

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

January 29, 2008 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on January 29, 2008, at 3:00 pm in the Fourth Floor Conference Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Jim Adams, Vice Chairman H. G. Vaughn, Debra Buchanan, Paula Burnette, Jim McMillian and Tommy Slaughter.

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

Sheriff Lane Perry and Major Steve Eanes were present from the Sheriff's Office.

Shawn Hopkins of the Martinsville Bulletin was present.

H. G. Vaughn gave the invocation and Debra Buchanan 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

- 1) December 11, 2007
- 2) January 2, 2008
- 3) January 8, 2008

(Copy included in Board's File).

Approval of Accounts Payable

(Copy included in Board's File).

Mr. Vaughn moved that the Board approve Items of Consent as presented, second by Mrs. Burnette and unanimously carried.

RECOGNITION OF LIEUTENANT JOE LEWIS HAIRSTON:

Sheriff Perry and members of the Henry County Sheriff's Office were present to honor Lieutenant Joe Lewis Hairston who has served 38 years with the Sheriff's Office.

Sheriff Perry stated it is with great honor to recognize Lieutenant Hairston for his 38 years of honorable service with the Sheriff's Office. He stated Lieutenant Hairston is a very loyal public servant and community oriented person who serves in many capacities; he is a very dedicated husband and father and is very active in his church.

Mrs. Burnette read a proposed Resolution on behalf of the Board recognizing Lieutenant Hairston and moved that the Resolution be adopted, second by Mr. McMillian and unanimously carried. (Copy included in Board's File).

Mrs. Burnette and Sheriff Perry presented the plaque to Lieutenant Hairston.

Lieutenant Hairston along with his family came forward and thanked the Board and the Sheriff's Office employees. He stated he loves his job and Henry County. He said as long as he's at the Sheriff's Office or whether he is retired he will always be doing something to stay busy. He also thanked his family for all their support.

**CONSIDERATION OF PROCLAMATION ESTABLISHING
FEBRUARY 16, 2008 AS “TRIO” DAY IN HENRY COUNTY:**

Sharon Gilbert, Upward Bound Director at Patrick Henry Community College, has asked that the Board approve a resolution establishing February 16, 2008 as “TRIO Day” in Henry County. TRIO refers to three programs that were enacted in 1965 under Title IV of the Higher Education Act. These programs were established to help low-income Americans overcome their social and cultural barriers to enter college, graduate, and then play significant roles in the economic and social fabric of the United States. PHCC will host a day-long celebration on February 16 that will bring attention to the various opportunities for assistance under the TRIO programs and other programs.

Ms. Jamie Garman with TRIO was present to answer any questions.

Mr. McMillian read the proposed Resolution and moved that the Board approve the Resolution, second by Mrs. Buchanan and unanimously carried. (Copy included in Board’s File).

Mr. McMillian presented Ms. Garman a copy of the Resolution.

**CONSIDERATION OF RESOLUTION SUPPORTING
ESTABLISHMENT OF “WILDERNESS ROAD” HISTORICAL
DRIVING ROUTE:**

Mr. David Rotenizer, Director of Tourism for the Martinsville-Henry County Economic Development Corporation, was present to ask the Board to adopt a resolution in support of the establishment of a driving tour along the corridor of US 11/23/58 highways as “The Wilderness Road: Virginia’s Heritage Migration Route.” The designation also would include the so-called “Carolina Spur,” which runs through Henry County. Mr. Rotenizer also distributed a brochure “The Wilderness Road.” (Copy included in Board’s File).

Mrs. Burnette moved that the Board adopt the Resolution supporting the establishment of a driving tour along the corridor of US 11/23/58 highways as “The Wilderness Road,” second by Mr. Vaughn and unanimously carried.

CONSIDERATION OF RESOLUTION REQUESTING NATIONAL RESOURCE CONSERVATION SERVICE ACTION ON CLASS II DAMS:

The Blue Ridge Soil and Water Conservation District has asked that the Board approve a resolution asking the National Resource Conservation Service to take action on deficiencies at four Class II dams in Henry County. The dams are the Leatherwood Creek #5 (Lawrence Dam), for spillway deficiencies; the Leatherwood Creek #3 (Finney Dam), for a rehab program; the Leatherwood Creek #6 (Laurel Park Dam), for a rehab program; and Horsepasture Creek #2 (Seale Dam), which needs an inundation study.

