

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

August 24, 2021 – 3:00 p.m.

The Henry County Board of Supervisors held its regular meeting on August 24, 2021, 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, Ryan Zehr, and David Martin.

Staff members present were Tim Hall, County Administrator; Dale Wagoner, Deputy County Administrator; George Lyle, County Attorney; Darrel Jones, Director of Finance; Richard Stanfield, Deputy Director of Finance; Michelle Via, Director of Human Resources; Brandon Martin, Public Information Officer; and Jennifer Gregory, Administrative Assistant.

Sheriff Lane Perry, Lt. Brian Lawson, and Deputy Tim Robertson of the Sheriff's Office were present. Also present were Bill Wyatt of the Martinsville Bulletin, and Callie Hietala of the 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 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.

- July 27, 2021

Approval of Accounts Payable

Copy included in Board's File.

Resolution Honoring the 50th Anniversary of the Patrick-Henry Volunteer Fire Department

Copy included in Board's File.

Proclamation Declaring September 11 as first Responder Appreciation Day

Copy included in Board's File.

Dr. Martin moved to approve the Items of Consent, and Mr. Slaughter seconded it. The motion was approved by the following vote:

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

CONSIDERATION OF RESOLUTION HONORING THE RETIREMENT OF STEVE ISOM – INFORMATION SERVICES DEPARTMENT

Mr. Hall stated that long-time employee Steve Isom is retiring on September 1, 2021. Mr. Isom began his public service career on March 19, 1979. Staff has prepared a resolution to recognize his service to Henry County. (Copy included in the Board's File).

Ms. Buchanan read aloud a resolution recognizing Steve Isom for his service and moved the Board to adopt the resolution. It was seconded by Mr. Bryant, and the motion was approved by the following vote:

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

The Board presented the resolution to Mr. Isom.

REPORT ON DELINQUENT TAX COLLECTION EFFORTS

Mr. Grindstaff noted that 94.26% of 2020 personal property taxes and 95.49% of 2020 real estate taxes had been collected. Since January 1, 2021, TACS has collected approximately \$803,598.19. There were 86 VRW stops collected in July 2021, and 35 stops were collected in August 2021.

COMMENT PERIOD FOR THE 2021 JUSTICE ASSISTANCE GRANT (JAG) – SHERIFF'S OFFICE

Mr. Hall stated that Sheriff Lane Perry indicates that the Sheriff's Office will receive \$16,743 from the 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) to pay for overtime for increased enforcement. The grant requires that the governing body provides for a public comment period of 30 days. Sheriff Perry is asking the Board to set the public comment period beginning today and ending on September 27, 2021. Anyone wishing to comment on the grant application should contact Lt. Colonel Steve Eanes of the Sheriff's Office. The grant will be brought to the Board at a future date for acceptance and appropriation.

On a motion by Mr. Bryant and seconded by Mr. Zehr, the Board formally established a 30-day comment period beginning today and ending on September 27, 2021, to receive additional input regarding the grant application by the following vote:

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

AWARD OF CONTRACT RE: FURNITURE AND FIXTURES – ADULT DETENTION CENTER

Mr. Hall stated staff is asking the Board to award a base contract with a 5% contingency totaling \$238,285 to Bassett Office Supply, Inc. for various furniture and fixtures at the new Adult Detention Center. Bassett Office Supply was the low bidder and is an approved supplier of the items. Funding for these items is included in the overall budget for the construction of the new Adult Detention Center.

On a motion by Dr. Martin and seconded by Mr. Zehr, the Board awarded the contract in the amount of \$238,285 to Bassett Office Supply, Inc. for various furniture and fixtures by the following vote:

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

NAYS: None.

ADDITIONAL APPROPRIATION RE: ASSET FORFEITURE FUNDS – COMMONWEALTH’S ATTORNEY

Mr. Hall stated Commonwealth’s Attorney Andrew Nester is asking the Board to approve an additional appropriation of \$ 8,000 from State Asset Forfeiture funds to cover the cost of travel expenses.

On a motion by Mr. Slaughter and seconded by Dr. Martin, the Board approved the additional appropriation of \$8,000.00 by the following vote:

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

NAYS: None.

