

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

March 25, 2008 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on March 25, 2008, 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 H. G. Vaughn, Debra Buchanan, Jim McMillian and Tommy Slaughter. Paula Burnette was absent.

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, Major Steve Eanes and Sergeant Eric Hairston were present from the Sheriff's Office.

Debbie Hall of the Martinsville Bulletin was present.

Jim McMillian gave the invocation and also 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.

Mr. Adams noted that Mrs. Burnette was absent due to the birth of a new grandson. Baby Ryan was born March 24, 2008, and weighed 6lbs. 8ozs. Mother and son are doing well.

ITEMS OF CONSENT:

Confirmation of Minutes of Meetings

- 1) February 25, 2008
- 2) February 26, 2008

(Copy included in Board's File).

Approval of Accounts Payable

(Copy included in Board's File).

Resolution Opposing Closure of Virginia Employment Commission's Local Office

Discussions have taken place recently on the possible closure of the local office of the Virginia Employment Commission. Henry County voiced its opposition to a closure in April 2007 when staff sent a letter to state officials outlining the County's position. Staff has drafted a resolution for the Board's approval that reiterates the County's opposition to a closure of the local VEC office. (Copy included in Board's File).

Proclamation - Establishing April 2008 as "Child Abuse Prevention Month"

Mr. Adams stated this is an addition to the Agenda regarding proclaiming the month of April 2008 as "Child Abuse prevention Month." (Copy included in Board's File).

Mr. Vaughn moved that the Board approve Items of Consent as presented and approve the Proclamation to establish April 2008 as "Child Abuse Prevention Month, second by Mrs. Buchanan. The motion carried 5 to 0. Mrs. Burnette was absent.

REPORT ON AUDIT OF COUNTY ACCOUNTS FY '06-'07:

Robin Jones from Creedle, Jones, and Alga P.C., was present to give the Board a report of its audit of County Accounts for the fiscal year that ended June 30, 2007. (A Copy of the Audit Report and Management Letter are included in Board's File).

Ms. Jones stated Henry County received an unqualified opinion for FY 2007, which means Creedle, Jones, and Alga found no material errors and according to auditing standards this is a clean opinion. She briefly reviewed various exhibits in the audit and answered questions by the Board.

Mr. Vaughn moved that the Board accept the Audit of County Accounts for the fiscal year that ended June 30, 2007, second by Mr. McMillian. The motion carried 5 to 0. Mrs. Burnette was absent.

REQUEST TO ERECT MONUMENT IN HONOR OF GENERAL JOSEPH MARTIN AT OLD HENRY COUNTY COURTHOUSE:

Mr. Summerlin reviewed information regarding General Joseph Martin, for whom Martinsville is named, who died December 18, 1808. To honor his memory, a group consisting of Martin family descendants, the Henry County Historical Society and others would like to place a monument honoring General Martin on the grounds of the old Henry County Courthouse in uptown Martinsville. The group indicates that the monument would be approximately 6 feet tall and made of granite components. The monument would be unveiled during the weekend of June 27-28, 2008, as descendants plan to hold a reunion in Martinsville-Henry County. The group is

requesting permission from the Board to place the monument on the courthouse grounds. There would be no cost to Henry County.

Mrs. Buchanan moved that the Board approve the monument being placed at the old Henry County Courthouse, second by Mr. McMillian. The motion carried 5 to 0. Mrs. Burnette was absent.

UPDATE ON ACTIVITIES AT PATRICK HENRY COMMUNITY COLLEGE:

Mr. Gary Collins, a County appointee to the Patrick Henry Community College Board, and Ms. Natalie Harder, Vice President of Institutional Advancement at PHCC, were present to update the Board on activities at PHCC. Mr. Collins and Ms. Harder discussed issues regarding PHCC's GED program, sports programs, motorsports program, and its nursing program. Other issues discussed were increases in attendance, dormitory study, educational attainment problems, dual enrollment classes, and financial aid assistance, etc.

The Board thanked Mr. Collins and Ms. Harder for their presentation.

