

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-sixth day of June 2007, 5:00 p.m., the following duly elected and qualified members were present or absent.

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

ABSENT: None

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

CALL TO ORDER

Chairman Karen Hodock called the June, 2007 regular meeting to order.

INVOCATION

The invocation was offered by Supervisor Mr. Ramsey.

PLEDGE TO FLAG

Chairman Mrs. Hodock led the pledge alliance to the flag.

JUNE 26, 2007 MEETING AGENDA APPROVED WITH ADDITION

*****MOTION to approve the June, 2007 meeting agenda with the addition of a public comment section for the USDA grant application public hearing was made by Jason Ramsey and seconded by John Thompson.

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

CONSENT AGENDA

*****MOTION to approve the Consent Agenda which consists of the minutes of April 24, 2007; May 9, 2007; May 16, 2007; May 30, 2007; June 7, 2007; additional bills for the month of May 2007, in the amount of \$132,920.00; and bills for the month of June, 2007 in the amount of \$207,574.06; June 1, 2007 payroll in the amount of \$73,308.54; and reports as presented 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.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Marty Halloway, VDOT Resident Engineer, appeared before the board and advised updates to include: 1) the tunnel project progressing; 2) Rt. 612, Rt. 52 bridge work awarded; and 3) advised of the Chapter 527, Land Development rules which will affect Bland County in 2008.

Supervisor Mr. Ramsey requested information regarding the process for cattle guard installation on Trails End Rd.

SOCIAL SERVICES APRIL, 2007 REPORT APPROVED

*****MOTION to accept the April, 2007 Social Services report in the amount of \$53,578.50 with the local allotment of \$8,077.42, was made by John Thompson and seconded by Henry Blessing.

Vote on this motion was as follows: Karen Hodock, yes; Henry Blessing, yes; Jason Ramsey, no; John Thompson, yes. The motion passed.

SCHOOLS JULY, 2007 REQUISITION APPROVED

*****MOTION to approve and appropriate the July, 2007 school board's request in the amount of \$650,000.00; approve the meeting minutes of May 28, 2007, and minutes of June 7, 2007; approve the check registers and vendor payments submitted for the month of May 2007 was made by Jason Ramsey; seconded by Henry Blessing.

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

*****MOTION to authorize the transfer and appropriation of \$298,674.21 (purchase of the Woody, Wolfe and Clark properties) to the School Board's 2006-2007 budget from the construction/lottery funds held at BB&T, was made by Jason Ramsey and seconded by Henry Blessing.

Vote on the motion was as follows: Jason Ramsey, yes; Karen Hodock, yes; John Thompson, no; Henry Blessing, yes.

*****MOTION to authorize the transfer and appropriation of \$43,566.78 to the School Board's 2006-2007 budget, from the Special Funds held in the account at BB&T, for smart boards, band repairs, and football jackets purchase, was made by Jason Ramsey, seconded by Henry Blessing.

Vote on the motion was as follows: Jason Ramsey, yes; Karen Hodock, yes; John Thompson, no; Henry Blessing, yes.

*****MOTION to authorize the transfer and appropriation of \$167,398.22 to the 2006-2007 School Board budget for cafeterias' payrolls, (county has been reimbursed this amount), was made by Jason Ramsey and seconded by Henry Blessing.

Vote on the motion was as follows: Jason Ramsey, yes; Karen Hodock, yes; John Thompson, no; Henry Blessing, yes.

*****MOTION to amend the schools construction/ lottery funds to reflect the actual amount of \$658,397.21, with expenditures of \$354,699.35, remaining balance to be \$303,697.86, to approve the transfer to the BB&T account was made by Jason Ramsey and seconded by Henry Blessing.

Vote on the motion was as follows: Jason Ramsey, yes; Karen Hodock, yes; John Thompson, no; Henry Blessing, yes.

U.S. DEPARTMENT OF AGRICULTURE

Martha Moody, Executive Director, to the Wythe-Bland Farm Service Agency, spoke on the current drought situations and programs offered through her office.

ANIMAL CONTROL REPORTS

James Belcher, Animal Control Officer, reported on monthly activities.

E-911 REPORT

Willie Howlett, E-911 Coordinator and Emergency Services Coordinator presented the June 2007 E-911 monthly report of activities.

SMYTH-BLAND REGIONAL LIBRARY UPDATE

Harry Shupe, representative, updated the board on library statistics.

RECREATION COMMITTEE UPDATE

Randy Moler, representative, advised of the completion of the walking path at the Rocky Gap Community Park, which also completes the first phase of the parks and recreation's original plan. Plans for the Rocky Gap Park dedication would be announced later.

BLAND COUNTY HISTORICAL SOCIETY

Steve Hermansen appeared before the board with an update on the activities of the Bland County Historical Society and the Round the Mountain. Mr. Hermansen announced the resignation of the executive director.