Mrs. Buchanan read the proposed Resolution and moved that the Board adopt the Resolution, second by Mr. McMillian and unanimously carried. (Copy included in Board's File).

CONSIDERATION OF PROJECTS FOR REGIONAL COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDs):

Mr. Summerlin stated each year the West Piedmont Regional Economic Development District, which serves Henry, Patrick, Franklin and Pittsylvania counties, the cities of Martinsville and Danville and the town of Rocky Mount, compiles an updated Comprehensive Economic Development Strategy (CEDs). The plan will be forwarded to the U.S. Economic Development Administration (EDA) to maintain the eligibility of the participating localities to receive EDA funding. The document must contain a list of prioritized projects and the WPPDC annually requests that each locality submit its proposed future projects in priority order. It is essential that all projects the Board will consider within the next year be included in the CEDs because only projects on the list are eligible for EDA funding. It also is recommended that projects may be funded from other sources be included in order to give the County maximum flexibility in the management of its resources. Potential funding sources include:

EDA – Economic Development Administration

CDBG – Community Development Block Grant

DWSRF – Drinking Water State Revolving Loan Funds

County projects must be prioritized into three categories:

Priority 1: Construction or implementation projects that are in the advanced stages of planning. This requires that all preliminary engineering and environmental reports have begun or are complete.

Priority 2: Projects that are still in the planning stages and are not yet ready for implementation.

Priority 3: Non-construction and non-implementation projects of a special economic development purpose which may include special issue studies, basic data collection and analysis, feasibility studies, and technical assistance projects.

Mr. Summerlin stated County and PSA staff developed a proposed list of projects. Including a project in the CEDS does not commit the County to undertake the project. It is simply a listing of potential projects from which EDA representatives choose for investment of federal funds in this district. If EDA invites the County to submit an application for a specific project from the list, the Board would then be required to commit the local funds necessary for implementation. (Copy of Proposed FY '08-'09 County Projects included in Board's File).

Mrs. Burnette stated the extension of public water service on Route 58 West from Route 687 up to Mayo River was not given a priority number. Mr. Summerlin stated this project is not in the advanced planning stage; however, it really doesn't matter what priority number is assigned because it will be on the document.

Mrs. Burnette moved that the Board approve the Comprehensive Economic Development Strategy (CEDS) document priority listing, second by Mrs. Buchanan and unanimously carried.

DISCUSSION OF ISSUES REGARDING HENRY COUNTY'S CONVENIENCE CENTERS:

Mr. McMillian stated he requested this item be placed on the Board's Agenda. He stated he has over 1,300 signatures of people who are requesting Sunday hours at one or more of the convenience centers to alleviate the inconvenience they are having getting to the convenience centers at a time when they are open. Mr. McMillian stated he believes it is time to go ahead and man all the sites.

Mr. Mike Amos, Project Manager of the Convenience Centers, distributed and reviewed a copy of approximate costs to open convenience center sites on Sundays. Mr. Amos stated the manned sites generally are open around 6:30 am and stay open until 7:30 or 8:00 pm. He stated opening a site on Sunday would be very costly to the County due to costs associated with First Piedmont Corporation, which owns the transfer station. He stated he also would like to see additional sites manned and has worked up some preliminary costs. He hopes to open up at least three more sites in the near future. (Copy of Report included in Board's File).

Mr. Summerlin gave a brief overview of the decrease in tipping fees since the two manned sites were open in September. He advised the Board to be careful and not overestimate the savings because you may not see the same savings every month because the County has not been through spring or summer when trash volumes will probably increase. The manned sites have worked out very well; they have stopped a lot of out-of-County trash and assisted a lot of County residents on how to properly dispose of trash and has enhanced the recycling program. He stated with the savings thus far it would be prudent to start looking at manning more sites. Staff has discussed manning the Axton, Horsepasture, and Collinsville sites sometime next year. He stated in order to make the economics of this work the Board would need to transfer funds from savings in the current year budget to take care of the capital for manning those sites. Mt. Valley and Country Road sites would be manned the following year, which would include all seven sites. He stated in terms of being open on Sunday it has been suggested that the County dump as late as possible on Saturday afternoon; however, the latest we can dump is 3:00 pm in order to meet the transfer station's closing deadline on Saturday. He said after looking at various options of being open on Sunday, and short of paying First Piedmont to keep the transfer station open, we would not be able to keep the trash off the ground unless the boxes can be dumped on Sunday afternoon even if the site is manned.

