

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

May 27, 2008 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on May 27, 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, 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 was present.

Amanda Buck of the Martinsville Bulletin was present.

Mr. Vaughn gave the invocation and Mrs. Burnette 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) April 29, 2008

(Copy included in Board's File).

Approval of Accounts Payable

(Copy included in Board's File).

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

INTRODUCTION OF DR. GORDON GREEN, DIRECTOR, WEST PIEDMONT HEALTH DISTRICT:

Mr. Summerlin introduced Dr. Gordon Green, the new director of the West Piedmont Health District. Mr. Green was present to discuss his role as the new health director.

Dr. Green stated he moved to the community in 1996, and has practiced family medicine up until the last four weeks, when he became the new director of the West Piedmont Health District. Dr. Green stated the Health Department's funding is expected to be cut in the upcoming fiscal year. He stated he hoped to provide the County with continued services to the community without cuts and he looked forward to a long relationship with the Board.

The Board welcomed Dr. Green and thanked him for attending the meeting.

CONSIDERATION OF REQUEST FROM MARTINSVILLE-HENRY COUNTY HISTORICAL SOCIETY FOR DONATION OF OLD HENRY COUNTY COURTHOUSE:

Mr. Summerlin stated Ms. Virginia King and other representatives of the Martinsville-Henry County Historical Society are present to discuss the future of the Old Henry County Courthouse. He stated the old courthouse was vacated in 1996, when the court functions were moved into the new facility on King's Mountain Road. The County has been leasing the existing facility to the Historical Society.

Ms. King stated she serves as President of the Martinsville-Henry County Historical Society. She stated she was present to speak to the Board about the Historical Society's desire and commitment to restore the historic Henry County Courthouse. Ms. King gave the Board an update of the Historical Society's efforts to restore and maintain the courthouse since 1996.

Restoration and Preservation Activities to Date:

- 1996 - Historical Society leased courthouse from County with verbal understanding that County would donate building to Historical Society if they developed a plan to restore and maintain it.
- 1999 – Historical Society funded architectural study of courthouse to determine how building could be restored for reuse. Estimated cost of \$4 million to remove current annexes and build usable historically relevant annex.
- 2002 – Historical Society funded feasibility study to determine if a capital campaign to raise funds for restoration of courthouse would be successful in the community. Tremendous community support but not economically feasible at that time.

- 2004 – Historical Society received \$290,000 in HUD grants for courthouse rehabilitation. The two annexes were demolished, new roof and gutters installed, drainage issues addressed, window air conditioners removed, window panes repaired – work completed in 2007.
- 2006 – Historical Society received Harvest Foundation Grant to conduct a Marketing and Reuse Plan for the Courthouse. Plan provides that building should be configured in a way that is revenue producing – rented office space on first floor, courtroom available as a public meeting and event space.
- 2007 – Historical Society’s mission statement is revised to include “promoting interest in our history and collecting, preserving and interpreting our history to students, citizens and visitors” – all of which is embodied in the courthouse preservation project. Membership grows to 170 people.
- 2008 – Harvest Foundation Grant (\$6,100) and Historical Society funds (\$3,000) used to make necessary repairs to courthouse property.
- \$98,000 Department of Interior “Save America’s Treasures” Grant – requires cash/in-kind match by Historical Society, and easement agreeing to maintain restored property in perpetuity. State Department of Historic Resources works with property owner to address emergency issues if funding to maintain property is unavailable.

Historical Society Requests:

- 1) County grants a preservation easement to the Department of Historic Resources along with a long-term lease to Historical Society whereby Historical Society agrees to restore and maintain property.

Phase 1: “Save America’s Treasures” Grant would be used for stabilization work making courthouse available for limited use. Historical Society would update prior fundraising feasibility study, develop a capital campaign plan, and develop a plan for long range development and use of site.

Phase 2: Capital Campaign would provide funds to rehabilitate building for reuse and to develop the grounds. First floor office space would be rented and the courtroom would be used for educational purposes, special events, and public speeches.

Alternatively,

- 2) County transfers ownership of courthouse property to Historical Society. As property owner, Historical Society grants preservation easement to the State Department of Historic Resources accessing “Save America’s Treasures” Grant. Historical Society would also be eligible for Enterprise Zone grants of up to \$250,000 and Historic Tax Credits of up to \$600,000 that are not available to county owned buildings. Historical Society would continue Phases 1 and 2 as stated above.

Following some discussion the Board requested the Historical Society to provide the County with an audited budget for the past two fiscal years and a list of its Board of Directors.

