

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

February 23, 2010 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on February 23, 2010, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Vice Chairman H. G. Vaughn, Jim Adams, Milton Kendall, Joe Bryant and Tommy Slaughter. Chairman Debra Buchanan was absent

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Darrell Jones, Director of Finance; and Richard Stanfield, Assistant Director of Finance.

Sergeant Eric Hairston was present from the Sheriff's Office. Also present were Debbie Hall of the Martinsville Bulletin and Ron Morris of B-99.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Tim Hall gave the invocation and Joe Bryant led in the Pledge of Allegiance.

CALL TO ORDER:

Vice Chairman Vaughn called the meeting to order and welcomed everyone present. He stated that anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm must contact the County Administrator's Office seven days prior to a scheduled meeting. Those wishing to speak at the Board's public meeting starting at 6:00 pm may do so under Agenda Item - Matters Presented by the Public without contacting the County Administrator's Office.

Mr. Vaughn gave the Board an update on Chairman Buchanan's progress since her recent illness.

ITEMS OF CONSENT:

Confirmation of Minutes of Meetings

(Copy included in Board's File).

- January 26, 2010 - 3:00 pm
- February 1, – 3:00 pm (Planning Session)

Approval of Accounts Payable

(Copy included in Board's File).

Mr. Adams moved that the Board approve Items of Consent as presented, second by Mr. Slaughter. The motion carried 5 to 0. Ms. Buchanan was absent.

Mr. Vaughn stated that Item #6 Consideration of Resolution Supporting Study of Merging Henry County Schools and City of Martinsville Schools will be moved to the 5:00 pm meeting with the School Board. Also an additional item has been added to the agenda which will be Item #8H under Financial Matters regarding Award of Contract for Uniforms.

RECOMMENDATION BY THE RESCUE SQUAD ASSOCIATION FOR FY 2010-11 CAPITAL FUNDING:

Mr. Summerlin stated in FY '92, the Board of Supervisors established a Rescue Squad Capital Improvements Program for the purpose of providing contributions to the County-based rescue squads to purchase vehicles. Initially, the Board of Supervisors agreed to contribute \$50,000 a year and in FY '94-'95 the contribution was increased to \$75,000 annually. In FY '05-'06 the contribution was increased to \$95,000. Funding policy for this program was later amended to include the purchase of portable equipment and new facilities/additions in some instances. The Board agreed to appropriate these funds each year, based on the recommendation of the Henry County-Martinsville Rescue Squad Association.

Mr. Marcus Stone, President of the Rescue Squad Association, stated the Association is recommending the annual appropriation of \$95,000 in capital funds for FY 2010-11 go to Axton Volunteer Rescue Squad for equipment. Mr. Stone stated the Association is also requesting the Board to consider future funding of an Emergency Medical Dispatch program. Mr. Stone introduced two members of the Axton Rescue Squad that were present. (Copy of Letter from the Rescue Squad Association is included in Board's File).

The Board thanked Mr. Stone and all the volunteers on behalf of Henry County. Mr. Kendall moved that the Board consider the request along with all other requests for the FY 2010-11 Budget, second by Mr. Adams. The motion carried 5 to 0. Ms. Buchanan was absent.

FINANCIAL MATTERS:

Grant Acceptance and Additional Appropriation re: TRIAD Crime Prevention Grant – Sheriff's Office

Mr. Summerlin stated that Sheriff Perry is requesting the Board to accept and appropriate a grant in the amount of \$2,250 from the TRIAD Crime Prevention and Seniors program. According to Sheriff Perry, the grant amount includes a local match of \$225, which he would cover from his current budget. The grant would be used to purchase TRIAD items and to provide food for the annual senior seminar picnic in June. The program is associated Seniors and Law Enforcement Together (SALT). SALT is a collaboration among the City of Martinsville Police Department,

Henry County Sheriff's Office, and Southern Area Agency on Aging. (Copy of letter and appropriation sheet is included in Board's File).

Mr. Bryant moved that the Board accept the grant and approve the additional appropriation as outlined, second by Mr. Kendall. The motion carried 5 to 0. Ms. Buchanan was absent.

