

**HENRY COUNTY BOARD OF SUPERVISORS  
MINUTES**

**October 25, 2011 – 3:00 pm**

The Henry County Board of Supervisors held its regular meeting on October 25, 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, 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; Richard Stanfield, Deputy Director of Finance; and Susan Reynolds, Director of Human Resources.

Sheriff Lane Perry, Major Steve Eanes, Sgt. Ronnie Minter, and Deputy Mark Jamison from the Sheriff's Office were present. Debbie Hall of the Martinsville Bulletin and Ron Morris of B99 were also present.

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

Mr. Adams 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).

- September 27, 2011

**Approval of Accounts Payable**

(Copy included in Board's File).

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

## **CONSIDERATION OF PROCLAMATION ESTABLISHING OCTOBER 2011 AS “CHILDREN’S HEALTH MONTH” IN HENRY COUNTY**

Mr. Kendall read aloud a proclamation declaring October 2011 as “Children’s Health Month” in Henry County and moved that the Board adopt it as presented, seconded by Mr. Adams and unanimously carried. There was no one present from the Coalition for Health and Wellness to accept the proclamation.

## **PRESENTATION REGARDING ACCREDITATION OF HENRY COUNTY SHERIFF’S OFFICE**

Lt. Ben Rea with the Henry County Sheriff’s Office thanked the Board for its support and explained the stringent certification process that the Sheriff’s Office has undergone the past four years to achieve full accreditation from the Virginia Law Enforcement Professional Standards Commission (VLEPSC). Sheriff Perry and his department learned in September that they had achieved full accreditation and Sheriff Ric Atkins of the City of Salem, who also serves on the VLEPSC Board, was in attendance to present the official accreditation certificate. Sheriff Atkins read comments from Gary Dillon, manager of the Virginia Accreditation Center, who was unable to attend, and then presented Sheriff Perry with the official accreditation certificate. Sheriff Perry thanked the Board and staff for all of their encouragement and support throughout the process.

## **UPDATE ON 2011-12 SCHOOL YEAR BY INTERIM SUPERINTENDENT J. DAVID MARTIN**

Interim School Superintendent Dr. J. David Martin was present to provide updates on the 2011-12 academic year. Dr. Martin distributed a handout summarizing changes over the last 10 years including operating budget, student enrollment, teacher salaries, graduation statistics, etc. (Copy included in Board File). Dr. Martin also noted accomplishments achieved during the current school year, one being Rich Acres Elementary School being named a “2011 National Blue Ribbon School.”

## **CONSIDERATION OF 5-YEAR UPDATE TO SOLID WASTE MANAGEMENT PLAN**

Mr. Summerlin said state regulations require every locality to maintain a Solid Waste Management Plan (SWMP). Henry County partnered with the City of Martinsville and the Town of Ridgeway to prepare a joint plan that will develop objectives for the management of solid wastes, including, at a minimum, source reduction, reuse, recycling, resource recovery (waste-to-energy), landfilling and transfer stations. Mr. Summerlin said Joyce Engineering assisted in preparation of the draft plan which has some minor errors that need to be corrected. Mr. Summerlin said a public hearing is required before final adoption.

Mr. Adams moved that the Board set a public hearing for the November 22 meeting to consider updates to the SWMP, seconded by Mr. Bryant and unanimously carried.

## **CONSIDERATION OF CHANGE TO HENRY COUNTY ORDINANCE CONCERNING TAX COLLECTIONS**

Mr. Lyle said John Rife with TACS, along with Scott Grindstaff and himself, has reviewed the County Ordinance regarding tax collection efforts and are recommending a change that would shift the burden of paying certain collection and court costs to the offender instead of the County. Legal fees already associated with collecting certain delinquent taxes are currently paid by the delinquent taxpayer; these changes would affect cases that require court action and other collection techniques. The ordinance change would require a public hearing before action could be taken.

Mr. Bryant moved that the Board set a public hearing for November 22 at 6 p.m. to consider the ordinance change, seconded by Mr. Slaughter and carried 6 to 0.

## **CONSIDERATION OF APPROVAL OF WAKE FOREST UNIVERSITY MEDICAL CENTER AS EMERGENCY MEDICAL SERVICES PROVIDER IN HENRY COUNTY**

Mr. Summerlin said Wake Forest University Medical Center is considering contracting with Martinsville Speedway for air medical services during events at the race track. In order to provide those services, the medical center must acquire a Virginia Office of Emergency Medical Services license. For that to occur, the locality must recognize the entity as a medical services provider for the community. Mr. Dale Wagoner prepared a resolution for the Board's consideration.

Mr. Kendall moved that the Board adopt the resolution as presented, seconded by Mr. Vaughn and unanimously carried.

