

HENRY COUNTY BOARD OF SUPERVISORS MINUTES

Organizational Meeting January 5, 2009 – 3:00 pm

The Henry County Board of Supervisors held its organizational meeting on January 5, 2009, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Jim Adams Chairman; H. G. Vaughn, Vice Chairman; Debra Buchanan, Paula Burnette, Jim McMillian and Tommy Slaughter.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Jimmie Wright, Director of Finance; Darrell Jones, Assistant Director of Finance; and Susan Reynolds, Human Resources/Public Information Officer.

Sheriff Lane Perry was present from the Sheriff's Office.

Mickey Powell of the Martinsville Bulletin and Ron Morris of B-99 was present.

Tim Hall gave the invocation and Debra Buchanan led in the Pledge of Allegiance.

CALL TO ORDER:

Chairman Adams called the meeting to order and welcomed everyone present. He stated anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm must contact the County Administrator's Office seven days prior to a scheduled meeting. Anyone who wishes to speak at the Board's public meeting starting at 6:00 pm may do so under Agenda Item - Matters Presented by the Public without contacting the County Administrator's Office.

Mr. Adams stated it had been a pleasure to serve as Board Chairman for 2008. He stated he could not say enough good things about County staff in assisting him in any thing that he has asked for. He commended Mr. Summerlin, Mr. Hall and Mr. Lyle. Mr. Adams thanked fellow Board members and congratulated them for their years of service on the Board.

Mr. Vaughn stated he was honored to serve as Vice Chairman for 2008. He congratulated Mr. Adams for an outstanding job serving as Chairman.

Mr. Vaughn moved to appoint the County Administrator to chair the meeting during the election of Chairman and Vice Chairman of 2009, second by Mr. McMillian and unanimously carried.

Mr. Adams turned the meeting over to Mr. Summerlin.

Mr. Summerlin reviewed the procedures for nomination of Chairman and Vice Chairman and stated nominations do not require a second.

ELECTION OF CHAIRMAN FOR 2009:

Mr. Summerlin opened the floor for nominations for Chairman of 2009.

Mr. McMillian nominated Debra Buchanan for Chairman.

There being no further nominations the floor was closed.

The vote carried unanimously to elect Debra Buchanan as Chairman for 2009.

ELECTION OF VICE CHAIRMAN FOR 2009:

Mr. Summerlin opened the floor for nominations for Vice Chairman of 2009.

Mr. McMillian nominated H. G. Vaughn for Vice Chairman.

Mrs. Burnette nominated Jim McMillian as Vice Chairman. Mr. McMillian declined acceptance of the nomination.

There being no further nominations the floor was closed.

The vote carried unanimously to elect H. G. Vaughn as Vice Chairman for 2009.

Mr. Summerlin and the Board congratulated Mrs. Buchanan and Mr. Vaughn.

Mrs. Buchanan thanked the Board for their vote of confidence and stated she would do her best to serve as Chairman.

Mr. Summerlin turned the meeting over to Mrs. Buchanan, Chairman.

SETTING OF REGULAR BOARD MEETING DATES:

Mrs. Burnette moved that the Board adopt the proposed meeting date schedule, second by Mr. McMillian.

Mr. Adams stated in talking with Mr. Slaughter and Mr. Summerlin regarding the meeting dates, they discussed the meeting of (September 29), which falls on the fifth Tuesday rather than the fourth Tuesday following the fourth Monday.

Mr. Slaughter stated for clarification it would make it clear to citizens if all regular meetings were scheduled on the fourth Tuesday of each month.

Mr. McMillian withdrew his second and Mrs. Burnette withdrew her motion.

Following was some general discussion regarding amending the meeting dates. Mr. Summerlin stated with an amended change in September's regular meeting date all regular monthly meetings would be scheduled on the fourth Tuesday of each month at 3:00 pm with the exception of December's meeting. Mr. Summerlin reviewed the proposed meeting dates for 2009 and corresponding deadline for material to be submitted as part of the Board packet. Deadlines are at 5 pm on the date indicated.

<u>Meeting Date</u>	<u>Deadline for Packet</u>
January 27	January 20
February 24	February 17
March 24	March 17
April 28	April 21
May 26	May 19
June 23	June 16
July 28	July 21
August 25	August 18
September 22	September 15
October 27	October 20
November 24	November 17
December 15	December 8

Mr. McMillian moved that the Board approve the Board Meeting Dates for 2009 with the recommended change, second by Mr. Adams and unanimously carried.

ADOPTION OF 2009 BOARD BYLAWS:

Mr. Summerlin stated the Board traditionally adopts bylaws each year at its annual organizational meeting. A copy of the existing bylaws adopted January 2, 2008, are included in the Board's package. (A Copy of Bylaws Included in Board's File).

Mrs. Burnette stated the statement read by the Chairman prior to public comments, which is not a part of the bylaws she would like to add the following to be included in the statement: ***speakers should direct their comments to the Board and not engage in a conversation back and forth with other members in the audience.*** Mrs. Burnette stated with a change such as this she would like to see it as an attachment to the bylaws as a part of the Board's operation.

Mr. McMillian stated he felt the Board already restricts those who want to speak and should be less restrictive.

Mr. Vaughn stated he agreed with Mr. McMillian. The Chairman has the authority to control a meeting; however there may be circumstances where something is wrong that needs to be corrected. Mr. Vaughn stated the Board's bylaws have a statement under public participation where the Chairman or majority of the Board can make an exception.

Mrs. Burnette stated then the Board probably needs to change that statement in the bylaws to clarify the public's participation.

Mr. McMillian moved that the Board approve the Bylaws as presented, second by Mr. Vaughn. The motion carried 5 to 1. Mr. Burnette voted in opposition.

APPROVAL OF FINANCIAL INSTITUTION FOR TAX REVENUE ANTICIPATION NOTE:

Mr. Summerlin stated each year the Board issues a Tax Revenue Anticipation Note. The current TRAN will mature in January 2009 which will necessitate the issuance of a new TRAN. Bids were opened December 19 and four vendors replied. The low bidder was Carter Bank & Trust at 2.49% for \$4.066 million. LeClair Ryan, Bond Counsel, has prepared the resolution which must be adopted by the Board to approve issuance of the TRAN. (Copy of the Resolution Included in Board's File).

Mr. Adams moved that the Board approve the Resolution approving the issuance of a Tax Revenue Anticipation Note in the amount not to exceed

\$4.066 million and the approval of Carter Bank & Trust as the financial institution for the 2009 TRAN at a rate of 2.49%, second by Mr. Vaughn and unanimously carried.

CONSIDERATION OF RESOLUTION AND BANK QUALIFICATION ALLOCATION AGREEMENT RE: SHELL BUILDING FINANCING:

Mr. Summerlin stated the shell building financing was split into two series to obtain bank qualified tax-exempt financing for the project; \$1.5 million was issued in 2008 and \$2.0 million is to be issued in 2009.

He stated the Board previously authorized the financing and now needs to adopt a resolution to authorize \$2.0 million of the bond to be bank qualified for calendar year 2009. (Copies of the Resolution and Bank Qualification Allocation Agreement Included in Board's File).

Mrs. Burnette moved that the Board approve the Resolution and Bank Qualification Allocation Agreement as presented, second by Mr. McMillian.

Mr. Summerlin took a roll call vote. Those voting in the affirmative were Jim Adams, H.G. Vaughn, Debra Buchanan, Paula Burnette, Jim McMillian and Tommy Slaughter. The motion carried unanimously.

CONSIDERATION OF PRIORITY LIST FOR COMMONWEALTH TRANSPORTATION BOARD:

Mr. Summerlin stated the Commonwealth Transportation Board will hold five meetings statewide to receive input on the Fiscal Year 2009-2014 Six-Year Improvement Plan for primary and interstate roads. The Salem District meeting is scheduled for Monday, January 5, 2009 at 6 p.m. at the New River Community College in Dublin. Below is the list of priorities as approved by the Henry County Board of Supervisors beginning with FY'09. The first five items are listed in order of priority:

1. Support for the funding and construction of the U.S. Route 58 Improvement Program between Stuart and Hillsville.
2. Support for a connection from Route 58 to the Patriot Centre, a business and industrial park which houses nearly 4,000 of the County's workforce.
3. Support for the design, engineering, funding and construction of Interstate 73 through Henry County that follows a corridor east of the City of Martinsville and west of the Henry-Pittsylvania County border in an alignment that avoids large subdivisions.

4. Improvements to the Lee Ford Camp Road/Greensboro Road (US Route 220)/Church Street intersection in Ridgeway, near Mountain View Cemetery, to include signals.
5. Support for the City of Martinsville's request for Phase II of the Liberty Street improvement plan.

It was noted that the Board of Supervisors also requests attention to the following items:

- Realignment and improvements on U.S. Route 220 from the intersection of Route 87/Route 220 South to the North Carolina line, including the alleviation of hazardous curves on southbound Route 220. This project is essential to tie into the four-laning of U.S. Route 220 in North Carolina.
- Support for the four-laning of Route 87 from Route 220 to the Virginia/North Carolina line to connect with planned improvements of the road in North Carolina. The road becomes Highway 14 in North Carolina.
- Support for the inclusion of an extension of Commonwealth Boulevard to the west to connect with Route 220 Bypass in the current Long-Range Plan studies.

Mr. Adams moved that the Board adopt the priority list to be sent to the Commonwealth Transportation Board, second by Mrs. Burnette and unanimously carried.

CONSIDERATION OF A DATE FOR THE BOARD'S ANNUAL PLANNING SESSION:

Mr. Summerlin stated he had spoke with Diane Akers with Com Biz who facilitated several planning sessions in the past. Ms. Akers would be available the last week in January and the first two weeks in February.

Mr. McMillian stated he did not feel the Board needs a moderator.

Following some discussion Mr. McMillian moved that the Board set its annual planning session on Thursday, January 29 at 3:00 pm without a moderator.

Mr. Vaughn made a substitute motion that the Board set its annual planning session on Thursday, January 29 at 3:00 pm with Ms. Akers moderating, second by Mr. Adams and unanimously carried.