AWARD OF CONTRACT AND ADDITIONAL APPROPRIATION RE: DEMOLITION OF BLIGHTED STRUCTURES – PLANNING, ZONING, AND INSPECTIONS DEPARTMENT

Mr. Hall stated Lee Clark, Director of Planning, Zoning, and Inspections Department, is asking the Board to award a contract in the amount of \$199,985 to Paul R. Shively, Inc. for the demolition and removal of thirteen duplex structures in the Villa Heights community that has been declared as drug blight. Paul R. Shively, Inc. was the low bidder.

On a motion by Mr. Bryant and seconded by Ms. Buchanan, the Board approved the additional appropriation of \$199,985 from the County’s General Fund and awarded the contract to Paul R. Shively, Inc. in the amount of \$199,985 for demolition of the thirteen duplex structures by the following vote:

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

NAYS: None.

CONSIDERATION OF SUPPORT OF APPLICATION TO THE VIRGINIA TELECOMMUNICATIONS INITIATIVE (VATI) GRANT

Mr. Hall stated that as part of the local efforts to expand broadband in our area, staff is asking for the Board’s support to work collaboratively with the West

Piedmont Planning District Commission (WPPDC) and the counties of Carroll, Patrick, and Franklin to apply for a grant from the Virginia Telecommunications Initiative (VATI) grant program. The WPPDC will serve as the lead agency for the grant application. As part of the application, the applicant must identify a private vendor that could potentially install the infrastructure and deploy the services to the businesses and residents in the service areas. The planning group has identified American Electric Power and RiverStreet Networks as potential vendors for these services. Staff is asking the Board to authorize a Memorandum of Understanding with these vendors. The memorandum does not create any legal or equitable obligations rights to any of the parties.

On a motion by Dr. Martin and seconded by Mr. Bryant, the Board endorsed the County's participation in the regional grant application to VATI, and authorized staff to execute related documents, including a memorandum of understanding with RiverStreet Networks and American Electric Power and a commitment of the match up to 20% of the total project by the following vote:

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

NAYS: None.

UPDATE ON THE HENRY COUNTY FAIR

Parks and Recreation Director Roger Adams updated the Board on progress toward hosting the Henry County Fair in September 2021 (Copy included in the Board's File).

INFORMATIONAL ITEMS

Comments from the Board

Mr. Adams asked the Board to consider additional holiday time for employees on Friday, September 3, as part of the Labor Day weekend. On a motion by Mr. Bryant and seconded by Dr. Martin, the Board approved a two-hour early closing on Friday, September 3 by the following vote:

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

NAYS: None.

Mr. Hall encouraged the public to take an online broadband survey located at www.mhcbroadbandsurvey.com.

CLOSED MEETING

Mr. Slaughter moved that the Board go into a closed meeting at 3:50 p.m. to discuss the following:

- A) §2.2-3711(A)7 for Discussion of Pending Legal Matters pertaining to:
 - 1) Volunteer Settlement Agreement relating to the Martinsville's Reversion to a Town
 - 2) Opioid Lawsuit

B) §2.2-3711(A)3 for Discussion of Acquisition/Disposal of Real Estate.

C) §2.2-3711(A)5 for Discussion of As-Yet Unannounced Industries.

Dr. Martin seconded the motion, and it passed by the following vote:

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

NAYS: None.

OPEN MEETING

The Board returned to open meeting at 5:16 p.m. on a motion by Mr. Slaughter, seconded by Mr. Zehr, and it carried by the following vote:

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

NAYS: None.

CERTIFICATION OF CLOSED MEETING

Mr. Hall 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.

Voluntary Settlement Agreement Relating to the Martinsville's Reversion to a Town - On a motion by Dr. Martin and seconded by Mr. Zehr, the Board approved a voluntary settlement agreement between Henry County and the City of Martinsville concerning Martinsville's reversion to town status, requesting the Commission on Local Government's review of the agreement, and stating the County's intention to approve the agreement after the Commission's review and to petition the Circuit Court to approve the agreement and to give it full force and effect (Copy included in Board's file) by the following vote:

AYES: Adams, Slaughter, Zehr, and Martin.

NAYS: Buchanan, and Bryant.

Mr. Adams recessed the meeting at 5:18 p.m. until the 6:00 p.m. evening meeting.

