

HENRY COUNTY BOARD OF SUPERVISORS MINUTES

May 24, 2016 – 3:00 p.m.

The Henry County Board of Supervisors held its regular meeting on May 24, 2016, at 3:00 p.m. in the Summerlin Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Jim Adams, Chairman, Debra Buchanan, Vice-Chairman, Tommy Slaughter, Milton Kendall, Joe Bryant, and Ryan Zehr.

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

Deputy Mike Hooper, Maj. Eric Winn, and Lt. Col. Steve Eanes of the Sheriff's Office were present. Also present was Ben Williams and Amie Pickeral of the Martinsville Bulletin and Ron Morris of B99.

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

CALL TO ORDER:

Chairman Adams called the meeting to order and welcomed everyone present. He stated that anyone who wishes to be on the agenda for the Board's regular business meeting held at 3:00 p.m. 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 p.m. may do so under Agenda Item - Matters Presented by the Public without contacting the County Administrator's Office.

ITEMS OF CONSENT:

Confirmation of Minutes of Meetings

Copy included in Board's File

- April 26, 2016
- May 3, 2016

Approval of Accounts Payable

Copy included in Board's File

Mr. Bryant moved the Items of Consent be adopted, seconded by Mr. Kendall. The motion carried 6 to 0.

PROCLAMATION ESTABLISHING “PAINT THE TOWN PURPLE WEEK” IN HENRY COUNTY

Ms. Buchanan read aloud a resolution establishing June 5 – 11, 2016 as “Paint the Town Purple Week” in Henry County to increase cancer awareness and to raise funds for the American Cancer Society Relay for Life event on June 10, 2016.

On a motion by Ms. Buchanan and second by Mr. Slaughter, the Board unanimously adopted the proclamation as presented. Michelle Graham and Cindy Cox were present to accept the proclamation.

UPDATE ON CAPITAL PROJECTS AT THE HENRY-MARTINSVILLE HEALTH DEPARTMENT

Ms. Anne Lovette, Business Manager at the Henry-Martinsville Health Department, provided an update on several upcoming capital projects at the facility including paving of the front parking lot, renovations to the reception area, and HVAC replacement. Ms. Lovette said the total cost of the projects is approximately \$274,495. Mr. Adams asked where the funding for the capital improvements will come from. Ms. Lovette said funding for the projects will come from the current year budget, with the majority stemming from vacant positions and recent retirements.

REPORT ON DELINQUENT TAX COLLECTION EFFORTS

Mr. Scott Grindstaff reviewed the monthly reports on delinquent tax collection efforts. Mr. Grindstaff noted that 96.58% of 2015 personal property taxes have been collected; 92.21% of 2015 real estate taxes; and since January 1, TACS collected approximately \$267,902; and 10 DMV stops were placed in May. In addition, Mr. Grindstaff said 18 parcels were sold at a recent judicial sale and a confirmation hearing is scheduled for June 13 on those properties.

MONTHLY UPDATE FROM THE MARTINSVILLE-HENRY COUNTY ECONOMIC DEVELOPMENT CORPORATION

Mr. Mark Heath, President and CEO of the Martinsville-Henry County Economic Development Corporation, was present to make the monthly update to the Board. Mr. Heath reviewed a summary of activities by division (Copy included in Board’s File).

APPROPRIATION OF THE FY 2016-17 COUNTY BUDGET

Mr. Hall said the Board, at its April 26, 2016 meeting, adopted the FY 2016-17 Total County Budget; however, no County funds can be expended or obligated until an appropriation has been made.

Mr. Zehr moved the Board adopt the Appropriations Resolution as outlined, second by Mr. Kendall and unanimously carried. Mr. Wagoner took a roll call vote. Those voting in the affirmative were Mr. Zehr, Mr. Kendall, Mr. Bryant, Mr. Slaughter, Ms. Buchanan, and Mr. Adams.

ADDITIONAL APPROPRIATION AND AWARD OF CONTRACT RE: ASSET FORFEITURE FUNDS – SHERIFF’S OFFICE

Mr. Hall said Sheriff Perry is asking the Board to approve an additional appropriation of \$37,535 from State Asset Forfeiture funds to purchase night vision equipment. In addition, Sheriff Perry is asking the Board to award a contract to Night Vision Depot in the same amount for night vision scope attachments for five sniper teams.

