

**HENRY COUNTY BOARD OF SUPERVISORS  
MINUTES**

**October 23, 2012 – 3:00 pm**

The Henry County Board of Supervisors held its regular meeting on October 23, 2012, 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 Jim Adams, Vice-Chairman Tommy Slaughter, Debra Buchanan, H.G. Vaughn, Milton Kendall, and Joe Bryant.

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

Deputies Mark Jamison and West of the Sheriff's Office were present. Also present were Debbie Hall and Paul Collins of the Martinsville Bulletin, and Charles Roark of Cable 18.

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

Mr. Adams gave the invocation and Mr. Slaughter led in the Pledge of Allegiance.

**CALL TO ORDER:**

Chairman Adams 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.

**ITEMS OF CONSENT:**

**Confirmation of Minutes of Meetings**

(Copy included in Board's File).

- September 25, 2012

**Approval of Accounts Payable**

(Copy included in Board's File).

Ms. Buchanan moved the Items of Consent be adopted, seconded by Mr. Slaughter. The motion carried 6 to 0.

## **MATTERS PRESENTED BY THE PUBLIC – DOUG STEGALL**

Doug Stegall requested time on the Board's agenda but later called and informed staff he would not attend.

## **MATTERS PRESENTED BY THE PUBLIC – BRIAN WILLIAMS AND ANDY PARKER, DAN RIVER BASIN ASSOCIATION**

Brian Williams and Andy Parker requested time on the Board's agenda to provide an update on activity associated with the Smith River but asked that it be postponed to the next meeting.

## **CONSIDERATION OF PROCLAMATION ESTABLISHING OCTOBER 2012 AS "DOMESTIC VIOLENCE AWARENESS MONTH" IN HENRY COUNTY**

Mr. Hall said officials with Citizens Against Family Violence requested the Board declare October 2012 as "Domestic Violence Awareness Month" in Henry County.

Ms. Buchanan read the proclamation aloud and moved the Board adopt it as presented, seconded by Mr. Kendall and carried 6 to 0. Deborah Menefee was present to accept the proclamation on behalf of CAFV. Ms. Menefee thanked the Board for its support.

## **CONSIDERATION OF RESOLUTION RECOGNIZING MOUNT OLIVET RURITAN'S 40<sup>TH</sup> ANNIVERSARY**

Mr. Hall said staff prepared a resolution honoring the Mount Olivet Ruritan Club's 40<sup>th</sup> anniversary.

Mr. Bryant read the resolution aloud and made a motion the Board adopt it as presented, seconded by Mr. Kendall and unanimously carried. Club President Michael McPeek was present to accept the honor.

## **UPDATE ON ACTIVITIES OF THE WEST PIEDMONT WORKFORCE INVESTMENT BOARD**

Ms. Kim Adkins, Executive Director of the West Piedmont Workforce Investment Board, was present to provide an update on activities at WPWIB. Ms. Adkins distributed a handout outlining WPWIB background, organizational structure, funding, job placements, etc. (Copy included in Board's File)

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

Mr. Scott Grindstaff reviewed the monthly reports on delinquent tax collection efforts. Mr. Grindstaff noted that 97.36% of 2011 personal property taxes have been collected; 93.76% of 2011 real estate taxes; and since the first of January, TACS has collected approximately \$409,000. In addition, Mr. Grindstaff said there are 259 in-house accounts and 39 VRW stops collected in the month of October. Also, Mr. John

Rife reported \$175,844 has been collected since the first of January solely from the VRW stops through the DMV.

Mr. Adams inquired about delinquent meals tax accounts. Mr. Grindstaff said he is working with Mr. Lyle on one account which will be referred to the Commonwealth's Attorney's office for litigation. Mr. Grindstaff said the restaurant has closed.

Mr. Bryant asked when the next property sale would be. Mr. Grindstaff said it will probably be the first of the year. Mr. Bryant requested a list of the properties to be sold.

### **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 20 projects, including 14 active projects.

### **CONSIDERATION OF 2013 LEGISLATIVE AGENDA FOR VIRGINIA GENERAL ASSEMBLY**

Mr. Hall said each year staff and the Board construct a legislative agenda of items we would like for the General Assembly to consider. Mr. Hall said a draft list was included in the Board's working papers and is basically the same as in the past with the exception of the last item pertaining to a change in the allocation of funds from the Department of Rail and Public Transportation for transit systems. Mr. Hall said the proposed change would have a severe negative impact on Henry County's PART bus system.