DISCUSSION OF REAL ESTATE TAX RELIEF FOR ELDERLY AND DISABLED:

Mr. Summerlin stated Mrs. Burnette requested this item be placed on the Board's Agenda. Mrs. Burnette wants to discuss the possibility of raising the household income limit for tax relief from its current level of \$16,000 a year. The Board considered this item in October 2006 and took no action as noted in a Memo from Mrs. Burnette to the Board. (Copy of Information Included in Board's File).

Ms. Linda Love, Commissioner of Revenue, was present to answer questions of the Board.

Following some discussion Mrs. Buchanan moved that the Board add an additional category to the household income limit for tax relief from \$16,001 a year to \$17,000 with a 10% tax exemption and set a public hearing for the April meeting, second by Mr. McMillian. The motion carried 5 to 0. Mrs. Burnette was absent.

CONSIDERATION OF CHANGES TO ORDINANCE FOR CONCEALED HANDGUN PERMITS:

Mr. Summerlin stated that at the Board's meeting on February 26, the Board approved changes to the County Ordinance to require fingerprints for first-time applicants. (Copy of Ordinance included in Board's File). Mr. Summerlin stated the Board is asked to approve the ordinance language. He stated a public hearing has been held; therefore, a separate public hearing is not required.

Mrs. Buchanan moved that the Board adopt the changes to the concealed handgun permit ordinance, second by Mr. Vaughn. The motion carried 5 to 0. Mrs. Burnette was absent.

CONSIDERATION OF CHANGES TO THE RESIDENTIAL PROPERTY ORDINANCE:

Mr. Lyle stated the Litter Committee, which was created by the Board of Supervisors last fall, discussed many ways to help improve our neighborhoods. One suggestion to come from the committee's work was to strengthen the Residential Property Ordinance to codify that all furniture and/or appliances designed for indoor use be kept indoors. Mr. Lyle stated the proposed wording is that Outside Storage: Household appliances or furniture manufactured and sold for indoor use may not be placed in yards, fields or other outside areas where it is not within an enclosed structure. He stated if the Board wants to consider the change, a public hearing

should be set for the April 29 meeting. (Copy of Amendments Included in Board's File).

Mr. Vaughn stated he would like to see this issue addressed; however, he had some very serious concerns with the wording of the "other outside areas" as far as front porches, carports, and back porches.

Mrs. Buchanan moved that the Board set a public hearing on the Residential Property Ordinance on April 29, 2008, at 6 pm, second by Mr. McMillian. The motion carried 5 to 0. Mrs. Burnette was absent.

FINANCIAL MATTERS:

Additional appropriation re: "Four-For-Life" Funds - Public Safety

Mr. Summerlin stated Dale Wagoner with the Department of Public Safety is requesting that the Board approve the additional appropriation for the annual "Four-For-Life" allocation from the Commonwealth to the local rescue squads. This is a pass-through allocation for the purchase of equipment. This year's total is \$49,090.51 and Mr. Wagoner is recommending that each of the five County squads receive \$9,818.10.

Mrs. Buchanan moved that the Board approve the five County rescue squads receiving \$9,818.10, second by Mr. McMillian. The motion carried 5 to 0. Mrs. Burnette was absent.

Additional Appropriation re: Ferndale Tower - Public Safety

Mr. Summerlin stated Public Safety Director Dale Wagoner is requesting the Board to award a contract in the amount of \$56,833 for structural reinforcement of the Ferndale Tower. Mr. Wagoner indicates that the Ferndale

Tower is to be used for the placement of emergency communication towers and associated shelters and equipment for the County's new radio project. It has been determined that the site requires some reinforcement in order to better handle the new equipment. Mr. Wagoner is asking the Board to award the work to JG Contracting, which is already working on the Ferndale site. This extra work would be a change order to the current contract. Funding for this expense is already budgeted within the radio project budget.

Mr. Vaughn moved that the Board award the contract for no more than \$56,833 to JG Contracting for work on the Ferndale Tower, second by Mrs. Buchanan. The motion carried 4 to 1 to 0. Mr. McMillian voted in opposition and Mrs. Burnette was absent.