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

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 '21-'22 SCHOOL BUDGET AND TOTAL COUNTY BUDGET

Mr. Hall said the School Board is expecting to receive \$18,051,093.61 from the American Rescue Plan Act (ARPA), \$462,698.24 from the Individuals with

Disabilities Education Act (IDEA) and \$171,431.52 from the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA). The School Board had indicated it would use ARPA funds for essential instructional programs, supplies, furniture for sanitization and social distancing, personnel costs, cleaning supplies, various personal protective equipment, upgrades to transportation systems, and school HVAC and facilities. It will use the IDEA funds for materials and supplies. The CRRSA funds will be used to provide transportation for summer learning programs and after-school programs.

The County is expecting to receive \$9,820,105 from the American Rescue Plan Act. However, staff is currently waiting on additional guidance from U.S. Treasury to finalize recommendations for its use.

The Board of Supervisors must hold a public hearing in order to amend the FY '21-'22 school budget and county budget, and appropriate these funds. Whenever a budget is altered by more than 1% of the total budget, a public hearing is required. Staff asked the Board to approve appropriations to the School budget totaling of \$18,685,223.37 and an appropriation of \$9,820,105 to the County budget. 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 6:07 p.m. There being no one present who wished to speak, Mr. Adams closed the public hearing at 6:08 p.m.

On a motion by Dr. Martin and seconded by Mr. Slaughter, the Board approved the appropriations to the School budget totaling \$18,685,223.37 and an appropriation of \$9,820,105 to the County budget by the following vote:

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

NAYS: None.

PUBLIC HEARING – REZONING APPLICATION R-21-12 – MARK PLACE

Mr. Hall said the property is located at 295 Bryants Lake Rd., in the Blackberry District. The Tax Map number is 13.8/61. The applicant is requesting the rezoning of approximately 25-acre from Rural Residential District R-R to Agriculture District A-1. The applicant wishes to convert the property into a farm winery and other agricultural uses.

Mr. Adams opened the public hearing at 6:09 p.m. There being no one present who wished to speak, Mr. Adams closed the public hearing at 6:09 p.m.

On a motion by Mr. Slaughter and seconded by Dr. Martin, the Board approved the rezoning request by the following vote:

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

NAYS: None.

PUBLIC HEARING – REZONING APPLICATION R-21-13 – VIRGINIA VISIONS, LLC/TERRY MULLINS

Mr. Hall said the property is located at 5081 Kings Mountain Rd., in the Collinsville District. The Tax Map number is 29.41(13)C/14. The applicant is requesting the rezoning of approximately 0.3-acre from Commercial District B-12

to Suburban Residential District S-R. The applicant wishes to rezone the property back to a residential classification for it to be sold as a single-family dwelling.

Mr. Adams opened the public hearing at 6:11 p.m. There being no one present who wished to speak, Mr. Adams closed the public hearing at 6:11 p.m.

On a motion by Mr. Bryant and seconded by Ms. Buchanan, the Board approved the rezoning request by the following vote:

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

NAYS: None.

PUBLIC HEARING RE: PROPOSED TRANSFER OF REAL ESTATE – JOHN REDD SMITH ELEMENTARY SCHOOL

Mr. Hall said John Redd Smith Elementary closed after the 2017-18 academic year, and the School Board turned the property over to the Board of Supervisors. Staff began working with various partners in the community to determine the best use of the facility. In 2020, the Board approved an agreement with Cherney Development Company to convert the property to mixed-use development, including apartments. To transfer ownership of the property to Cherney Development, the Board must hold a public hearing to receive comments on the topic. The public hearing has been properly advertised and scheduled for this meeting.

Mr. Adams opened the public hearing at 6:12 p.m. There being no one present who wished to speak, Mr. Adams closed the public hearing at 6:12 p.m.

On a motion by Mr. Bryant and seconded by Mr. Zehr, the Board approved the rezoning request by the following vote:

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

NAYS: None.

MATTERS PRESENTED BY THE PUBLIC

Doug Stegall from the Collinsville District addressed the Board to express his disapproval of the Board of Supervisors and Henry County Public School Board members being eligible to receive health insurance benefits from the County.

Eric Phillips from the Irisburg District addressed the Board to urge more transparency to the public of actions by the Board.

Adjournment

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

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

NAYS: None.