Mr. McMillian stated the County in the past has provided food for the planning session and he feels the Board should make other arrangements

and pay for their own meals. It was the consensus of the Board to have a menu available for the January 27th meeting.

There being no further business to discuss Mr. McMillian moved to adjourn at 3:23 pm, second by Mrs. Burnette and unanimously carried.

Bos-Minutes-January 5-2009-Organization Meeting-sb

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

January 27, 2009 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on January 27, 2009, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn, Jim Adams, Paula Burnette, Jim McMillian and Tommy Slaughter.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Susan Reynolds, Director of Human Resources and Public Information; Jimmie Wright, Director of Finance; and Darrell Jones, Deputy Director of Finance.

Sheriff Perry, Major Steve Eanes and Sergeant Eric Hairston were present from the Sheriff's Office. Mickey Powell of the Martinsville Bulletin and Ron Morris of B99 Radio Station were present.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Jim Adams gave the invocation and Tommy Slaughter led in the Pledge of Allegiance.

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present. She stated that anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm 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 pm 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

- 1) December 16, 2008 – 3:00 pm
- 2) January 5, 2009 – 3pm

(Copy included in Board's File).

Approval of Accounts Payable

(Copy included in Board's File).

Mr. Adams moved to Approve Items of Consent as presented, second by Mr. Vaughn and unanimously carried.

REPORT ON AUDIT OF COUNTY ACCOUNTS FY '07-'08:

Mr. Summerlin stated the firm of Creedle, Jones and Alga, P.C., completed its audit of County accounts for fiscal year ending June 30, 2008. The Board was provided a copy of the Audit Report and Management Letter in its working papers. Mr. Summerlin introduced Ms. Robin Jones who will address the audit report and answer questions.

Robin Jones from Creedle, Jones, and Alga P.C., stated Henry County received an unqualified opinion for the Audit of County Accounts for FY 2008, which means Creedle, Jones, and Alga found no material errors and according to auditing standards this is a clean opinion. She briefly reviewed the audit which is categorized into three sections, (Financial, Other Information, and Compliance). She stated Henry County is very well run and thanked County staff for its cooperation during the audit process. (Copy of Audit Report and Other Supporting Documents included in Board's File).

Following a brief discussion Mr. Adams moved that the Board accept the Audit of County Accounts for the fiscal year that ended June 30, 2008, second by Mr. McMillian and unanimously carried.

MATTERS PRESENTED BY THE PUBLIC:

Mrs. Buchanan read the following statement regarding public comments: “The Board is here to listen to public comments and not to engage in a question and answer period or a debate. If anyone wishes to address the Board please come to the podium and state your name, subject matter and the district in which you live. By coming to the podium you have agreed to exhibit respect to the Board and its members. Each one will conduct themselves with dignity and will receive the same level of respect from the Board. Those who wish to speak please keep your comments between three to five minutes.

Mr. Joe Prater

Mr. Prater briefly discussed his support for the promotion of Smith River. He stated he would like to thank Lois Christensen and Gateway Streetscape on a good job in its work involving the Smith River. He also encouraged more community participation in the clean-up of Smith River scheduled on February 7, 2009.

Mr. Paul Farrar, II

Mr. Farrar came forward and briefly discussed the Southside Virginia Tobacco Loan Forgiveness Program. He stated its mission is designed to provide a stimulus for economic revitalization in communities within Southside Virginia by encouraging native Southside Virginians to complete a degree and then return to and settle in a locality within Southside Virginia, the region that nurtured and developed them during their formative years. Current residents of Southside Virginia localities can receive up to \$3,000 for tuition and academic fees per year. He stated for those interested in more information on the program can visit [**http://www.tic.virginia.gov**](http://www.tic.virginia.gov).

CONSIDERATION OF RESOLUTION REGARDING COMMONWEALTH OF VIRGINIA’S FY 2009-2010 BUDGET:

Mrs. Burnette stated the Virginia Association of Counties (VACo) has created a resolution for localities to use to address the Commonwealth of Virginia’s budget crisis and how it affects localities. A Resolution has been crafted to fit Henry County’s needs. (Copy of Proposed Resolution included in Board’s File).

Mrs. Burnette moved that the Board approve the resolution and authorization to send it to the Governor's office and to the offices of Henry County's delegation in Richmond, and VACO staff office, second by Mr. Adams and unanimously carried.

CONSIDERATION OF PROJECTS FOR REGIONAL COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS):

Mr. Summerlin stated the West Piedmont Regional Economic Development District, serving Henry, Patrick, Franklin and Pittsylvania counties, the cities of Martinsville and Danville and the town of Rocky Mount, compiles an updated Comprehensive Economic Development Strategy (CEDS) each year. This plan is forwarded to the U.S. Economic Development Administration (EDA) to maintain the eligibility of participating localities in order to receive EDA funding. The plan must contain a list of future prioritized projects and it is essential that all projects considered by the Board within the next year be included in the CEDS. Only projects on the list are eligible for EDA funding. The CEDS list may be used to identify projects for Appalachian Regional Commission Funding. It also is recommended that projects may be funded from other sources be included in order to give the County maximum flexibility in the management of its resources. Potential funding sources include:

ARC – Appalachian Regional Commission

EDA – Economic Development Administration

CDBG – Community Development Block Grant

DWSRF – Drinking Water State Revolving Loan Funds

Mr. Summerlin noted that County and PSA staffs have developed a proposed list of Comprehensive Economic Development Strategy Priority Projects, which was previously provided to the Board. (Copy included in Board's File).

There was brief discussion regarding three items on the CEDS list, (Patrick Henry Retirement Center, Patriot Centre Day Care and Philpott Lake Sewer Line).

Mrs. Burnette moved that the Board approve the list of projects for submission in the regional CEDS and to include an approximate number of jobs with Patriot Centre Day Care, second by Mr. Slaughter and unanimously carried.

DISCUSSION OF COUNTY NOISE ORDINANCE:

Mr. Lyle stated at the Board's last meeting he was directed by the Board to redraft the proposed noise ordinance using Campbell County's ordinance as a model. He stated a public hearing must be held on any proposed ordinance prior to the Board voting on any changes. (Copy of Proposed Ordinance included in Board's File).

Following a lengthy discussion the Board came up with a list of recommendations for the County Attorney to consider in redrafting the noise ordinance:

- Consider simplifying definitions and length of ordinance
- Consider removing Sports Shooting Ranges
- Consider prohibition time from 10:00 pm until 6:00 am with the exception of boom boxes and amplified sounds which should be regulated 24 hours per day
- Consider a uniform distance in measuring amplified sounds such as 100 feet
- Consider sound to be "collectively" when there is more than one animal involved
- Consider recommendations in Albemarle County brochure regarding steps that citizens can first take to address a noise problem (Copy Included in Board's File)
- Consider uniformity in repeated phrases: 1) "serious hazard to the public health, welfare, peace, and safety and the quality of life of the citizens of Henry County" 2) "sound emanating therefrom annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable person(s) or ordinary habits and sensibilities" 3) "excessive sound and noise pollution that may jeopardize" 4) "normal auditory acumen"
- Review prohibition of noise within the residential areas of the County and noise being more than 25 feet and how that would relate to setbacks of side property lines in SR zoning

- Clarify maximum vs. minimum sound levels
- Consider frequent noise of animals as “chronic” rather than “long-continued”
- Consider an alternative measure rather than permanently removing an animal from the County such as until the animal can be shown to be a non-issue
- Consider including mufflers and jake brakes
- Clarify exemptions regarding a business whose operations consist of a lot of loud noise
- Clarify the wording of Sheriff or someone in his/her place
- Review measuring frequency such as how frequent is too frequent or how loud is too loud and what is chronic, and what will be enforceable and suggest that a person making the complaint record the noise for evidence
- Consider the fact that the Sheriff’s Office has limited resources
- Consider the fact that in rural areas other animals make continuous noises especially during certain seasons
- Consider not having an ordinance and let people sue under the civil process in extreme cases
- Consider exempting agricultural property of 5 acres or more

Mrs. Burnette moved that the Board direct the County Attorney to take all comments and recommendations and consider them in redrafting and simplifying the noise ordinance; and consult with the Commonwealth Attorney, Sheriff, Planning Director and others as needed for guidance, second by Mr. McMillian. The motion carried 5 to 1. Mrs. Buchanan voted against the motion.

Mrs. Buchanan stated earlier in discussion she had concerns of having an existing half page ordinance and creating such an exclusive ordinance. She stated it would not be doing Henry County justice.

CONSIDERATION OF ISSUES WITH TAXATION OF ANTIQUE CARS IN HENRY COUNTY:

Supervisor McMillian requested this item be placed on the agenda. After briefly reviewing statistics of other localities that tax antique cars,

Mr. McMillian stated he would like to postpone this issue until the Planning Session on January 29.

Mr. Lyle reviewed background information regarding taxing antique vehicles. The Code of Virginia defines antique vehicles as those at least 25 years old. If an owner applies, DMV will issue special license plates. Henry County does not tax vehicles registered as antiques. The vehicles are exempted by a local ordinance; however, Virginia law allows local governments to tax antique motor vehicles if they chose. Data for January 1, 2009, is not yet available, but in 2008, Henry County had 4,102 antique vehicles registered in the County (there were a total of 62,472 cars, trucks, boats, and trailers registered in Henry County for that same time period.) Unlike real property where county assessors value the property even if it is exempt from taxation, there is no established value for the vehicles exempted from taxation so the amount of potential revenue is unknown. If the Board desires to remove the exemption for antique cars and begin taxing them an ordinance amendment would be required and a public hearing held. Because the County taxes vehicles garaged in Henry County as of January 1 each year and collects the taxes the following December, if the Board were to act this year on such a change no taxes could be collected until December 2010.

Mr. Adams noted that he had heard from a number of people who are antique car owners who feel they would be singled out as opposed to a person who collects antique guns, dolls, etc. To single out one group would not be any benefit to the County.

Following some further comments the Board agreed to postpone the matter as requested by Mr. McMillian.

