

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

June 23, 2020 – 3:00 p.m.

The Henry County Board of Supervisors held its regular meeting on June 23, 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, Tommy Slaughter, David Martin, and Ryan Zehr.

Staff members present were Tim Hall, County Administrator; Dale Wagoner, Deputy County Administrator; George Lyle, County Attorney; Darrell Jones, Director of Finance; and Jennifer Gregory, Administrative Assistant.

Sheriff Lane Perry, Deputy Nicole Dunn, and Lt. Steve Raines of the Sheriff's Office were present. Also present were Kim Meeks of the Martinsville Bulletin, and Brandon Martin of Henry County Enterprise.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Mr. Adams gave the invocation, and Dr. Martin 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 the agenda item - Matters Presented by the Public without contacting the County Administrator's Office.

Mr. Bryant moved to accept the revised agenda, and Mr. Zehr seconded it. The motion carried unanimously.

ITEMS OF CONSENT:

Confirmation of Minutes of Meetings

Copy included in Board's File.

- May 26, 2020

Approval of Accounts Payable

Copy included in Board's File.

Dr. Martin moved the Items of Consent be approved, and Mr. Zehr seconded it. The motion carried unanimously.

REPORT ON DELINQUENT TAX COLLECTION EFFORTS

Mr. Grindstaff noted that 92.15% of 2019 personal property taxes and 93.76% of 2019 real estate taxes had been collected. Since January 1, 2020,

TACS has collected approximately \$361,034.30. There were sixteen VRW stops collected in May 2020 and eleven stops collected in June 2020.

CONSIDERATION OF A PROCLAMATION ENDING THE LOCAL DECLARATION OF EMERGENCY RELATED TO FLOODING ON MAY 24, 2020

Mr. Hall said on May 24, 2020, our office declared a local state of emergency in response to the significant flooding occurring in the County. The Board of Supervisors affirmed the declaration at its meetings on May 26. The emergency as a result of the flooding is now over, and the Board must officially rescind the emergency declaration

On a motion by Dr. Martin and seconded by Mr. Zehr, the Board unanimously approved a proclamation rescinding the declaration of emergency. (Copy included in Board's file).

APPROPRIATION OF THE FY 2020-2021 COUNTY BUDGET

Mr. Hall said the Board of Supervisors, at its May 26, 2020 meeting, adopted the FY 2020-2021 Total County Budget. These actions included setting of tax codes and adoption of the School Budget. However, no County funds can be expended or obligated until an appropriation resolution is approved. It reflects categorical appropriation, based on previous Board decisions regarding appropriations.

Mr. Zehr moved that the Board adopt the Appropriations Resolution as outlined, seconded by Dr. Martin, with a note correcting a section number. The motion unanimously carried. Mr. Hall took a roll call vote. Those voting in the affirmative were Mr. Zehr, Dr. Martin, Mr. Bryant, Mr. Slaughter, Ms. Buchanan, and Mr. Adams. (Copy included in Board's file).

ADDITIONAL APPROPRIATION RE: TRANSFER OF FY'20 FUNDS FOR CAPITAL IMPROVEMENT ITEMS

Mr. Hall said during the recent budget presentation, staff recommended using current year funds of \$445,600 to purchase eight patrol vehicles for the Sheriff's Office (\$301,600) and personal protective equipment/airpacks for Public Safety (\$144,000). In order to move forward with the purchase of these capital items, the transfer appropriations must be approved.

On a motion by Mr. Bryant and seconded by Mr. Slaughter, the Board unanimously approved the transfer of current year funds totaling \$445,600 as detailed on the attached transfer sheet for the purchase of capital items as outlined above. (Copy included in Board's file).

ADDITIONAL APPROPRIATION RE: UTILITY LINES TO THE NEW RESTROOM FACILITY AT SMITH RIVER SPORTS COMPLEX

Mr. Hall said staff is asking the Board to approve an additional appropriation of \$7,273 to cover the costs of extending the water and sewer lines to the new restroom facility at the Smith River Sports Complex. The restrooms are part of the Dick & Willie Passage Trail, Section 6B. Revenue for this appropriation was available from a Harvest Foundation grant and County operating funds.

On a motion by Ms. Buchanan and seconded by Dr. Martin, the Board unanimously approved the additional appropriation of \$7,273 to cover the costs of extending the water and sewer lines at the Smith River Sports Complex.