Ms. King stated the Historical Society would provide the Board with the requested information as well as a proposed agreement to take over ownership for the Board’s consideration.

Mrs. Burnette moved that the Board advertise a public hearing for the July meeting to discuss possible transfer of ownership of the old courthouse to the Historical Society, second by Mrs. Buchanan and unanimously carried.

INTRODUCTION OF JEANNIE FRISCO, EXECUTIVE DIRECTOR, ACTIVATE MARTINSVILLE-HENRY COUNTY:

Mr. Summerlin introduced Ms. Jeannie Frisco, Executive Director of Activate Martinsville-Henry County. Ms. Frisco stated the purpose of Activate Martinsville-Henry County is to improve the health, quality of life and economic vitality of Martinsville and Henry County through the development of a more walkable/bikeable friendly community. She distributed brochures for more information on Activate Martinsville-Henry County. (A Copy is Included in Board's File).

The Board welcomed Ms. Frisco and thanked her for attending the meeting.

CONSIDERATION OF RESOLUTION ESTABLISHING PROVIDENCE EMS TRANSPORT LLC AS A DESIGNATED EMERGENCY RESPONSE AGENCY:

Mr. Summerlin stated Mr. Bryant Carter of Providence EMS Transport, LLC of Bassett is seeking the Board of Supervisors' approval to establish his company as a Designated Emergency Response Agency in Henry County, which would operate as a private entity. The Code of Virginia dictates that the governing body must approve, by resolution, the creation of any new EMS agency formed after July 1, 1984. (A Copy of the Resolution is Included in Board's File).

Mr. Summerlin stated that Mr. Carter has a County business license and is present should the Board have any questions. Mr. Summerlin noted if the Board adopts the proposed resolution the County would have no regulation over the company and it would have to meet requirements of the State.

Following some discussion Mr. McMillian moved that the Board adopt the proposed resolution to establish Providence

EMS Transport LLC as a designated Emergency Response Agency, second by Mr. Vaughn and unanimously carried.

CONSIDERATION OF PRE-CONTRACT ACTIVITY ITEMS FOR COMMUNITY IMPROVEMENT GRANT FROM THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE RIVERSIDE DRIVE NEIGHBORHOOD IMPROVEMENT PROJECT:

Mr. Summerlin stated that through utilization of a Community Development Block Grant (CDBG) Planning Grant, Henry County is undertaking a study of community improvement needs for a community located in Bassett which once served as workforce housing for employees of the Bassett Furniture Company for the Riverside Drive Neighborhood Improvement Project. Through this planning grant process, the County has developed plans and submitted a Community Improvement Grant (CIG) application to the Virginia Department of Housing & Community Development (VDHCD) to make improvements identified by needs assessment for this Neighborhood Improvement Project.

Mr. Summerlin stated there are a number of pre-contract activities required by the Virginia Department of Housing and Community Development (VDHCD) for the Riverside Drive Project, which includes the following items requiring approval by the Board:

1. Local Business and Employment Plan: Both the locality and its contractors will try to use businesses located in Henry County and Martinsville.
2. Non-Discrimination Policy: Neither the County nor its employees will discriminate against an employee or applicant for employment because of race, age, handicap, creed, religion, color, sex or national origin.
3. Residential Anti-Displacement and Relocation Assistance Plan: Henry County commits to minimizing

project-related displacement and hardships. As needed, Henry County will provide relocation assistance to each low/moderate-income household displaced by the demolition of housing, or by the direct result of assisted activities. Such assistance shall be that provided under Section 104(d) of the Housing and Community Development Act of 1974, as amended, or the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

4. Fair Housing Certification: Henry County will take at least one action each year during the course of the grant to further fair housing. The action taken will be selected from a list provided by DHCD.
5. Section 504 Grievance Procedure: Henry County will adopt an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Department of Housing and Urban Development's (HUD), implementing Section 504 of the Rehabilitation Act of 1973, as amended.

Following some discussion Mr. Vaughn moved that the Board adopt the above items as required by Virginia Department of Housing and Community Development (VDHCD) for the Bassett Community Riverside Drive Neighborhood Improvement Project, second by Mrs. Buchanan and unanimously carried.

DISCUSSION OF COUNTY CAT ORDINANCE:

Mr. McMillian requested this item be placed on the agenda to discuss the option of creating a cat ordinance for Henry County. Mr. McMillian stated he had received a lot of complaints in his district regarding cats and he would like to see the Board move forward in looking at a cat leash law.