DISCUSSION OF FY 2009-2010 HENRY COUNTY BUDGET:

Supervisor McMillian stated he asked that this item be placed on the Board's Agenda; however, he would like to postpone this item until the Planning Session. The Board agreed to postpone this item.

DISCUSSION OF ISSUES REGARDING COUNTY-OWNED PROPERTY:

Mr. McMillian stated he asked that this item be placed on the Board's Agenda. He stated there is a pine tree on the Administration

Building lawn that has a crooked trunk and needs to be removed. He stated there are also two trees on both sides of the building that bear fruit which falls on the sidewalks, and there are birds roosting in the trees. He stated he feels it is a health hazard and the three trees need to be removed and replanted elsewhere.

Mr. McMillian moved that the Board direct the County Administrator to look at the vegetation surrounding the Administration Building to see if there are any health hazards and any unsightly areas.

Mr. Summerlin stated the County is fortunate to have the trees and if the Board wants to make a motion he would have them cut down tomorrow.

The motion died for lack of a second.

INTRODUCTION OF DEBBIE ROBINSON, DIRECTOR OF TOURISM, MARTINSVILLE-HENRY COUNTY ECONOMIC DEVELOPMENT CORPORATION:

Ms. Debbie Robinson newly hired Director of Tourism for Martinsville-Henry County Economic Development Corporation came before the Board and introduced herself. She stated in the short time that she has been in the area she has seen a gem of a community with tremendous assets. She stated the people are wonderful with quality educational opportunities, great outdoor recreation and beautiful scenery. She stated she looked forward to working with Henry County to market the Martinsville-Henry County area as a premier destination.

The Board welcomed Ms. Robinson.

FINANCIAL MATTERS:

Award of Contract – Engineering for Rail Trail Project

Mr. Summerlin stated that Anderson & Associates was procured through a Request for Proposals process for preliminary trail design of approximately 4.5 miles of paved trail along the abandoned Norfolk Southern Railroad line that runs generally from El Parral Restaurant to Mulberry Creek. Four trailheads are planned along the trail. He stated the contract amendment in the amount of \$70,240 is proposed for

engineering design and construction administration for the project. Federal and state funding will be used to pay for the contract. The contract amendment should be approved subject to final review and approval by VDOT.

Mr. Slaughter moved that the Board approve the contract amendment with Anderson & Associates in the amount of \$70,240 for engineering design and construction administration of the rail-trail project contingent upon approval by VDOT, second by Mrs. Burnette. The motion carried 5 to 1. Mr. McMillian voted in opposition.

Award of Contract re: Playground Equipment for Park Site at Old Bassett High School – Parks and Recreation Department

Mr. Summerlin stated in May 2008, the Board of Supervisors approved several transfer appropriations with funds from the FY 2008 budget. One such transfer was \$30,000 for the purchase of playground equipment and site improvements to the former Bassett High School baseball field near what is now EMI Imaging. The work on the park is part of the Bassett redevelopment project. The US Communities RFP# 269-2003-077 was used as the bid process for this project, and was reviewed and approved by the County Purchasing Department. The low bid was in the amount of \$26,115.89 from Cunningham Associates/ Game Time of Charlotte, NC.

Mr. Adams moved that the Board award the contract to Cunningham Associates/Game Time in the amount of \$26,115.89, second by Mr. McMillian and unanimously carried. It was noted that the land was donated to Henry County by Bassett Furniture.

Additional Appropriation of Asset Forfeiture Funds – Commonwealth’s Attorney’s Office

Mr. Summerlin stated Commonwealth’s Attorney Bob Bushnell is requesting the Board to make an additional appropriation in the amount of \$314.74 from the Asset Forfeiture line item to his Travel Expense line item. This is in response to budget cuts in the travel category.

Mr. McMillian moved that the Board approve the additional appropriation as requested, second by Mrs. Burnette and unanimously carried.

Acceptance of Grant and Additional Appropriation re: Department of Justice Grant – Sheriff’s Office

Mr. Summerlin stated Sheriff Lane Perry is requesting the Board to accept and appropriate a grant from the Department of Justice in the amount of \$11,413. According to information received from Sheriff Perry, the grant would be used to provide enhanced security and monitoring within the Jail and to help encourage appropriate behavior from the inmates. This grant does not require a local match.

Mr. McMillian moved that the Board approve acceptance of the grant and the additional appropriation as proposed, second by Mr. Slaughter and unanimously carried.

Acceptance of Grant and Additional Appropriation re: Division of Motor Vehicles Traffic Enforcement, and Transfer Appropriation re: Grant Contingency Funds – Sheriff’s Office

Mr. Summerlin stated Sheriff Lane Perry is requesting the Board to accept and appropriate a grant from the Division of Motor Vehicles 402 Grant program in the amount of \$25,000. According to information received from Sheriff Perry, the grant would be used to provide \$18,947 in overtime funds for roadside traffic checks, \$5,553 for replacement radar units and Alco-sensors, and \$500 for a required class for the grant. Sheriff Perry also is requesting the Board to approve the transfer of \$5,000 from his grant contingency line item to purchase additional Alco-sensors.

Mr. McMillian moved that the Board approve acceptance of the grant; the additional appropriation; and the transfer appropriation as requested, second by Mrs. Burnette and unanimously carried.

Consideration of Authorizing Resolution Regarding FY 2009-2010 Funding for Piedmont Area Regional Transit (PART)

Mr. Summerlin stated the Piedmont Area Regional Transit (PART) began offering public bus transportation in Martinsville and Henry County on January 5, 2009. In Henry County, the service provides transportation to major commercial centers in Collinsville, to Patrick Henry Community College, and employers in the Bowles and Patriot Centre industrial parks. The service operates Monday through Friday, from 6 am to 6 pm, and currently employs 3 part-time drivers. Through January 20, the transit system provided rides for 57 citizens. In order to meet grant submission deadlines for the Virginia Department of Rail and Public Transportation, the Board is being asked to consider an Authorizing Resolution which will be included with the grant application requesting continued funding. RADAR, the operator of our system, will be submitting this grant application on the County's behalf. In FY 2009-2010, the County's share of the local match will be approximately \$22,800. The County's share of the first-year costs was \$4,000. (A Copy of Proposed Operating Budget and Resolution is Included in Board's File).

Mr. McMillian moved that the Board approve endorsement of the Authorizing Resolution at this time in order to meet the needs of the Virginia Department of Rail and Public Transportation, with a stipulation that more data on the number of riders is needed to make a final decision and the decision to proceed with the system could be re-visited before final commitment, second by Mr. Slaughter and unanimously carried.

Mrs. Burnette moved that the Board set aside \$22,800 from its current Contingency Fund to avoid having to place the expense in the FY 2009-2010 County Budget regarding the Transit Program, second by Mr. McMillian and unanimously carried.

APPROPRIATION OF PLANNING GRANT FUNDING AND AWARD OF CONTRACT RE: DHCD PLANNING GRANT FOR THE SOUTH STREET NEIGHBORHOOD IN BASSETT:

Mr. Summerlin stated after conducting initial pre-planning grant activities as required by the Virginia Department of Housing and Community Development (DHCD), the County is now eligible to receive up to \$25,000 in Community Development Block Grant (CDBG) planning grant funding to complete the study of the proposed

improvements to the South Street neighborhood. The total planning grant project cost is estimated at \$32,000 which will include \$25,000 in CDBG funds and a local contribution of \$7,000. Sufficient funds are in the County budget for the local contribution. Of this total, a contract in the amount of \$23,000 is requested for approval to retain professional assistance from K. W. Poore and Associates. The remaining funds would be utilized to cover the expenses related to housing inspections, work write-ups, and changes to the preliminary engineering report.

Mr. Slaughter moved that the Board appropriate DHCD funds in the amount of \$25,000 and award of contract to K. W. Poore and Associates in the amount of \$23,000, all of which are contingent upon planning grant award from DHCD, second by Mr. Adams and unanimously carried.

INFORMATIONAL ITEMS:

Comments from the Board

Mr. Slaughter stated the abandoned vehicle ordinance does not address problems with junk and dilapidated semi-trailer trucks being used for storage within view of a public road, etc. He stated he would like to have the County Attorney review this issue.

Mr. Vaughn stated there should be some provisions made for storage trailers used for agricultural purposes such as storing hay that are off the road and out of sight. The Board was in agreement to have the County Attorney review the County's ordinance to see how this problem can be addressed and bring back to the Board for review.

Mrs. Burnette briefly discussed HB2016 regarding Human Trafficking.

Mr. Summerlin stated that Philpott Lake has a new Operations Manager, Craig "Rocky" Rockwell, who recently transferred to the area from Washington State.

Mr. Summerlin stated staff has been following funding of the Federal Stimulus Package. He stated he read a very good article from the National Association of Counties Newsletter highlighting the proposal and a breakdown by various divisions such as housing, water,

sewer, schools, law enforcement, etc. Tim Hall will forward the Board with a copy of the article so the Board will have some insight of things that may be under consideration.

Mr. Summerlin stated in reference to Riverside Drive, the Bassett Library and the playground, he would like to thank Mr. Lyle in obtaining a written agreement from Bassett Library allowing the County to use the library parking lot for the playground parking.

Mr. Summerlin stated 5B's lawsuit has been settled and as part of the agreement, 5B's will be required to pay Henry County \$25,000 per month starting in January with interest. He stated the County also has recorded a deed of trust against the manufacturing facility in Zanesville, Ohio. The County received its first check in early January.

Mr. Summerlin stated a staff meeting was held earlier this morning in which preliminary review of the County's first six months of local and state revenue collections was discussed. He stated the first six months looks fairly good with the exception of interest incomes from bank deposits. He stated he has directed County departments and Constitutional Officers to submit within the next week a 2% budget reduction to take them between now and June 30th.

Mr. Summerlin stated he has been notified that Jimmie Wright plans to retire on June 30th with 33 years of service. He stated he would like to wish Mr. Wright well upon his retirement.

Mr. Slaughter stated he attended VDOT's public hearing on the Bassett Forks project at Food Lion and Red Birch. He stated VDOT has extended the project past Hillcrest Drive approximately 175 feet near Dodge's Store.

