

**HENRY COUNTY BOARD OF SUPERVISORS  
MINUTES**

**January 28, 2020– 3:00 p.m.**

The Henry County Board of Supervisors held its regular meeting on January 28, 2020, 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, Joe Bryant, David Martin, Tommy Slaughter, 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; George Lyle, County Attorney; Michelle Via, Director of Human Resources/Public Information Officer; and Jennifer Gregory, Administrative Assistant.

Sheriff Lane Perry, Deputy Nicole Dunn, Deputy Jeff Jones, Major Eric Winn, and Lt. Steve Raines of the Sheriff's Office were present. Also present were Kim Meeks of the Martinsville Bulletin, Luis Romero of BTW21, Charles Roark of Star News, and Brandon Martin of Henry County Enterprise.

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

Mr. Adams gave the invocation and Mr. Bryant led the Pledge of Allegiance.

**CALL TO ORDER:**

Chairman Adams called the meeting to order and welcomed everyone. 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.

- December 17, 2019
- January 2, 2020

**Approval of Accounts Payable**

Copy included in Board's File.

Mr. Bryant moved the Items of Consent be approved, seconded by Dr. Martin. The motion carried unanimously.

### **MATTERS PRESENTED BY THE PUBLIC – ANDY PARKER**

Mr. Andy Parker, Reed Creek District addressed the Board concerning the Board's November adoption of a resolution declaring Henry County a Second Amendment Sanctuary County.

### **MATTERS PRESENTED BY THE PUBLIC – TYLER MILLNER**

Rev. Tyler Millner, Iriswood District addressed the Board concerning ways of bringing the community together, the possibility of future reversion between the county and city, and second amendment rights.

### **MONTHLY UPDATE FROM THE MARTINSVILLE-HENRY COUNTY ECONOMIC DEVELOPMENT CORPORATION**

Mr. Mark Heath, President/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 statistics since the EDC began in 2006 (Copy included in Board's File).

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

Ms. Oldham, Collections Clerk noted that 93.86% of 2018 personal property taxes and 95.64% of 2018 real estate taxes have been collected. Since January 1, 2019 TACS has collected approximately \$1,280,760.52. There were twenty-three VRW stops collected in January 2020 with a total of 298 VRW stops collected in 2019.

### **ADDITIONAL APPROPRIATION RE: CARRYOVER FUNDS – SCHOOL BOARD**

Mr. Hall said the School Board is requesting that the Board of Supervisors approved an appropriation to the current year budget in the amount of \$939,997 of unexpended school funds from FY'19. Superintendent Sandy has indicated that the carryover funds will be used to cover the cost of capital projects, including the roof replacement at Bassett High School. This request is in accordance with the joint resolution approved previously by both Boards regarding carryover funds.

On a motion by Dr. Martin and seconded by Mr. Zehr, the Board unanimously approved the appropriation of FY'19 Carryover funds of \$939,997 to the FY'20 School Budget for school-related capital projects.

### **ADDITIONAL APPROPRIATION RE: GRANT FUNDS- DICK & WILLIE PASSAGE TRAIL**

Mr. Hall said staff is asking the Board to approve the appropriation of federal grant funds in the amount of \$726,014 received from the Virginia Department of Transportation to assist with the construction of Section 6A of the Dick & Willie Passage Trail. This section of the multi-use trail will extend from the end of the trail near Mulberry Creek to the trailhead on Spruce Street. Once this section is complete, the Dick & Willie Passage Trail will be over 10.5 miles of continuous paved trail.

On a motion by Mr. Bryant and seconded by Mr. Slaughter, the Board unanimously approved the appropriation of grant funds of \$726,014 to assist with the construction of Section 6A of the Dick & Willie Passage Trail.

**AWARD OF CONTRACT RE: CONSTRUCTION MATERIALS – ADULT DETENTION CENTER**

Mr. Hall said as part of the on-going cost-saving measures for construction of the Adult Detention Center, the staff has recommended that the County purchase many of the materials and supplies needed for construction directly from the vendor. In addition to the vendors previously approved by the Board, it has been determined that there is only one source practically available for the materials and supplies contract noted below relative to the construction of the Henry County Adult Detention Center (ADC) pursuant to Section 2.2-43-3 (E) of the Code of Virginia:

- 11400, Inc. – Kitchen Equipment (\$384,998)

A portion of this contract is part of the original contracts approved by the Board and does not alter the total cost of construction of the facility.

On a motion by Mr. Zehr and seconded by Ms. Buchanan, the Board unanimously approved awarding the sole-source contract to 11400, Inc. for materials and supplies needed in the construction of the Henry County Adult Detention Center.

**ADDITIONAL APPROPRIATION AND AWARD OF CONTRACT RE: BALLISTIC EQUIPMENT – SHERIFF’S OFFICE**

Mr. Hall said Sheriff Lane Perry is asking the Board to appropriate \$87,931 from State Asset Forfeiture funds for the purchase of ballistic personal protective equipment for the SWAT team. In addition, Sheriff Perry is asking the Board to authorize the purchase of the equipment in the same amount from Town Police Supply of Collinsville, VA. Town Police Supply is currently the approved sole source vendor for these items.

