

# HENRY COUNTY BOARD OF SUPERVISORS MINUTES

**September 22, 2020 – 3:00 p.m.**

The Henry County Board of Supervisors held its regular meeting on September 22, 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; Michelle Via, Director of Human Resources/Public Information Officer; and Jennifer Gregory, Administrative Assistant.

Steve Eanes, Deputy Nicole Dunn, and Deputy Jeff Jones 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 Mr. Zehr 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.

## **ITEMS OF CONSENT:**

### **Confirmation of Minutes of Meetings**

Copy included in Board's File.

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### **Approval of Accounts Payable**

Copy included in Board's File.

### **Ordinances**

Confirmation of Approved Change to Ordinances

### **Resolution**

Consideration of Resolution Seeking Funds for Extension of Dick and Willie Trail to Philpott Lake

Dr. Martin moved to approve the Items of Consent and Mr. Zehr seconded it. Motion approved by the following vote:

AYES: Adams, Buchanan, Slaughter, Bryant, Martin, and Zehr.  
NAYS: None.

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

County Attorney Lyle noted that 93.29% of 2019 personal property taxes and 94.74% of 2019 real estate taxes had been collected. Since January 1, 2020, TACS has collected approximately \$645,279.34. There were fourteen VRW stops collected in August 2020 and four stops collected in September 2020.

### **ADDITIONAL APPROPRIATION RE: FOUR-FOR LIFE FUNDS – PUBLIC SAFETY**

Mr. Hall said Henry County recently received \$54,176 from the Commonwealth's Four-for-Life, return-to-localities fund. This fund is derived from a fee charged on each vehicle registered in Henry County. The funds must be used for emergency medical services training, supplies, or equipment. In the past, the funds were distributed equally among the five County rescue squads and the Department of Public Safety for ambulance operations. As previously approved by the Board of Supervisors, the squads will be required to spend the funds before February 1, 2021, to allow staff time to complete the necessary reports and submit them to the Commonwealth.

On a motion by Mr. Bryant and seconded by Mr. Slaughter, the Board approved the additional appropriation of \$54,176 from Four-for Life funds by the following vote:

AYES: Adams, Buchanan, Slaughter, Bryant, Martin, and Zehr.  
NAYS: None.

### **CONSIDERATION EXTENDING THE CONTINUITY OF GOVERNMENT ORDINANCE**

In March, Mr. Hall said the Board of Supervisors declared a local emergency in response to the pandemic. Also, the Board approved an emergency ordinance providing for the continuity of government during the pandemic. The ordinance had an automatic expiration of six months, which concludes on September 24, 2020. County Attorney George Lyle recommends that the Board re-adopt the emergency ordinance extending it for an additional six months.

On a motion by Mr. Zehr and seconded by Dr. Martin, the Board approved the adoption of the continuity of government emergency ordinance (Copy included in Board's File) by the following vote:

AYES: Adams, Buchanan, Slaughter, Bryant, Martin, and Zehr.  
NAYS: None.

### **INFORMATIONAL ITEMS**

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

Mr. Bryant asked if funds may be available for Fieldale-Collinsville Rescue Squad to purchase a new ambulance. Mr. Hall noted that many

capital improvements projects were put on hold because of the uncertainty of revenues during the pandemic. Staff will provide additional information to Mr. Bryant before the next meeting.

Mr. Hall updated the Board on the CARES Act Applications. The County approved 117 small business grants for a combined total of \$299,700. Mr. Hall said the CARES Act allows hazardous pay to public safety and law enforcement employees as part of the County's response to the pandemic. Public Safety and Sheriff's Office employees will receive additional compensation of \$3.00 per hour based on the number of COVID-related work hours. Mr. Hall said this left out many employees who worked during this time. Staff recommends paying a one-time stipend to other County employees based on their regular work hours. Full-time employees will be eligible for up to \$2,000, and part-time employees will be eligible for up to \$500. Since the salaries of E911 and Social Services employees are shared with the City of Martinsville, employees in these departments will only be eligible for the County's proportional share of the stipend. The total cost of the stipends is estimated to be less than \$450,000, which would come from the general fund balance. However, because the CARES Act allowing salaries of some public safety and law enforcement employees to be covered under the Act, staff believes there will be a neutral impact on the County's budget.

On a motion by Dr. Martin and seconded by Mr. Zehr, the Board approved stipends for County employees and approved the appropriation of up to \$450,000 from the fund balance for this purpose by the following vote:

AYES: Adams, Buchanan, Slaughter, Bryant, Martin, and Zehr.  
NAYS: None.

Mr. Hall said early voting was underway and reminded the Board of the proposed amendment on the ballot for County 1% general retail sales tax to be used to construct or renovate schools in Henry County. The Veteran Award nomination deadline is October 2, and the award ceremony is on November 11 at 6:00 p.m. at EMI in Bassett. The Henry County Fair will start on September 22, 2021, at Martinsville Speedway and will end with the Valley Star Credit Union 300 on Saturday, September 25, 2021.