## **CONSIDERATION OF RESOLUTION REGARDING THE VIRGINIA AVENUE TRANSPORTATION ENHANCEMENT PROJECT**

Mr. Summerlin said the County has received several grants, totaling \$546,000, from the Transportation Enhancement (TE) Program through the Virginia Department of Transportation. These funds will be utilized to improve the Virginia Avenue corridor stretching from just southeast of Mill Creek Road to Commonwealth Boulevard in a multi-phase project. The focus of this project will be to enhance this transportation route by improving pedestrian and vehicle safety as well as by providing streetscape improvements. Included will be a "gateway" sign, new sidewalks, installation of crosswalks and crosswalk lighting, customized street signage as well as landscaping. The estimated total project cost is \$2,865,613 including a 20% match of \$573,123. The match will consist of in-kind contributions from the County as well as an already allocated cash contribution of \$46,175 for architectural and engineering fees. The balance of the matching funds will come from other grant sources. Applications for additional TE grant funds require an updated resolution.

Mr. Slaughter made a motion to adopt the resolution as presented, seconded by Mr. Bryant and carried 6 to 0.

## **REPORT ON DELINQUENT TAX COLLECTION EFFORTS**

Mr. Scott Grindstaff was unable to attend today's meeting but the monthly tax collection reports were included in the Board's working papers.

Mr. Summerlin indicated that John Rife with TACS has scheduled the sale of 16 parcels for November 15 at 2 p.m. at the Henry County Courthouse. Also, a non-judicial sale should be set for December.

## **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 26 projects, including 9 active projects.

## **CONSIDERATION OF CARRY-OVER REQUEST FROM MARTINSVILLE-HENRY COUNTY 9-1-1 COMMUNICATIONS CENTER**

Mr. Summerlin said the 9-1-1 Communications Center is working toward the implementation of Emergency Medical Dispatch (EMD). This program allows emergency dispatchers to provide "pre-arrival" instructions to a caller for situations such as CPR, choking, and other issues. The 9-1-1 Center has pursued grant funding for implementation and training, and has secured nearly \$75,000 toward that cost. An additional \$30,000 is needed, and Mr. Wes Ashley is requesting permission to carry over \$20,039 of Henry County's FY 2011 allocation to the Center to use toward the EMD costs. Since the 9-1-1 Center is a joint agency with the City of Martinsville, Mr. Ashley has requested permission from the City to carry over \$8,185 in City funds from FY '11.

Mr. Kendall moved that the Board approve the carry-over request from the 9-1-1 Communications Center contingent on similar approval by City Council, seconded by Mr. Slaughter and carried 6 to 0.

## **CONSIDERATION OF EMPLOYEE PURCHASE PLAN FOR I-PADS AND LAPTOP COMPUTERS**

Mr. Summerlin said there is an opportunity once again to partner with the Henry County Public Schools for employees to purchase i-Pads or laptop computers through a payroll deduction plan. Employees who participate would have a monthly payment deducted from their paychecks for six months beginning in January 2012. Each employee who participates would sign a contract for the transaction and would be obligated to pay the amount even if they leave employment during the six-month period.

Mr. Slaughter made a motion to approve the employee purchase plan for i-Pads and laptop computers, seconded by Mr. Bryant and unanimously carried.

## **ADDITIONAL APPROPRIATION OF TOBACCO COMMISSION GRANT AND AWARD OF CONTRACT RE: GRADING OF LOT 2, PATRIOT CENTRE**

Mr. Summerlin said Henry County and the Martinsville-Henry County Economic Development Corporation have worked diligently to gather sufficient funding for the grading of Lot 2 in the Patriot Centre. The cost of grading is estimated at \$950,000, and Henry County and the EDC have pledged \$125,000 each to go with the Tobacco Commission's recent grant of \$700,000. Staff is requesting appropriation of the Tobacco grant and award of contract for engineering services connected to the grading project to Wiley Wilson of Lynchburg in the amount of \$27,300. Wiley Wilson has done most of the previous engineering services for the Patriot Centre and this contract would be awarded under a previous Request for Proposals (RFP) the County has in place with the company.

Mr. Adams moved that the Board approve the additional appropriation as requested and award the contract for grading to Wiley Wilson, seconded by Mr. Vaughn and carried 6 to 0.

## **ACCEPTANCE OF GRANT AND ADDITIONAL APPROPRIATION RE: GANG PREVENTION PROGRAM – SHERIFF'S OFFICE**

Mr. Summerlin said the Sheriff's Office along with Henry County Public Schools, the Department of Juvenile Justice, the 21<sup>st</sup> Judicial District Court Services Unit, and the 4-H Extension Office have been working on a grant for the Henry County Gang Prevention Program. The grant, which totals \$45,190.16, would cover a myriad of items most of which are training and education. Mr. Summerlin said staff has received verbal approval of the grant and recommends that the Board accept the grant and approve the additional appropriation contingent on official receipt in order to meet the aggressive timeline in the spending of the grant funds.

Mr. Bryant made a motion to accept and appropriate the grant as requested, seconded by Mr. Slaughter and unanimously carried.