Following some discussion on the Red Oak site located in the Horsepasture District, the Board instructed Mr. Amos to come back to the Board with cost estimates on manning Red Oak and opening four hours on Sunday.

Mrs. Burnette asked the Board if they were looking at doing this now or factoring this into the upcoming budget.

Mrs. Buchanan said it needs to be considered in the budget if it is approved.

The Board also briefly discussed tire dumps cropping up in various areas of the County. It was noted that the transfer station accepts tires for a fee of \$3.00 per tire and truck tires are \$6.00. Mr. Amos noted there should be some type of state legislation drafted that would require tire dealers to be held accountable for proper disposal of tires.

The Board thanked Mr. Amos for his update.

CONSIDERATION OF COUNTY ORDINANCE CHANGES REGARDING CONCEALED HANDGUN PERMIT APPLICATIONS:

Mr. Summerlin stated Commonwealth's Attorney Bob Bushnell is asking that the Board consider a change to the County Code regarding the application process for concealed handgun permits. Mr. Bushnell wrote in a letter that he and Sheriff Lane Perry would like for the Board to change the County Code and begin requiring fingerprint-based checks in addition to the current requirements. Mr. Bushnell said this new step would allow Henry County to more accurately determine the criminal background of a potential applicant. As with any change to the County Code, this action would require a public hearing.

Mrs. Buchanan moved that the Board schedule a public hearing on the matter for the Board's February 26 meeting at 6 pm, second by Mr. McMillian and unanimously carried.

CONSIDERATION OF PROPOSED AMENDMENT TO INOPERATIVE MOTOR VEHICLE ORDINANCE, SECTION 12-201(d):

Mr. Lyle reviewed background information regarding a proposed amendment to the Inoperative Motor Vehicle Ordinance Section 12-201(d), to clarify the intent of this section. The intent was to allow licensed motor vehicle dealers to be exempt from the requirements of the Inoperative Motor Vehicle Ordinance, but only on the property where they have their licensed business. This amendment will clarify the intent and assist in the effective prosecution of future violations. The ordinance change would require a public hearing. (Copy of Proposed Amendment included in Board's File).

Mrs. Burnette moved that the Board set a public hearing to consider the proposed amendment for February 26, 2008, second by Mrs. Buchanan and unanimously carried.

FINANCIAL MATTERS:

Award of Contract and Additional Appropriation re: Erosion Control Issues at Old County Landfill

Mr. Summerlin reviewed background information regarding some erosion issues at the old County landfill, which is required by the Department of Environmental Quality by a letter of agreement. Staff has addressed these issues initially by contracting with the Henry County Public Service Authority to do the repairs; however, more significant repairs are needed. The County asked Joyce Engineering to develop plans and specifications to address the issue, and a Request for Proposals for the work was issued. Three proposals were received, and Prillaman and Pace was the low bidder at \$135,257. Staff added a 13% contingency to the project cost, bringing the total amount to \$153,000. Since this cost was not included in the FY '08 County Budget, the appropriation must be made from the County's fund balance.

Mr. Vaughn moved that the Board award the contract to Prillaman and Pace as outlined and approve the additional appropriation of \$153,000 from the County's fund balance, second by Mrs. Burnette and unanimously carried.

Award of Contract re: Digital Recording Equipment – Sheriff's Office

Mr. Summerlin stated that Sheriff Lane Perry is asking the Board to award a contract to EMI Imaging, Inc. in the amount of \$16,890.12 for the purchase of a digital recording system for the Henry County Jail. Three vendors responded to the Request for Proposals for the system, and EMI ultimately was the low bidder of \$16,890.12. Funding for the purchase would come from the current Sheriff's Office budget.

Mrs. Burnette moved that the Board award the contract to EMI Imaging, Inc. in the amount of \$16, 890.12 for the purchase of the digital recording system, second by Mr. McMillian and unanimously carried.

Award of Contract re: Access Road to Smith River Sports Complex

Mr. Summerlin stated the Board is being asked to award a contract to Woolpert, Inc. of Charlotte, NC for the design of the access road to the Smith River Sports Complex in the amount of \$57,728.00.

Mrs. Buchanan moved that the Board award the contract to Woolpert, Inc. in the amount of \$57,728.00, second by Mrs. Burnette and unanimously carried.