Mr. Summerlin noted the County anticipates the new towers will go up very soon and last week County representatives visited the Motorola facility in Illinois to do the factory acceptance testing of the new communication system. He stated it is anticipated it will be shipped this week and installation will proceed.

Additional Appropriation re: Repair/Maintenance of Vehicles – Sheriff's Office

Mr. Summerlin stated Sheriff Perry is requesting the Board to make an additional appropriation in the amount of \$15,382.76 to the Sheriff's Office "Repair/Maintenance of Vehicles" line item. Sheriff Perry indicates that auto insurance checks in the amounts of \$8,100; \$3,137.29; and \$4,145.47 will be used to cover the additional appropriation.

Mrs. Buchanan moved that the Board approve the additional appropriation in the amount of \$15,382.76 to be redeposited into the Repair/Maintenance of Vehicles line item, second by Mr. McMillian. The motion carried 5 to 0. Mrs. Burnette was absent.

Acceptance of Donation – Sheriff’s Office

Mr. Summerlin stated Sheriff Perry is asking the Board to accept a donation from Wal-Mart in the amount of \$500. Sheriff Perry indicates that he would like to use the money to print crime prevention materials.

Mr. McMillian moved that the Board approve the additional appropriation for deposit of \$500 into the Sheriff’s Office account, second by Mr. Vaughn. The motion carried 5 to 0. Mrs. Burnette was absent.

Additional Appropriation re: FY 2006-07 Carryover Funds, and Transfer Appropriation Request – School Board

Mr. Summerlin stated the School Board is requesting that the Board appropriate \$225,122 in FY ’06-’07 carryover funds to be used toward roof repairs at Bassett High School. This is similar to past carryover amounts that were applied to other capital projects, including the renovation of Drewry Mason Elementary School. The School Board is asking that the money be placed in the facilities category and the building improvements/addition line item. In a separate matter, the School Board is asking that two transfers be made to comply with recommendations from the Department of Education’s Annual School Report. The funds, which total \$453,500, would be transferred from Instruction to Technology and payment for outstanding purchase orders would be made from the Technology category.

Mr. Vaughn moved that the Board approve the request to appropriate \$225,122 in carryover money into the facilities category to be used for roof repairs at Bassett High School; and approve the transfer requests in the amount of \$453,500 per the recommendations of the Department of Education’s Annual School Report, second by Mrs. Buchanan. The motion

carried 4 to 1 to 0. Mr. McMillian voted in opposition and Mrs. Burnette was absent.

Request for Carryover FY '06-'07 County Funds

Mr. Summerlin stated each year the Board of Supervisors considers a request for carryover funds from the prior budget year to the current budget year. County staff has prepared a list of carryover items by cost center. The items on the carryover list are items encumbered from the prior budget year but not expected to be received by June 30, and unexpended grant funds awarded in the prior fiscal year. This year's carryover request totals \$18,972,891.53, including interfund transfers of \$2,785,564.55. (Copy of Carryover Request included in Board's File).

Mrs. Buchanan moved that the Board approve the Carryover Funds for FY '06-'07, second by Mr. Vaughn. The motion carried 5 to 0. Mrs. Burnette was absent.

INFORMATIONAL ITEMS:

Mr. Adams stated the Board received a letter from Richard Flora, Chairman of the Roanoke County Board of Supervisors, expressing thanks to the Henry County Public Safety office for its assistance in helping to fight a string of wildfires last month in Roanoke County. (Copy of Letter included in Board's File). Mr. Adams stated the Public Safety personnel should be commended.

Mr. Summerlin stated the ground breaking on the Soccer Complex is scheduled for April 5th at 3:00 pm at the site. He stated the construction contract has been awarded and equipment is now on site.

Mr. Summerlin noted that the ribbon cutting for the Gravely Nature Preserve is scheduled for April 26th at 2:00 pm.

Mr. Summerlin stated the County Employee Service Awards Banquet is scheduled on Thursday, March 27th at 6:00 pm.

