

HENRY COUNTY BOARD OF SUPERVISORS MINUTES

June 28, 2022 – 3:00 P.M.

The Henry County Board of Supervisors held its regular meeting on June 28, 2022, 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; Joe Bryant, Vice-Chairman; Debra Buchanan, Garrett Dillard, Tommy Slaughter, 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; Brandon Martin, Public Information Officer; and Jennifer Gregory, Administrative Assistant.

Sheriff Perry, Lt. Col. Steve Eanes, Major Eric Hairston, Deputy Tim Robertson, and Deputy Jeff Jones of the Sheriff's Office were present. Also present were Bill Wyatt of the Martinsville Bulletin, Callie Hietala of the Henry County Enterprise, and Charles Roark of Star News.

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 at 3:00 P.M. must contact the County Administrator's Office seven days before 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.

- May 24, 2022

Approval of Accounts Payable

Copy included in Board's File.

Mr. Bryant made a motion to approve the Items of Consent, and Mr. Slaughter seconded it. The motion was approved by the following vote:

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

NAYS: None.

MATTERS PRESENTED BY THE PUBLIC

Mr. Robert Williams of the Horsepasture District addressed the Board to discuss safety and rescue issues at Philpott Lake.

REPORT ON DELINQUENT TAX COLLECTION EFFORTS

Mr. Grindstaff noted that 93.66% of 2021 real estate taxes and 91.74% of personal property taxes had been collected. Since January 1, 2022, TACS has collected approximately \$276,401.03. In addition, there were 29 VRW stops collected in May 2022, and 12 were collected in June 2022.

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 activities by division (Copy included in the Board's File).

CONSIDERATION OF PERFORMANCE AGREEMENT WITH VF OUTDOOR, LLC

Mr. Hall said it was announced in October that VF Corporation will invest 10.2 Million at its facility located in the Patriot Centre at Beaver Creek Industrial Park, creating 82 new jobs. The Industrial Development Authority of Henry County has approved the performance agreement with the company. It now requires the approval of the Board of Supervisors.

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

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

CONSIDERATION OF STATE AND JOINT RESOLUTION COMMENDING TIM HALL ON HIS RETIREMENT

Virginia Delegate Danny Marshall read aloud a state resolution recognizing Tim Hall for nearly a decade as county administrator and general manager of the Henry County Public Service Authority. Debra Buchanan read aloud a joint resolution of the Board of Supervisors and Public Service Authority Board of Directors congratulating Tim Hall on his retirement and thanking him for his many years of dedicated service to the people of Henry County.

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

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

Mr. Hall said it had been an honor to work for and with the Board, staff, and the citizens of Henry County.

ADDITIONAL APPROPRIATION RE: GRANT FUNDS – SHERIFF’S OFFICE

Mr. Hall said Sheriff Lane Perry is asking the Board to appropriate a grant in the amount of \$2,537 received from the Virginia State Police H.E.A.T. (Help Eliminate Auto Theft) Program. According to Sheriff Perry, the funds will be used to cover the cost for two deputies to attend a week-long training course about the H.E.A.T. Program.

On a motion by Mr. Zehr and seconded by Mr. Slaughter, the Board approved the appropriation of \$2,537 received from the Virginia State Police H.E.A.T. Program by the following vote:

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

NAYS: None.

TRANSFER APPROPRIATION RE: EQUIPMENT FOR VOLUNTEER FIRE DEPARTMENT – PUBLIC SAFETY

Mr. Hall said in November, the Board of Supervisors appropriated \$929,000 to assist the Bassett Volunteer Fire Department with purchasing a new aerial fire apparatus, commonly known as a “ladder truck.” Since that meeting, the Fire Department has realized it is \$30,000 short of funds to purchase the needed equipment for the apparatus and has asked the County for additional assistance. Because of vacancies in the department, Public Safety has adequate funds in its salary line item that can be transferred for this purpose should the Board wish to allocate the additional funds to the volunteer fire department.

On a motion by Mr. Slaughter and seconded by Mr. Zehr, the Board approved the transfer appropriation of \$30,000 for Bassett Volunteer Fire Department to buy the additional equipment for the ladder truck by the following vote:

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

NAYS: None.

CONSIDERATION OF A CONTRACT RE: DEPLOYMENT OF BROADBAND SERVICES

Mr. Hall said in 2021, Henry County partnered with the West Piedmont Planning District Commission, Patrick County, Franklin County, RiverStreet Networks, and Appalachian Power, to secure a grant of \$33,571,073 from the Virginia Department of Housing and Community Development’s (DHCD) Virginia Telecommunications Initiative (VATI). The grant funds will help the Counties provider Fiber-To-The-Home (FTTH) broadband services to unserved areas in each locality. In Henry County, this project will provide FTTH broadband services to 3,058 locations. Henry County’s grant-match obligation is \$3,983,100. RiverStreet Networks will be the vendor to install the fiber to the locations and provide the internet services going forward.

