUY-OUT PROGRAM RESOLUTION

\*\*\*\*\*MOTION to adopt the Tobacco Allotment Buy-Out Program Resolution requesting consideration of the implementation that would fairly compensate tobacco producers for their loss of allotment was made by Robert Munsey, seconded by Wade Blankenship with Danny Kinder and Frank Chandler voting yes.

SUPERVISORS TIME

Supervisor Mr. Kinder recognized Dean Willis, the E911 Coordinator, fire departments, the rescue squad and local residents on their efforts and hard work shown toward the flood victims within the Rocky Gap area recently.

BOARD OF SUPERVISORS REIMBURSEMENT OF MILEAGE POLICY REITERATED

\*\*\*\*\*MOTION to reiterate and readopt the Mileage Reimbursement policy for the current and future Board of Supervisors and if the future members want to make changes then they have the right to change, this to be effective November 25, 2003 was made by Robert Munsey, seconded by Danny Kinder with Wade Blankenship and Frank Chandler voting yes.

LEASES HELD ON COUNTY PROPERTIES

Mr. Chandler spoke on the leases of county properties to certain agencies and organizations throughout the county and commended the Ceres Ruritans and the Ceres Alumni for their efforts in monies spent on improvements to the old Ceres Gym and the old Agricultural bldg.

CLOSED SESSION

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

“Move to return to Regular Session 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 Robert Munsey, seconded by Wade Blankenship with Danny Kinder and Frank Chandler voting yes.

KIME CONDITIONAL USE PERMIT PUBLIC HEARING OPENED

Chairman Frank Chandler opened the public hearing announcing the purpose of the hearing was to receive public comment on the C.U.P. application of Ronald Kim to construct seven log cabin style lodges for overnight occupancy under the permitted use of Lodges, Inns or Bed & Breakfast establishments in an Agricultural Zone, upon property located on Rt. 52 where it crosses Big Walker Man. at the Wythe County line in which we refer to as the Big Walker Man Lookout.

PUBLIC COMMENTS

No public comments were offered.

KIME PUBLIC HEARING CLOSED

The public hearing was closed upon the motion made by Wade Blankenship, seconded by Danny Kinder with Robert Munsey and Frank Chandler voting yes.

KIME C.U.P. APPROVED W/NO CONDITIONS

\*\*\*\*\*MOTION to approve the C.U.P. application of Ronald Kime as recommended by the Planning Commission with no conditions imposed was made by Robert Munsey, seconded by Wade Blankenship with Danny Kinder and Frank Chandler voting yes.

BLAND COUNTY CODE § 2-96 & § 2-97 AMENDMENT PUBLIC HEARING OPENED

Chairman Frank Chandler opened the public hearing announcing the purpose of the hearing was to receive public comment a proposed amendment to adopt § 2-97 as the Created Composition and Membership for the Bland County Planning Commission and delete the § 2-96 which list the exact number of members required.

PUBLIC COMMENTS

No public comments were offered.

BLAND COUNTY CODE PROPOSED AMENDMENT PUBLIC HEARING CLOSED

The public hearing was closed upon the motion made by Wade Blankenship, seconded by Robert Munsey with Danny Kinder and Frank Chandler voting yes.

BLAND COUNTY CODE AMENDMENT

\*\*\*\*\*MOTION to adopt the recommended changes to the Bland County Code deleting § 2.96 and adopting the § 2.97 as the composition and membership for the Planning Commission was made by Robert Munsey, seconded by Wade Blankenship with Danny Kinder and Frank Chandler voting yes.

2004-2010 SECONDARY ROADS SIX-YEAR IMPROVMENTS PLAN PUBLIC HEARING OPENED

Mr. Chandler opened the public hearing advising that the public hearing was being held to solicit public input to develop the 2004-2020 Secondary Roads Six-Year Improvements Plan and reviewing the Project Priority Listing for improvements to be included in the 2004-2005 Secondary Budget as required by Section 33.1-70.01 of the 1050 Code of Virginia, as amended.

PUBLIC COMMENTS

VDOT Resident Engineer Frank Phipps read aloud information regarding the proposed plan..

VDOT SIX YEAR PLAN PUBLIC HEARING CLOSED

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

SIX YR SECONDARY ROAD PLAN AND PRIORITY LISTING RESOLUTION ADOPTED

\*\*\*\*\*MOTION to adopt the 2004-2010 Six-Year VDOT Secondary Road Plan Resolution was made by Danny Kinder, secondary by Robert Munsey with Wade Blankenship and Frank Chandler voting yes.

ADJOURNMENT This meeting was adjourned until 4:00 a.m. on December 16, 2003 at the Bland County Library, Bland, VA.

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Frank Chandler, Chairman

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Jonathan D. Sweet, County Administrator