Award of Contract re: Environmental Narrative and Phase I Cultural Resources Study at Commonwealth Crossing Business Centre

Mr. Summerlin stated as part of the ongoing work to prepare the Commonwealth Crossing Business Centre for occupancy, staff is pursuing grant funding to extend water and sewer lines to the property. One of the necessary steps in this process is the completion of an environmental narrative and a Phase I cultural resources study for the property. He stated staff is seeking a contract in the amount of \$16,200 to be awarded to Wiley-Wilson for these items. Wiley-Wilson previously completed the master plan on the property, and the Request for Proposals (RFP) for that process also is in effect for this additional item. Sufficient funding is included in the IDA budget for this purpose.

Mr. Adams moved that the Board approve the contract in the amount of \$16,200 to Wiley-Wilson for completion of the environmental narrative and the Phase I cultural resources study as outlined, second by Mr. Slaughter. The motion carried 5 to 0. Ms. Buchanan was absent.

Additional Appropriation re: FY 2008-09 Carryover Funds – School Board

Mr. Summerlin stated the School Board is requesting that the Board of Supervisors appropriate FY 2009 carryover funds of \$425,000 to the School Board. According to information from Superintendent Anthony Jackson, the money would be used toward the replacement of the roof at Magna Vista High School. The total amount of carryover is \$457,235. (Copy of Information from School Board and Appropriation Sheet is included in Board's File).

Mr. Kendall moved that the Board approve the additional appropriation request in the amount of \$425,000 as outlined, second by Mr. Slaughter. The motion carried 5 to 0. Ms. Buchanan was absent.

Additional Appropriation re: Project Graduation Grant – School Board

Mr. Summerlin stated the School Board is requesting that the Board of Supervisors appropriate a Project Graduation Grant from the Commonwealth of Virginia in the amount of \$26,400. The money would be used for paying teachers and purchasing supplies for the program, which is designed to help students who need additional instruction in preparation of SOL tests in all content areas. (Copy of Background Information from School Board and Appropriation Sheet is included in Board's File).

Mr. Bryant moved that the Board approve the additional appropriation request in the amount of \$26,400 as outlined, second by Mr. Adams. The motion carried 5 to 0. Ms. Buchanan was absent.

Award of Contract re: Interoperability Project – Department of Public Safety

Mr. Summerlin stated Dale Wagoner, Director of Public Safety, is requesting the Board to award a contract in the amount of \$87,500 to Motorola to purchase equipment related to the County's interoperability project, which is a joint project that includes the counties of Henry, Franklin and Patrick and the City of Martinsville. According to Mr. Wagoner, the contract would purchase two portable radio repeaters, four mobile radio units for fire and rescue vehicles, and eight multi-band radios. The Board previously accepted a grant from the Department of Homeland Security in the amount of \$1,040,000 for this project, and this expenditure will come from that amount. (Copy of Information from Mr. Wagoner is included in Board's File).

Mr. Kendall moved that the Board award the contract as outlined, second by Mr. Slaughter. The motion carried 5 to 0. Ms. Buchanan was absent.

Award of Contract re: Henry County Courthouse HVAC Project

Mr. Summerlin stated in December 2009 the Board of Supervisors awarded a contract in the amount of \$64,350 to John Bryant, Inc. of Fieldale for replacement of the HVAC system at the Henry County Courthouse. However, significant changes to the HVAC design since then necessitated reissuing of the Request for Proposals (RFP) for the project. Bids were received and opened Wednesday, February 17. Three bids were received, and the low bid of \$63,600 was again from John Bryant, Inc. of Fieldale. Mr. Summerlin noted that the funds are paid from a Save America's Treasures Grant and a Harvest Foundation Grant and no County funds are being used.

Mr. Adams moved that the Board award the contract in the amount of \$63,600 to John Bryant, Inc. of Fieldale for the HVAC system replacement at the old Henry County Courthouse, second by Mr. Bryant. The motion carried 5 to 0. Ms. Buchanan was absent.

Award of Contract and Additional Appropriation re: Health Department Roof

Mr. Summerlin stated bids were received for replacement of the Henry-Martinsville Health Department roof. Six bids were received, and the low bidder was Sheets Roofing Inc. of Danville in the amount of \$96,598. The project consists of removal of the existing ballasted roofing system and replacement with EPDM roofing with tapered insulation. The Health Department will be reimbursing the City and County for the roof replacement through an amendment to the Local Government

Agreement in fiscal years 2010 and 2011. (Copy of Appropriation Sheet is included in Board's File).