On a motion by Mr. Bryant and second by Mr. Zehr, the Board unanimously approved the additional appropriation and award of contract as outlined.

ADDITIONAL APPROPRIATION RE: S.E.E.D. BEAUTIFICATION PROGRAM – PLANNING DEPARTMENT

Mr. Hall said staff is asking the Board to approve an additional appropriation of \$12,300 received from Valley Star Credit Union for participation in the Strategic Economic Environmental Design (S.E.E.D.) Beautification Program. Funds will be used to develop a landscaping garden at the U.S. 220 Business interchange at the 58W exit, known as Site 1.

On a motion by Mr. Slaughter and second by Ms. Buchanan, the Board unanimously approved the appropriation in the amount of \$12,300.

ADDITIONAL APPROPRIATION AND AWARD OF CONTRACT RE: RECORDING EQUIPMENT – 9-1-1 COMMUNICATIONS CENTER

Mr. Hall said J.R. Powell is asking the Board to approve an additional appropriation of \$33,700 realized from various savings in the FY '15-16 operating budget of the 9-1-1 Center. In addition, Mr. Powell is asking the Board to award a contract to Carolina Recording Solutions in the same amount for the purchase and installation of the Eventide NexLog Voice Logging System for use in the Center.

On a motion by Mr. Zehr and second by Mr. Kendall, the Board unanimously approved an additional appropriation in the amount of \$33,700 and award of contract in the same amount to Carolina Recording Solutions.

ADDITIONAL APPROPRIATION RE: PERSONNEL EXPENSES – CLERK OF CIRCUIT COURT

Mr. Hall said Circuit Court Clerk Jennifer Ashworth is asking the Board to approve additional appropriations of \$1,290 in FY'16 and \$3,210 in FY'17 for personnel expenses. According to Mrs. Ashworth, the funds will allow her to hire and train a new employee prior to the retirement of an existing employee. The funds to pay the salary and benefits for approximately six weeks will come from the Clerk's Secure Remote Access fund.

On a motion by Mr. Kendall and second by Mr. Zehr, the Board unanimously approved the additional appropriations as requested.

ADDITIONAL APPROPRIATION RE: SCHOOL NUTRITION BUDGET – SCHOOL BOARD

Mr. Hall said the School Board is asking the Board to approve an additional appropriation of \$133,861 to the school nutrition budget received from a Virginia Department of Education equipment assistance grant. The funds will be used to buy new cafeteria equipment at Bassett High School, Laurel Park Middle School, and Fieldale-Collinsville Middle School.

On a motion by Mr. Zehr and second by Mr. Kendall, the Board unanimously approved the additional appropriation as outlined.

AWARD OF CONTRACT RE: VIDEO SURVEILLANCE EQUIPMENT – BUILDING AND GROUNDS DEPARTMENT

Mr. Hall said staff is asking the Board to award a sole source contract to EMI Security, LLC in the amount of \$23,551 for video recording and surveillance equipment. The equipment will help improve the overall safety and security at the Administration Building. Mr. Hall said sole source is being requested because EMI Security installed the initial video security system in the Administration Building and Sheriff's Office and has specific awareness and knowledge of unique networking, cabling, and equipment currently in use.

On a motion by Mr. Kendall and second by Ms. Buchanan, the Board unanimously approved an award of contract to EMI in the amount of \$23,551.

ADDITIONAL APPROPRIATION RE: INSURANCE PROCEEDS – SHERIFF'S OFFICE

Mr. Hall said Sheriff Perry is asking the Board to approve an additional appropriation of \$13,860 from insurance reimbursements into the equipment line item. The funds will be used to replace equipment recently destroyed in a vehicle crash.

On a motion by Mr. Slaughter and second by Ms. Buchanan, the Board unanimously approved the additional appropriation as requested.