Staff requested the Board to authorize a contract with RiverStreet Networks to provide installation of the fiber and internet services to the unserved areas of Henry County. The terms of the contract has been reviewed by DHCD.

On a motion by Mr. Bryant and seconded by Ms. Buchanan, the Board authorized a contract with RiverStreet Networks to provide installation of the fiber and internet services to the unserved areas of Henry County as part of the regional VATI broadband project by the following vote:

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

NAYS: None.

ADDITIONAL APPROPRIATION RE: SPECIAL GRANTS – SCHOOL BOARD

Mr. Hall said the School Board requests the Board approve an appropriation of \$102,579 received from the Virginia Department of Education to the grants category for the FY'22 budget. The funds are part of the Students with Intensive Support Needs (SISNA) grant program.

On a motion by Mr. Zehr and seconded by Mr. Slaughter, the Board approved the appropriation of \$102,579 to the School Board's grants category by the following vote:

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

NAYS: None.

CATEGORICAL TRANSFER RE: EXCESS FUNDS – SCHOOL BOARD

Mr. Hall said the School Board requests the Board of Supervisors approve a categorical transfer of \$121,429 from Administration/Attendance and Health budget to the Nutrition budget. The transfer is needed to provide employee bonuses to eligible school nutrition workers. The School Board has approved a bonus in the amount of \$1,200 to be paid to all eligible full-time and part-time employees, using all local money. The total fiscal impact is estimated to be \$1,493,041.

On a motion by Mr. Zehr and seconded by Mr. Dillard, the Board approved the transfer by the following vote:

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

NAYS: None.

TRANSFER APPROPRIATION RE: CHILDREN'S SERVICES ACT PROGRAM FUNDS AND MISCELLANEOUS ACCOUNTS

Mr. Hall said staff is asking the Board to approve a transfer appropriation of \$427,000 to cover overages in the Children's Service Act (CSA) Program fund, Board legal fees, Covid testing expenses, vaccine expenses, and accrued leave payouts. It is recommended that these expenses be covered using savings realized in several cost centers of the FY'22.

On a motion by Mr. Bryant and seconded by Mr. Zehr, the Board approved the transfer appropriation of \$427,000 to the Children's Services Act Program Funds and miscellaneous accounts by the following vote:

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

ADDITIONAL APPROPRIATION RE: HOUSING AND MEDICAL CARE FOR INMATES – SHERIFF'S OFFICE

Mr. Hall said Sheriff Lane Perry is asking the Board to approve the transfer and additional appropriation of funds totaling \$540,991 to cover expenditures in excess of the budgeted amount related to housing inmates at other facilities, providing medical care to inmates, and fuel. The Sheriff has identified \$523,235 in existing budgets to cover these overages, however, an additional \$17,756 is needed to cover all of it. Staff recommends using the reserve fund for the balance of this appropriation.

On a motion by Mr. Zehr and seconded by Mr. Dillard, the Board approved the appropriation of \$540,991 including \$17,756 from the reserve fund by the following vote:

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

ADDITIONAL APPROPRIATION RE: OVERTIME FOR EXTRA PATROL – SHERIFF'S OFFICE

Mr. Hall said Sheriff Lane Perry is asking the Board to approve an additional appropriation of \$24,858 received as reimbursement for providing security, transportation, or patrol services to the Army Corps of Engineers, Virginia Tech, Henry County Parks and Recreation, and Virginia Courts. The funds were used to pay overtime to deputies providing these services.

On a motion by Mr. Zehr and seconded by Mr. Dillard, the Board approved the additional appropriation of \$24,858 received for reimbursement for providing security and patrol by the following vote:

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

DISCUSSION OF THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDS TO CREATE A CAPITAL REPLACEMENT FUND

Mr. Hall said as part of the FY 2022-2023 budget, staff recommended that funds from the American Rescue Plan Act (ARPA) be designated to replace revenue loss during the pandemic. By designating 100% of the funds to revenue loss applicable for salary and benefits, the administrative reporting requirements are minimized, and the restrictions on how the funds can be spend are simplified. The FY 2022-2023 did not include any funds for capital improvements, with the anticipation that the funding freed up by the use of ARPA money as outlined above

would then be used to create a capital replacement fund to cover the expenses related to one-time current and future capital needs of the County.

Henry County received \$9,820,105 in ARPA funds. The Board has already spent or encumbered \$1,675,000 of the funds for stipends for Sheriff's deputies and Public Safety personnel, turnout gear and airpacks for the volunteer fire departments, HVAC improvements at the courthouse, computer upgrades in the 9-1-1 center, and a body scanner for the Sheriff's Office.

