

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

March 23, 2010 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on March 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: Chairman Debra Buchanan; Vice Chairman H. G. Vaughn, Jim Adams, Milton Kendall, Joe Bryant and Tommy Slaughter.

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

Major Steve Eanes 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:

Joe Bryant gave the invocation and Milton Kendall led in the Pledge of Allegiance.

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present. She 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.

ITEMS OF CONSENT:

Confirmation of Minutes of Meetings

(Copy included in Board's File).

- February 16, 2010 – Special Meeting 4pm
- February 23, 2010 – 3pm

Approval of Accounts Payable

(Copy included in Board's File).

Consideration of Resolution Establishing April 2010 to be "Fair Housing Month" in Henry County

The County's grant contract with the Virginia Department of Housing & Community Development (VDHCD) requires that for each grant year that a CDBG project is active, the County must conduct one activity that promotes fair housing. Staff recommends adopting a resolution declaring April as "Fair Housing Month." (Copy of Proposed Resolution is Included in Board's File.)

Consideration of Resolution Establishing April 2010 to be "Child Abuse Prevention Month" in Henry County

The Exchange Club of Martinsville and Henry County is requesting the Board to adopt a resolution establishing April 2010 as "Child Abuse Prevention Month" in Henry County. (Copy of Proposed Resolution is Included in Board's File).

Mr. Adams moved that the Board approve Items of Consent as presented, second by Mr. Bryant and unanimously carried.

RECOGNITION OF LOIS CHRISTENSEN, OUTGOING EXECUTIVE DIRECTOR OF GATEWAY STREETScape FOUNDATION:

Mrs. Buchanan stated Ms. Lois Christensen, Executive Director of Gateway Streetscape Foundation, is retiring March 31 after 12 years of service. Ms. Christensen and Gateway Streetscape have been great partners with Henry County on a variety of projects over the years. On behalf of the Board Ms. Buchanan presented Ms. Christensen with a plaque in appreciation of her years of service to Henry County and the community. Ms. Christensen thanked the Board and stated she had enjoyed working with the County over the years.

CONSIDERATION OF RESOLUTION REGARDING APPALACHIAN POWER COMPANY ELECTRIC BILLS:

Mr. Kendall read a proposed resolution regarding recent electric bills from Appalachian Power Company to its residential and commercial customers. The resolution urges Appalachian Power to do all it can to curtail rising electrical bills; work with citizens on ways to save energy and lessen their fiscal burdens; and be responsive and considerate as citizens deal with the crushing economic times. (Copy of Proposed Resolution is Included in Board's File).

Mr. Kendall moved to approve the Resolution as presented, second by Mr. Slaughter and unanimously carried.

Mr. Larry Jackson, a representative of Appalachian Power, thanked the Board for the wording of the Resolution. He briefly discussed the flat rate tariff imposed by Appalachian which has been in effect for approximately 5 years.

Several members of the Board discussed a few of the many calls they had been receiving from citizens regarding their high electric bills. It was noted by Mr.

Kendall that the high electric rates are also a major issue in attracting new businesses to the area in a time when jobs are badly needed.

Mr. Jackson thanked the Board for their comments and explained that APCo has tried to help ease the burden on its users by implementing a moratorium on electric terminations and is currently working with the Department of Social Services to help those who need assistance with their electric bills. He stated APCo has implemented extended payment plans and suspended its interim rates.

Ms. Buchanan thanked Mr. Jackson for coming and addressing the issue.

FINANCIAL MATTERS:

Acceptance and Additional Appropriation of Energy Efficiency and Conservation Block Grant

Mr. Summerlin stated as part of the American Recovery and Reinvestment Act (ARRA), funding is available for energy projects at the state and local level. He stated the County has applied for four grants and one has been allocated with the other three pending. Henry County submitted an application for funding to be used for an energy education program, and \$44,000 was funded. The funds would come through the Virginia Department of Mines, Minerals, and Energy as grant from the Virginia Energy Efficiency and Conservation Block Grant Program. The grant requires a local match of \$5,000, which would come from money already included in the FY '10 County Budget. (Copy of Proposed Resolution is Included in Board's File).