CLOSED MEETING:

Mrs. Burnette moved that the Board enter into a closed meeting at 5:00 pm to discuss the following, second by Mr. Slaughter and unanimously carried.

- 1) §2.2-3711(A)1 for Discussion of Appointees to Industrial Development Authority, Planning Commission, and Fieldale Sanitary District Board.

- 2) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Matters.
- 3) §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced Industries.

OPEN MEETING:

The Board returned to an open meeting at 5:50 pm on a motion by Mr. Adams, second by Mrs. Burnette and unanimously carried.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote affirming that the Board only discussed public business matters lawfully exempted and identified in the motion to enter closed session. Those voting in the affirmative were Mr. Slaughter, Mr. McMillian, Mrs. Burnette, Mrs. Buchanan, Mr. Vaughn and Mr. Adams.

The Board took a short break at 5:51 pm and reconvened at 6:00 pm.

CONSIDERATION OF RESOLUTION IN HONOR OF LT. JOE LOUIS HAIRSTON, HENRY COUNTY SHERIFF'S OFFICE:

Mr. Summerlin stated that Lieutenant Joe Louis Hairston is retiring from the Henry County Sheriff's Office effective February 1, 2009, after 39 years of service. Mrs. Burnette read a proposed resolution on behalf of the Board to thank Lt. Hairston for his many years of service. (Copy of Resolution included in Board's File).

Mrs. Burnette moved that the Board approve the resolution and present to Lt. Hairston, second by Mr. Adams and unanimously carried.

Sheriff Perry stated Lieutenant Hairston has always cared about his job and the community and he has served with pride and integrity. Lieutenant Hairston's service to Henry County will truly be missed.

Mrs. Buchanan and Mrs. Burnette presented a copy of the Resolution to Lieutenant Hairston while he received a standing ovation.

Lieutenant Hairston thanked the Board and stated he accepted the Resolution with great honor and he admired the Board for the good job they are doing.

MATTERS PRESENTED BY THE PUBLIC:

Mrs. Buchanan read the following statement regarding public comments: "The Board is here to listen to public comments and not to engage in a question and answer period or a debate. If anyone wishes to address the Board please come to the podium and state your name, subject matter and the district in which you live. By coming to the podium you have agreed to exhibit respect to the Board and its members. Each one will conduct themselves with dignity and will receive the same level of respect from the Board. Those who wish to speak please keep your comments between three to five minutes."

Mr. Mike Seidle of the Reed Creek District stated he was an antique car collector and he as well as a number of others are against the taxing of antique cars. He stated being an antique car collector is a hobby just as collecting antique furniture, antique dolls, hunting guns, expensive coon dogs, horses, etc. He asked if the Board was going to tax those hobbies as well.

Mr. Brian Williams, Education, Outreach and Conservation Coordinator for the Dan River Basin Association, came forward to discuss the recreation use and increased interest in trout fishery on the Smith River. Mr. Williams discussed the need to protect these resources and encouraged the Board to enact an ordinance to protect a component of the water resources to promote a sustainable fishery. Mr. Williams stated specifically an ordinance declaring a section of water not currently protected by the Special Regulations of the Virginia Department of Game and Inland Fisheries. This section would be

delineated by State Route 666 Trenthill Bridge, upstream which is the limit of the special regulations, to the point downstream where the river passes under the next State Route 666 bridge and its intersection with Highway 57. This section would be designated as "Catch and Release Only." Protection of this section of river would help reduce some of the current problems associated with illegal fishing practices, increase the number of trout available to all fishermen and allow further promotion of the river as a destination worth fishing once again. This would increase the value of the resource as a tourism destination by attracting additional users from outside the local area, bringing much needed dollars to Henry County and once again restore this resource to its full potential as an economic engine for the County. Mr. Williams encouraged the Board to write the Virginia Game and Inland Fisheries expressing its concerns and what would be appropriate steps in cooperation with VDGIF, on whether an extension of the special regulations area is deemed sufficient or a county ordinance would in fact be the best solution. Mr. Williams distributed brochures to the Board regarding Catch and Proper Release which is part of a public awareness campaign. (Copy included in Board's Files).

Dr. David Jones stated Mr. Williams' comments were very well spoken and this is an improvement in the economy rather than improvement of the river. You can improve the economy if you use the river in the right ways. He thanked the Board for their time serving Henry County citizens.

Following some discussion Mr. Vaughn moved that the Board direct the County Administrator to draw up a Resolution to ask the Virginia Department of Game and Inland Fisheries' assistance for a Special Regulations Area from State Route 666 Trenthill Bridge, upstream which is the limit of the special regulations, to the point downstream where the river passes under the next State Route 666 bridge and its intersection with Highway 57. This section would be designated as "Catch and Release Only," second by Mr. Adams and unanimously carried.

Mr. Chris Koumparakis came before the Board to discuss a recent article in the **Martinsville Bulletin** regarding a request by the NAACP to ban the use of tasers since the recent death of a City teenager. Mr. Koumparakis stated law enforcement is the first line of defense and when approached with aggressive behavior they too need protection.

Mr. Koumparakis expressed his sympathy for the death of the teenager and thanked the Board for hearing his comments.

PUBLIC HEARING – BOUNDARY ADJUSTMENT ON FAIRYSTONE PARK HIGHWAY AND MARY HUNTER DRIVE, BLACKBERRY DISTRICT:

Mr. Lyle stated the Board at its December 2008 meeting discussed a boundary adjustment between some County-owned property on Mary Hunter Drive and property owned by EMI Imaging on Fairystone Park Highway. A public hearing on the matter is required before any action could take place.

The public hearing was open at 6:40 pm. There being no comments the public hearing was closed at 6:40 pm.

Mr. Adams moved that the Board approve the boundary adjustment, second by Mr. Vaughn and unanimously carried.

PUBLIC HEARING – REZONING APPLICATIONS:

R-09-01 – Frank O. Cauley

Mr. Lee Clark reviewed Application R-09-01 for Frank O. Cauley. (Copy of Application included in Board's File). Mr. Clark stated that following a public hearing both the Planning Commission and staff recommend approval of the request.

The public hearing was open at 6:41 pm and the applicant was present.

Mr. Cauley came forward and discussed his rezoning request.

The public hearing was closed at 6:43 pm.

Mr. McMillian moved that the Board accept the recommendation of the Planning Commission to approve the rezoning request, second by Mrs. Burnette and unanimously carried.

R-09-02 – Adam Troy Hodge

Mr. Lee Clark reviewed Application R-09-02 for Adam Troy Hodge. (Copy of Application included in Board's File). Mr. Clark stated that following a public hearing both the Planning Commission and staff recommend approval of the request.

The public hearing was open at 6:44 pm and the applicant was present.

Ms. Adonte Hodge came forward and discussed her husband's rezoning request.

The public hearing was closed at 6:44 pm.

Mrs. Burnette moved that the Board accept the recommendation of the Planning Commission to approve the rezoning request, second by Mr. McMillian and unanimously carried.

GENERAL HIGHWAY MATTERS:

Consideration of Resolution to Add Section of Nautica Drive to the Secondary Road System

Ms. Lisa Price-Hughes reviewed a request by the Virginia Department of Transportation asking the Board to endorse a resolution for the addition of less than a half-mile of State Route 1188, also known as Nautica Drive, to the Commonwealth's Secondary Road System. (Copy of Resolution included in Board's File).

Mr. Adams moved that the Board approve the Resolution, second by Mr. McMillian and unanimously carried.

Ms. Hughes discussed a plan deck overlay on the bridge over the Smith River on Trenthill Drive and would like the Board's concurrence to close the bridge for thru-traffic during the overlay. VDOT plans to start on the overlay this summer and should take approximately 60 days.

Mr. Adams moved that the Board concur with VDOT's request to close the bridge over Trenthill Drive during the deck overlay, second by Mr. Vaughn and unanimously carried.

Request for “Watch for Children” Sign on Moores Mill Road, Horsepasture

Chairman Buchanan requested a “Watch for Children” sign on Route 629, Moores Mill Road in the Horsepasture District.

Mr. Vaughn moved that the Board request VDOT to install a “Watch for Children” signs on Route 629, Moores Mill Road in the Horsepasture District, second by Mr. Adams and unanimously carried.

Ms. Hughes briefly discussed a letter from the Highway Commissioner sent out last Friday to all localities regarding recent revenue forecasts, which indicates the need for additional reductions in VDOT’s construction funds. This will leave no state and federal funds to flow through the allocation formula for primary, urban and secondary construction in Fiscal Years 2010-2014. Ms. Hughes stated funds for the current fiscal year will remain intact and the primary focus will be on funding projects currently under construction, which will be the Ridgeway Bridge, and funding projects scheduled to be advertised in this current federal fiscal year ending in October, will be the Fieldale Bridge. Ms. Hughes stated that due to such significant changes an additional public hearing is scheduled for February 5th at 6:30 pm in the VDOT Central Office in Richmond on primary, urban and interstate systems.

Ms. Hughes stated \$125,000 is left in the Rural Addition Account. She stated the Board will need to decide what to do with those funds.

Following was some miscellaneous highway matters discussed.

CONTINUATION OF MEETING UNTIL JANUARY 29, 2009 AT 3PM FOR BOARD’S ANNUAL PLANNING SESSION:

There being no further business to discuss Mr. Adams moved at 6:57 pm that the Board continue its meeting to January 29, 2009 at 3:00 pm at the DuPont Public Safety Office for the Board’s Annual Planning Session, second by Mrs. Burnette and unanimously carried.

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

**Annual Planning Session
January 29, 2009 – 3:00 pm**

The Henry County Board of Supervisors held its annual Planning Session on January 29, 2009, at 3:00 pm at the Public Safety Center on DuPont Road in Martinsville, VA. The following Board members were present: Debra Buchanan, Chairman; H.G. Vaughn, Vice Chairman; Jim Adams, Paula Burnette, Jim McMillian, and Tommy Slaughter.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Jimmie Wright, Director of Finance; Darrell Jones, Deputy Director of Finance; and Dale Wagoner, Director of Public Safety.