Mr. Kendall moved that the Board approve the award of contract for roof replacement in the amount of \$96,598 to Sheets Roofing, Inc., second by Mr. Slaughter. The motion carried 5 to 0. Ms. Buchanan was absent.

Award of Contract – Uniforms

Mr. Summerlin stated last fall Henry County, the Public Service Authority, and the Henry County School System issued a Request for Proposals (RFP) for uniforms for various County positions that require uniforms. The low bidder was awarded to ALSCO-Servitex Corporation out of the five companies that responded. Since that time several provisions of that contract were not met by the company and ALSCO was given 30 days to comply. The 30-day period expired February 22 without compliance, so the contract was terminated. Mr. Summerlin stated that staff has negotiated a new contract with Aramark Uniform Services, one of the companies that responded to the first RFP. The contract is for three years, with a price freeze for the first two years and no more than a 3% increase in the third year. He stated under the new contract, Aramark would lease to Henry County the uniforms for the period of March 24, 2010 to March 24, 2013. The overall amount of the contract is dependent on the number of employees who will wear uniforms. (A copy of Uniform Price per Item is included in Board's File).

Mr. Slaughter moved that the Board award the contract to Aramark as outlined, second by Mr. Bryant. The motion carried 5 to 0. Ms. Buchanan was absent.

INFORMATIONAL ITEMS:

Mr. Summerlin briefed the Board on several upcoming events. He stated a groundbreaking for the Dick & Willie trail project has tentatively been scheduled on March 9 at 11:00 am with Congressman's Boucher and Perriello participating and subject to final confirmation.

He stated at noon on the same day (March 9) the Board of Supervisors are invited on a tour of a local industry that has invested significantly in capital equipment and tour plans are being finalized. Mr. Summerlin stated on March 25, the County will hold its Annual County Employee Service Award Ceremony at Bassett Country Club at 6:00 pm. On March 31, the Virginia Association of Counties will be holding regional meetings. The regional meeting for Henry County will be held in the Pittsylvania County General District Court Room from 3:00 to 5:00 pm if any Board members wish to attend. Mr. Summerlin stated recently staff held a video conference with VDOT regarding the location study for the changed Interstate 73, which went very well. He stated monthly video conference updates are being scheduled with VDOT and its consultant. Mr. Summerlin stated Social Services has settled into its new location and has surplus furniture left over from its old facility. He stated they have a number of filing cabinets available and plans are

to redistribute those among City and County offices who need file cabinets. He stated after talking with City Manager Clarence Monday, it was agreed to offer any miscellaneous furniture left over to local non-profit corporations rather than put them in surplus auction and would need the Board's approval.

Mr. Kendall moved that the Board approve donating leftover surplus furniture from the old Social Services building to non-profit agencies, second by Mr. Slaughter. The motion carried 5 to 0. Ms. Buchanan was absent.

Comments from the Board

Mr. Vaughn reminded everyone of the Trade Show scheduled for next week at the Clock Tower which will be open to the public on Wednesday, March 3.

CLOSED MEETING:

Mr. Adams moved to enter into a closed meeting at 3:20 pm to discuss the following, second by Mr. Slaughter. The motion carried 5 to 0. Chairman Buchanan was absent.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Community Policy and Management Team, Industrial Development Authority, Dan River Alcohol Safety Action Program, and Southern Virginia Recreation Facilities Authority.
- 2) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Legal Matters.
- 3) §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced Industries.

OPEN MEETING:

The Board returned to an open meeting at 4:36 pm on a motion by Mr. Adams, second by Mr. Slaughter. The motion carried 5 to 0. Ms. Buchanan was absent.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote. Those voting in the affirmative were Mr. Slaughter, Mr. Bryant, Mr. Kendall, Mr. Adams and Mr. Vaughn. Ms. Buchanan was absent.

APPOINTMENTS:

Industrial Development Authority

Mr. Adams moved that the Board reappoint Rodney Thacker and Wes Caviness to the IDA Board with terms ending March 2014, second by Mr. Kendall. The motion carried 5 to 0. Ms. Buchanan was absent.