ADDITIONAL APPROPRIATION RE: CHILDREN'S SERVICES ACT PROGRAM FUNDS

Mr. Hall said staff is asking the Board to approve an additional appropriation of \$350,000 to cover overages in the Children's Service Act (CSA) Program Fund. Staff recommends using \$80,000 from the Board's contingency funds and \$270,000 from other revenue sources to cover the overages. The cost of providing services to certain at-risk youth continues to escalate, and there has been a higher number of youth placed in foster care in recent months. Both of the factors have resulted in the expenditures exceeding the budget amount. Amy Rice, Director of Henry-Martinsville Department of Social Services, provided additional information about the escalating costs in providing children's services.

On a motion by Dr. Martin and seconded by Ms. Buchanan, the Board unanimously approved the additional appropriation of \$350,000 to the Children's Services Act Program Funds.

ADDITIONAL APPROPRIATION RE: HOUSING INMATES – SHERIFF'S OFFICE

Mr. Hall said Sheriff Perry is asking the Board to approve the transfer of funds totaling \$210,000 to cover expenses related to housing inmates at other facilities. The original budget included \$900,000, and it is anticipated that this expenditure will reach \$1,110,000 for the fiscal year. The FY'21 budget includes \$1,200,000 for this line item.

On a motion by Mr. Bryant and seconded by Mr. Slaughter, the Board unanimously approved the transfer appropriation of \$210,000 to cover the additional costs of housing inmates at other facilities.

AWARD OF CONTRACT RE: FOOD FOR INMATES AT COUNTY JAIL – SHERIFF'S OFFICE

Mr. Hall said Sheriff Perry is asking the Board to award a contract to J.L. Culpepper & Company, Inc. to supply food for the Henry County Jail. This contract does not stipulate a total expenditure amount because of the fluctuation in numbers of inmates; however, Sheriff Perry estimates that the overall contract will be approximately \$160,000. Staff feels that even though there is not set amount to be spent in the contract, it is good practice for the Board to award the contract because of the size of the potential expenditure. The Purchasing Department concurs with this process.

On a motion by Mr. Zehr and seconded by Ms. Buchanan, the Board unanimously approved awarding the contract to J.L. Culpepper & Company, Inc. as requested by Sheriff Perry.

AWARD OF CONTRACT RE: HOUSING INMATES – SHERIFF'S OFFICE

Mr. Hall said Sheriff Perry is asking the Board to approve monthly expenditures during FY '21 associated with housing inmates at the Blue Ridge Regional Jail and New River Valley Regional Jail. Each of these facilities provides housing for a portion of the overflow inmates from the Henry County Jail. Expenditures for housing inmates at each of these facilities are likely to exceed \$20,000, requiring approval by the Board of Supervisors. The FY '21 budget includes \$1,200,000 for these expenses.

On a motion by Dr. Martin and seconded by Mr. Slaughter, the Board unanimously approved monthly expenditures associated with housing inmates at the Blue Ridge Regional Jail and New River Valley Regional Jail.

AWARD OF CONTRACT RE: PHYSICIAN SERVICES – SHERIFF’S OFFICE

Mr. Hall said Sheriff Perry is requesting the Board to award a contract in the amount of \$24,000 to Dr. Edna E. Gordon for physician services for inmates during FY '21. This is an approved renewal of the existing contract. Dr. Gordon has provided these services to the jail for the past several years.

On a motion by Ms. Buchanan and seconded by Zehr, the Board unanimously approved awarding the contract in the amount of \$24,000 to Dr. Edna E. Gordon for physician services for inmates.

AWARD OF CONTRACT RE: PERSONAL PROTECTIVE EQUIPMENT (AIRPACKS) – PUBLIC SAFETY

Mr. Hall said Public Safety Director Matt Tatum is asking the Board to award a contract in the amount of \$130,030 to Municipal Emergency Services for 18 airpacks and associated equipment. Airpacks are essential personal protective equipment used for firefighting and hazardous material incident responses. Pricing is based on Stafford County contract #18-3120. Funding for these items is part of the capital improvements budget recently presented to the Board for consideration in FY '20.

On a motion by Mr. Bryant and seconded by Mr. Slaughter, the Board unanimously approved awarding the contract to Municipal Emergency Services in the amount of \$130,030 for airpacks and associated equipment.