Staff recommends that the remaining funds be appropriated for current and future capital needs, including the County's commitment to the broadband project, capital requests for the Sheriff's Office and Public Safety, and a garbage truck.

Staff strongly recommends that the Board not obligate the remaining \$970,105 at this time. With uncertainty in the economy – inflation, supply-chain issues, and the threat of reversion by the City of Martinsville – staff believes that holding back the remaining money at this time is prudent.

On a motion by Mr. Bryant and seconded by Mr. Slaughter, the Board approved the following items as it relates to ARPA funds:

- 1) Designate the ARPA funds as revenue loss applicable for salary and benefits and allocate the funds to create the capital replacement fund.
- 2) Approve the spending plan for capital items as outlined in the attached spreadsheet.
- 3) Approve the transfer appropriation to establish the capital replacement fund for the estimated FY 2022 expenditures and encumbrances.
- 4) Authorize the County Administrator to move funds from the capital replacement fund to the appropriate departmental cost center and line items to properly account for actual expenditures for the approved projects by the following vote:

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

NAYS: None.

AWARD OF CONTRACT RE: REPLACEMENT VEHICLES – SHERIFF'S OFFICE

Mr. Hall said Sheriff Lane Perry is asking the Board to award a contract in the amount of \$157,036 to RK Chevrolet in Virginia Beach for four police-related 2022 Chevrolet Tahoe vehicles. Pricing is based on the Virginia Sheriff's Association vehicle procurement program and specifications. Funding for these items is not included in the FY'22 or FY'23 budget. Staff has recommended that the Capital Replacement fund created from American Rescue Plan Act (ARPA) funds be used for the purchase of these items.

On a motion by Mr. Zehr and seconded by Mr. Dillard, the Board approved the use of ARPA funds for this purpose, Staff recommends awarding the contract of \$157,036 to RK Chevrolet for four police vehicles by the following vote:

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

NAYS: None.

AWARD OF CONTRACT RE: FOOD FOR INMATES – SHERIFF’S OFFICE

Mr. Hall said Sheriff Lane Perry is asking the Board to award a contract to J.L. Culpepper & Company, Inc. to supply food for the Henry County Adult Detention Center. Though this contract does not stipulate a total expenditure amount because of the fluctuation in numbers of inmates, Sheriff Perry estimates that the overall contract will be over \$360,000. Staff feels that even though there is no set amount to be spent in the contract, it is a good practice for the Board to award the contract because of the size of the potential expenditure. Pricing is based on an existing contract by the Henry County Public Schools that is valid until June 30, 2025.

On a motion by Mr. Zehr and seconded by Mr. Bryant, the Board approved awarded the contract for food services to J.L. Culpepper & Company, Inc. and authorizing staff to exercise any subsequent renewals according to the terms of the contract by the following vote:

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

NAYS: None.

APPROPRIATION OF THE FY 2022-2023 COUNTY BUDGET

Mr. Hall said the Board of Supervisors, at its May 24, 2022 meeting, adopted the FY 2022-2023 Total County Budget. This included setting of tax codes and adoption of the School Budget. However, no County funds can be expended or obligated until an appropriation has been made. Attached is a draft appropriations resolution with minor differences from the current resolution noted in red. The proposed resolution reflects categorical appropriation, based on previous Board decisions regarding appropriations.

Mr. Bryant moved that the Board adopt the Appropriations Resolution as outlined, seconded by Mr. Slaughter. The motion was unanimously carried. Mr. Hall took a roll call vote. Those voting in the affirmative were Mr. Adams, Mr. Slaughter, Ms. Buchanan, Mr. Bryant, Mr. Dillard, and Mr. Zehr. (Copy included in Board’s file).

INFORMATIONAL ITEMS

Comments from the Board

Mr. Hall read aloud a memo stating in November 2021 the State Compensation board approved \$3,000 stipends for law enforcement personnel covered by the Compensation Board. Henry County simultaneously provided \$3,000 stipends to the law enforcement employees not covered by the Compensation Board.

As you know, the School Board recently voted to give its employees a \$1,200 stipend. They are deserving, just as our employees are deserving, and just as our law enforcement personnel deserved the one-time supplements they received in the current fiscal year. Mr. Hall said staff is recommending a stipend of \$1,200 for each full-time County employee who has worked for the County for at least one year, as of June 30, 2022 and who didn’t receive the one-time adjustment in November 2021. Staff is

recommending a stipend of \$600 for all part-time employees who average at least 20 hours a week and have been employed by the County for at least one year, as of June 30, 2022, and who didn't receive the one-time adjustment in November 2021. The fiscal impact of this action would be \$210,000, which includes the 70% County share of stipends for employees of the 9-1-1 Center. If the Board approves this action, we will share this information with the City of Martinsville leadership in case it wants to contribute its 30% share of a full stipend.