Dan River Alcohol Safety Action Program

Mr. Slaughter moved to reappoint J. R. Powell to the Dan River Alcohol Safety Action Program for a three year term, second by Mr. Kendall. The motion carried 5 to 0. Ms. Buchanan was absent.

The Board recessed its meeting at 4:38 pm until the 5:00 joint meeting with the School Board.

BUDGET WORK SESSION WITH HENRY COUNTY SCHOOL BOARD:

Mr. Vaughn called the Board of Supervisors meeting back to order and welcomed everyone present.

Chairman Rogers called the School Board to order and thanked the Board of Supervisors for the opportunity to hold the joint session. Members of the School Board present were: Chairman Kathy Rogers, Vice Chairman Rudy Law, Charles Speakman, Joseph DeVault, Betsy Mattox, Curtis Millner, and Terri Flanagan. Superintendent Anthony Jackson was also present as well as other staff members of the School Board.

CONSIDERATION OF RESOLUTION SUPPORTING STUDY OF MERGING HENRY COUNTY SCHOOLS AND CITY OF MARTINSVILLE SCHOOLS:

Martinsville City Council approved a resolution February 9 supporting a study of merger/consolidation of the Martinsville City Schools and Henry County Public Schools. Part of Council's action was to formally ask the Board of Supervisors to approve a similar resolution. Staff has prepared a resolution for the Board of Supervisors and the School Board's consideration.

Mr. Slaughter read the proposed joint resolution of the Board of Supervisors and Henry County School Board supporting a study of merger or consolidation of education services with the City of Martinsville. (A copy of the Resolution is included in Board's File.)

Mr. Slaughter moved that the Board approve the resolution as presented, second by Mr. Bryant. The motion carried 5 to 0. Ms. Buchanan was absent.

Mr. Millner moved that the School Board approve the resolution as presented, second by Mr. DeVault and unanimously carried.

The meeting was then turned over to Superintendent Jackson to discuss the upcoming FY 2011 Operating Budget of the Henry County School Board. Mr. Jackson stated members of his staff Dawn Lawson, Director of Business; DeWitt House, Assistant Superintendent for Instruction; William Wingfield, Director of Maintenance and Facilities; and Marci Lexa, Director of Nutrition Services, will present a power point presentation giving an overview of the School Board's FY 2011 budget to date. (A Copy of Presentation is included in Board's File.)

Following the presentation County Administrator Benny Summerlin summarized issues that the County will be facing with upcoming State cuts as well as the impact of what local revenues received from sales, utility and property taxes will have on the General Fund. He noted that local revenues should be clearer to predict by mid-March. Mr. Summerlin stated he and Mr. Jackson have been in close contact and appreciates the school's cooperation.

Mr. Vaughn thanked Superintendent Jackson, School Board and staff for the information gathered and stated the Board of Supervisors looks forward to working with the School Board.

Mr. Vaughn recessed the meeting at 5:38 pm until the 6:00 pm session. He then called the meeting back to order at 6:00 pm and welcomed everyone present.

CONSIDERATION OF RESOLUTION IN HONOR OF THE BOY SCOUTS' 100TH ANNIVERSARY:

Mr. Summerlin stated the Boy Scouts will celebrate their 100th anniversary during 2010. A resolution has been prepared for the Board's consideration that recognizes this monumental event. Representatives of local Boy Scout troops were present to receive the resolution. (Copy of Resolution included in Board's File).

Mr. Adams read the resolution and moved to adopt the resolution as presented, second by Mr. Kendall. The motion carried 5 to 0. Ms. Buchanan was absent. Mr. Vaughn presented the plaque to the group.

MATTERS PRESENTED BY THE PUBLIC:

Mr. Vaughn read the following statement regarding public comments: "The Board is here to listen to public comments and not to engage in a question and answer period or a debate. If anyone wishes to address the Board please come to the podium and state your name, subject matter and the district in which you live. By coming to the podium you have agreed to exhibit respect to the Board and its members. Each one will conduct themselves with dignity and will receive the same level of respect from the Board. Those who wish to speak please keep your comments between three to five minutes.