Sheriff Lane Perry was present from the Sheriff's Office, along with Major Steve Eanes and Lieutenants Nelson Thomas, Rick Walker, and Rick Vaughn.

Mickey Powell of the Martinsville Bulletin and Ron Morris of B-99 was present. Diane Akers of ComBiz Solutions, facilitator for the Planning Session, also was present.

CALL TO ORDER

Chairman Buchanan called the meeting to order as a continuation of the Board's meeting January 27, 2009.

CONTINUING DISCUSSION OF TAXATION OF ANTIQUE CARS

Mrs. Buchanan reminded everyone that this item was originally part of the January 27 agenda at the request of Mr. McMillian, who requested during that meeting that the issue be tabled until today's meeting. After Ms. Buchanan introduced the issue, Mr. McMillian then made a motion to table the issue to a later meeting. Mr. Adams made a substitute motion to not take any action to tax antique cars, seconded by Mr. Vaughn. Some general discussion ensued from Mr.

Vaughn, Mrs. Burnette, and Mr. Adams. The Board then voted 6-0 to accept Mr. Adams' motion to not tax antique cars. The Board then took a 5-minute break to allow those in attendance for the antique cars' issue to leave if they desired.

2009 BOARD PLANNING SESSION

Mr. Summerlin introduced Diane Akers of ComBiz Solutions, the facilitator for the Planning Session. Ms. Akers began the Session with a PowerPoint presentation (a copy of which is filed with the notes of this meeting) that included an "icebreaker." She then led the Board and staff into a discussion of the Goals, Objectives, and Accomplishments from 2008. The Board and staff discussed the following 2008 short- and long-term goals and the status of each:

Short-Term Goals From 2008

- Develop Master Plan for Roma and Bryant - Status: On-going. Mr. Summerlin presented conceptual layouts for each site and said the master plans for each should be complete within 90 days. At that point a joint meeting between EDC, City of Martinsville, and County officials would be scheduled. Mr. Summerlin indicated that a tentative name of Commonwealth Crossing has been chosen for the ROMA property, and that the Bryant property most likely would be called the Patriot Centre since it is adjacent to the current business park by that name.
- Explore grants to fund 58W water project - Status: On-going. Mr. Summerlin said a planning grant from the Health Department has been received for this project.
- Support accreditation of Sheriff's office - Status: On-going, about 18 months to go
- Continue to explore ways to address public safety response times (improve relationships) - Status: On-going. Mr. Summerlin said Public Safety staff is looking at the backup system with Stone Ambulance, which has seen its number of calls increase substantially over the past 10 years. He said Stone is having trouble meeting the standards set by the County in its agreement with Stone to provide backup service, and the company said it isn't

making money from the 9-1-1 calls that are turned over to it. Mr. Wagoner said the task force established by the Martinsville-Henry County rescue squads has met three times, but only the most recent meeting was really productive because it included a facilitator.

- Initiate Comprehensive Plan - Status: No progress. Mr. Summerlin said the Harvest Foundation had indicated a willingness to consider paying for a City comprehensive plan, a County comprehensive plan, and a community comprehensive plan. However, once some preliminary work on those issues was under way, the Foundation chose not to fund the project. Mr. Summerlin said it would cost about \$175,000 to prepare a comprehensive plan that was adequate, and there was no funding for it at this point.
- Complete access road to soccer complex - Status: On-going, soon to be completed.
- Discuss storm water run-off issues - Status: Initial discussions have taken place.
- Resolve Social Services facility issues - Status: unresolved.
- Investigate new shell building opportunity - Status: Under construction.
- Staff two more convenience centers - Status: Complete.
- Explore ways to increase visibility and availability of services to citizens - Status: On-going.
- Increase fund balance - Status: On-going. Mr. Summerlin said that the undesignated funds as of June 30, 2008 dipped slightly from 2007, but that the County had spent \$1 million on its grading allowance to RTI and the County received an anonymous \$500,000 donation for the RTI project that will be credited to the fund effective June 30, 2009.
- Continue to work on promoting better regional cooperation - Status: On-going. Mr. Summerlin pointed out that the County has

entered joint projects with the City of Martinsville (a public transit system) and Pittsylvania County (a water line) within the past 12 months.

- Complete an assessment of the services in Henry County with marketing strategies - Status: No progress.

Long-Term Goals From 2008

- Continue to work on Comprehensive Plan (include industrial site in plan) - Status: No progress.
- Continue to develop ways for County/City to work together to create efficiencies - Status: On-going.
- Explore ways to advertise “reasons to live in Henry County” - Status: No progress.
- Explore ways to increase tourism to the area - Status: On-going.
- Explore ways to preserve the environment - Status: On-going.
- Identify and develop strategies to address post-employment/retirement benefits (OPEB) - Status: On-going, to be discussed in depth later today.
- Continue to promote community pride - Status: On-going.
- Work toward decreasing unemployment and increasing job opportunities - Status: On-going.
- Initiate a specific plan to ensure that we have good development where I-73 comes through the County - Status: No progress.
- Expand the water infrastructure for the Route 58 East corridor - Status: On-going. Mr. Summerlin said the connection on this project should be made by late February.
- Continue to pursue delinquent taxes - Status: On-going.

- Continue to vigorously support, create, and supplement cleaner community efforts - Status: On-going.
- Push for completion of Route 58 improvements (i.e. lobby with the General Assembly, VDOT, etc.) - Status: On-going.
- Continue to support and fully fund the EDC - Status: On-going.
- Continue to work with existing industry to assist with expansions - Status: On-going.
- Continue to support and promote the Airport - Status: On-going.
- Continue to push for I-73 - Status: On-going.
- Continue to work for the improvement of our educational system and facilities - Status: On-going.
- Continue to support NCI and Patrick Henry Community College - Status: On-going.

PROPOSED REDUCTIONS IN FY 2009 BUDGET

Mr. Summerlin briefed the Board on issues with the current fiscal year budget. He said revenue from the first six months was about where he expected it to be, but that final six months probably would not be as productive. He said he anticipated a current year shortfall of \$912,000. That amount was comprised of:

- \$400,000 less interest revenue
- \$200,000 less sales tax revenue
- \$160,000 less utility tax revenue
- \$152,500 less miscellaneous revenue

Mr. Summerlin said he has instructed department managers to turn into him by February 3 budget cuts of 2% in their individual areas. He added that the school system's share of the \$912,000 deficit would be \$428,000, based on the 47% ratio used with the school system in the past. He added that he would suggest that amount be deducted from the school system's requested budget carryover of approximately \$800,000.

FY 2009-2010 BUDGET

Mr. Summerlin said that at this point he anticipates a budget shortfall for FY 2010 to reach \$1,102,323. Of that amount, the school system's share would be \$374,063; the County's share would be \$381,063; and the Constitutional offices' share through the Commonwealth of Virginia budget cuts would be \$346,507. He also made the following budget remarks:

- Budget to reflect no revenue increase from reassessments
- Reduce expenditures to match revenues
- County cannot make up state cuts to Constitutional offices
- Departments to submit needs and a 5% total reduction
- Budget will reflect smaller workforce and service reductions
- School Division will share in revenue reductions
- Position ourselves for FY 2010 and FY 2011
- No one **REALLY** knows where the bottom is in state and local revenues
- Do what it takes to balance the budget

Mr. Summerlin added that the County workforce would most likely be smaller in FY 2010 than it is now, and that as a result citizens would see reduced services. Mr. McMillian said he would prefer to see salary cuts for all employees instead of layoffs. Mrs. Burnette asked if a reduction in hours would be considered, and Mr. Summerlin said that everything would be considered. He added that three long-term budget issues must be considered. They are future jail needs; future school projects; and the development of the two new industrial park properties.

DISCUSSION OF GASB 45 ISSUES

Mr. Summerlin briefed the Board on new accounting standards regarding post-employment benefits. The issue is commonly referred to as "GASB 45." Darrell Jones, Deputy Director of Finance for Henry County, walked the Board through the issues regarding GASB 45. He told the Board that the County essentially subsidizes the health care costs of retirees because all current employees and all retirees pay the same monthly amount for health care, even though the retirees consume more health care than current employees. By providing that subsidy, the County has an implied liability for it. In the past Henry County has been a "pay as you go" on this issue, but new accounting

standards will no longer allow that. The County must determine what the liability is now, what it will be when current employees retire, and fund that over a 30-year period. Mr. Jones said to maintain the coverage as it is now, including maintaining it for retirees 65 and older who are eligible to get Medicare and a private policy, would be \$484,000 a year for 30 years. This would fund the obligation for the County, the Public Service Authority, the Henry-Martinsville Social Services Department, and the Henry County School System, with each entity responsible for its employee-based share of that total. If the post-65 retirees are no longer allowed to be part of the County's health care plan because of those options, the annual payment for all the above entities would be reduced to \$141,000 a year. Any employees currently in this bracket who are taking the County insurance would still have that option; however, any subsequent employees who enter that age bracket would not have the option. Mr. Jones pointed out that the County could choose not to fund the GASB 45 expense at all, but the total cost would be on the County's balance sheet and would represent a significant negative impact to the County's balance sheet and its future efforts to borrow money. Some general discussion of this issue ensued.

Mr. Jones informed the Board that the County could fund this annual expense through contributions to a VACo/VML trust recently established and being used by many localities in the Commonwealth. Joining that trust would save the County the time and expense of setting up its own trust. Mr. Summerlin told the Board that staff recommends that the Board grandfather in all retirees currently participating in the County health care plan and continue to carry them at their option; eliminate the post-65 coverage for all employees from this point forward; and to join the VACo/VML trust. He said the Henry County School Board had already voted to do the same thing that's being recommended to the Board of Supervisors.

On a motion by Mr. Adams and a second by Mrs. Burnette, the Board voted 6-0 to implement the policy as recommended by staff; to join the VACo/VML trust as recommended; to fund the School Board's share of the initial costs out of its requested carryover; to pay the County's share out of the fund balance; and to divide the \$5,000 fee to join the VACo/VML trust fund among the four entities.