Mr. Kendall moved that the Board approve acceptance of the grant and the additional appropriation, second by Mr. Slaughter and unanimously carried.

Transfer Appropriation re: Flood Damage Repairs – Parks and Recreation

Mr. Summerlin stated that flooding earlier this year caused extensive damage to Jordan Creek Park, Fieldale Park, and the Fieldale Walking Trail. Insurance claims on these damages were denied because the sites are located within flood zones. Parks and Recreation Director Roger Adams indicates that the fence repairs at Jordan Creek will cost \$32,000, and material lost at Jordan Creek, Fieldale Park and the Fieldale Walking Trail will cost a total of \$18,000. He is asking the Board to approve the expenditures. The funding will come from the FY '10 Budget.

Mr. Bryant moved that the Board approve a \$50,000 transfer appropriation from funds within the Industrial Development Authority budget, second by Mr. Kendall and unanimously carried.

Award of Contract re: Emergency and Hazardous Tree Removal Services

Mr. Summerlin stated that Gateway Streetscape Foundation has secured funding through the American Recovery and Reinvestment Act (ARRA) for various projects throughout its service area. Henry County is serving as the fiscal agent for these funds for Gateway. A Request for Proposals (RFP) was issued for a vendor to provide emergency and hazardous tree removal services for Gateway, and three vendors responded. The committee that evaluated the responses have requested that the Board award a contract in the amount of \$20,000 to Skyline Tree Service of Collinsville to serve on an as-needed basis for emergency and hazardous tree removal.

Mr. Adams moved that the Board approve the award of contract in the amount of \$20,000 to Skyline Tree Services, second by Mr. Vaughn and unanimously carried.

Award of Contracts – Riverside Drive Housing Rehabilitation Project

Mr. Summerlin stated that on March 11, 2010, the Riverside Drive Housing Rehabilitation Board reviewed and approved the following contract awards for 3132 Riverside Drive, Bassett, owned by Esther Lynch:

- N & G Construction - \$ 19,200.00 – For housing rehabilitation.
- Pittsylvania County Community Action (PCCA) - \$ 4,800.00 – For new heat pump contingent upon approval of the PCCA to pay as weatherization item.

Mr. Adams, after noting he serves as a member on the Housing Rehab Board, moved that the Board award the contracts as recommended by the Riverside Drive Housing Rehabilitation Board, second by Mr. Bryant and unanimously carried.

Additional Appropriation re: Asset Forfeiture Funds – Commonwealth’s Attorney’s Office

Mr. Summerlin stated Commonwealth’s Attorney Bob Bushnell is requesting the Board to make an additional appropriation in the amount of \$3,000 from the Asset Forfeiture line item to his Travel Expenses line item.

Mr. Bryant moved that the Board approve the additional appropriation of \$3,000, second by Mr. Slaughter and unanimously carried.

INFORMATIONAL ITEMS:

Comments from the Board

Mr. Slaughter stated after hearing complaints from local residents and observing roadways throughout the County trash has become a big problem and discussed the need for some type of enforcement. Other Board members concurred with Mr. Slaughter and stated they have also received calls regarding littering and people with messy homes. Mr. Vaughn noted that one problem with littering along

the roadways is trucks carrying trash to convenience centers that are not covered and it blowing off.

Mr. Lyle stated State law requires large trucks to cover loads to keep items secure.

The Board also discussed the COPs Unit which used to enforce litter violations. However, Major Steve Eanes noted that program was eliminated back in September 2009 as part of State funding cuts to the budget.

Ms. Buchanan asked Mr. Lyle to determine whether the County could pass an ordinance that would require smaller trucks to be covered and to what extent and bring that information back to the Board.