Mr. Summerlin stated a public art exhibit sponsored by Piedmont Arts Association is scheduled and the County will be participating as a host to one of the displays in the Administration Building.

Mr. Summerlin stated the County received an Enhancement Grant in the amount of \$80,000 for the Virginia Avenue Improvement Projects in Collinsville. He stated he will need to sign an agreement with the Virginia Department of Transportation and the Office of Attorney General requires specific authorization for him to sign the agreement. Mr. Summerlin stated this would require a motion by the Board authorizing him to sign the Enhancement Agreement with the Virginia Department of Transportation.

Mr. McMillian moved that the Board authorize the County Administrator to sign the Enhancement Agreement, second by Mr. Slaughter. The motion carried 5 to 0. Mrs. Burnette was absent.

Mr. Summerlin displayed a Stewardship Award that was presented to Henry County by the Dan River Basin Association's at its annual meeting for Henry County's efforts in working with DRBA.

Mrs. Buchanan stated she will be holding a community meeting on April 8th at the Horsepasture Ruritan Building. Also, the Horsepasture Ruritan's will be holding a breakfast on Saturday, March 29th from 6:30 am until 10:00 am. The Horsepasture Volunteer Rescue Squad will be holding a BBQ on April 5th starting at 4:00 pm until 7:00 pm. Mrs. Buchanan stated that Hillcrest Baptist Church will be holding their Spring Drama April 14th through April 18th.

Mr. Adams stated he would like to thank Mr. Vaughn in advance for his participation in welcoming guests to the area at the upcoming NASCAR Race on Sunday, March 30th.

Mr. Adams stated to Amanda Witt, Executive Director of the Chamber of Commerce, that the 2008 Fast Track was one of the best that he had attended and was very well organized.

CLOSED MEETING:

Mr. McMillian moved at 4:05 pm to enter into a closed meeting to discuss the following, second by Mrs. Buchanan. The motion carried 5 to 0. Mrs. Burnette was absent.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Planning Commission, Parks and Recreation Board, Henry-Martinsville Social Services Board, Southern Area Agency on Aging Board, and West Piedmont Disability Services Board.
- 2) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Legal Matters.
- 3) §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced Industries.
- 5) §2.2-3711(A)1 for Discussion of Personnel Matters.

OPEN MEETING:

The Board returned to an open meeting at 6:02 pm on a motion by Mr. McMillian, second by Mrs. Buchanan. The motion carried 5 to 0. Mrs. Burnette was absent.

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. Buchanan, Mr. Vaughn and Mr. Adams. Mrs. Burnette was absent.

APPOINTMENTS:

Parks and Recreation Board

Mr. McMillian moved that the Board appoint Mr. Alton Foley of the Collinsville District to fill an unexpired term to the Parks and Recreation Board ending June 30, 2010, second by Mr. Slaughter. The motion carried 5 to 0. Mrs. Burnette was absent.

No other action was taken in the Board's closed meeting.

MATTERS PRESENTED BY THE PUBLIC:

There was no one present who wished to make comments to the Board.

RECOMMENDATION BY THE RESCUE SQUAD ASSOCIATION FOR FY '08-'09 CAPITAL FUNDING:

Mr. Mike Hylton, President of the Rescue Squad Association and Captain of Axton Life Saving Crew, recognized members of the Fieldale-Collinsville Rescue Squad who were in attendance and discussed the Rescue Squad Association's Capital Funding for FY '08-'09.

The Board reviewed information that in FY '92, a Rescue Squad Capital Improvements Program was established for the purpose of providing contributions to the County-based rescue squads to purchase vehicles. Initially, the Board of

Supervisors agreed to contribute \$50,000 a year and in FY '94-'95 the contribution was increased to \$75,000 annually. In FY '05-'06 the contribution was increased to \$95,000. Funding policy for this program was later amended to include the purchase of portable equipment and new facilities/additions in some instances. The Board agreed to appropriate these funds each year, based on the recommendation of the Henry County-Martinsville Rescue Squad Association.