Mr. Adams welcomed Mr. Dennis Toney, Executive Director of the Southern Virginia Sports Authority.

Award of Contract for Rehab Facility and Additional Appropriations – Public Safety

Mr. Summerlin stated that Dale Wagoner, Director of Public Safety, is asking the Board to award a contract to Price Buildings, Inc. in the amount of \$76,600 for the construction of a “rehab facility” near the Burn Building at the Department of Public Safety. The building would allow students taking classes at the Burn Building to have room for gathering, changing clothes, storing gear, eating means, etc. It also would include restrooms. Mr. Wagoner is asking permission to use \$65,470.28 from unspent Harvest Foundation grants (Harvest Foundation has OK’d using its funds for this purpose) and \$11,129.72 from the Board’s contingency account to fund the \$76,600 project cost. The contingency fund would have \$116,946 remaining if this expenditure is approved. An extra \$10,000 is requested and listed on the Additional Appropriation Sheet. This money is also from the Harvest Foundation and would be used evenly at Magna Vista and Bassett high schools toward supplies for their Public Safety classes.

Mrs. Burnette moved that the Board award the contract to Price Buildings, Inc. in the amount of \$76,600 for the construction of the building; using the remaining Harvest Foundation funds and the \$11,130 in an additional appropriation from the Board’s contingency fund; and the appropriation of \$10,000 for use for props at Magna Vista and Bassett high schools, second by Mr. McMillian and unanimously carried.

INFORMATIONAL ITEMS:

Mr. Summerlin discussed the following Informational Items:

- Distributed for Board's information a Notice for the Special Commissioner's Sale of Real Estate from the attorney who was hired by the Treasurer's Office to collect delinquent taxes. (Copy included in Board's File).
- The Scenic River Designation for the north and south forks of the Mayo River has passed both the House and Senate in identical forms.
- Recently attended a Preservation Advisory Committee meeting at the old Spencer Penn Centre and they have done a remarkable job with the surplus school property. He stated last week they received a State Preservation Award.
- Noted that the County has a new website with Tim Hall coordinating development of the site. Mr. Hall stated the URL address is www.henrycountyva.gov. He encouraged everyone to visit the website which was done by HerDesign, a Martinsville firm. He stated County employees also participated in the design work.
- The County Administrator and the City Manager submitted a joint letter of inquiry to the Harvest Foundation, which is the first step in being invited to submit a grant request. He stated there is some interest in updating the Comprehensive Plans in both communities and they are looking at having a total rewrite of each Comprehensive Plan including neighborhood plans, and they are required to be reviewed every ten years.
- The Board will hold its annual Planning Session on Thursday, January 31, 2008, at 3:00 pm at the Emergency Services Training Center. Ms. Tiffany Haworth with United Way will be the facilitator. He stated staff will provide a list of the Goals and Objectives from last year's planning session. He stated he would like to add two additional agenda items; one includes an in-depth discussion of Emergency Services Response issues and two, the Engineering Department has analyzed data on the local flooding problems and will have a brief

PowerPoint presentation showing some of the most severe problems and cost estimates on how to rectify the situations.

- Requested the Board to bring their calendars to the Planning Session to schedule a joint tour with the Industrial Development Authority to visit some of the local industrial properties that the County has purchased over the past year.
- Stated a Public Transit meeting is going on and he and the City Manager met with state public transit officials and they are willing to consider a pilot grant program for a public transit system in the Martinsville-Henry County area. He stated it would basically be a one bus system that would operate 40 hours per week from established stops selected and the State would be willing to fund a demonstration grant for one year. It would basically be enough money to buy a bus and pay all the cost for 40 hours per week and the City and County's commitment would be \$7,500 each for one year. He stated the grant application is due on Saturday.

Mrs. Burnette moved that the Board join the City of Martinsville in applying for the Demonstration Grant for a Public Transit System, second by Mrs. Buchanan and unanimously carried.

Mr. Summerlin stated regarding the RTI Titanium Project the Board needs to make several budget adjustments. He stated the shell building is financed through Carter Bank and Trust for approximately \$2.8 million, which is on the books of the IDA. He stated the County carried \$2 million additional on the Tax Revenue Anticipation Note. EDC will be providing \$700,000 as well as \$100,000 out of the IDA budget to retire the debt on the shell building before it is transferred. He stated staff needs a budget amendment to allow the transfer since it is more than \$500,000. The Performance Agreement includes a grading grant for the Patriot Centre not to exceed \$1 million. A public hearing will be required.