Mr. Adams stated that perhaps the Board should address litter enforcement as a priority during the upcoming budget process.

Mr. Vaughn stated he would like to thank APCo during the recent storms in getting power restored to the community. He also addressed the issue of APCo taking preventative measures in trying to keep the trees trimmed back from power lines on a regular basis.

Mr. Larry Jackson of APCo stated that APCo has a lot of resources devoted in keeping trees trimmed especially along the main lines and beyond the front zones. He stated keeping the trees trimmed back is an ongoing situation.

Mr. Lyle followed up with the Board on a request at the February meeting by Todd Woodall of the Horsepasture District requesting the Board's assistance in finding a solution to help residents in the area on and surrounding Carver Road that are subjected to excessive heavy industrial truck traffic. Mr. Lyle stated that the County has no authority in regulating truck traffic or highway traffic. He stated the County has never had an ordinance that addresses noise from manufacturing and would suggest that they not get into that type of ordinance.

The Board briefly discussed the use of drivers using jake brakes, which the County does not have any authority in regulating. It was noted that the manufacturer could ask the drivers not to use them in specific areas.

Mr. Summerlin stated the groundbreaking for the Dick and Willie Trail has been scheduled for March 31 at 2pm and will meet behind the old Martinsville-Henry County Rescue Squad. The Virginia Association of Counties meeting has also been scheduled on the same day from 3pm to 5pm. The Employee Award Service Banquet is scheduled on March 25 starting at 6pm at Bassett Country Club. He stated he also received a request from the Electoral Board regarding moving the Irisburg Voting Precinct to Freedom Baptist Church, which requires a public hearing.

Mr. Kendall moved that the Board set a public hearing at the April meeting, second by Mr. Vaughn and unanimously carried.

CLOSED MEETING:

Mr. Vaughn moved that the Board enter into a closed meeting at 3:46 pm to discuss the following, second by Mr. Slaughter and unanimously carried.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Community Policy & Management Team, Henry-Martinsville Social Services Board, and West Piedmont Disability Services Board.
- 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 5:41 pm on a motion by Mr. Vaughn, second by Mr. Bryant and unanimously carried.

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:

Community Policy and Management Team

Mr. Bryant moved that the Board appoint Mr. Brad Kinkema to the Community Policy and Management Team for a term to expire June 2011, second by Mr. Kendall and unanimously carried.

The Board recessed its meeting at 5:25 pm until its afternoon session at 6:00 pm.

Chairman Buchanan called the meeting back to order at 6:00 pm and welcomed everyone present.

Chairman Buchanan announced that for those who are present to speak at the public hearing regarding the Six-Year Secondary Road Plan, it is being held from 6:00 pm until 6:30 pm in the right side meeting room by VDOT representatives.

MATTERS PRESENTED BY THE PUBLIC:

There was no one present who wished to address the Board.

PUBLIC HEARING – AMENDMENT TO COUNTY CODE §13-1200 REGARDING STORAGE OF MOBILE HOMES AND MANUFACTURED HOMES:

Mr. Lee Clark, Director of Planning, Zoning and Inspections, reviewed a proposed amendment to the County Code §13-1200 regarding the Storage of Mobile Homes and Manufactured Homes. Mr. Clark stated in January, the Board adopted changes to County Code §13-1200, to address issues that were identified through earlier prosecutions. Since then, staff has received additional feedback from the Commonwealth’s Attorney’s office. The amendment addresses these concerns and clarifies the language within the ordinance. (A Copy of Proposed Amendments Included in Board’s File).

The public hearing was open at 6:02 pm for public comments. There being no one present who wished to address the issue the public hearing was closed at 6:02 pm.

Mr. Kendall moved that the Board approve the amendment to County Code §13-1200 regarding the Storage of Mobile Homes and Manufactured Homes, second by Mr. Vaughn and unanimously carried.