Mr. Hylton stated the Association is requesting that the County increase its operational funding to the squads by 5%, and that Fieldale-Collinsville Rescue Squad receive the annual appropriation for a new ambulance.

Mr. McMillian recognized members of the Fieldale Collinsville Rescue Squad and stated he was very proud of them. He also recognized Mr. Stuart Bowman, Chief of the FC Rescue Squad, for his dedicated service to Henry County.

Mr. Adams thanked everyone for coming out and stated he would also reiterate Mr. McMillian's comments and the Board would be considering the Rescue Squad Association's request during the FY '08-'09 process.

Mr. Adams stated he received a note from Mrs. Burnette in regards to the Axton Life Saving Crew that it will be holding a Child Safety Seat Program and Inspection on Saturday, April 5, 2008, from 10:00 am until 3:00 pm.

PUBLIC HEARING – REZONING APPLICATIONS:

R-08-03 – George Michael Westmoreland

Mr. Clark reviewed Application R-08-03 for George Michael Westmoreland. (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 6:12 pm. There being no one present who wished to speak the public hearing was closed at 6:12 pm.

Mr. Vaughn moved that the Board accept the recommendation of the Planning Commission to approve the rezoning request, second by Mrs. Buchanan. The motion carried 5 to 0. Mrs. Burnette was absent.

R-08-04 – Lisa I. Kester

Mr. Clark reviewed Application R-08-04 for Lisa I. Kester. (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 6:14 pm. There being no one present who wished to speak the public hearing was closed at 6:14 pm.

Mr. McMillian moved that the Board accept the recommendation of the Planning Commission to approve the rezoning request, second by Mrs. Buchanan. The motion carried 5 to 0. Mrs. Burnette was absent.

GENERAL HIGHWAY MATTERS:

Ms. Lisa Price-Hughes, Residency Administrator of the local VDOT Office, and State Trooper R. L. Via, were present to give a presentation on the Highway Safety Challenge sponsored by the Virginia Department of Transportation, the Virginia State Police and the Virginia Department of Motor Vehicles.

Ms. Hughes gave a power point presentation regarding a partnership between VDOT, Virginia State Police, and the Virginia Department of Motor Vehicles called the Highway Safety Challenge. She stated the question is "Are You

Virginia's Next Traffic Fatality." Ms. Hughes stated the three agencies have joined forces to improve traffic safety in Virginia and put the brakes on highway fatalities. Ms. Hughes reviewed statistics regarding crashes due to not wearing a seat belt and alcohol related incidents and fatalities.

State Trooper R. L. Via reviewed a report of the 2005-2006-2007 Virginia Traffic Crash Facts. Trooper Via distributed bumper stickers with the logo of "Are You Virginia's Next Traffic Fatality." (A Copy Included in Board's File).

The Board thanked Ms. Hughes and Trooper Via for their presentation.

Ms. Hughes stated that Route 650 (Irisburg Road) and the 220 Bridge Project will be advertised soon. The signal on Route 87 and Route 220 may be operational next week.

Mr. McMillian thanked Ms. Hughes for VDOT's work on drainage ditches and new pipe in the Collinsville District

Mr. Summerlin stated the Board agreed to build the turn lane at the Patriot Centre. He asked if it would be built with VDOT forces and if the rest of Nautica Way would be taken into the State System.

Ms. Hughes stated that is correct.

Mr. Slaughter advised Ms. Hughes of a drainage problem on Reed Creek Drive. He stated at Route 657 and Route 655 near Route 657 improvements there is a terrible sight problem at this location. He requested VDOT to check into the two problems.

Mr. Vaughn stated he received another request for guardrails on the Chestnut Knob Road.

Ms. Hughes stated that funds are not included in the budget for this year for guardrails.

There being no further business to discuss Mr. McMillian moved at 6:45 pm to continue its meeting to April 3, 2008, at 5:00 pm, second by Mrs. Buchanan. The motion carried 5 to 0. Mrs. Burnette was absent.

Bos.Minutes.March 25.2008.3pm