

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

May 24, 2011 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on May 24, 2011, 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, Tommy Slaughter, and Joe Bryant.

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

Major Steve Eanes, Sgt. Ronnie Minter, and Deputy Mike Hooper from the Sheriff's Office were present. Debbie Hall of the Martinsville Bulletin and Ron Morris of B-99 were also present.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Mr. Vaughn gave the invocation and Mr. Bryant 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).

- April 21, 2011
- April 26, 2011

Approval of Accounts Payable

(Copy included in Board's File).

Mr. Adams moved that the Items of Consent be adopted as presented, seconded by Mr. Vaughn. The motion carried 6 to 0.

APPROPRIATION OF THE FY 2011-12 COUNTY BUDGET

Mr. Summerlin stated that the Board of Supervisors, at its April 26, 2011 meeting, adopted the FY 2012 total County Budget, which included setting of tax rates and adoption of the School Budget. Mr. Summerlin said the final step in completing the budget process is appropriating the budget. No County funds can be expended or obligated until an appropriation has been made. Mr. Summerlin stated there is an Appropriations Resolution included in the Board's working papers for consideration.

Mr. Vaughn moved that the Board adopt the Appropriations Resolution and attachments as presented, seconded by Mr. Bryant. The motion carried 6 to 0.

PRESENTATION AND CONSIDERATION OF REGIONAL RURAL LONG-RANGE TRANSPORTATION PLAN

Mr. Aaron Burdick, the new Executive Director of the West Piedmont Planning District Commission, was in attendance to present the Regional Rural Long-Range Transportation Plan and request that the Board adopt a resolution in support of the plan. Bob Dowd, retiring Executive Director of WPPDC, was out of town on business and unable to attend. A draft of the plan, including maps of the affected areas, was included in the Board packets as a separate attachment because of the size of the file. Mr. Burdick said a citizen's information meeting and public hearing was held on April 20 to receive input and those comments will be considered for future plan adoption.

Mr. Vaughn voiced a concern that the plan shows I-73 at its original proposed route and the Board has requested that the Commonwealth Transportation Board consider changing the route but it has not yet been acted on. Mr. Vaughn stated that he does not want it to be construed that if the Board approves the plan, they are also approving the original I-73 route. Mr. Burdick recommended that if the Board approves the plan, that they adopt the resolution and request an addendum to the plan that addresses any changes concerning the I-73 Henry County preferred route.

Mr. Vaughn moved to adopt the plan with the exception of the I-73 route and directed staff to draft an addendum that would endorse the I-73 Henry County Alternate Modified, seconded by Mr. Kendall and unanimously carried.

CONSIDERATION OF EXTENSION OF TRANSITIONAL DAY PROGRAM CONTRACT AND PROPOSED FY 2012 BUDGET

Mr. Summerlin said Henry County, the County's Community Policy and Management Team (CPMT) and Henry County Schools are charged with providing an educational program specifically designed to address the needs of certain special education students. It is recommended that ANCHOR continue to run the program for the 2011-2012 academic year with the administrative costs being borne by CPMT and the costs of two teachers and two paraprofessionals being borne by the school system. Mr. Summerlin said the proposed budget for '11 is \$107,762, which is included in the CPMT budget for next year. Mr. Summerlin said Henry County is a party to the annual contract and must approve its extension with ANCHOR. The contract will be considered

by the CPMT and the School Board at their respective meetings in June.

Mr. Kendall made a motion to approve the contract with ANCHOR contingent upon approval by the CPMT and the School Board, seconded by Mr. Slaughter and carried 6 to 0.

REPORT ON DELINQUENT TAX COLLECTION EFFORTS

Mr. Scott Grindstaff reviewed the monthly reports on delinquent tax collection efforts.