On a motion by Mr. Slaughter and seconded by Ms. Buchanan, the Board unanimously approved the appropriation of \$87,931 from State Asset Forfeiture funds and authorizing the purchase of the equipment from Town Police Supply.

**ADDITIONAL APPROPRIATION RE: SCAAP GRANT – SHERIFF’S OFFICE**

Mr. Hall said Sheriff Lane Perry is asking the Board to appropriate \$5,988 received from the U.S. Department of Justice 2019 State Criminal Alien Assistance Program (SCAAP) grant. The funds will be used for deputy overtime to cover staff shortages, special operations, and off-site security of inmates during medical procedures.

On a motion by Dr. Martin and seconded by Mr. Bryant, the Board unanimously approved the appropriation of \$5,988 received from the SCATT grant.

**AWARD OF CONTRACT RE: ROLL-OFF TYPE REFUSE TRUCK – REFUSE DEPARTMENT**

Mr. Hall said Mike Amos, Director of the Refuse Department, is asking the Board to award a contract in the amount of \$153,477 to Excel Truck Group in Cloverdale, Virginia for a new 2020 roll-off type refuse truck. Pricing is based on the Virginia Sheriff's Association Contract #20-01-0802. Funds for this project are included in the capital improvement plan.

On a motion by Mr. Zehr and seconded by Ms. Buchanan, the Board unanimously approved the award of contract to Excel Truck Group in the amount of \$153,477 for the roll-off type refuse truck.

### **BRIEF PRESENTATION ON CENSUS 2020**

Mr. Hall said the Constitution of the United States requires that the country conduct a count of its population every 10 years. A complete and accurate count is critical for our community because the results of the 2020 Census will affect community funding, congressional representation, and more. Michael Stowers, US Census Bureau, and Tonya Davis, Census Engagement Coordinator were present to update the Board.

### **CONSIDER ADOPTION OF THE EMPLOYEE HANDBOOK**

Michelle Via, Human Resources Director, asked the Board of Supervisors to approve the proposed Employee Handbook. Ms. Via said the new handbook better aligns and places into one document, all County and PSA policies concerning leave, compensation, federal and state regulations, retirement plans, and other employee-related topics. The manual provides information and guidance for County and PSA employees about the general terms and benefits of employment with the County or PSA. The plan is reflective of how employee-related matters and benefits are currently administered (Copy included in Board's File).

On a motion by Dr. Martin and seconded by Mr. Zehr, the Board unanimously approved the adoption of the proposed Employee Handbook.

### **INFORMATIONAL ITEMS**

#### **Comments from the Board**

Dr. Martin thanked Tim Hall, Lisa Hughes, Sandy Strayer, Ben Gravely, and Sheriff Lane Perry for participating in the Iriswood District Community Meeting. Dr. Martin also wanted to make a note he attended a Martin Luther King, Jr. breakfast at Patrick Henry Community College and the Stop the Violence Walk in Sandy Level.

Mr. Hall gave several dates of upcoming events, including the Martinsville Historical Society Founder's Day celebrating the history of the furniture industry on February 1st at 3:00 p.m. at the Martinsville Heritage Museum. The Annual Planning Session on February 4<sup>th</sup> at 3:00 p.m. at Public Safety.

Mr. Hall noted that the Commonwealth Transportation Board approved Alternate C for the Martinsville Southern Connector. Henry County's website now has a question and answer section on reversion and other reversion related documents.

### **CLOSED MEETING**

Ms. Buchanan moved that the Board go into a closed meeting at 3:52 p.m., seconded by Mr. Slaughter and unanimously carried to discuss the following:

- A) §2.2-3711(A)1 for Discussion of Appointees to the Patriot Centre/CCBC Advisory Board, Piedmont Regional Community Services Board, Industrial Development Authority, Board of Building Code Appeals, and Dan River Alcohol Safety Action Program Board.
- B) §2.2-3711(A)7 for Discussion of Pending Legal Matters.
- C) §2.2-3711(A)3 for Discussion of Acquisition/Disposal of Real Estate.
- D) §2.2-3711(A)5 for Discussion of As-Yet Unannounced Industries.

### **OPEN MEETING**

The Board returned to an open meeting at 4:46 p.m. on a motion by Mr. Slaughter, seconded by Ms. Buchanan and unanimously carried.

### **CERTIFICATION OF CLOSED MEETING**

Mr. Wagoner read the Certification of the Closed Meeting and took a roll call vote.

Board members voting in the affirmative were Mr. Adams, Mr. Bryant, Ms. Buchanan, Dr. Martin, Mr. Zehr, and Mr. Slaughter.

Building Code Board of Appeals – On a motion by Ms. Buchanan and second by Mr. Zehr, the Board unanimously approved the appointment of Charlie Martin to an unexpired term ending January 31, 2021.