Mrs. Burnette moved that the Board set a public hearing on the budget amendment as outlined at its February 26, 2008 meeting, second by Mr. Vaughn and unanimously carried.

Comments from the Board

Mrs. Burnette suggested that the new website be put on the roll screen on Channel 19 to make people more aware of the County's new site.

Mr. Hall stated staff plans to do that; however, they want to make sure the site is up and running and working well. He noted a feature on the new site is that anyone can sign up for the County's E-Newsletter, which will begin the first of the month.

Mrs. Burnette stated she is very pleased with Deputy Anderson who has been working very hard to get rid of several junk car areas.

Mrs. Burnette stated regarding emergency medical services there seems to be more structures that do not have house numbers for addresses. She suggested maybe the County needs to refresh this ordinance and try to encourage people to get house numbers because this is very crucial to law enforcement and emergency services.

Mr. Vaughn stated the County does have an ordinance and it specifies the size of the letters and there probably needs to be a public service campaign to get the information out to remind people that it is a requirement.

Mrs. Burnette stated she had received several calls recently regarding street signs being down. She noted when someone finds a street sign down they need to call the Planning Office.

It was noted that Mrs. Burnette, Mr. Vaughn, and Mr. Adams will be attending the VACo/VML Legislative Session next week.

Mrs. Buchanan asked if upcoming events in each Board member's district could be listed in the County's website E-Newsletter.

Mr. Hall stated there would be a calendar of events for boards, commissions, and other items in each district that are news worthy.

Mr. Adams thanked H. G. Vaughn and Mark Heath for taking time out after the announcement of RTI to discuss on a local media outlet explaining in detail further issues with the announcement.

Sheriff Perry stated he would like to invite everyone to the Good News Jail Ministry Prayer Breakfast this Saturday at Hillcrest Baptist Church. He stated there would be a \$10.00 charge which will go to the Good News Jail Ministry Program.

CLOSED MEETING:

Mrs. Burnette moved at 4:12 pm to enter into a closed meeting to discuss the following, second by Mrs. Buchanan and unanimously carried.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Public Service Authority, Industrial Development Authority, Planning Commission, Parks and Recreation Board, Patriot Centre Advisory Board, Economic Development Corporation, Dan River Alcohol Safety Action Program and Community Policy and Management Team
- 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 5:45 pm on a motion by Mrs. Buchanan, second by Mr. McMillian and unanimously carried.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote affirming that the Board only discussed public business matters lawfully exempted and identified in the motion to enter closed session. Those voting in the affirmative were Mr. Slaughter, Mr. McMillian, Mrs. Burnette, Mr. Adams, Mrs. Buchanan and Mr. Vaughn.

APPOINTMENTS:

Public Service Authority

Mr. Slaughter moved that the Board appoint Mr. Mike Harris from the Reed Creek District to the Public Service Authority for a term of four years ending January 5, 2012, second by Mrs. Burnette and unanimously carried.

Economic Development Corporation

Mrs. Buchanan moved that the Board appoint Mr. Butch Hamlet to an unexpired term on the Economic Development Corporation Board for a term ending June 30, 2009, second by Mr. Vaughn and unanimously carried.

Community Policy and Management Team

Mrs. Burnette moved that the Board appoint Ms. Bonnylee Witt to an unexpired term to the Community Policy and Management Team for a term ending June 30, 2009, second by Mrs. Buchanan and unanimously carried.

INFORMATIONAL ITEMS CONTINUED:

Mr. Summerlin stated one other informational item is that the contract was signed for the Chestnut Knob/Ridgeway waterline today.

The Board recessed its meeting at 5:49 pm until its 6:00 pm session.

The Board reconvened at 6:00 pm and Mr. Adams welcomed everyone present.

PUBLIC HEARINGS:

Proposed Abandonment, 40' Right-of-Way between Morningside Drive and Boxwood Lane

Mr. Lee Clark reviewed background information regarding the proposed abandonment of a 40' right-of-way between Morningside Drive and Boxwood Lane.

The public hearing was open at 6:02 pm. There being no one present who wished to speak the public hearing was closed at 6:03 pm.