COUNTY ATTORNEY

Frank Slavin, Attorney, appeared with an update of activities

APPOINTMENTS

*****MOTION to reappoint Debbie Barger to the Department of Social Services Board, a 4-year term to expire 06-30-2011, was made by Henry Blessing, seconded by Jason Ramsey.

SHERIFF'S ADDITIONAL APPROPRIATION TO 2006-2007 BUDGET APPROVED

*****MOTION to approve an additional appropriation to both the expenditure and revenue portion of the sheriff's Fund #160, 2006-2007 budget in the amount of \$40,000.00, to cover the expenditures as requested by the Sheriff was made by John Thompson, and seconded by Henry Blessing.

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

BASTIAN UNION CHURCH FIREWORKS PERMIT APPLICATION APPROVED
BASTIAN UNION CHURCH ENTERTAINMENT PERMIT APPLICATION APPROVED

*****MOTION to approve the Bastian Union Church Fireworks and Entertainment Permit applications for July 4, 2007 as requested and waive all fees, contingent upon the signatures of the sheriff and fire chief, was made by Henry Blessing and seconded by John Thompson.

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

CHEVY LUMINA SURPLUS

*****MOTION to surplus the Chevy Lumina, at a minimum bid of \$2000.00, with the surplus revenue to be used towards the purchase of a vehicle for animal control, was made by Jason Ramsey, and seconded by John Thompson.

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

ECONOMIC DEVELOPMENT ADMINISTRATION GRANT RESOLUTION APPROVED

*****MOTION to approve the Economic Development Administration Grant Resolution for the county's Commerce Park, was made by Jason Ramsey and seconded by Henry Blessing.

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

VIRGINIA SMALL BUSINESS FINANCING AUTHORITY RESOLUTION APPROVED

*****MOTION to approve the Moral Obligation Agreement with Virginia Small Business Financing Authority to assist Project Steel with financing was made by Henry Blessing and seconded by John Thompson.

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

DISASTER DESIGNATION AREA RESOLUTION ADOPTED

*****MOTION approving the request to designate Bland County as a disaster area due to prolonged drought conditions and file the resolution with the Governor of Virginia was made by John Thompson and seconded by Jason Ramsey.

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

VRS HEALTH CREDIT PROGRAM RESOLUTION

*****MOTION to approve the VRS Retiree Health Insurance Credit (HIC) Resolution, with an effective date of July 1, 2007, was made by John Thompson and seconded by Henry Blessing.

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

VRS EMPLOYEE CONTRIBUTION RESOLUTION ADOPTED

*****MOTION to approve the VRS Employee Contribution Resolution, with an effective date of July 1, 2007, stating the County elects to pay the member's 5% retirement contribution rate, was made by John Thompson,

Vote on the motion was as follows: Jason Ramsey, yes; Karen Hodock, yes; John Thompson, yes; Henry Blessing, no.

FISCAL YEAR 06-07 END-OF-YEAR BUDGET APPROPRIATIONS APPROVED

*****MOTION to clean up the 06-07 budget as listed upon the information sheet provided was made by Jason Ramsey and seconded by John Thompson.

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

PUMP AND HAUL PERMIT AGREEMENT – LAMBERT DENTISTRY APPROVED

*****MOTION to approve the Pump and Haul Permit Agreement for the Lambert Dentistry was made by Jason Ramsey and seconded by Henry Blessing.

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

NACO DRUG CARD UPDATE

An update was provided on the usage and savings to county residents utilizing the NACo Prescription Drug Card, by the County Administrator.

ABANDONED CAR REMOVAL UPDATE

The County Administrator reported an update on the vehicles removed from the county under the Abandoned Motor Vehicles Removal Program.

VETA SCHOLARSHIP AWARDED TO COUNTY ADMINISISTRATOR

The county administrator advised of receipt of the VETA Scholarship, which would allow the county administrator to attend the University of Okolkoma, to obtain certification of economic credentials (CECD)

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 John Thompson and seconded by Jason Ramsey.

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 was made by John Thompson, seconded by Jason Ramsey.

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

SCHMUCKER PUBLIC HEARING PROCEDURES ANNOUNCED

Chairman Karen Hodock read a prepared statement outlining the rules which would govern the procedure to follow for the Schmucker’s public hearing.

Carol Hall, Deputy Clerk of the Board, read a prepared statement outlining the guidelines set for any one registering to speak during the public comment section of the Schmucker’s public hearing.

SCHMUCKER PUBLIC HEARING OPENED

Supervisor Karen Hodock opened the public hearing to receive comment on the application of Ivan Schmucker on the request for the Conditional Use Permit (CUP) to operate a Kennel (16) upon his property within an Agricultural District, located at 1398 Byrnes Chapel Rd.

Mr. Ivan Schmucker described to the board his plans and the desire to operate a kennel upon his property located in the Mechanicsburg area.