On a motion by Mr. Adams and a second by Mrs. Burnette, the Board voted 6-0 to approve the additional appropriation for the County's share of the above costs.

On a motion by Mr. Vaughn and a second by Mr. Adams, the Board voted 6-0 to approve agreements outlining the path forward with the PSA, Social Services, and the School System.

The Board took a break for dinner at 5:15 p.m. and reconvened at 6 p.m. Mr. McMillian left the meeting at this point.

GOALS AND OBJECTIVES FOR 2009

Ms. Akers divided the Board members and some staff members into two groups and asked each to come up with a list of goals for the County. After each group developed its own list, the two lists were combined into one and Board/staff were asked to determine if a goal was a short-term goal or a long-term/continuing goal. The final lists were as follows:

Short-Term Goals

- Strategy for development for ROMA and Bryant properties
- Develop strategy for broadband implementation and funding options
- Position the County to deal with the FY 2011 Budget
- Preserve the County's fund balance
- Secure a new facility for the Social Services department
- Decrease unemployment and increase the number of available jobs
- Continue to pursue the 58 West water project
- Continue to pursue accreditation for the Sheriff's Office
- Continue to address response issues for rescue squads
- Work on stormwater issues and other issues with the South Street Community Development project

Long-Term/Continuing Goals

- Emphasize energy efficiency/green initiatives
- Promote community health care resources
- Address jail needs
- Seek federal money for the completion of Route 58 to Interstate 77
- Work with the Corps of Engineers to improve the flow of water through the Smith River
- Initiate a Comprehensive Plan update
- Work to improve “County pride”
- Work to improve our educational facilities
- Support the Martinsville-Henry County EDC and continue to fund its efforts, and support its tourism initiatives
- Push for Interstate 73 corridor as outlined by the Board in 2008
- Continue to pursue delinquent taxes
- Endorse and participate in regional cooperation
- Endorse and participate in cooperative efforts with City of Martinsville
- Continue to support the New College Institute and Patrick Henry Community College
- Continue to support Blue Ridge Airport

CONSIDERATION OF COMMUNITY TOUR

Mr. Summerlin asked the Board if it would be interested in taking a community tour in May 2009, after staff and Board have finished budget work for FY 2010. The Board was receptive to the idea. Mr. Summerlin suggested stops should include the new shell building; an

agricultural operation; the new County/PSA service center/motor pool in Bassett; sites for the new radio system; the Riverside Drive housing rehabilitation project; and an industry visit.

Mrs. Burnette asked Mr. Wagoner to have the rescue squad task force attend a Board of Supervisors meeting in the near future to update the Board on its work. Mr. Wagoner said he would contact the task force with that request.

There being no further business, on a motion by Mrs. Burnette and a second by Mr. Slaughter, the Board voted 5-0 (Mr. McMillian absent) to adjourn the meeting at 7:23 p.m.

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

February 24, 2009 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on February 24, 2009, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn, Jim Adams, Paula Burnette, Jim McMillian and Tommy Slaughter.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Susan Reynolds, Director of Human Resources and Public Information; Jimmie Wright, Director of Finance; and Darrell Jones, Deputy Director of Finance.

Sheriff Lane Perry, Major Steve Eanes and Sergeant Eric Hairston were present from the Sheriff's Office. Mickey Powell of the Martinsville Bulletin and Ron Morris of B99 Radio Station were present.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Mr. Adams gave the invocation and Mr. McMillian led in the Pledge of Allegiance.

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present. She stated that anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm 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 pm may do so under Agenda Item - Matters Presented by the Public without contacting the County Administrator's Office.

Mrs. Buchanan welcomed Mr. Vaughn back after undergoing a recent hip replacement. She welcomed Andrew Palmer who attended the meeting as criteria in earning his Eagle Scout badge.

ITEMS OF CONSENT:

Confirmation of Minutes of Meetings

(Copy included in Board's File).

- 1) January 27, 2009 - 3:00 pm
- 2) January 29, 2009, Planning Session - 3pm

Mrs. Burnette noted in the Minutes of January 29, 2009, under **Long-Term/Continuing Goals** - work to improve "County pride" should read work to improve "Community pride."

Approval of Accounts Payable

(Copy included in Board's File).

Mrs. Burnette moved to approve Items of Consent as amended, second by Mr. Slaughter and unanimously carried.

MATTERS PRESENTED BY THE PUBLIC:

Mike Seidle previously requested time on the Board's agenda to speak but was unable to attend today's meeting.

DISCUSSION OF FY 2009-2010 COUNTY BUDGET:

Mr. McMillian requested this item be placed on the agenda. He asked Mr. Summerlin what possible effects the Federal Stimulus Package may have on the County's upcoming budget.

Mr. Summerlin stated in general he felt it would be positive. He noted that staff had met with Congressman Perriello and received correspondence from the state and other groups. Some of the stimulus money will be by formula, particularly to the School division for certain programs. The School Board may have some flexibility in moving local funds around in terms of direct aide. The real impact for the County is that the federal government will be transferring funds to various federal and state agencies that are running existing grant programs, such as

grants to build water lines administered by Virginia Department of Health and sewer lines administered by Virginia Department of Environmental Quality. He stated the County would have to make application for specific programs and would be considered among other applicants; therefore you may or may not receive funding. Mr. Summerlin stated another part of the stimulus money that may aide the County on its operating side are funds for Community Oriented Policing (COPS). He stated there are some grant programs under the Department of Justice Program; however, he was not sure of what impact it will have yet. Mr. Summerlin stated when the state re-forecasts its revenue on February 15th, an additional deficit was proposed of \$821,000,000. The Governor's budget was based on a \$2.9 billion deficit and those two totals would be added together for the total deficit. The Governor has proposed using Virginia's share of the state stabilization fund to accommodate the \$821,000,000 deficit to avoid additional cuts in programs. He stated indirectly that will have a positive impact on the County's budget; however, a lot of details are yet to be worked out.

Mr. McMillian asked if funds might be available to help with the stormwater situation in Collinsville.

Mr. Summerlin stated from looking at a summary of programs he had not seen any for that particular project. However, staff is continuing to monitor information on the stimulus package and it is staff's intent to apply for every grant obtainable that meets criteria. A meeting has been scheduled on March 2, 2009, with a member of Congressman Perriello's staff to get additional updates and information on the stimulus package.

Mr. McMillian stated he would like to reiterate that he did not want a tax increase in the upcoming budget.

Mr. Summerlin stated the budget would be balanced based on the County's needs and the resident's ability to pay and the Board would receive a budget that shows no real estate tax increase.

FINANCIAL MATTERS:

Consideration of Donation from Collinsville Jaycees and Award of Contract re: Playground Equipment for Jack Dalton Park – Parks and Recreation

Mr. Summerlin stated Parks and Recreation Director Roger Adams is requesting the Board to accept a donation of \$46,228.44 from the Collinsville Jaycees to be used for the purchase of new playground equipment at Jack Dalton Park. The Collinsville Jaycees is a volunteer service founded locally in 1967, and will be closing its chapter due to declining membership. The Collinsville Jaycees' chapter is the last one in the area.

Mr. Summerlin stated Mr. Adams is requesting that a contract in the amount of \$49,143.25 be awarded to Cunningham Associates/GameTime for a specific playground unit and accompanying playcurbs, geo-textile fabric, benches and safety surface. Mr. Adams is proposing that the Parks and Recreation department provide the additional funds of \$2,914.81 to complete the purchase of this unit as well as doing the installation. The playground equipment currently at Jack Dalton Park would be relocated to the Fieldale Ballpark. (Copy of Information included in Board's File).

Mr. McMillian moved that the Board approve acceptance of the donation from the Collinsville Jaycees; the additional appropriation of the donation toward the playground purchase; and award a contract in the amount of \$49,143.25 to Cunningham Associates/GameTime for the playground unit as outlined, second by Mrs. Burnette and unanimously carried.

The Board recognized current and former members of the Collinsville Jaycees in attendance and thanked them for the donation.

Consideration of School Board's Request for Carryover Funds from FY 2007-2008

Mr. Summerlin stated the School Board is requesting the Board of Supervisors to appropriate a portion of the \$815,148 in FY '07-'08 carryover funds to the School Board. As indicated by the School Board,

it would use \$574,848 of the carryover funds in the following ways:
(Copy of Information included in Board's File).

- \$294,528 to fund GASB45 requirements for FY 2009, FY 2010 and FY 2011.
- \$175,000 for the replacement of the roof on the Laurel Park Middle School gym.
- \$40,000 for the replacement of the roof at the Records Department at the Axton Elementary School complex.
- \$65,320 for the replacement of tables for Collinsville Primary, Rich Acres Elementary, and Stanleytown Elementary schools.

Mr. Summerlin stated the School Board's share of the current year revenue shortfall of \$912,000 is \$428,640. When that number is subtracted from the \$815,148 carryover, and the \$294,528 for the GASB 45 obligation is subtracted, the amount remaining is \$91,980.

Mr. DeWitt House, Assistant Superintendent, stated the remaining balance of \$91,980 will be used towards replacing the roof and gym at Laurel Park Middle School, which is a high priority. The remaining balance would come out of capital improvements projects of the existing budget.

Mr. Vaughn moved that the Board approve the carry over less \$428,640 for revenue shortfall and include \$294,528 for the GASB 45 obligation and \$91,980 toward Laurel Park Middle School, second by Mr. Adams. The motion carried 5 to 1. Mr. McMillian voted in opposition.

Award of Contract re: Items Associated with Interoperable Communications Grant – Department of Public Safety

Mr. Summerlin stated as part of the ongoing implementation of the new emergency communications system in Henry County, Public Safety Director Dale Wagoner is requesting the Board to award a contract in the amount of \$56,951.96 to GCS Electronics of Martinsville for the purchases of mobile and portable radios for the Patrick County Sheriff's Office and the creation of a national interoperable base station on Bull Mountain for the Patrick and Henry County 9-1-1 centers. The Board must approve the expenditures since Henry County is the fiscal agent for the project. (Copy of Information included in Board's File).