Mr. John Rife with TACS was present to update the Board on real estate and personal property collections. Mr. Rife reported that after the first year, real estate collection efforts have plateaued. While there are a number of repayment agreements, some accounts have fallen into delinquency and titles have been ordered on 60 properties with reviews almost complete. Mr. Rife said they anticipate filing suit on these accounts within two weeks and foresee a late summer or early fall sale on some of these properties. Mr. Rife said TACS has collected approximately \$1.2 million in delinquent taxes since it began collection efforts for the County. Mr. Rife said the overall percentage on real estate collections is a little lower than they prefer after the first year, but TACS is trying to work with taxpayers and be as lenient as possible yet reasonable in repayment terms if individuals have fallen on hard times. Mr. Rife also reported that the vehicle registration withholding program is progressing and TACS is working with County staff and expects to have a test file in a couple of weeks to send the overall balance of delinquent personal property to DMV.

Mr. Slaughter asked how decal sales compare to the actual vehicles registered. Mr. Grindstaff said his office has done a number of abatements this year and he should have a better idea by the end of June. Ms. Buchanan asked if reminders on delinquent accounts are sent out monthly. Mr. Grindstaff said letters are sent out each month and if payment has not been received within 90 days, the account is turned over to TACS.

MONTHLY UPDATE FROM THE MARTINSVILLE-HENRY COUNTY ECONOMIC DEVELOPMENT CORPORATION

Mr. Mark Heath, President of the Martinsville-Henry County Economic Development Corporation, was present to make the monthly update to the Board. Mr. Heath reviewed a summary of activities by division (Copy included in Board's File). Mr. Heath said the EDC is working with a total of 12 projects, including 6 active projects.

Mr. Summerlin also reported that staff has approved the ICF site plan and the land transfer should close today; hopefully work will begin on Lot 6 in the very near future. Mr. Adams said he saw heavy equipment onsite today.

AWARD OF CONTRACT RE: UPGRADES TO HENRY COUNTY ADMINISTRATIVE COMPLEX TELEPHONE SYSTEM

Mr. Summerlin said the centralized "PBX" phone system for the Henry County administrative complex must be upgraded in order to maintain future support. The contract price to CenturyLink is \$46,935.55. This upgrade will bring our system's

software to the latest revision while also providing new technologies which could result in savings on long distance charges. Mr. Summerlin said funding for this upgrade was previously approved by the Board from unexpended funds in the current budget.

Mr. Bryant made a motion to award the contract to CenturyLink in the amount of \$46,935.55, seconded by Mr. Kendall and unanimously carried.

AWARD OF CONTRACT RE: "LINE OF DUTY" INSURANCE COVERAGE

Mr. Summerlin said the 2011 Virginia General Assembly shifted the obligation for paying "Line of Duty" benefits for sheriff's deputies, paid public safety personnel and volunteers from the Commonwealth to the locality. This change is effective July 1, 2011. The Virginia Association of Counties' Group Self-Insurance Risk Pool has prepared a proposal for Henry County that would provide coverage for these benefits for the next 12 months, at a cost of \$46,200. Mr. Summerlin said the Board would need to approve a resolution that indicates the County's preference to self-fund these liabilities. If the County does not participate in the VACoRP Pool, it will be automatically enrolled in the Virginia Retirement System Line of Duty Program which will be more expensive.

Mr. Kendall made a motion to adopt the resolution and award the contract to VACoRP in the amount of \$46,200, seconded by Mr. Bryant and carried 6 to 0.

AWARD OF CONTRACTS RE: RIVERSIDE DRIVE NEIGHBORHOOD IMPROVEMENT PROJECT

Mr. Summerlin said bids were received for properties in the Riverside Drive Neighborhood Improvement project and the following low bids were approved by the Riverside Drive Housing Rehab Board at their May 19, 2011 meeting:

- Rodney Wood Construction, \$33,800 for housing rehab of Alice Hensley's property at 4054 Fairystone Park Highway.
- Lawson Brothers Contractors, \$28,800 for housing rehab of James Witt's property at 3082 Riverside Drive.
- Lawson Brothers Contractors, \$42,800 for housing rehab of Rachel Largen's property at 4068 Fairystone Park Highway.

Mr. Adams moved to award the contracts as requested, seconded by Mr. Slaughter and unanimously carried.