Mrs. Burnette moved that the Board adopt the following motion, second by Mrs. Buchanan and unanimously carried.

“Be it ordained and resolved that the section of a 40’ right-of-way located between Morningside Drive and Boxwood Lane in the Blackberry District, shown on a plat for Martin Ridge Subdivision, prepared by W.C. Trent, dated November 1953, recorded in the Henry County Circuit Court Clerk’s Office in M.B. 6, P.G. 70., be vacated and abandoned, subject to the rights of owners of any utilities previously installed.”

Rezoning Application R-08-01 – Michael W. Edwards, Sr. and Valeria C. Edwards

Mr. Clark reviewed Application R-08-01 for Michael W. Edwards, Sr. and Valeria C. Edwards. (Copy of Application included in Board’s File). Mr. Clark stated that following a public hearing both the Planning Commission and staff recommend approval of the request.

The public hearing was open at 6:04 pm. There being no one present who wished to speak the public hearing was closed at 6:04 pm. It was noted the applicants were present.

Mrs. Buchanan moved that the Board accept the recommendation of the Planning Commission to approve the rezoning request, second by Mr. McMillian and unanimously carried.

GENERAL HIGHWAY MATTERS:

Ms. Lisa Price-Hughes, Residency Administrator of the Virginia Department of Transportation, was present to discuss highway matters. The first item Ms. Hughes addressed was regarding Revenue-Sharing Program for FY 2009. (Copy included in Board’s File).

Ms. Hughes stated she has two resolutions for the Board’s consideration regarding new street additions. The first being Deer Creek Run located in the Iriswood District and the second involves two streets located in Farmingdale Subdivision (Rockshire Drive and Diana Court).

Mrs. Burnette moved that the Board add Deer Creek Run to the state system, second by Mrs. Buchanan and unanimously carried.

Mr. Vaughn moved that the Board add Rockshire Drive and Diana Court to the state system, second by Mr. McMillian and unanimously carried.

Consideration of Revenue-Sharing Program, FY 2009

Mr. Summerlin reviewed information regarding the Virginia Department of Transportation (VDOT) annually funding 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. Included in the Board's File is a letter from Michael Estes, Director of VDOT's Local Assistance Division, outlining changes to the program and outlining how localities can participate. Mr. Summerlin noted that Henry County has not participated in the Revenue Sharing Program for approximately six years and it would require that the County put up \$1.00 to be matched by the State. He stated that preference is now given to counties that commit at least \$1 million to that program.

Mrs. Buchanan stated there are probably very few areas across the State of Virginia that do participate in the program with that criteria; however, she would not like to see the program completely dropped.

Mrs. Burnette moved that the Board not participate in the Revenue Sharing Program at this time, second by Mr. Vaughn and unanimously carried.

Ms. Hughes stated that the Iron Bridge in Fieldale is on schedule for advertisement in December of 2008, and VDOT just got approval to start acquiring right-of-way on three parcels.

Ms. Hughes stated the Chestnut Knob area where there were several slide areas has been stabilized and reseeded. There was also some repaving completed to help prevent the problem from occurring in the future.

Ms. Hughes discussed the intersection of Route 609 and 683. She stated a signal study was completed and it did not qualify for a signal; however, VDOT intends to install flashing warning lights sometime in early spring. She stated at the Board's request this project has been included on the Six-Year Plan.

Mrs. Burnette stated in the past she has inquired about the intersection of Route 57 and Route 777 regarding flashing lights.

Ms. Hughes stated VDOT does not plan to do anything on that intersection at this time; however, they are planning to keep the sight distance clear by keeping it cut back and mowed.

Mrs. Burnette asked about Route 751, Elijah Circle, regarding sight distance problems. She stated another problem on 751 is rain water washing over the road and felt there needed to be some ditching on the right hand side of the road.

Ms. Hughes stated VDOT would look into that.

Mrs. Burnette stated at the intersection of Route 58, 626, and 648, the large overhead light on the eastbound side is out.

Mr. Vaughn moved that the Board request VDOT to install Children at Play signs on Fontaine Drive in the Ridgeway District and Wingfield Orchard Road in the Horsepasture District, second by Mrs. Buchanan and unanimously carried.