Sheriff Perry and Sergeant Ben Rea, Supervisor of the Animal Control Officers, came forward to further discuss

complaints the Sheriff's Office receives regarding cats. Sheriff Perry stated cats have been a problem for some time such as roaming at large, no tags, digging in gardens, paw prints on vehicles, foaming at the mouth, etc. He stated the Sheriff's Office receives approximately 4,000 calls per year on cats alone and has stayed constant over the years. Sheriff Perry stated to address and enforce cat problems would add at a minimum the need for two additional people, equipment and expansion of the pound to house cats.

Mr. McMillian stated the County should require cats to be tagged just like dogs due to rabies and other diseases that cats are prone to.

Mr. Summerlin stated dog tags do not pay for the Animal Control Budget and the County spends roughly \$150,000 a year on Animal Control and dog tags only bring in \$9,000 per year. He stated if the Board decides to have an ordinance and regulate cats he didn't think it would generate enough revenue to make it anywhere near self supporting.

Mr. Vaughn stated the first thing the Board should do is to direct the County Attorney to research drafting an ordinance.

Mr. McMillian stated at a bare minimum he felt the Board needs to look at licensing cats and it would be better done if made County-wide.

Mr. Lyle stated first thing you should look at is all cats should be vaccinated and second, no running at-large. Mr. Lyle stated the problem with all the animal laws is that it is widely accepted that there is a very low compliance with tagging dogs. He stated if the Board wants to regulate cats they can put the ordinance into effect because at this point the Board has no authority to do any thing about cats.

Following further discussion the Board agreed to have Mr. Lyle look at other localities and come back to the Board with a draft ordinance.

APPROPRIATION OF THE FY 2008-09 COUNTY BUDGET:

Mr. Summerlin stated the Board of Supervisors, at its April 29, 2008 meeting, adopted the FY 2009 Total County Budget. He stated this would include setting of tax codes and adoption of the School Budget. He stated no County funds can be expended or obligated until an appropriation has been made. He stated the Board has a draft Appropriations Resolution for consideration, which reflects categorical appropriation, based on previous Board decisions regarding appropriations. Mr. Summerlin stated the Board also must adopt the effective reimbursement rate for the Personal Property Tax Relief Act on a qualifying vehicle at 45 percent.

Mrs. Burnette moved that the Board adopt the Appropriations Resolution, and adopt the effective reimbursement rate for the Personal Property Tax Relief Act on a qualifying vehicle at 45%, second by Mrs. Buchanan.

Mr. McMillian offered a substitute motion that the Board disburse School Board appropriations on a month-to-month basis, second by Mrs. Burnette for discussion.

Mr. McMillian stated the Board should take a closer look at what's being spent by the School Board. Mr. Summerlin stated he thought the County's Finance staff would think a month-by-month appropriation would be unbearable. Dr. Beckner also commented on several issues whereby if the School Board received appropriations on a month-by-month basis it would be difficult.

The substitute motion was defeated on a vote of 1 to 5. Mr. McMillian voted in favor of the motion.

The Board voted on the original motion and was carried 5 to 1. Mr. McMillian voted in opposition.

FINANCIAL MATTERS:

Acceptance of RSAF Grant and Additional Appropriation re: Defibrillator – Public Safety

Mr. Dale Wagoner, Director of Public Safety, requested the Board to accept a grant in the amount of \$10,477.65 from the Rescue Squad Assistance Fund to use toward the purchase of an advanced defibrillator/heart monitor for use in training and emergency responses. The grant requires a 50% local match, which Mr. Wagoner proposes be taken from uncommitted funds in the current Public Safety budget. The defibrillator/heart monitor would be purchased from Medtronics/Physio-Control in the amount of \$20,955.30.

Mrs. Burnette moved that the Board approve the request to accept the RSAF grant in the amount of \$10,477.65 and the purchase of the defibrillator/heart monitor in the amount of \$20,955.30 from Medtronics/Physio-Control, with the balance of the purchase price being taken from uncommitted funds in the current Public Safety budget, second by Mr. Slaughter and unanimously carried.

Consideration of Transfer Appropriation – School Board

Dr. Beckner was present on behalf of Dr. Sharon Dodson who is requesting that the Board approve a Transfer Appropriation request of \$230,000 within the current School Board budget. According to information provided by Dr. Dodson, the money would be moved from instruction, administration/attendance and health, and operation and maintenance categories into the facilities budget. It would be used to renovate spaces at Magna Vista High School and Axton Middle School.