On a motion by Mr. Slaughter and seconded by Ms. Buchanan, the Board approved the stipends as outlined in the memo by the following vote:

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

Mr. Hall gave an update on the Henry County deputies getting a 6% raise and many are getting more than 10%. Any allegations otherwise is absolutely false. (Copy included in Board's file)

Mr. Dillard wanted to emphasize the importance of Board communication.

Mr. Bryant thanked Mr. Hall for his great leadership and to the great staff at the County.

Ms. Buchanan said she was on the hiring committee of Mr. Hall as POI in 1998 and later as County Administrator and thanked him for his outstanding service.

Mr. Adams asked Kiah Cooper, Assistant Chief at Public Safety to update the Board on Fire & Rescue Appreciation Day held June 11.

CLOSED MEETING

Mr. Zehr moved that the Board go into a closed meeting at 4:21 P.M. to discuss the following:

- A) §2.2-3711(A)1 for Discussion of Appointees to the Parks and Recreation Board, and Roanoke River Basin Association
- 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

Mr. Slaughter seconded the motion, and it passed by the following vote:

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

OPEN MEETING

The Board returned to open meeting at 5:10 P.M. on a motion by Mr. Bryant, seconded by Ms. Buchanan, and it carried by the following vote:

AYES: Adams, Bryant, Buchanan, Dillard, Slaughter, 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. Zehr, Mr. Dillard, Mr. Bryant, Ms. Buchanan, Mr. Slaughter, and Mr. Adams.

Roanoke River Basin - On a motion by Ms. Buchanan and seconded by Mr. Zehr, the Board unanimously approved the re-appointment of Michael Ward to a one-year term ending August 31, 2023.

Mr. Adams recessed the meeting at 5:12 P.M. until 6:00 P.M.

Mr. Adams welcomed everyone to the 6:00 P.M. portion of the meeting.

GENERAL HIGHWAY MATTERS

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

PUBLIC HEARING – REZONING APPLICATION R-22-09 – LOGAN R. BOWMAN

Mr. Clark said the property is located at 210 The Great Road, in the Horsepasture District. The Tax Map numbers are 39.6(23)/15, 16 and 39.6(24)/4. The applicant is requesting the rezoning of approximately 1.8-acres from Suburban Residential District S-R to Agricultural District A-1. This zoning will allow the flexibility the applicant needs (in both setbacks and size) to keep a recently constructed accessory building.

Mr. Adams opened the public hearing at 6:05 P.M. There being no one present who wished to speak, Mr. Adams closed the public hearing at 6:05 P.M.

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

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

NAYS: None.

PUBLIC HEARING – REZONING APPLICATION R-22-06 – DIANNA K. BROOKS

Mr. Clark said the property is located at 51 Red Pole Hollow Dr, in the Blackberry District. The Tax Map number is 14.6/335. The applicant is requesting

the rezoning of an approximately 1.5-acre lot from Suburban Residential District S-R to Agricultural District A-1. The applicant wishes to build an accessory building that exceeds the square footage limitations.

Mr. Adams opened the public hearing at 6:24 P.M. There being no one present who wished to speak, Mr. Adams closed the public hearing at 6:24 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, Bryant, Buchanan, Dillard, Slaughter, and Zehr.

NAYS: None.

PUBLIC HEARING – REZONING APPLICATION R-22-10 – DOUGLAS BLAKE AD BROOK SPENCER

Mr. Clark said the property is located at 575 Mary Hunter Drive, in the Blackberry District. The Tax Map number is 14.9/284F. The applicant is requesting the rezoning of approximately 103-acres from Industrial District I-1 to Agricultural District A-1. The applicants wish to construct a home on the property and potentially keep farm animals.

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 6:07 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, Bryant, Buchanan, Dillard, Slaughter, and Zehr.

NAYS: None.

PUBLIC HEARING – SALE OF COUNTY PROPERTY TO THE BLUE RIDGE REGIONAL AIRPORT AUTHORITY

Mr. Clark said several years ago, the County purchased land adjacent to the Blue Ridge Regional Airport for the purpose of future expansion of the airport runway. In order to transfer ownership of that land to the Blue Ridge Regional Airport Authority so the work can begin on the expansion, the Board must first hold a public hearing on the matter. The public hearing has been properly advertised and scheduled for this meeting.

Mr. Adams opened the public hearing at 6:08 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 Ms. Buchanan and seconded by Mr. Slaughter, the Board approved the rezoning request by the following vote:

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

NAYS: None.

MATTERS PRESENTED BY THE PUBLIC

There was no one present who wished to speak.

Adjournment

There being no further business to discuss, Mr. Slaughter moved to adjourn at 6:11 P.M. Mr. Zehr seconded the motion, and it carried by the following vote:

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

NAYS: None.