INFORMATIONAL ITEMS

Comments from the Board

Ms. Buchanan commented on the Fieldale Festival held Saturday. She said it was a great event especially for families and children and offered a lot of educational opportunities.

Mr. Summerlin said the "Teacher of the Year" recognition dinner hosted by the School Board was an outstanding event. Mr. Summerlin also congratulated Mr. Kendall on securing an ambulance for the Dyers Store Volunteer Fire Department to improve coverage in that area of the County.

CLOSED MEETING

Mr. Adams moved that the Board go into a closed meeting at 3:40 p.m., seconded by Mr. Kendall and unanimously carried to discuss the following.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Park and Recreation Board, Blue Ridge Regional Library Board, Community Policy and Management Team, Henry-Martinsville Social Services Board, Ninth District Development Financing, Inc., Patrick Henry Community College Board, Piedmont Regional Community Services Board, Southern Area Agency on Aging, Southside Community Action Board, West Piedmont Business Development Center, and West Piedmont Planning District Commission Technical Advisory Committee.
- 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 5:24 p.m. on a motion by Mr. Slaughter, seconded 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. Vaughn, Mr. Adams, and Ms. Buchanan.

Parks and Recreation Board – Mr. Slaughter moved to reappoint Scott Prillaman, Reed Creek District, to a three-year term beginning July 1, 2011, seconded by Mr. Adams and carried 6 to 0.

Blue Ridge Regional Library Board – Mr. Vaughn moved to reappoint Marshall Stowe and Bernice Scales and appoint Carol Meyer to four-year terms beginning July 1, 2011, seconded by Mr. Slaughter and unanimously carried.

Community Policy & Management Team – Mr. Kendall moved to reappoint Brad Kinkema, Other Providers representative, Lucy Moore, Parents representative, and Darrell Jones, Local Government representative, to two-year terms beginning July 1, 2011, seconded by Mr. Slaughter and carried 6 to 0.

Henry-Martinsville Social Services Board – Mr. Bryant moved to appoint Lillian Geib to a four-year term beginning June 1, 2011, seconded by Mr. Kendall and unanimously carried.

Ninth District Development Financing, Inc. – Mr. Bryant moved to reappoint Barry Jarrett to a two-year term, seconded by Mr. Adams and carried 6 to 0.

Patrick Henry Community College Board – Mr. Adams moved to appoint Dean Randall to an unexpired term ending June 30, 2014 and appoint Pamela Foley to a four-year term beginning July 1, 2011, seconded by Mr. Slaughter and unanimously carried.

Piedmont Regional Community Services Board – Mr. Vaughn moved to reappoint Steve Eanes to a three-year term beginning July 1, 2011, seconded by Mr. Bryant and carried 6 to 0.

Southside Community Action Board – Mr. Kendall moved to reappoint Thurman Echols to a two-year term beginning July 1, 2011, seconded by Mr. Slaughter and unanimously carried.

West Piedmont Business Development Center – Mr. Slaughter moved to appoint Richard Stanfield to a three-year term beginning July 1, 2011, seconded by Mr. Bryant and carried 6 to 0.

West Piedmont Planning District Commission Technical Advisory Committee – Mr. Adams moved to appoint Cecil Stone to an unexpired term ending December 31, 2011, seconded by Mr. Slaughter and unanimously carried.

Mr. Vaughn moved to direct the County Administrator to execute a contract of sale between Henry County and Betty Wright and Thomas Hensley for the Old South Martinsville School in the amount of \$100,100.99, seconded by Mr. Adams and carried 6 to 0.

AWARD OF CONTRACT RE: RIVERSIDE DRIVE NEIGHBORHOOD IMPROVEMENT PROJECT

Mr. Summerlin said staff received an additional award of contract for the Riverside Drive Improvement Project and Wood Building & Remodeling was the low bid in the amount of \$28,400 for the rehabilitation of Shirley Kirk's home at 4180 Fairystone Park Highway. The project was approved by the Riverside Drive Housing Rehab Board at its May 19, 2011 meeting and will be paid for with grant funds.