Dr. Beckner briefly commented on a renovation at Magna Vista involving changing a locker room into a health classroom for the purpose of better utilizing space.

Mr. Vaughn moved that the Board approve the Transfer Appropriation in the amount of \$230,000, second by Mr. Slaughter. The motion carried 5 to 1. Mr. McMillian voted in opposition.

Award of Contract – Animal Shelter Floor Coating

Mr. Summerlin stated bids were sought to replace the floor coating at the Henry County Animal Shelter to comply with State regulations. Three vendors responded, and the low bidder was Blue Ridge Coatings & Supply in the amount of \$16,002, which would be taken from the Contingency Fund.

Mrs. Buchanan moved that the Board award the contract to Blue Ridge Coatings & Supply in the amount of \$16,002 for the replacement of the floor coating in the Animal Shelter, second by Mr. Vaughn and unanimously carried.

Transfer Appropriations re: Various items in the FY 2008 Budget

Mr. Summerlin stated as referenced on pages 11 and 12 of the County Administrator's proposed FY 2009 Budget, several items originally targeted for inclusion in the FY '09 Budget may be purchased with current budget funds because of judicious spending by County departments in FY '08. In approving the FY '09 Budget as presented, the Board authorized the purchases in the current year. In order to make those purchases, several transfer appropriations are required. The specific purchases are as follows:

- \$30,000 for ball field improvements to the former Bassett Middle School athletic field adjacent to the Bassett Library. This will allow us to leverage a request for CDBG funds on the Riverside Housing Project.

- \$18,575 for the required match of \$80,000 for the Collinsville Enhancement Project.
- \$20,000 for improvements to the Beaver Creek Reservoir, contingent on the City of Martinsville's equal participation.
- \$18,000 to replace the Board of Supervisors' meeting room audio system and to add a ceiling-mounted video projector.
- \$30,000 for a replacement vehicle in the Fire Marshal's budget.
- \$20,000 for three additional river access points on the Smith River and one on the Mayo River.

The Sheriff's Office transfer appropriations would purchase the following:

- \$6,000 for polygraph school
- \$5,000 for K-9 school
- \$6,000 for tactical team equipment
- \$4,000 for silent alarms
- \$6,500 to purchase a K-9 and associated supplies
- \$4,000 for police equipment
- \$35,000 to replace security cameras in the jail
- \$33,500 to replace computer equipment

Mrs. Burnette moved that the Board approve the Transfer Appropriations as outlined, second by Mr. McMillian and unanimously carried.

Additional Appropriation – County Communication System

Mr. Summerlin stated the Board needs to consider an additional appropriation in the amount of \$400,000 to construct the new County's Communication System.

Mrs. Burnette moved that the Board approve the additional appropriation in the amount of \$400,000, second by Mr. McMillian and unanimously carried.

INFORMATIONAL ITEMS:

Mr. Summerlin advised the Board that the County received an additional payment from 5B's in the amount of \$184,176.59. He stated staff is expecting another payment by mid-Summer.

Mr. Summerlin stated with the leadership of Dale Wagoner, Henry County along with the City of Martinsville, Patrick County and Franklin County, is receiving a U.S. Department of Homeland Security Grant for an Inner-Operability Radio Grant in the amount of \$1,040,000. He stated the grant would require a 20% match.

Mr. Summerlin stated a Community Tour has been scheduled for the Board on Thursday, May 29, 2008, and will be joined by members of the Henry County IDA, members of City Council and EDC staff. He stated the school system has provided a bus and it will leave the Administration Building at 9:30 am. He stated stops of interest will include Patriot Centre/BHR-VA Race Shop at Arrington Manufacturing, Lot 5-RTI and Lot 10-Proposed Shell Building on Bryant Property, Drewry Mason Elementary School Renovations, Roma Property Site on Route 220 South, Spencer-Penn Centre and Blue Ridge Airport.

Comments from the Board

Mrs. Burnette noted that the Assign-A-Highway Program now has 23 participants which picked up over one tons of trash during the month of April.

Mrs. Buchanan stated she was approached by Mr. Curtis Millner regarding a plaque that was taken down from the old Courthouse in regards to the Persian Gulf Veterans. She stated Mr. Millner was inquiring if the Historical Society would

be willing to allow the plaque to be re-placed at the old Courthouse.