Mr. Kendall requested the elimination of the Dillon Rule in Henry County. Mr. Lyle said elimination of the Dillon Rule is unlikely based on past cases. Mr. Hall suggested staff add language stating Henry County is opposed to the Dillon Rule and request consideration of elimination or modification to the Rule.

Mr. Vaughn moved the Board adopt the legislative agenda with the addition of the County's opposition to the Dillon Rule, seconded by Ms. Buchanan and carried 6 to 0.

### **DISCUSSION OF A COUNTY ORDINANCE TO FACILITATE DATA COLLECTION FROM PAWN DEALERS AND VARIOUS SCRAP METAL RECYCLERS**

Mr. Hall said last month, Sheriff Perry discussed the Sheriff's Office efforts to analyze data on potentially stolen or recovery items through a program called "Leads Online." Following the discussion, the Board directed County Attorney George Lyle to research and suggest language for an ordinance that will facilitate data submission from local pawn dealers and various scrap metal recyclers. Mr. Hall said the proposed ordinance is included in the Board's working papers and as with any ordinance change, it would require a public hearing before action could be taken.

Mr. Kendall made a motion to set a public hearing for November 27 at 6 pm for consideration of the proposed ordinance, seconded by Mr. Bryant and carried 6 to 0.

## **ADDITIONAL APPROPRIATION RE: FIRE PROGRAMS AID TO LOCALITIES – PUBLIC SAFETY**

Mr. Hall said Rodney Howell, Director of Public Safety, is asking the Board to accept and appropriate \$128,496 from the Virginia Department of Fire Programs Aid to Localities Fund. In the past Henry County has allocated its appropriation equally among the eight volunteer fire departments. That would result in a per-department allocation of \$16,062 this year.

Ms. Buchanan made a motion the Board accept and appropriate the funds as outlined and allocate the money equally to each of the eight volunteer fire departments, seconded by Mr. Slaughter and carried 6 to 0.

## **INFORMATIONAL ITEMS**

### **Comments from the Board**

Mr. Adams asked Lt. Col. Eanes to brief the Board on the press conference that was held at 3:00. Lt. Col. Eanes reported that the Sheriff's Office issued two indictments in connection with the deaths of Amanda Massey and Robby Lawrence approximately 17 months ago.

Mr. Adams noted handouts concerning the Martinsville-Henry County Christmas parade and a newsletter from Morning Star Holy Church provided by Rev. Tyler Millner.

Mr. Vaughn said the college fishing tournament held at Philpott will be broadcast on December 16 at 1 pm on NBC Sports Network.

Mr. Hall reminded everyone of the upcoming race weekend and the number of visitors to the area.

## **CLOSED MEETING**

Ms. Buchanan moved that the Board go into a closed meeting at 3:48 p.m., seconded by Mr. Slaughter and unanimously carried to discuss the following.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Anchor Commission, Ninth District Development Financing, Inc., Public Service Authority, and Southern Area Agency on Aging Board.
- 2) §2.2-3711(A)7 for Discussion of Pending Legal Matters.
- 3) §2.2-3711(A)3 for Discussion of the Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Discussion of As-Yet Unannounced Industries.

## **OPEN MEETING**

The Board returned to an open meeting at 4:40 p.m. on a motion by Ms. Buchanan, seconded by Mr. Bryant and unanimously carried.

## **CERTIFICATION OF CLOSED MEETING:**

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

Southern Area Agency on Aging Board – Mr. Vaughn moved the Board reappoint Myron Kelley to a three-year term expiring November 1, 2015, seconded by Mr. Bryant and carried 6 to 0.

Memorandum of Understanding – The Lester Group – Mr. Slaughter made a motion to enter into a purchase agreement with the The Lester Group in the amount of \$50,000 for 5.3 acres surrounding the old landfill and the funds be taken from the Fund Balance, seconded by Ms. Buchanan and unanimously carried.