ADDITIONAL APPROPRIATION RE: SLOPE REPAIRS – PHILPOTT MARINA

Mr. Hall said staff is asking the Board to approve an additional appropriation of \$18,950 needed to make repairs to a failing slope at the Philpott Marina. During the storm event of May 24, heavy rains caused a slope adjacent to the parking lot to fail. The repairs are needed to ensure the integrity of the parking lot and the safety of visitors to the Marina. Staff has identified available funds in the current Parks and Recreation budget to cover this repair, but since the Marina is a separate cost center, the appropriation must be approved by the Board.

On a motion by Mr. Zehr and seconded by Ms. Buchanan, the Board unanimously approved the additional appropriation of \$18,950, as noted on the attached appropriation sheet. (Copy included in Board's file).

ADDITIONAL APPROPRIATION AND AWARD OF CONTRACT RE: VIRGINIA INFORMATION TECHNOLOGY AGENCY GRANT – 911 CENTER

Mr. Hall said J.R. Powell, Director of the Martinsville-Henry County 9-1-1 Communications Center, is asking the Board to approve an appropriation of \$30,000 received from a Virginia Information Technology Agency (VITA) grant. The funds will be used as part of a multi-year project to upgrade call handling equipment in the 9-1-1 Center. Additionally, funds for the project have already been appropriated as part of the FY '21 budget.

In addition, Mr. Powell is asking the Board to award a sole-source contract in the amount of \$217,443.57 to Mobile Communications of America, Inc. for the purchase and installation of the call handling equipment.

On a motion by Mr. Zehr and seconded by Dr. Martin, the Board unanimously approved the additional appropriation of \$30,000 received from the VITA grant and the award of contract to Mobile Communications of America in the amount of \$217,443.57 for call handling equipment.

DISCUSSION OF CARES ACT FUNDS AND SPENDING REQUIREMENTS

Mr. Hall discussed the CARES (Coronavirus Aid, Relief, and Economic Security) Act funds and potential initiatives that could be covered by those funds.

CONSIDERATION OF POLICY CHANGE TO MATCH VIRGINIA PROCUREMENT ACT REQUIREMENTS

Mr. Hall said the Procurement Act of the Code of Virginia allows the Commonwealth and its localities to spend up to \$100,000 for goods and nonprofessional services and up to \$80,000 on professional services before a Request for Proposals would be required. Many localities follow this threshold, but Henry County does not at this time. Our current threshold for both is \$20,000. The Public Service Authority follows the Commonwealth of Virginia benchmarks.

In light of the State of Emergency in place regarding the COVID-19 pandemic, Henry County can follow the Commonwealth thresholds as long as the State of Emergency is in effect. However, a public hearing would be needed to make the change permanent.

On a motion by Mr. Zehr and seconded by Dr. Martin, the Board unanimously approved the setting of a public hearing for the Board's July 28 meeting to consider changing County Code to match the Commonwealth of Virginia policy.

On a motion by Dr. Martin and seconded by Mr. Zehr, the Board unanimously approved authorizing the County Administrator to approve purchases up to \$100,000 for purchases related to the pandemic and CARES Act funds without bringing it back to the Board for approval.

AWARD OF CONTRACT RE: COMPUTER HARDWARE AND SOFTWARE – INFORMATION SERVICES DEPARTMENT

Mr. Hall said staff is asking the Board to award contracts to Dell Computer in the amount of \$302,003, Daly Computer in the amount of \$233,648, and Software House International (SHI) in the amount of \$76,271 to improve telework

capabilities of public employees and to enable compliance with COVID-19 public health precautions. Pricing is based on existing County or State contracts for this equipment. This award is contingent upon the approval of the appropriation of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") funds scheduled to be considered by the Board at the 6:00 p.m. session.

On a motion by Mr. Bryant and seconded by Mr. Slaughter, the Board unanimously approved awarding the contracts outlined above, contingent upon the Board's approval of the appropriation of the C.A.R.E.S. Act scheduled to be considered by the Board at the 6:00 p.m. session.

ADDITIONAL APPROPRIATION RE: CARES ACT FUNDING FOR REGISTRARS

Mr. Hall said General Registrar Elizabeth Stone is asking the Board to appropriate grants funds in the amount of \$65,113 received from the Coronavirus Aid, Relief, and Economic Security (C.A.R.E.S.) Act. Mrs. Stone has indicated that the funds will be used to buy personal protective equipment and sanitizing supplies for use by poll workers in the November election.