CLOSED MEETING:

Mrs. Burnette moved that the Board enter into a closed meeting at 4:45 pm to discuss the following, second by Mr. Slaughter and unanimously carried.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Planning Commission, Parks and Recreation Board, Focus on Youth, Henry-Martinsville Social Services Board, Patrick Henry Community College Board, Piedmont Regional Community Services Board, West Piedmont Business Development Center, and Fieldale Sanitary District 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 open session at 5:59 pm on a motion by Mr. McMillian, second by Mrs. Buchanan 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, Mrs. Buchanan, Mr. Vaughn and Mr. Adams.

APPOINTMENTS:

Parks and Recreation Board

Mr. Slaughter moved that the Board appoint Mervin L. Brown, Jr. of the Iriswood District and Scott Prillaman of the Reed Creek District to the Parks and Recreation Board for a term expiring June 30, 2011, second by Mrs. Buchanan and unanimously carried.

Patrick Henry Community College Board

Mrs. Burnette moved to reappoint Betty Jane Simpson and Dale Wagoner to the Patrick Henry Community College Board, second by Mr. Vaughn and unanimously carried.

Piedmont Regional Community Services Board

Mrs. Buchanan moved that the Board appoint Steve Eanes to the Piedmont Regional Community Services Board for a term expiring June 30, 2011, second by Mrs. Burnette and unanimously carried.

West Piedmont Business Development Center

Mr. Vaughn moved that the Board reappoint Tim Hall to the West Piedmont Business Development Center for a term expiring on June 30, 2011, second by Mrs. Burnette and unanimously carried.

Easement - Greenway Walking Trail

Mrs. Burnette moved that the Board authorize a Greenway Trail Easement with James C. Stone for extension of

the Fieldale Walking Trail, second by Mr. Vaughn and unanimously carried.

RECOGNITION OF RETIRING EMPLOYEE MARY ANN CLARK:

Mr. Summerlin stated that Mary Ann Clark, a deputy clerk in the Circuit Court Clerk's Office, is retiring after serving the citizens of Henry County since 1962.

Ms. Vickie Helmstutler, Clerk of Court and Mr. Jim Adams presented Ms. Clark with a plaque on behalf of the Board of Supervisors. The Board wished Ms. Clark many happy years of retirement.

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. John Staples of the Ridgeway District commented on the matter of illegal immigrants. He distributed a recent copy of an update regarding illegal immigrants sent to him by Congressman Goode. He stated he would appreciate the Board continuing to work on the local illegal immigrant situation.

Mr. Don Gilbert of the Collinsville District stated he lives on Halifax Drive and the problems at the apartment complex still exist such as shootings, trash, speeding, no upkeep on the apartments, etc. He stated he wanted to see if the County

can help the residents in any way further to address these problems.

Mr. Doug Jackson of the Ridgeway District stated the County has a mowing ordinance and there is a street in Ridgeway where there is no grass in the yards due to cars coming in and out. He stated he spoke to County officers regarding the activities going on at that particular residence; and heavy traffic is still coming in and out. He stated the County should have officers setting up road checks in areas such as this to help eliminate problems.

PUBLIC HEARINGS – REZONING APPLICATIONS:

R-08-06 – Roma Realty, L.L.C.

Mr. Clark reviewed Application R-08-06 for Roma Realty, L.L.C. (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 6:18 pm. The applicant was present.

There being no one present who wished to speak the public hearing was closed at 6:18 pm.

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

R-08-07 – Helen W. Hylton

Mr. Clark reviewed Application R-08-07 for Helen W. Hylton. (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 6:19 pm. The applicant was present.

There being no one present who wished to speak the public hearing was closed at 6:20 pm.

Mr. Slaughter 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 Hughes, Resident Engineer for the Virginia Department of Transportation, was present to discuss General Highway Matters.

Ms. Hughes informed the Board of several changes in the Revenue Sharing Program. She stated the entire program has been revised and the deadline for application is August 1, 2008. She stated when the last changes went through there was a million dollar match required to be in tier 1. She stated there is still a tiered system of approving projects but the million dollar limit has been deleted. She stated the first tier projects that get funded will be from localities that commit more general funds than they are required to match and will get the first priority with no dollar limit. In the second tier projects you can receive allocations when the allocation will go towards accelerating a project on the six-year plan. The third tier projects are going to be any other projects that fall out of the range such as rural additions.

Ms. Hughes stated on July 1, 2008, VDOT will have a new set of access management regulations. She stated until 2009, for the first year they will be effective for any commercial development, commercial entrances that connect to principal arterial roads only. She stated for Henry County that would include 220 and 58.