MATTERS PRESENTED BY THE PUBLIC:

Mr. Adams read a brief statement that the Board is here to listen to public comments and not to engage in a question and answer period or a debate. He stated if anyone wishes to address the Board to come to the podium and state your name, subject matter and the district in which you live. He stated by coming to the podium you have agreed to exhibit respect to the Board and its members and each one will conduct themselves with dignity. He stated everyone would receive the same level of respect from the Board. He asked that those who wish to speak to keep his or her comments between three to five minutes.

Mr. Chris Koumparakis stated he would like to commend the Board on its recent announcement of RTI Inc. He said he was very impressed with the character of the Board of Supervisors and its professionalism. He also complimented members of County staff in its role of the announcement of RTI.

Mr. John Staples of the Ridgeway District, asked the Board to look into the status of the resolution that was passed regarding illegal immigration. Staff noted that the County is participating in the Coalition initiated by Culpepper County who will be advising the General Assembly.

Mr. Wayne Bryant of the Reed Creek District, came forward to discuss citizens concerns regarding a safety issue at the intersection of State Route 606 (Oak Level Road) and State Route 57 W just beyond Bassett Forks and beginning of 220 By-Pass. Mr. Bryant presented petitions to the Board with approximately 700 to 800 signatures in support of requesting the Board of Supervisors to ask VDOT to look at a stop light at this intersection. (Copy of Petitions included in Board's File).

PRESENTATION BY RANDY SMITH, PRESIDENT, HENRY COUNTY FIREFIGHTER'S ASSOCIATION:

Mr. Randy Smith, President of the Henry County Firefighter's Association, came forward to discuss funding of its Capital Improvement Program. The Board acknowledged all emergency personnel in attendance.

Mr. Smith stated the Association is requesting an increase of funds for the Capital Improvements Program money used to purchase new fire trucks. He stated currently the amount received for this program is \$175,000. With the average price increase of 7% yearly on trucks, the Association is requesting \$200,000 for the 2009 budget and a 5% increase annually beginning with the 2010 budget.

Mrs. Burnette moved that the Board consider the request in the upcoming budget preparations, second by Mrs. Buchanan and unanimously carried.

PUBLIC HEARING – CONSIDERATION OF BOUNDARY ADJUSTMENT TO JOINT ENTERPRISE ZONE:

Mr. Summerlin stated Wade Nester, Henry County's Enterprise Zone Coordinator, asked the Board in December to consider a boundary adjustment for joint Enterprise Zone #54 that Henry County shares with the City of Martinsville. This boundary adjustment would allow Henry County and the City of Martinsville to make better use of the allocated Enterprise Zone acreage. Martinsville City Council is being asked by City staff to make similar adjustments to the two joint zones and requires a public hearing.

Mr. Nester thanked the Board for the opportunity to present the proposed boundary and incentive amendments to both Enterprise Zones #36 and #54. He stated Ms. Tiffani Underwood of the City of Martinsville, is present to review the proposed changes to the City's portion of the zones. Mr. Nester explained that enterprise zones are specially designated areas across the Commonwealth in which businesses and investors may qualify for grants and other incentives based on job creation and investment and State and local incentives are available. There are 56 enterprise zones currently located throughout the Commonwealth, two of which are the Martinsville and Henry County Joint Zones #36 and #54.

Mr. Nester stated shortly after the County's purchase of the two large tracts of land last year he was directed to commence proceedings to have these areas added within the County's portion of Enterprise Zone #54. The County's portion of Zone #54 currently consists of only 124.73 acres and Zone #36 consists of 3,840 acres, its maximum allotted acreage.

Mr. Nester stated there has been much interest expressed about adding several additional areas over the years since the designation of Zone #54 in 2001. Therefore, he suggested taking a look at these areas at the same time. He stated you can only submit an amendment once within a 12 month period. Also, each zone may only be made up of three non-contiguous areas and you cannot submit a boundary amendment for a single business or industry. He stated the City of Martinsville no longer operates the landfill therefore they are submitting an amendment to their local incentives to replace the landfill tipping fee refund and proposing an additional incentive. Also, Ms. Underwood was instructed by the City Manager, Mr. Clarence Monday, to take a look at the City's portion of the two zones to see if they could increase and/or make better use of their acreage allotments and prepare boundary amendments as necessary.

Mr. Nester stated with this information and review of maps presented, will show exactly where and why these boundary and incentive amendments are being proposed.

Ms. Tiffani Underwood came forward and presented the City of Martinsville's portion of the proposed boundary adjustment to the joint enterprise zone.