On a matter not related to closed session, Mr. Lyle requested the Board revisit an earlier agenda item concerning pawn shops. Mr. Lyle said Sheriff Perry has requested that scrap metal dealers and precious metals dealers also be included in the ordinance for consideration. Mr. Lyle said he only included pawn shops in the ordinance but he can easily add the additional language. Mr. Lyle noted the advertisement for public hearing should also include scrap and precious metals dealers if the Board chooses to consider them.

Mr. Vaughn questioned the logistics of the same requirements of scrap metal dealers. Mr. Lyle said it is possible that the language for scrap metal dealers may need to be modified accordingly.

Ms. Buchanan said she will probably not vote since she holds a precious metals dealers license but she feels the ordinance will only keep honest people honest and those who purchase an article that is stolen will simply not report it. Ms. Buchanan said she does feel that some type of remedy is needed due to the number of thefts but she is not sure it will resolve the problems. Ms. Buchanan asked if she will need to abstain from voting. Mr. Lyle said not at this point as the only action being taken is to set a public hearing. Mr. Lyle said he would look into the matter before the next meeting but he did not feel there would be a conflict of interest. Ms. Buchanan asked about the regulation of gun sales.

Mr. Lyle recommended the Board talk to Sheriff Perry if they have concerns because business owners he has talked to for the most part have indicated they favor tighter regulations.

Mr. Kendall made an amended motion to also include scrap metal and precious metals dealers in the proposed pawn shop ordinance already set for public hearing by an earlier motion, seconded by Mr. Bryant and carried 6 to 0.

Mr. Adams recessed at 4:50 p.m. until the 6:00 evening meeting.

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

### **MATTERS PRESENTED BY THE PUBLIC**

Doug Stegall, Collinsville District, asked what method of communication the Board uses to inform citizens about items to be discussed at the monthly meetings.

Jerry Stultz, Reed Creek District, was present to address the Board about safety concerns at the intersection of Dyer Store Road (Route 657) and Green Hill Drive (Route 655). Mr. Stultz said he had a petition with 100 names of individuals seeking safety improvements. Mr. Stultz noted numerous accidents and near misses at the intersection due to poor sight distance and vehicles parked on the road. Mr. Stultz said he provided the petition and pictures to David Kiser, assistant resident engineer for VDOT.

Randy Ashby, Reed Creek District, was also present to voice his concerns on the intersection. Mr. Ashby said school buses, people pulling trailers, people driving farm equipment and other motorists travel through the area regularly.

### **PUBLIC HEARING – REZONING APPLICATION R-12-04 – ROBERT D. AND MARY A. GILLESPIE**

Mr. Lee Clark said the property is located between The Great Road and River Road, directly behind 4094 The Great Road in the Horsepasture District and is shown as Tax Map 28.4/54G. The applicant is requesting the rezoning of approximately 5.884-acres from Suburban Residential District S-R to Agricultural District A-1. The applicant wishes to keep cattle/livestock on this property. Mr. Clark said following a public hearing, both staff and the Planning Commission recommended the rezoning request be approved.

Mr. Adams opened the public hearing at 6:12 pm. There being no one present who wished to speak, Mr. Adams closed the public hearing at 6:12 pm. Ms. Buchanan moved the Board approve the rezoning request, seconded by Mr. Kendall and unanimously carried.

### **GENERAL HIGHWAY MATTERS**

Mr. David Kiser, assistant resident engineer for the Virginia Department of Transportation, was present to update the Board on General Highway Matters.

Mr. Kiser said mowing on primary roads has been completed and mowing of secondary roads should be completed this week. He also said there will be a lane closure tomorrow on Virginia Avenue near El Ranchito to repair a small hole in the road and related work.

## **CONSIDERATION OF PRIORITY LIST FOR COMMONWEALTH TRANSPORTATION BOARD**

Mr. Kiser asked if the Board would like to go through the list of items to be included from Henry County for submission to the Commonwealth Transportation Board. Mr. Hall said the list is identical to last year's list and in the past the Board has submitted it electronically.

Ms. Buchanan moved the Board approve the priority list for the Six-Year Improvement Program, seconded by Mr. Kendall and carried 6 to 0.

There being no further business to discuss, Mr. Slaughter moved to adjourn at 6:26 pm, seconded by Ms. Buchanan and carried 6 to 0.