### **CLOSED MEETING**

Mr. Slaughter moved that the Board go into a closed meeting at 3:23 p.m. Ms. Buchanan seconded the motion, to discuss the following:

- A) §2.2-3711(A)1 for Discussion of Appointees to the Southern Virginia Recreation Facilities Authority.
- 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.

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

The motion carried by the following vote:

AYES: Adams, Buchanan, Slaughter, Bryant, Martin, and Zehr.

NAYS: None.

### **OPEN MEETING**

The Board returned to open meeting at 5:38 p.m. on a motion by Ms. Buchanan, seconded by Mr. Bryant and carried by the following vote:

AYES: Adams, Buchanan, Slaughter, Bryant, Martin, and Zehr.

NAYS: None.

### **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 Virginia Recreation Facilities Authority - On a motion by Ms. Buchanan and seconded by Mr. Slaughter, the Board unanimously approved the appointments of Carter Underwood and Scott Prillaman to four-year terms ending October 31, 2024, by the following vote:

AYES: Adams, Buchanan, Slaughter, Bryant, Martin, and Zehr.

NAYS: None.

C-PEG Operation of Incubator Allocation of Funds Request – Mr. Hall said West Piedmont Business Development Center did not submit their request and audit for the annual allocation of County funds for its operation last fiscal year. The Incubator is operated by the Chamber's Partnership for Economic Growth (C-PEG). The group has submitted the required documents and are requesting the funds. The Board's approval is needed for funds to be paid out of the current fiscal year. On a motion by Mr. Bryant and seconded by Mr. Zehr, the Board approved authorization to allocate \$9,025 from the fund balance with the understanding that guidelines are set for a reason, and this is a one-time opportunity to receive the funds outside of last fiscal year by the following vote:

AYES: Adams, Buchanan, Slaughter, Bryant, Martin, and Zehr.

NAYS: None.

Mr. Adams recessed at 5:42 p.m. until the 6:00 p.m. evening meeting.

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

**GENERAL HIGHWAY MATTERS**

David Kiser, Assistant Resident Engineer for the Virginia Department of Transportation, updated the Board on general highway matters.

**PUBLIC HEARING – PROPOSED ABANDONMENT, SECTION OF A 40’ RIGHT OF WAY**

Mr. Clark said Marc A. and Gail P. Thomas request the abandonment of approximately 825’ of a 40’ right of way that extends beyond the end of White Pine Road in the Blackberry District. The Thomases own all of the property on the east side of the proposed abandonment and have an agreement with the owner on the west side to purchase their portion of the right of way. All of the Thomas’ properties will be combined into one tract. A new survey has been prepared to facilitate 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 they have no objection to this abandonment.

Mr. Adams opened the public hearing at 6:06 p.m. There being no one present who wished to speak, Mr. Adams closed the public hearing at 6:06 p.m.

Mr. Zehr made a motion be it ordained and resolved, that approximately 825’ of a 40’ Right of Way in the Blackberry District, be vacated and abandoned. The portion to be abandoned begins approximately 50’ north of Tax Map 14.3/390, is shown on a new survey for Marc A. Thomas and Gail P. Thomas, dated August 28, 2017 and revised May 26, 2020, prepared by Bryan E. Jones, LS. The 40’ Right of Way is originally shown on maps entitled “White Pine Road” dated May 30, 1986, prepared by W.C. Brown, CLS. Said maps are recorded in MB 82, PG 596-612, 626-642, and 744-760, in the HCCCCO. This abandonment is subject to the rights of owners of any utilities previously installed, seconded by Dr. Martin the Board approved the proposed abandonment as outlined above by the following vote:

AYES: Adams, Buchanan, Slaughter, Bryant, Martin, and Zehr.

NAYS: None.

**PRESENTATION ON REDEVELOPMENT OF JOHN REDD SMITH ELEMENTARY – JAMES CHERNEY, CHERNEY DEVELOPMENT CO.**

Mr. Hall said John Redd Smith Elementary (JRS) closed after the 2017-18 academic year. Once the property was returned to the County by the School Board, staff began working with various partners in the community to determine the best use of the facility. Earlier this year, Henry County issued a Request for Proposals (RFP) regarding the redevelopment of JRS into a mixed-use

development, including apartments. From those RFPs, staff chose to pursue a partnership with James Cherney with the Cherney Development Co., of Winston-Salem, NC. Mr. Cherney introduced himself, his company, and his vision for the property.

On a motion by Mr. Bryant and seconded by Mr. Slaughter, the Board approved the letter of intent with James R. Cherney, A Managing Member JRS Realty Partners, LLC, and to approve for Tim Hall, County Administrator, to sign on behalf of the County (Copy included in Board's File) by the following vote:

AYES: Adams, Buchanan, Slaughter, Bryant, Martin, and Zehr.

NAYS: None.

**MATTERS PRESENTED BY THE PUBLIC**

No one present wished to speak.

There being no further business to discuss, Mr. Slaughter moved to adjourn at 6:18 p.m., seconded by Ms. Buchanan and carried by the following vote:

AYES: Adams, Buchanan, Slaughter, Bryant, Martin, and Zehr.

NAYS: None.