The public hearing was open at 7:12 pm.

Mr. Maurice Bell stated he has concerns along Joseph Martin Highway. He stated the Enterprise Zone would surround his home completely, which is called "Bellevue," an estate built in 1783 by Major John Redd and is on the National Register as well as some state historic registers. Mr. Bell stated he would like to see this particular placeholder go away or be confined.

Mr. Patrick Climer, a resident of Farmingdale and Controller for MasterBrand, stated he is aware of the importance of the Enterprise Zone and incentives it can bring to a new business; however this zone will be located near his home in Farmingdale subdivision; therefore, he was against the boundary adjustment.

Mr. Jimmie Ford, resident and developer of Farmingdale subdivision, stated he was very impressed with the Enterprise Zone and is all for growth and expansion; however he was very concerned regarding Farmingdale subdivision and the Stone property located nearby. Mr. Ford stated he felt it would be in the best interest of Henry County not to do anything near that particular location. He stated there are 98 homes in Farmingdale with an approximate value of over \$50 million.

Mr. Pete Morrison, resident of Farmingdale, stated it seems to him that Enterprise Zones would be better used to redevelop some of the areas that the County has already developed that are falling in disrepair such as the Winn Dixie property on 220 South instead of creating more industrial land.

Ms. Debra Meadows, a resident of Kings Mountain Road, stated she is opposed to the boundary adjustment of the enterprise zone and the County should work on existing buildings already in the County.

Ms. Betty Washington, a resident of Kings Mountain Road, stated she also is opposed to the boundary adjustments.

Mr. Dave Wilhite, a resident of Farmingdale subdivision, stated he agreed with Mr. Ford's comments that the County needs to protect the Farmingdale area.

There being no one else present who wished to speak the public hearing was closed at 7:37 pm.

Mr. Summerlin noted there is no real issue with the Stone property being included in the Enterprise Zone as far as an economic development standpoint. He also noted that boundary adjustments can be done once a year in adding new properties.

Following further discussion by the Board and staff Mr. Vaughn moved that the Board approve the changes of the County's portion of Enterprise Zone #54 excluding the Stone Properties and Belleview property, second by Mrs. Burnette and unanimously carried.

PUBLIC HEARING – CHANGES TO HENRY COUNTY CODE REGARDING MASSAGE ORDINANCE:

Mr. Lyle stated at the December 11, 2007 and January 2, 2008 meetings, the Board held discussions regarding the County's massage ordinance. The Board instructed staff to appoint a committee to study the ordinance and recommend changes. Mr. Lyle stated the committee, under his direction came up with several items for discussion as well as the requirement to hold a public hearing. Mr. Lyle reviewed suggested amendments to the Massage Parlor Ordinance, amendments to license fee, and amendments to the Zoning Code. (Copy included in Board's File).

The public hearing was open at 8:03 pm.

Mr. Bob Tuggle, a certified massage therapist, stated amendments to the massage ordinance appears to be targeting prostitution and perhaps there should be a separate ordinance. He also stated that the word "parlor" should be taken out of the ordinance and felt the \$1,000 per year fee should be reduced.

Ms. Theresa Wall, a certified massage therapist, stated she would like to commend the Board for proposing changes to the ordinance. She stated personally she likes to see the distinction between those who have gone through the educational process, taken the national exam and being certified through the State versus those who have not. She stated she was happy to see a greater fee to get a business license because it helps distinguish between those who have the proper education and those who do not.

Ms. Lee Ann Tucker, a certified rolfer, stated when she finished her schooling in Boulder, Colorado, she first contacted the Virginia Nursing Board to see what type of certification she needed in order to satisfy the State. She stated the Nursing Board did not recognize the type of work she performed and was instructed to call the Medical Board and they too did not recognize her work. She thanked the Board for addressing this issue; however she felt \$1,000 fee is a very high price for any one to pay for this type of business license especially if you're a single parent.

There being no one else present who wished to speak the public hearing was closed at 8:22 pm.

Following some discussion by the Board, Mr. Vaughn moved that the Board approve the amendments to the Massage Parlor Ordinance, second by Mrs. Burnette and unanimously carried.

There being no further business to discuss Mr. McMillian moved at 8:30 pm to continue its meeting to January 31, 2008 at 3pm at the DuPont Emergency Training Center, second by Mrs. Buchanan and unanimously carried.