CONSIDERATION OF ADDITIONAL EXPENDITURES FROM FY '17 CONTINGENCY FUND

Mr. Zehr requested that the Board consider additional FY '17 funding for the Henry-Martinsville Health Department and the Blue Ridge Regional Library System from the FY '17 Contingency Fund.

Both agencies are budgeted to receive more money in FY '17 than in FY '16, but less than they requested. The Health Department requested \$339,790 and \$305,000 was budgeted, an increase of \$11,571 from its current-year allocation of \$293,429. Blue Ridge Regional Library requested \$730,306 and \$722,368 was budgeted, an increase of \$11,104 from its current-year allocation of \$711,264.

Supervisors Bryant, Buchanan, and Slaughter spoke in opposition to the additional funding, noting that several well-deserving agencies requested more money than allocated and they did not want to single out any one organization over another.

On a motion by Mr. Zehr and second by Mr. Kendall, the Board voted 4-2 against additional funding for the health department. Mr. Zehr moved that the Board allocate an additional \$4,000 to the library system; the motion died for lack of a second.

INFORMATIONAL ITEMS

Comments from the Board

Mr. Zehr thanked Mr. Lyle for providing him information pertaining to meth houses and the responsibility of the local government. Mr. Zehr asked Mr. Lyle if he could briefly summarize the memo.

Mr. Lyle said after consulting with the Sheriff and Commonwealth's Attorney and researching statutory guidelines set by the state, he discovered there is a limited amount of federal funding for the clean-up of houses where meth labs have been found. Mr. Lyle said there are approximately 15 meth labs found in Henry County each year at an approximate cost of \$2,500 per clean-up. Mr. Lyle said if federal funding is exhausted, it would be the responsibility of the local government. Mr. Lyle said even after clean-up, meth labs leave residual pollution. In 2013, the General Assembly passed legislation for a voluntary program facilitated by the Department of Health with specific guidelines on how to properly and safely clean up a meth house. Mr. Lyle stressed it is a "voluntary" program. Mr. Lyle said however, if a landlord chooses not to properly clean up a home that was previously a meth house and subsequently rents the home and does not disclose that information to the tenant, the tenant can legally break the lease. Mr. Lyle said the Board did adopt an ordinance in 2013 that allows the County to either sue the drug maker or have the Commonwealth's Attorney assess the actual costs incurred by the County as part of the punishment at sentencing.

Mr. Kendall reminded everyone of the upcoming Rooster Walk.

Mr. Adams asked Mr. Hall to update the Board on recent meetings with the Commonwealth Transportation Board (CTB) concerning I-73. Mr. Hall said he has had several meetings with William Fralin and Court Rosen, our local representatives on the CTB, and participated in a meeting in Washington a couple of months ago. Mr. Hall explained the definition of orphan earmarks. Mr. Hall said there is a significant effort at the federal level to recall funds on projects where less than ten percent of the total project amount has been expended. Mr. Hall said there is approximately two billion dollars nationwide categorized as orphan earmarks that have been allocated in past years but drawn down less than ten percent. Mr. Hall said they will allow affected communities to re-purpose that funding to other projects within a 50-mile corridor of the original project. Mr. Hall said Henry County has potentially \$13 billion dollars that could either be used toward the construction of I-73 or another project within 50 miles. Mr. Hall said he expects the CTB to make recommendations on how the funds will be expended at the June 14 meeting.

Mr. Hall noted the upcoming high school graduations with Magna Vista on Friday evening and Bassett High School Saturday morning. Mr. Hall reminded the Board of the Chamber's annual post-legislative breakfast on June 2 at 8 am at the Virginia Museum of Natural History. Also on June 2 at 11 am, Mr. Hall said the Sports Complex is hosting the "driving of the golf ball" to unveil the new driving range; there will be a separate event to unveil the water slide.

CLOSED MEETING

Mr. Slaughter moved that the Board go into a closed meeting at 4:05 p.m., seconded by Ms. Buchanan and unanimously carried to discuss the following.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Parks and Recreation Board, Henry-Martinsville Social Services Board, Patrick Henry Community College Board, and the Piedmont Regional Community Services Board.
- 2) §2.2-3711(A)7 for Discussion of Pending Legal Matters.
- 3) §2.2-3711(A)3 for Discussion of the Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Discussion of As-Yet Unannounced Industries.