The speakers who spoke on the application of Mr. Schmucker were:

Francis Yates, Bland resident
Susan Simmons, Roanoke resident
Ray Hash, Roanoke resident
Rhonda Hodge, Bland resident
Daniel L. Lee, Pearisburg resident
Jerry Miller, Pearisburg resident
Liz Shumate, Wytheville resident
Ron Taconet, Bland resident
Sam Chupp, Bland resident
Amy Roberts, Bland resident
Stephen Troger, Bland resident
Eli Kinsinger, Bland resident
Diana Puckett, Max Meadows resident
R. L. Fullmer, Bland resident
Lila Wills, Pilot, Virginia resident
Christy Smith, Pilot, Virginia resident
Sue Hylton, Bland resident
Jodi Crabtree, Bland resident
Robin Harrison, Wytheville resident
Nan Farris, Roanoke resident
Nick Alley, Giles resident
Michelle Rinaldi, Giles resident
Bill Marshall, Wytheville resident
Lara Shannon, Bland resident
Lee Kayaloff, Roanoke resident

SCHMUCKER PUBLIC HEARING CLOSED

Chairman Mrs. Hodock closed the public hearing.

SCHMUCKER C.U.P. APPROVED WITH CONDITIONS

*****MOTION to approve the conditional use permit application of Ivan Schmucker to operate a kennel upon his property, located at 1398 Byrnes Chapel Rd; in Bland, Virginia; tax map #70-A- 47 & 47C, as requested, with conditions:

- 1) To open the facility and all applicable records for unannounced inspections from the Bland County Animal Control Officer, Building Official, and Zoning Administrator.
- 2) To establish a comprehensive evacuation plan for the safety of both personnel and the animals that will be harbored.
- 3) To thoroughly equip all permanent facilities used to house or harbor canines with operational smoke detector(s), carbon monoxide detector(s), fire extinguisher(s), and sprinkle system.
- 4) One, or any combination of one or more of the following approved options shall be utilized to handle all feces generated from this operation; Feces generated by the dogs in association with this kennel operations shall be gathered, acceptably composted, and remanded upon the owner's property. (The placement of these feces is not to encroach upon any neighboring properties by way of erosion or runoff, nor is the placement of these feces to cause quantifiable harm to any neighboring property owner); and/or: Feces generated by the dogs in association with this kennel operation shall be double bagged, collected by a commercial waste removal company, and hauled to the regional transfer station for disposal; and/or: Feces generated by the dogs in association with this kennel operation shall be placed into an approved, on-site septic system.
- 5) Adequate supervision and monitoring of the site must be continuously maintained. This may be accomplished by someone living on the site and/or through remote electronic monitoring which, at a minimum, means monitoring for power outages, fire, and temperature.
- 6) Square footage standards are to exceed USDA requirement for confinement. In addition, access to either an outdoor or indoor exercise area must be afforded to all dogs housed in association with this operation.
- 7) No dogs shall be debarked.
- 8) The number of adult dogs permitted on site shall not exceed 250. An adult dog is defined as four (4) months of age or older.
- 9) Deceased dogs must be interred in accordance with the Code of Virginia.
- 10) The owner of the dog breeding facility at this site must be in compliance with all federal, state, and county statutes related to the operations of this dog breeding facility. If at any time the owner of this dog breeding facility is convicted of any violation of such statutes, the Bland County Board of Supervisors shall hold a

- 11) That adequate, preventative and reactive veterinary care is rendered, documented, and reviewable by the Bland County Animal Control Officer or other applicable agents representing the County of Bland.
- 12) That clean and potable water, free of contaminants, be continuously provided to all animals associated with this operation.
- 13) The USDA kennel licensure must be maintained at all times. This certification may assist the County in monitoring the conditions of the kennel and the care of the animals housed therein.
- 14) The Conditional Use Permit is non-transferable without the prior approval of the Bland County Board of Supervisors.
- 15) All dogs shall have access to a climate controlled facility within 120 days of the issuance of this Conditional Use Permit.
- 16) The breeding of dogs for profit associated with this operation shall not begin prior to 18 months (one and a half (1 ½) years) of age or without a good bill of health issued by a licensed veterinarian. Nor shall breeding continue past eight (8) years of age, or when breeding has been recommended to be discontinued for any reason(s) from a licensed veterinarian, was made by Henry Blessing, and seconded by Jason Ramsey.

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

MRPDC USDA GRANT APPLICATION FOR SHERIFFS VEHICLES

Chairman Karen Hodock opened the public hearing to receive public comment on the grant application of the Mount Rogers Planning Commission for the purchase of vehicles for the sheriff's department.

PUBLIC COMMENTS

No public comments were offered.

PUBLIC HEARING CLOSED

Chairman Karen Hodock closed the public hearing.

CONTINUANCE OF HEARING.

This meeting was continued until 5:30 p.m. June 27, 2007 to the Bland County Courthouse.

Karen H. Hodock, Chairman

Jonathan D. Sweet, County Administrator