Public Hearing - On a motion by Dr. Martin and second by Mr. Zehr, the Board unanimously approved setting a public hearing on February 25, 2020, at 6:00 p.m. to receive citizen input on proposed cable franchise renewal of an existing agreement between Comcast of Virginia, et. al and Henry County, Virginia.

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

Mr. Adams welcomed everyone to the 6:00 p.m. meeting.

### **PRESENTATION OF THE 2019 JACK DALTON COMMUNITY SERVICE AWARD**

Mr. Hall said the Board of Supervisors established the Jack Dalton Community Service Award in 2001. The award is presented annually to the Henry County resident who best exemplifies the standards for community service set by the late Mr. Dalton. Nominations were received from members of the community, and the Board was asked to rank all nominees in accordance with preference.

On a motion by Dr. Martin and second by Mr. Slaughter, the Board unanimously approved Dr. Joseph "Joe" DeVault as the recipient of the 2019 Jack Dalton Community Service Award. Dr. Martin said this year's recipient exemplifies the characteristic of selfless community service that makes the perfect candidate for the Jack Dalton award. Dr. DeVault said he felt honored to be holding a plaque with Jack Dalton's name on it.

Members of the Board and Ms. Lois Dalton, wife of the late Jack Dalton, presented Dr. DeVault with a plaque.

### **GENERAL HIGHWAY MATTERS**

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

### **PUBLIC HEARING – PROPOSED AMENDMENT FY '19-'20 COUNTY BUDGET**

Mr. Hall said the Board must hold a public hearing in order to amend the FY '19-'20 budget and appropriate the final round of bond funds received for the construction of the adult detention center. Whenever a budget is altered by more than 1% of the total budget, a public hearing is required. Following the public hearing, staff will ask the Board to approve an appropriation of \$25,895,586. The public hearing was properly advertised and scheduled for the 6:00 p.m. portion of the meeting.

Mr. Adams opened the public hearing at 6:14 p.m. There being no one present who wished to speak Mr. Adams closed the public hearing at 6:14 p.m. On a motion by Mr. Zehr and second by Dr. Martin, the Board unanimously approved appropriation for the adult detention center construction project.

### **PUBLIC HEARING – REZONING APPLICATION R-20-01 – GRANT V. MORRIS**

Mr. Clark said the property is located just north of 1284 Stoney Mountain Road, at approximately 1350 Stoney Mountain Road, in the Iriswood District. The Tax Map number is 44.6(25)/4. The applicant is requesting the rezoning of approximately 16.42-acres, from Rural Residential District R-R to Agricultural District A-1. The applicant intends to construct barns on the property and use it for other agricultural purposes.

Mr. Adams opened the public hearing at 6:16 p.m. Larry Morris representing the applicant was present to answer questions. Mr. Adams closed the public hearing at 6:17 p.m. On a motion by Dr. Martin and second by Mr. Bryant, the Board unanimously approved the rezoning request.

### **PUBLIC HEARING – PROPOSED ABANDONMENT, PORTION OF STATE ROUTE 9481, SCHOOL DRIVE**

Mr. Hall said the Henry County Board of Supervisors is requesting the abandonment of approximately 950' of a 30' right-of-way known as State Route 9481, School Drive in the Collinsville District. The abandonment will facilitate the potential re-development of the property. A survey is being prepared to memorialize this action. Staff is of the opinion that there is no public necessity for

the continued existence of this section of right-of-way. VDOT has advised that it has no objection to this abandonment.

On a motion by Mr. Bryant of “Be it ordained and resolved, pursuant to Section 33.2-909 of the Code of Virginia, that approximately 950’ of a 30’ right-of-way, (SR 9481) School Dr., extending from US 220 Bus. Virginia Ave. to its intersection with (SR 9918) Primary School Rd., be vacated and abandoned. This property is located in the Collinsville District. The 30’ right-of-way was originally dedicated by the Henry County Board of Supervisors to VDOT on July 28, 1952, and then an extension to this right-of-way was dedicated on June 28, 1971, to extend it to the intersection with Primary School Rd. (See Exhibit A) This abandonment is subject to the rights of owners of any utilities previously installed” and second by Mr. Zehr, the Board unanimously approved the abandonment as requested.

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

Ms. Sybill Landrith, Vice-President of the Henry County Education Association and Ms. Dorothy Carter, Reed Creek District and President of the Henry County Education Association addressed the Board concerning insufficient salaries for Henry County School teachers.

Mr. Joshua Jennings, owner of Guns Gears and Ammo in Cascade spoke urging the County to form a committee to raise private funding for the Sheriff’s Office and to support local militias that are forming across the region.

Mr. Owen Spendlove, Blackberry District asked the Board to take action to curb speeding on Elf Trail.

Ms. Mandy Hylton, Reed Creek District addressed the Board concerning the hardships caused by her medical condition.

Mr. Samuel Smith, Ridgeway District, and Dusty Rose, Axton resident addressed the Board in support of gun rights.

Mr. Slaughter moved to continue the meeting until February 4, 2020, at 3:00 p.m., seconded by Dr. Martin and unanimously carried.