Mr. Adams moved to award the contract to Wood Building & Remodeling in the amount of \$28,400, seconded by Mr. Slaughter and unanimously carried.

The Board recessed its meeting at 5:30 p.m. until the 6:00 evening session.

Ms. Buchanan called the meeting back to order at 6:00 p.m. and welcomed everyone present.

MATTERS PRESENTED BY THE PUBLIC

There was no one present who wished to speak.

PUBLIC HEARING – CONSIDERATION OF REDISTRICTING OF HENRY COUNTY MAGISTERIAL DISTRICTS

Mr. Lee Clark briefed the Board on the redistricting changes necessary to conform to updated 2010 Census information. At its planning session, the Board appointed a Redistricting Committee consisting of Judy Forsythe, Horsepasture District; Melody Turner, Collinsville District; Randy Dyer, Reed Creek District; Rita Shropshire, Ridgeway District; Deborah Hairston, Blackberry District; Skip Ressel, Iriswood District; and Bob Petty, At-Large Representative. Mr. Clark was staff contact for the committee. The Redistricting Plan consists of the following proposed changes as described below:

Ridgeway and Horsepasture Magisterial Districts

- This change would involve shifting approximately 322 people from the Ridgeway District (Hillcrest Voting Precinct 602) to the Horsepasture District (Horsepasture #2 Voting Precinct 203). The polling place for the voters affected by this change will be the Horsepasture Ruritan Building. The adjusted area is generally on the west side of Chestnut Knob Road, north of the Pinnacle of Dan Danville 69K volt transmission power line, all of Piney Forest Drive, and all of Greenbriar Park Subdivision.

Iriswood and Reed Creek Magisterial Districts

- This change would involve shifting approximately 134 people from the Iriswood District (Mountain Valley Voting Precinct 305) to the Reed Creek District (Dyers Store Voting Precinct 505). The polling place for the voters affected by this change will be the Dyers Store Ruritan Club. The adjusted area is generally on the east side of Blue Knob Road, between Chatham Road and its intersection with North Fork Road, and on the west side of North Fork Road between Chatham Road and its intersection with Blue Knob Road, and on the northwest side of Chatham Road between its intersections with Blue Knob Road and North Fork Road.

Mr. Clark also explained that to avoid splitting the Axton Voting Precinct (302) and the Irisburg Voting Precinct (303) by the newly approved House Redistricting Plan for the 14th House District, the County is proposing to shift 353 voters from the Axton Voting Precinct (302) to the Irisburg Voting Precinct (303). This adjusted area is bounded generally by the south side of US Route 58 A.L. Philpott Highway between

Leatherwood Creek and Old Liberty Drive, the north side of Old Liberty Drive between US Route 58 and Leatherwood Creek, and the east side of Leatherwood Creek between Old Liberty Drive and US Route 58. The polling place for these voters will be Freedom Baptist Church.

Ms. Buchanan opened the public hearing at 6:02 p.m. There being no one present who wished to speak, the public hearing was closed at 6:02 p.m. Mr. Adams moved to approve the amendments to the Henry County Code pertaining to the magisterial realignment as presented, seconded by Mr. Kendall and carried 6 to 0.

PUBLIC HEARING – REZONING APPLICATION R-11-03 – BERTHA M. MERRIMAN

Mr. Clark said the property is located at 1155 Trenthill Drive in the Blackberry District and is shown on Tax Map 14.6/249,366,367,368. The applicant is requesting the rezoning of approximately 21-acres from Suburban Residential District S-R to Agricultural District A-1. In addition to the existing residence, the applicant intends to place a double wide manufactured home on the property and to raise agricultural animals. Following a public hearing, both the Planning Commission and staff recommended that this rezoning request be approved.

Ms. Buchanan opened the public hearing at 6:05 p.m. There being no one present who wished to speak, the hearing was closed at 6:05 p.m. Mr. Adams moved that the Board follow the recommendation of the Planning Commission and approve the rezoning request, seconded by Mr. Vaughn and unanimously carried.