Mr. Todd Woodall of the Horsepasture District stated during the fall of 2009, the area on and surrounding Carver Road was subjected to excessive heavy

industrial truck traffic, 24 hours-a-day, 7 days-a-week, primarily from the late night operation of W-L Construction and Paving (also known as APAC) located at 3600 Carver Road. He stated it was his understanding that the property is zoned agricultural but is allowed to operate in a residential community due to a grandfather clause. Mr. Woodall further stated since the Board has previously addressed other issues such as barking dogs and assisted other communities with public nuisances, he felt it was appropriate that the Board assist those living near W-L Construction and Paving in reaching a solution to excessive heavy industrial truck traffic operating all night in the area. (Copy of Mr. Woodall's statement is included in Board's File).

Mr. Lyle briefed the Board on the noise ordinance previously addressed by the Board. Mr. Vaughn requested that Mr. Lyle review the issue and consult with Chairman Buchanan since the issue is in her district. Mr. Vaughn thanked Mr. Woodall for his comments.

PUBLIC HEARING – PROPOSED ABANDONMENT, “OUTLET ROAD” AT 234 RIDGEDALE DRIVE:

Mr. Lee Clark reviewed a proposed abandonment, “Outlet Road” at 234 Ridgedale Drive on behalf of Robert D. and Maria E. Lemons, applicants who are requesting the abandonment of an “Outlet Road” located at 234 Ridgedale Drive in the Reed Creek District. Mr. Clark noted that the access was never constructed, does not lead to any property other than the applicant's, and there is some debate as to whether it continues to exist today. Mr. Clark stated to help clarify the County's position, in accordance with State Code §33.1 157-164, staff is willing to express that no public necessity exists for the continuance of this section of road as a public road. VDOT has also advised that they have no objection to this abandonment.

The public hearing was open at 6:12 pm. There being no one present who wished to speak the public hearing was closed at 6:12 pm.

Mr. Slaughter moved that the Board approve the abandonment as requested with the following motion, second by Mr. Adams. The motion carried 5 to 0. Chairman Buchanan was absent. (Copy of Information in Board's File).

“Be it ordained and resolved that an “Outlet Road” located at 234 Ridgedale Drive, in the Reed Creek District, shown on a plat for Robert Leon Deal, Jr. and Brenda J. Deal, prepared by Lawrence W. Cockram, dated September 3, 1997, recorded in the Henry County Circuit Court Clerk's Office in M.B. 89, P.G. 461, be vacated and abandoned, subject to the rights of owners of any utilities previously installed.”

PUBLIC HEARING – BUDGET AMENDMENT FOR VML/VACO RECOVERY ZONE DEVELOPMENT BONDS:

Mr. Summerlin stated last fall the Board approved VML/VACo Pool Recovery Zone Economic Development Bonds for the Henry County School System. The bonds, in the amount of \$2 million, would be used to finance a roof replacement at Magna Vista High School and the replacement of lights and ceilings at Laurel Park Middle School. He stated as part of that process, the Board of Supervisors needs a public hearing for an amendment to the FY 2010 Budget, since the \$2 million is more than 1% of the total County Budget. The expenditure is dependent on the final issuance of the bonds. (Copy of Public Hearing Notice and Appropriation Sheet are included in Board's File).

The public hearing was open at 6:15 pm. There being no one present who wished to speak the public hearing was closed at 6:15 pm.

Mr. Adams moved that the Board approve the budget amendment and the additional appropriation as presented, contingent on the final issuance of the bonds, second by Mr. Slaughter. The motion carried 5 to 0. Ms. Buchanan was absent.

GENERAL HIGHWAY MATTERS:

Ms. Lisa Price-Hughes, Residency Administrator of the local VDOT office, was present to address general highway matters. Ms. Hughes updated the Board on tree removal contracts from recent snow storms and road openings that were closed due to recent flooding. Ms. Hughes stated VDOT will hold the Secondary Six Year Plan at the March 23 Board meeting from 6:00 pm until 6:30 pm in the side room.

There being no further business to discuss Mr. Adams moved that the Board adjourn at 6:20 pm, second by Mr. Bryant. The motion carried 5 to 0. Chairman Buchanan was absent.