Mr. Adams moved that the Board award the contract in the amount of \$56,951.96 to GCS Electronics of Martinsville for the purchases of mobile and portable radios for the Patrick County Sheriff's Office and the creation of a national interoperable base station on Bull Mountain for the Patrick and Henry County 9-1-1 centers, second by Mr. McMillian and unanimously carried.

Additional Appropriation re: EMS Training Funds – Department of Public Safety

Mr. Summerlin stated Public Safety Director Dale Wagoner is requesting the Board to make an additional appropriation of \$4,248.98 in grant money from the Virginia Office of Emergency Medical Services to be used for the training of EMS providers. (Copy of Information included in Board's File).

Mr. Adams moved that the Board approve the additional appropriation of \$4,248.98 in grant money from the Virginia Office of Emergency Medical Services to be used for the training of EMS providers, second by Mr. McMillian and unanimously carried.

Additional Appropriation re: Asset Forfeiture Funds – Commonwealth's Attorney's Office

Mr. Summerlin stated Commonwealth's Attorney Bob Bushnell is requesting the Board to make an additional appropriation in the amount of \$5,253 from the Asset Forfeiture line item to his Travel Expenses line item. This is in response to budget cuts in the travel category. Mr. Bushnell indicates that Sheriff Perry has endorsed this appropriation. (Copy of Information included in Board's File).

Mr. McMillian moved that the Board approve the additional appropriation in the amount of \$5,253 from the Asset Forfeiture line item to his Travel Expenses line item, second by Mr. Vaughn and unanimously carried.

Consideration of Cuts to the FY 2008-09 County Budget

Mr. Summerlin stated the projected FY '09 revenue shortfall is \$912,000 and the School Boards' share is \$428,640 based on the

percentage of local discretionary revenue they receive, leaving the County a shortfall of \$483,436. Department heads were recently asked to propose an average of a 2% cut in their current budgets. These cuts were presented and after carefully reviewing each submission, a total of \$558,143 is recommended to be cut from the County portion of the budget, which is approximately \$60,000 more than the target. He stated this should give staff some cushion should things be worse than projected, if not as bad as projected, it will give staff some extra breathing room in preparing next year's budget. (Copy of Proposed Cuts included in Board's File).

Mr. Adams moved that the Board approve the budget cuts as outlined, second by Mr. Slaughter and unanimously carried.

INFORMATIONAL ITEMS:

Comments from the Board

Mr. Slaughter stated he met with the Stanleytown Ruritan Club this past week and discussed replacing the trees on the Reed Creek side of the river with crepe myrtles. He stated they have to get details worked out with the railroad regarding property issues. Mr. Slaughter stated he also attended a meeting at the old Ridgeway Elementary School last week where a corporation was formed and officers were elected. A proposal should be forthcoming to the Board as well as a meeting scheduled with Ridgeway Town Council on March 10.

Mr. McMillian stated he asked earlier about the progress of the radio system and was told there would be comments provided today.

Mr. Dale Wagoner, Director of Public Safety, gave a brief presentation on the Emergency Communications System Update and provided the Board with a copy of an executive summary which detailed accomplishments, where it's at today, and what is left to do. (Copy included in Board's File).

Mr. McMillian announced that Taco Bell, O'Reilly's and Walgreen's in the Collinsville District have now opened. He also recognized Mr. Joe Bryant who recently announced his candidacy for the Board of Supervisors seat in the Collinsville District.

Mrs. Burnette briefly discussed several VACo/VML Legislative workshops she recently attended as well as attending a community meeting in the Sandy Level community with VDOT representatives. Mrs. Burnette requested a report from Gateway regarding tree trimming along the median strip on Route 58 extending out past Martinsville/Henry County limits to Route 57.

Mr. Adams stated he attended a very successful fundraising event held at the Sanville Ruritan Club for the benefit of the Bassett High School Baseball Program. He also participated in the Smith River Clean-Up held on February 7, 2009.

Mr. Vaughn thanked the Board and staff during his recent surgery for all the calls, cards and prayers. He stated he put his faith in the staff and surgeons at Memorial Hospital of Martinsville-Henry County and the area is very fortunate to have such caring professionals.

Mrs. Buchanan stated she also attended the VACo/VML Workshop as well as the Chairman's Conference. She discussed an award recognition program to honor veterans similar to the Jack Dalton award and suggested to have staff prepare some information on this and bring it back to the Board for consideration.

Following some discussion Mr. Adams moved that the Board direct staff to look into some possibilities on ways to honor veterans, second by Mr. Slaughter and unanimously carried.

Mrs. Buchanan recognized Amanda Witt of the Chamber of Commerce. Ms. Witt briefly discussed the upcoming Trade Show scheduled for March 3-4, 2009, which she noted was sold out.

Mrs. Buchanan noted that the 5:00 pm work session scheduled with the School Board has been postponed.

Mr. Summerlin stated the County received its second check from 5B's in the amount of \$33,000. He stated that the Commonwealth Transportation Board proposes to close a lot of VDOT offices and cut staff; therefore, it is important for the County to follow these updates until final decisions are made. He noted that plans are to combine Henry and Patrick residency with Carroll County residency and leave the Henry County residency open.

CLOSED MEETING:

Mrs. Burnette moved that the Board enter into a closed meeting at 3:52 pm to discuss the following, second by Mr. Adams and unanimously carried.

- 1) §2.2-3711(A)1 for Discussion of Appointees to Industrial Development Authority, Planning Commission, West Piedmont Planning District Commission, Fieldale Sanitary District Board, Patrick Henry Community College Board, and Local Finance Board for OPEB Liability.
- 2) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Matters.
- 3) §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced Industries.

OPEN MEETING:

The Board returned to an open meeting at 4:46 pm on a motion by Mr. Adams, second by Mrs. Burnette and unanimously carried.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote affirming that the Board only discussed public business matters lawfully exempted and identified in the motion to enter closed session. Those voting in the affirmative were Mr. Slaughter, Mr. McMillian, Mrs. Burnette, Mrs. Buchanan, Mr. Vaughn and Mr. Adams.

APPOINTMENTS:

Industrial Development Authority

Mr. Adams moved to reappoint Wade Nelson to the Industrial Development Authority from the Horsepasture District, second by Mrs. Burnette and unanimously carried.

Planning Commission

Mr. McMillian moved that the Board reappoint Fred Spencer and Hal West to the Planning Commission to four year terms, second by Mr. Adams and unanimously carried.

Fieldale Sanitary District

Mrs. Burnette moved that the Board appoint Bobby Rakes to the Fieldale Sanitary District Board for an unspecified term, second by Mr. Slaughter and unanimously carried.

Local Finance Board for OPEB Liability

Mr. Vaughn moved that the Board appoint Darrell Jones to the Local Finance Board for OPEB Liability until June 30, 2009, and Jimmie Wright effective July 1, 2009, second by Mr. Adams and unanimously carried.

The Board recessed its meeting at 4:50 pm and reconvened at 6:00 pm.

Mrs. Buchanan called the meeting back in session at 6:00 pm and welcomed everyone present. Mr. Vaughn and Mr. Slaughter left the meeting after closed session.

APPOINTMENTS CONTINUED:

Planning Commission

Mrs. Burnette moved to reappoint Glenwood Vaughn to the Planning Commission, second by Mr. Adams. The motion carried 4 to 0 with Mr. Vaughn and Mr. Slaughter absent.

CONSIDERATION OF PROCLAMATION ESTABLISHING MARCH 2009 AS "BIG READ MONTH" IN HENRY COUNTY:

Mr. Adams read a Proclamation to establish March 2009 as “Big Read Month” in Henry County and presented a copy to Ms. Barbara Parker.

Mrs. Burnette moved that the Board approve the Proclamation to establish “Big Read Month” in Henry County, second by Mr. Adams. The motion carried 4 to 0 with Mr. Vaughn and Mr. Slaughter absent.

Ms. Barbara Parker of Piedmont Arts Association gave a brief summary regarding “The Big Read,” which she stated is an initiative of the National Endowment for the Arts designed to restore reading to the center of the American culture. Piedmont Arts Association is a partner in this effort and has helped schedule many local events for the month of March. The local events are based upon Harper Lee’s classic book, “To Kill A Mockingbird” and will include an emphasis within the local school systems for students to read the book. Other local events will include the showing of the movie and a live stage version of the play. Ms. Parker distributed literature on the event to the Board. (Copy of Proclamation included in Board’s File).

The Board thanked Ms. Parker for her presentation.

MATTERS PRESENTED BY THE PUBLIC:

Mrs. Buchanan read the following statement regarding public comments: “The Board is here to listen to public comments and not to engage in a question and answer period or a debate. If anyone wishes to address the Board please come to the podium, state your name, subject matter and the district in which you live. By coming to the podium you have agreed to exhibit respect to the Board and its members. Each one will conduct themselves with dignity and will receive the same level of respect from the Board. Those who wish to speak please keep your comments between three to five minutes.

Ms. Dorothy Carter, Vice President of the Henry County Education Association and a resident of the Reed Creek District, came forward and discussed the importance of the upcoming school budget and encouraged the Board’s support this year in its deliberations.

Mr. Doug Jackson of the Ridgeway District discussed the issue of posting the Board of Supervisors meeting agendas seven days prior to a

meeting. He also encouraged the Board to support the School Board budget.

Mr. Hall stated the Board package including the agenda and background information is posted on the County's website at least three to four days prior to a meeting.

DISCUSSION OF CONSTRUCTION OF DRAG STRIP IN HENRY COUNTY:

Mr. McMillian stated he was approached by a group of people at the Planning Session who were interested in pursuing the construction of a drag strip in Henry County. He stated he invited them to today's meeting; however, he did not see anyone present.

GENERAL HIGHWAY MATTERS:

Consideration of "Watch for Children" Sign on Lakewood Trail in the Iriswood District

Mrs. Burnette moved that the Board request VDOT to install a "Watch for Children" sign on Lakewood Trail in the Iriswood District, second by Mr. Adams. The motion carried 4 to 0. Mr. Slaughter and Mr. Vaughn were absent.