GENERAL HIGHWAY MATTERS:

Consideration of Revenue-Sharing Program, FY 2011

Mr. Summerlin stated the Virginia Department of Transportation (VDOT) annually funds a Revenue Sharing Program for the construction, maintenance, or improvement of primary and secondary roads in counties. The Commonwealth provides funds to match local funds. Henry County participated in the program for many years, but the County discontinued participation in FY 2001-02 due to fiscal constraints. He stated the Board received a copy of a letter from Michael Estes, Director of VDOT’s Local Assistance Division outlining changes to the program and how localities can participate.

Mr. Bryant moved that Henry County not participate in the Revenue Sharing program, second by Mr. Vaughn and unanimously carried.

RECOMMENDATION BY THE FIRE ASSOCIATION FOR FY ’10-’11 FUNDING:

The Board received background information stating in FY '90 the Board of Supervisors established a Fire Equipment Capital Improvements Program funded by a \$100,000 contribution from the Board of Supervisors. In FY '96 the contribution was increased to \$150,000 per year. In FY '05-'06 the contribution was increased to \$175,000. The purpose of the fund is to assist the eight volunteer fire departments in purchasing pumpers. The Board agreed to appropriate these funds each year based on the recommendation of the Henry County Firefighters Association.

Mr. Randy Smith of the Martinsville-Henry County Fire Association reviewed information regarding current fire truck standards and operating costs for the Henry County Volunteer Fire Departments. Mr. Smith also discussed the high school Firefighter Class and the importance of keeping this program intact as well as cross-training its firefighters. (Copy of Presentation is Included in Board's File). Following Mr. Smith's presentation he requested level funding across the Board for the fire departments and requested that the \$175,000 in the FY 2011 Fire Equipment Capital Improvements funding be allocated to the Collinsville Fire Department.

Mr. Adams moved that the Board consider the request in the upcoming FY '10-'11 Budget, second by Mr. Slaughter and unanimously carried.

Members of the Board thanked all the volunteers in attendance for their many hours of service to Henry County.

Chairman Buchanan welcomed Austin Turner a member of Boy Scout Troop #167 who was in attendance.

GENERAL HIGHWAY MATTERS CONTINUED:

Public Hearing - Six-Year Secondary Road Plan, Open Format, 6pm to 6:30 pm (Meeting Room #1-Right Side)

Mr. Summerlin noted that the Board is not required to take any action at this meeting; however Lisa Price Hughes will prepare minutes of the hearing, make any recommended changes to the list of projects, and submit the revised document to the Board for approval at its April 27 meeting.

Ms. Lisa Price-Hughes then discussed the following general highway matters.

- Construction is scheduled to begin after the race on Route 220 Safety Project in the area of Dodge's Store, Bojangles and Food Lion.
- Route 220 and Route 58 paving projects are being done with stimulus funds.
- Old Quarry Road will be awhile before reopening and the Fieldale Bridge is scheduled to reopen at the end of November.

- Discussion regarding State funding for the Six-Year Secondary Road Plan, which is approximately \$191,000. VDOT's first priority will be a section of Preston Road from Route 58 to Preston.
- Route 684 and Carver Road Safety Study – VDOT is looking at options to improve the sight distance at intersection.
- Rangeley (Routes 609, 102, and 683) heading towards Bassett, site distance is not good and VDOT does not have funding for this project at this time.
- Discussion of fallen trees on State right-of-ways during recent storms (Joseph Martin Highway and on Callaway Drive off Route 609). VDOT is still in the process of removing the trees and advised anyone to call VDOT if there are reports of other fallen trees.

CONTINUATION OF MEETING TO APRIL 6, 2010:

There being no further business to discuss Mr. Adams moved at 6:30 pm to continue the meeting to April 6, 2010 at 5:00 pm for the presentation of the Total County Budget, second by Mr. Slaughter and unanimously carried.