PUBLIC HEARING – REZONING APPLICATION R-11-04 – DANNY MELVIN TOWLER

Mr. Clark said this property is located at 3983 Daniels Creek Road in the Reed Creek District and is shown on Tax Map 29.1(1)/4,5. The applicant is requesting the rezoning of approximately 1.35-acres from Mixed Residential District M-R to Rural Residential District R-R. The property was previously rezoned in 2007 from S-R to M-R to allow for the placement of a double wide manufactured home on a permanent foundation. The home was never placed and the property and has since been sold. The new owner wishes to further downzone the property to allow for the placement of a single wide manufactured home.

Following a public hearing, the Planning Commission recommended that the rezoning request be denied. The Planning Commission cited the previous rezoning in 2007 to Mixed Residential as being the appropriate zoning for this property and for the immediate area in order to protect property values. Mr. Clark said the Commission also noted that this area of Daniels Creek Road is the transition point from Suburban Residential south of the property to Agricultural as you continue north on Daniels Creek Road. For these reasons, staff also recommends denial of the rezoning request.

Ms. Buchanan opened the public hearing at 6:07 p.m. There being no one present who wished to speak, the public hearing was closed at 6:07 p.m. Mr. Slaughter said this rezoning is in his district and he had spoken with Mr. Clark and had also been out to look at the property and surrounding area and made a motion to follow the

recommendation of the Planning Commission and staff and deny the rezoning request, seconded by Mr. Adams and carried 6 to 0.

PUBLIC HEARING – REZONING APPLICATION R-11-05 – HENRY COUNTY BOARD OF SUPERVISORS / OLD SOUTH MARTINSVILLE SCHOOL COMPLEX

Mr. Clark said this property is located at 1425 Greensboro Road in the Ridgeway District and is shown on Tax Map 41.9/65. The applicant is requesting the rezoning of approximately 6.5-acres from Government and Special Use District G-S to Commercial District B-1. This action is being proposed to enhance the marketability of the property and to make it more appropriately zoned for future uses. Following a public hearing, both the Planning Commission and staff recommended approval of the rezoning request.

Ms. Buchanan opened the public hearing at 6:08 p.m. There being no one present who wished to speak, the hearing was closed at 6:09 p.m. Mr. Vaughn moved that the Board approve the rezoning request, seconded by Mr. Bryant and unanimously carried.

PUBLIC HEARING – REZONING APPLICATION R-11-06 – HENRY COUNTY BOARD OF SUPERVISORS / FORMER IRISBURG SCHOOL

Mr. Clark said this property is located at 6871 Irisburg Road in the Iriswood District and is shown on Tax Map 65.2/59,60A,58A,60C. The applicant is requesting the rezoning of approximately 12-acres from Government and Special Use District G-S and Agricultural District to Suburban Residential District S-R. This action is being proposed to enhance the marketability of the property and to make it more appropriately zoned for future uses. Following a public hearing, both the Planning Commission and staff recommended approval of the rezoning request.

Ms. Buchanan opened the public hearing at 6:10 p.m. There being no one present who wished to speak, the public hearing was closed at 6:10 p.m. Mr. Kendall made a motion to follow the recommendation of the Planning Commission and approve the request, seconded by Mr. Slaughter and carried 6 to 0.

ADOPTION OF 2011-2017 SIX-YEAR SECONDARY ROAD PLAN AND 2011-2012 CONSTRUCTION BUDGET

Mr. Summerlin said Ms. Lisa Hughes was not able to be at tonight's meeting. Ms. Buchanan said the proposed Six-Year Secondary Road Plan for Henry County for 2011-2017 and the 2011-2012 Construction Budget was included in the Board's working papers. The Board previously held a public input session with the Virginia Department of Transportation on these items, and heard input from Ms. Hughes regarding the funding challenges VDOT is facing.

Mr. Kendall made a motion to adopt the proposed Six-Year Secondary Road Plan and 2011-'12 Construction Budget, seconded by Mr. Adams and unanimously carried.

There being no further business to discuss, Mr. Slaughter moved to adjourn at 6:12 p.m., seconded by Mr. Adams and carried 6 to 0.