OPEN MEETING

The Board returned to an open meeting at 5:47 p.m. on a motion by Ms. Buchanan, seconded by Mr. Slaughter and unanimously carried.

CERTIFICATION OF CLOSED MEETING

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

Parks and Recreation Board – On a motion by Mr. Bryant and second by Mr. Zehr, the Board unanimously reappointed Shirley Horton, Collinsville District, to a three-year term expiring June 30, 2019; and appointed Mike Minter, At-large School representative, to a three-year term beginning July 1, 2016 and ending June 30, 2019.

Patrick Henry Community College Board – On a motion by Mr. Kendall and second by Mr. Bryant, the Board unanimously reappointed Barry Jarrett, Becky Lovell, and David Martin to four-year terms ending June 30, 2020.

Piedmont Regional Community Services Board – On a motion by Mr. Slaughter and second by Ms. Buchanan, the Board unanimously reappointed Dr. Paulette Simington to a three-year term ending June 30, 2019.

There being no business out of closed session, Mr. Adams recessed at 5:49 p.m. until the 6:00 p.m. evening meeting.

Mr. Adams welcomed everyone to the 6 p.m. meeting.

GENERAL HIGHWAY MATTERS

Lisa Hughes, Resident Engineer for the Virginia Department of Transportation, updated the Board on several general highway matters.

CONSIDERATION OF RESOLUTION DESIGNATING FIGSBORO ROAD AS A REVENUE SHARING PROJECT

Mr. Hall said last month, the Board approved the addition of Rt. 108, Figsboro Road, to the Six-Year Secondary Road Plan to assist with road improvements and the entrance in front of the new Meadow View Elementary School site. Mr. Hall said we previously had a revenue sharing project pertaining to Barrows Mill Road. Mr. Hall said staff feels the school project will move more quickly and adoption of the resolution will shift project consideration to the Figsboro Road site. Mr. Hall said when we decide to move forward with the Barrows Mill project we will re-apply for revenue-sharing at that time. Ms. Hughes added the resolution would go before the Commonwealth Transportation Board at its July meeting for consideration.

On a motion by Mr. Slaughter and second by Ms. Buchanan, the Board unanimously adopted the resolution as presented.

PUBLIC HEARING – REZONING APPLICATION R-16-05 – PAR 5 DEVELOPMENT GROUP, LLC

Lee Clark said the property is located at 11170 Chatham Road in the Iriswood District. The applicant is requesting the rezoning of approximately 1.5-acres from Agricultural District A-1 to Commercial District B-1. The applicant intends to develop a 9,100 sq. ft. retail store. Mr. Clark said following a public hearing, both the Planning Commission and staff recommended that the rezoning request be approved.

Mr. Adams opened the public hearing at 6:05 p.m.

Michael Lynch with Engineering Concepts was present to answer any technical questions concerning site development.

Andrew Wright, Reed Creek District, spoke in favor of the rezoning request and said he thought the store would be good for the community.

There being no one else who wished to speak, Mr. Adams closed the public hearing at 6:07 p.m. On a motion by Mr. Kendall and second by Mr. Zehr, the Board unanimously approved the rezoning request.

PUBLIC HEARING – REZONING APPLICATION R-16-06 – JOEL A. WRIGHT

Lee Clark said the property is located in the north east corner of the intersection of A.L. Philpott Hwy and Evergreen Drive in the Horsepasture District. The applicant is requesting the rezoning of approximately 38.35 acres from Suburban Residential District S-R to Agricultural District A-1. Mr. Clark said the applicant plans to apply to the Board of Zoning Appeals for the required Special Use Permit to enable the property to be developed into a commercial, perpetual care cemetery along with related accessory uses. Following a public hearing, both the Planning Commission and staff recommended that the rezoning request be approved.

Mr. Adams opened the public hearing at 6:08 p.m.

Willie Scales spoke in opposition to the rezoning request citing potential traffic issues with entrance and exit of the property, as well as water run-off from cutting down the timber.