On a motion by Dr. Martin and seconded by Mr. Slaughter, the Board unanimously approved the grant funds of \$65,113 to assist the General Registrar in managing the COVID-19 pandemic locally.

INFORMATIONAL ITEMS

Comments from the Board

Mr. Adams thanked the local media for their efforts in getting the word out to the public regarding information on the Coronavirus.

Mr. Hall said Governor Ralph Northam announced today the Commonwealth will enter Phase three of the coronavirus re-opening plan on July 1.

CLOSED MEETING

Mr. Slaughter moved that the Board go into a closed meeting at 4:07 p.m. It was seconded by Ms. Buchanan and the motion unanimously carried to discuss the following:

- A) §2.2-3711(A)1 for Discussion of Appointees to the Roanoke River Basin Association and Southern Area Agency on Aging 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 open meeting at 5:14p.m. On a motion by Mr. Zehr, 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, Mr. Zehr, Dr. Martin, and Mr. Slaughter.

Southern Area Agency on Aging Board - On a motion by Mr. Slaughter and seconded by Mr. Zehr, the Board unanimously approved the appointment of Donna "Marie" Stone to a three-year term ending June 1, 2023.

CPEG – On a motion by Mr. Bryant and seconded by Dr. Martin, the Board unanimously approved allocating \$20,000 to the Chamber's Partnership for Economic Progress (CPEG) for retail recruiting.

Mr. Adams recessed at 5:16 p.m. until the 6:00 p.m. evening meeting.

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

PUBLIC HEARING – REZONING APPLICATION R-20-02- JOHN A. COMPTON

Mr. Clark said the property is located at 1279 Chatham Rd. in the Collinsville District. The Tax Map number is 43.2(66)/C. The applicant is requesting the rezoning of approximately 3.73-acres from Commercial District B-1 to Agricultural District A-1. The applicant intends to create an additional building lot and to keep agricultural animals on the property.

Mr. Adams opened the public hearing at 6:01 p.m. There being no one present who wished to speak, Mr. Adams closed the public hearing at 6:01 p.m. On a motion by Mr. Bryant and seconded by Ms. Buchanan, the Board unanimously approved the rezoning request.

PUBLIC HEARING – REZONING APPLICATION R-20-03-PAR 5 DEVELOPMENT GROUP, LLC

Mr. Clark said the property is located at 22485 A.L. Philpott Hwy. in the Horsepasture District. The Tax Map number is 58.1/47E. The applicant is requesting the rezoning of approximately 4.355-acres from Agricultural District A-1 to Commercial District B-1. The applicant intends to develop a retail store on the property.

Mr. Adams opened the public hearing at 6:02 p.m. There being no one present who wished to speak Mr. Adams closed the public hearing at 6:02 p.m. On a motion by Ms. Buchanan and seconded by Mr. Slaughter, the Board unanimously approved the rezoning request.

PUBLIC HERING – PROPOSED AMENDMENT FY '19-'20 COUNTY BUDGET

Mr. Hall said the County had received \$4,410,903 in Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 funds. The CARES Act provides that the funds may be used to cover costs that:

- 1) Are necessary expenditures incurred due to the public health emergency with respects to the Coronavirus Disease (COVID-19)
- 2) Were not accounted for in the County's budget
- 3) Were incurred during the period of March 1, 2020 and December 30, 2020.

The Board must hold a public hearing in order to amend the FY '19-'20 Budget and appropriate these funds. Whenever a budget is altered by more than 1% of the total budget, a public hearing is required. Because of the Declaration of Emergency in response to the pandemic, interested persons were encouraged to submit comments by email or phone. County Administrator Tim Hall will read comments received during the public hearing. Following the public hearing, staff will ask the Board to approve an appropriation of \$4,410,903. The public hearing has been appropriately advertised and scheduled for the 6:00 p.m. portion of the meeting.

Mr. Adams opened the public hearing at 6:04 p.m. There being no one present who wished to speak, Mr. Adams closed the public hearing at 6:04 p.m. On a motion by Ms. Buchanan and seconded by Mr. Zehr, the Board unanimously approved the appropriation of \$4,410,903.

MATTERS PRESENTED BY THE PUBLIC

There was no one present who wished to speak.

There being no further business to discuss, Ms. Buchanan moved to adjourn at 6:05 p.m., seconded by Mr. Bryant and unanimously carried.