## **ACCEPTANCE OF GRANT AND APPROVAL OF RESOLUTION RE: HOMELAND SECURITY GRANT – PUBLIC SAFETY**

Mr. Summerlin said Dale Wagoner is asking the Board to accept and approve a resolution regarding a grant of \$24,874 from the United States Department of Homeland Security. Mr. Summerlin said the grant funds are already included in the budget and it is not new money, but new state regulations require that the Board approve a resolution in order to receive the money.

Mr. Kendall made a motion to accept the grant and approve the resolution as presented, seconded by Mr. Slaughter and carried 6 to 0.

Ms. Buchanan noted an addition to the 6 p.m. agenda, concerning a guardrail being placed on Stoney Mountain Road. The Board agreed to add the item to the agenda.

## **INFORMATIONAL ITEMS**

### **Comments from the Board**

Mr. Bryant said he continues to work on the litter problem and wants to keep the issue in the public eye. Mr. Bryant also said he is having his first Town Hall Meeting on November 15 at 7 p.m. at the Collinsville Library.

Mr. Kendall said they were finally successful in placing an ambulance at the Dyer's Store facility and thanked the Axton Life Saving Crew for their assistance in the project.

Mr. Vaughn requested that Mark Heath, during the course of his work, try to emphasize the importance of a clean community to economic development. Mr. Vaughn encouraged everyone to welcome all of the race fans this weekend.

Mr. Vaughn addressed his concerns with the noise ordinance and asked Mr. Lyle to provide an update since this issue was last discussed. Mr. Vaughn said he continues to receive complaints about the nuisance of barking dogs. Mr. Lyle said it would require a relatively defined standard as to distance or volume of sound to make the ordinance enforceable. Other Board members said they only receive an occasional call while Mr. Slaughter said he receives more complaints about cats which are not governed by state code as dogs are.

Mr. Slaughter asked if there was a minimum fine for littering. Mr. Lyle said he only reviewed the maximum which is \$2,500. Mr. Summerlin said littering is a Class 1 misdemeanor under County ordinance but then you also have state law, so it depends which one the charge falls under. Mr. Summerlin said the County can dictate the fines as long as they are within state guidelines, but it is at the discretion of the judge to enforce the fines.

Ms. Buchanan reminded everyone of the Outstanding Military Veteran Award ceremony on November 12 at 11 am. Ms. Buchanan encouraged everyone to participate in the annual coat drive for kids.

### **CLOSED MEETING**

Mr. Slaughter moved that the Board go into a closed meeting at 4:07 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 Public Service Authority, Patriot Centre Advisory Board, 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 5:20 p.m. on a motion by Mr. Adams, 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. Adams, Mr. Vaughn, and Ms. Buchanan.

Mr. Adams moved that the Board authorize the county attorney to enter into a sale agreement for property at 20 East Church Street in the amount of \$100,000 to Steven Rucker contingent on approval by City Council, seconded by Mr. Vaughn and carried 6 to 0.

The Board recessed its meeting at 5:21 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.

#### **PRESENTATION OF VALOR AWARDS FROM SHERIFF'S OFFICE**

Sheriff Perry was present to recognize four employees for extraordinary service to the citizens of Henry County. Sheriff Perry said there are four criteria for the awards, life-saving, valor, honor, and bravery. Sheriff Perry said one measure of the Valor Award is imminent personal danger. Lt. Colonel Eanes read a brief synopsis of events and presented awards to the following employees: Deputy Rick Anderson for an incident on March 20, 2000; Captain Richard Vaughn and former deputy and current 9-1-1 Dispatcher, Sharon Harold, for an incident on May 5, 2000; Lt. John Cassell for an incident on June 14, 2003; and Lt. Mark Winn for an incident on December 13, 2008. Captain Richard Walker accepted the award on behalf of Lt. Winn.

#### **REQUEST FOR "WATCH FOR CHILDREN" SIGN AND SPEED LIMIT STUDY ON FARBROOK ROAD, RIDGEWAY DISTRICT**

Mr. Vaughn moved that the Board request a "Watch for Children" sign and speed limit study for Farmbrook Road in the Ridgeway District; and also a speed limit study on Glasgow Drive, seconded by Mr. Adams and unanimously carried.

### **CONSIDERATION OF A RESOLUTION RE: INSTALLATION OF GUARDRAIL ON STONEY MOUNTAIN ROAD**

Mr. Kendall read aloud a resolution for consideration of the installation of a guardrail on Stoney Mountain Road and moved that the Board adopt the resolution as presented, seconded by Mr. Bryant and carried 6 to 0. (Copy included in Board's File)

### **GENERAL HIGHWAY MATTERS**

Ms. Lisa Hughes, Residency Administrator for the Virginia Department of Transportation, was present to update the Board on General Highway Matters.

- Fall transportation meeting tomorrow night at 6 p.m. in Montgomery County at the Government Center. Ms. Hughes recommended that the County resubmit their priority list via email.
- Reported that there are 14 "No Littering" signs at all entrances to the County; ordered placards to be added to the signs, indicating fines up to \$2,500.

There being no further business to discuss, Mr. Slaughter moved to adjourn at 6:17 p.m., seconded by Mr. Kendall and carried 6 to 0.