Ms. Hughes reviewed several miscellaneous highway projects:

- English Construction was low bidder on the Ridgeway Bridge Project.
- Route 687 Project completed.
- 220 North Safety Improvements near Draper's Florist is almost complete.

Mr. Vaughn read a letter from Richard Caywood, District Administrator of VDOT in Salem, Virginia, regarding the I-73 Resolution proposed to go to the Commonwealth Transportation Board. (A Copy Included in Board's File).

Mr. Vaughn moved that the Board direct the County Administrator to write a letter to Richard Caywood reaffirming Henry County's existing resolution on I-73, second by Mr. McMillian and unanimously carried.

Request for "Watch for Children" Sign on Crestview Drive in the Blackberry District

Mr. Adams requested Ms. Hughes to comment on a petition he received regarding posting a 15mph speed limit on a publicly maintained road by VDOT.

Ms. Hughes stated that the Code of Virginia states that the speed limit on a residential street is 25mph. She stated the street in question is definitely a residential street and is posted at 25mph. She stated a 15mph speed limit is not reasonable.

Mrs. Burnette moved that the Board request VDOT to place a "Watch for Children" sign on Crestview Drive and Dalewood Drive in the Blackberry District, second by Mrs. Buchanan and unanimously carried.

PUBLIC HEARING – CHANGING HENRY COUNTY’S DIRECTOR OF ACCOUNTING TO FINANCE DIRECTOR AND ACCOUNTING DEPARTMENT TO FINANCE DEPARTMENT:

Mr. Summerlin stated as part of the FY 2009 Henry County Budget, staff recommended – and the Board approved – some changes regarding the Accounting Department. These changes include changing the title of the department to the Finance Department, and changing the titles of the Director of Accounting to Finance Director. It also was recommended and approved that the bond for the Director increase from \$5,000 to \$1,000,000. Since the Accounting Department and the Director of Accounting are titles included in the Henry County Code, a public hearing is necessary to make these changes.

The public hearing was open at 6:33 pm.

There being no one present who wished to speak the public hearing was closed at 6:33 pm.

Mrs. Buchanan moved that the Board approve the recommended changes as outlined, second by Mr. McMillian and unanimously carried.

Discussions regarding Halifax Drive

Mr. McMillian stated several months ago the Board heard from citizens on Halifax Drive in the Collinsville District regarding some issues going on in their neighborhood. He has requested additional discussion take place on these issues because the problems have deteriorated. Mr. McMillian stated there is a statute in the Virginia State Code that allows a locality to give residents an opportunity to request the Circuit Court to summons a special grand jury to investigate the issues.

Mr. Lyle stated he met with the residents and the owner of the apartments on Halifax Drive back in December to discuss complaints received by the County. He stated

basically it is a civil procedure and any five of the residents of Halifax Drive or five citizens of the County can petition the Circuit Court if there is enough evidence to show that a certain property of the County is a public nuisance. He stated once the Circuit Court is petitioned the Court would summon a special grand jury to take testimony and investigate the allegations. Mr. Lyle stated he has prepared a form for signatures and the Commonwealth Attorney has agreed to coordinate and facilitate the presentation of evidence to a grand jury.

Mr. McMillian moved that the Board direct the County Attorney to assist Halifax Drive residents in filing the petition for submission to the Circuit Court, second by Mrs. Buchanan and unanimously carried.

Mr. Summerlin stated basically the Board previously committed the County Attorney in helping the citizens in navigating the process to the point of filing the petition. He stated Mr. Lyle has complied with the motion on the floor and once the petition is signed it would basically be a hand off to the Commonwealth Attorney who is ready to present the evidence.

CLOSED MEETING:

Mr. Vaughn moved that the Board enter into a closed meeting at 6:40 pm to discuss the following, second by Mrs. Burnette and unanimously carried.

- 1) §2.2-3711(A)1 for Discussion of Personnel Matters.

Mr. McMillian left the meeting.

OPEN MEETING:

The Board returned to an open meeting at 7:24 pm on a motion by Mrs. Buchanan, second by Mrs. Burnette. The motion carried 5 to 0. Mr. McMillian 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, Mrs. Burnette, Mrs. Buchanan, Mr. Vaughn and Mr. Adams.

Mr. Vaughn moved that the Board approve a two-year employment contract with George Lyle, County Attorney, second by Mrs. Burnette. The motion carried 5 to 0. Mr. McMillian was absent.

There being no further business to discuss Mrs. Buchanan moved that the Board adjourn at 7:24 pm, second by Mrs. Burnette. The motion carried 5 to 0. Mr. McMillian was absent.