Mr. Clark said all of Mr. Scales' comments are valid concerns but he does feel the property can be developed and maintained if done properly. Mr. Clark said there will be many steps in the process including work with the Department of Environmental Quality, VDOT, and the County's Board of Zoning Appeals.

There was no one else who wished to speak; Mr. Adams closed the public hearing at 6:11 p.m. On a motion by Ms. Buchanan and second by Mr. Bryant, the Board unanimously approved the rezoning request.

PUBLIC HEARING – REZONING APPLICATION R-16-07 – MELVIE G. FUQUA

Lee Clark said the property is located on the south side of Navy Lane, just past 90 Navy Lane in the Horsepasture District. The applicant is requesting the rezoning of approximately 26,000 sq. ft. from Suburban Residential District S-R to Rural Residential District R-R. The applicant intends to place a manufactured home on this property. Mr. Clark said following a public hearing, both the

Planning Commission and staff recommended that the rezoning request be approved.

Mr. Adams opened the public hearing at 6:19 p.m. There being no one present who wished to speak, Mr. Adams closed the public hearing at 6:19 p.m. On a motion by Ms. Buchanan and second by Mr. Zehr, the Board unanimously approved the rezoning request.

PUBLIC HEARING – TRANSFER OF OWNERSHIP OF THE PHILPOTT WATER TREATMENT FACILITY TO THE HENRY COUNTY PUBLIC SERVICE AUTHORITY

Mr. Hall said the Henry County Public Service Authority has received approval to expand the Philpott Water Treatment facility located at 590 Philpott Drive, Bassett. In 1983, the PSA transferred ownership of the property to Henry County so Henry County could secure financing for the initial construction project. Mr. Hall said transferring ownership of the facility back to the PSA will simplify the process and minimize the cost of financing for the expansion. Mr. Hall said the Board must hold a public hearing prior to transferring ownership of the property.

Mr. Adams opened the public hearing at 6:20 p.m. There was no one present who wished to speak; Mr. Adams closed the public hearing at 6:21 p.m. On a motion by Mr. Zehr and second by Mr. Slaughter, the Board unanimously approved the resolution transferring ownership of the Philpott Water Treatment facility to the Henry County Public Service Authority.

Mr. Wagoner took a roll call vote; those voting in the affirmative were Mr. Zehr, Mr. Bryant, Mr. Kendall, Ms. Buchanan, Mr. Slaughter, and Mr. Adams.

MATTERS PRESENTED BY THE PUBLIC

Bobby Cobler addressed the Board concerning the deer population and negative effects it is having on local crops. Mr. Cobler said changes to the hunting season in the past 10 to 15 years have in his opinion allowed the deer population to grow considerably. Mr. Cobler said while landowners can obtain kill permits for excessive deer, the deer cannot be harvested in the spring/summer months. Mr. Cobler urged the Board to consider passing a resolution to change the deer hunting season back to a fall kill schedule to control the deer population and also allow for the deer to be harvested and not wasted. Mr. Hall said staff can research the matter and report back to the Board.

Skip Ressel, President of the I-73 Committee for Martinsville-Henry County, said he feels the time has come to give up on the dream of I-73 becoming a reality in Henry County. Mr. Ressel said we now to focus on what will benefit our area the most and suggested the County consider an alternate corridor to spend the \$8.5 million earmark. Mr. Ressel said the connector route would not have to follow the exact route originally proposed by I-73; the corridor would run from the Patriot Centre to Virginia 57 to the Laurel Park interchange hosting US 58.

Faith Braziel and Sammy Wright echoed Mr. Ressel's comments; this road could be the key to revitalization in Martinsville-Henry County. Also speaking was Max Kendall who offered land on which to build the road.

The Board directed staff to contact representatives with the Commonwealth Transportation Board, Corps of Engineers, and anyone else necessary to determine what options the County has to re-purpose the \$8.5 million dollars earmarked for I-73.

There being no further business to discuss, the meeting was adjourned at 6:48 p.m. on a motion by Ms. Buchanan, seconded by Mr. Slaughter, and unanimously carried.