Consideration of Resolution Regarding Road Improvements to U.S. 220 in Bassett Forks

The Virginia Department of Transportation requests that the Board approve a resolution so VDOT can proceed with road improvements to U.S. Route 220 in Bassett Forks. The resolution would be forwarded by VDOT to the Commonwealth Transportation Board.

Mr. Adams moved that the Board approve the resolution as presented by VDOT, second by Mrs. Burnette. The motion carried 4 to 0. Mr. Slaughter and Mr. Vaughn were absent.

Consideration of Resolution Regarding Additions to the VDOT Secondary Road System – Alan Road (John Spencer Court)

The Virginia Department of Transportation is requesting the Board to approve a resolution so that VDOT can add the streets indicated to its Secondary Road System.

Mr. Adams moved that the Board approve the resolution as presented, second by Mrs. Burnette. The motion carried 4 to 0. Mr. Slaughter and Mr. Vaughn were absent.

Ms. Lisa Price-Hughes stated DLB from Hillsville was the low bidder on the Fieldale Bridge and the project is moving forward. She stated the Commonwealth Transportation Board Commissioner stated VDOT will be reducing its staff by 1,000. Some residency offices will be consolidating. Henry County's residency office will remain open and Carroll County will become part of the Martinsville branch, which currently includes Patrick County. Ms. Hughes stated level of services will be reduced such as mowing, pothole repairs, ditching, etc. She stated the Commonwealth Transportation Board Commissioner will begin holding public meetings on March 10 at the Northside Middle School in Roanoke.

Mrs. Burnette stated she would like to state her concern and opposition to the rest areas on I-81 being closed.

There being no further business to discuss Mr. Adams moved to adjourn at 6:25 pm, second by Mr. McMillian. The motion carried 4 to 0. Mr. Slaughter and Mr. Vaughn were absent.

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

March 24, 2009 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on March 24, 2009, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn, Jim Adams, Paula Burnette, Jim McMillian and Tommy Slaughter.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Susan Reynolds, Director of Human Resources and Public Information; Jimmie Wright, Director of Finance; and Darrell Jones, Deputy Director of Finance.

Sheriff Lane Perry, Major Steve Eanes and Sergeant Eric Hairston were present from the Sheriff's Office. Mickey Powell of the Martinsville Bulletin and Ron Morris of B99 Radio Station were present.

INVOCATION AND PLEDGE OF ALLEGIANCE:

H. G. Vaughn gave the invocation and Paula Burnette led in the Pledge of Allegiance.

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present. She stated that anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm 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 pm 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).

February 24, 2009 - 3:00 pm

Approval of Accounts Payable

(Copy included in Board's File).

**Consideration of Resolution Establishing April 19-25 as
"Henry County History Week"**

The Colonel George Waller Chapter of the Sons of the American Revolution has requested the Board to adopt a resolution declaring April 19-25 as "Henry County History Week." (Copy of Resolution included in Board's File).

Resolution Establishing April as "Fair Housing Month"

The County's grant contract with the Virginia Department of Housing & Community Development (VDHCD) requires that for each grant year that a CDBG is active, the County must conduct one activity that promotes fair housing. Staff recommends adopting a resolution declaring April as "Fair Housing Month" and distributing the resolution through the local media. (Copy of Resolution included in Board's File).

Mrs. Burnette moved to approve Items of Consent as presented, second by Mr. Adams and unanimously carried.

MATTERS PRESENTED BY THE PUBLIC:

Mrs. Buchanan read the following statement regarding public comments: "The Board is here to listen to public comments and not to engage in a question and answer period or a debate. If anyone wishes to address the Board please come to the podium, state your name, subject matter and the district in which you live. By coming to the podium you have agreed to exhibit respect to the Board and its members. Each one will conduct themselves with dignity and will receive the same level of respect from the Board. Those who wish to speak please keep your comments between three to five minutes.

Mr. Thomas Davis of the Blackberry District was present to discuss the enforcement of the Zoning Ordinance. He stated he would like to confirm with the Board if 75 Beechdale Road is zoned suburban residential and if Lee Clark has the authority to change the Zoning Ordinance. He stated a plumbing business is being operated at 75 Beechdale Road located beside his residence. Mr. Davis presented several photos of the property. He stated he was concerned if the Zoning Ordinance is properly being enforced. (Copy of photos included in Board's File).

Mrs. Buchanan thanked Mr. Davis for his comments and noted the Planning Office would look into the matter.

Mr. Ronald A. "Skip" Ressel, Jr. of the Iriswood District stated he represents the I-73 Committee for Martinsville-Henry County. Mr. Ressel discussed the need for Martinsville-Henry County to make a concerted effort to join together as one voice to push for any stimulus money to help get the Patriot Centre connected to Route 58 at Laurel Park. The Board thanked Mr. Ressel for his comments.

Mr. Barry Cox stated he and his wife own a farm in the Horsepasture District with horses, cattle, etc. with his wife also being a very successful breeder of dogs on a national level. He asked the Board to strongly consider the economic impact of what the County's amended noise ordinance would do to the community. He stated by placing restrictions on noises made by animals could hurt businesses that serve pets and their owners, such as breeders, kennels and veterinarians who board animals. The Board thanked Mr. Cox for his comments.

CONSIDERATION OF RESOLUTION REGARDING INTER-BASIN WATER TRANSFER ISSUES:

Mr. Vaughn discussed a proposed resolution to oppose the transfer of ground or surface water from the Dan/Roanoke River basin to support uses outside the watershed of the Dan/Roanoke River and any of its tributary streams and rivers. Mr. Vaughn stated the communities of the Dan/Roanoke River basin must preserve existing water resources of the basin to meet their current demands and to ensure availability to support future economic growth within the basin. It was noted that Dan River Basin Association and the Henry County

Public Service Authority also passed similar resolutions. (A copy of Resolution included in Board's File).

After reading of the resolution and some discussion Mr. Adams moved that the Board adopt the resolution, second by Mr. Vaughn and unanimously carried. Mrs. Burnette requested that staff contact other localities affected regarding their support or send a copy to VACo and request it be distributed to other areas affected.

DISCUSSION OF PROPOSED AMENDMENTS TO THE COUNTY ROAD NAMING ORDINANCE:

Mr. Summerlin stated the Board previously requested staff to examine the County's ordinance regarding road name changes. Specifically, the Board was concerned that only residents, and not land owners along these roads, were involved in the process. Since the early 1990's the County has invested substantial sums in its Enhanced 911 (E-911) service, mapping software, road name database, street sign program, and Geographic Information System. Each time a road name is changed, all of these sources of information are affected that could create confusion in the event of an emergency. Online mapping and GPS devices are also affected and the County has no control over how often their information is updated. To help address the concerns, staff drafted an ordinance amendment for the Board's review and discussion. (Copy of draft Ordinance Amendment included in Board's File).

Following some discussion Mr. Vaughn moved that the Board schedule a public hearing at the April 28th meeting at 6:00 pm, second by Mrs. Burnette and unanimously carried. Mr. Vaughn requested staff to include this item on next month's agenda regarding whether the Board wants to impose a moratorium to stop road name changes.

CONSIDERATION OF ADJUSTMENTS TO HENRY COUNTY NOISE ORDINANCE:

County Attorney George Lyle gave an overview of a recent re-draft of the Excessive Noise Ordinance. Following some discussion he noted a public hearing will be required before any changes to the ordinance can be made. (Copy of Proposed Ordinance changes included in Board's File).

Mr. Vaughn moved that the Board schedule a public hearing at its April 28th meeting at 6:00 pm, second by Mrs. Burnette. The motion carried 4 to 2. Mrs. Buchanan and Mr. McMillian voted in opposition.

CONSIDERATION OF REQUEST FOR INFORMATION FROM THE MARTINSVILLE-HENRY COUNTY ECONOMIC DEVELOPMENT CORPORATION;

Mr. McMillian stated he recently requested that the Martinsville-Henry County Economic Development Corporation provide information regarding salaries and job descriptions of its employees. Mr. McMillian stated Mr. Summerlin received a letter from Martinsville-Henry County Economic Development Corporation Chairman Joe Roach declining to divulge the salaries and job descriptions of the people who work for the EDC on the advice of their attorney. He stated Henry County contributes \$500,000 of taxpayer money each year to EDC. He said he wasn't an attorney and did not know all the legalities of the Freedom of Information Act; however, the people who pay the \$500,000 want more transparency on the operations of EDC.

Mr. McMillian asked who prints the checks for EDC.

Mr. Summerlin stated that Henry County is the payroll agent for EDC. Following was some discussion regarding Mr. McMillian obtaining a copy of EDC's payroll of its nine employees from the Henry County Finance Department.

Mr. Summerlin noted the payroll for Henry County is public information and staff could provide that information to him on Wednesday.

Mr. Vaughn stated even though the legal opinion may be exempt from the Freedom of Information Act; the fact is the County and City are stockholders in the EDC using taxpayer dollars to fund EDC. He stated as a courtesy to the citizens once a year the EDC should publish a report showing the stockholders the salaries of the principles in that business and give a summary of how the money was expended over the year.

Mr. McMillian stated he would also like to obtain a copy of Mark Heath's contract. Mr. Summerlin stated he wasn't sure if the County

has a copy, and if so, that would be a personnel matter and those records are retained with the EDC Office.

Mrs. Buchanan stated she would like to add to the request a copy of salaries as of one year ago. Mr. McMillian asked that this matter be placed on next month's agenda.

FINANCIAL MATTERS:

Request for Carryover FY '07-'08 County Funds

Mr. Summerlin stated each year the Board of Supervisors considers a request for carryover funds from the prior budget year to the current budget year. County staff has prepared a list for carryover items by cost center. The items on the carryover list are items encumbered from the prior budget year but not expected to be received by June 30, and unexpended grant funds awarded in the prior fiscal year. This year's carryover request totals \$13,691,639.28, including interfund transfers of \$3,475,773.62. (A copy of carryover list is included in Board's File).

Mr. Adams moved that the Board approve the request for carryover funds from FY '07-'08, second by Mr. Slaughter and unanimously carried.

Additional Appropriation re: OPEB Benefits for FY 2009 and FY 2010

Mr. Summerlin stated the Board at its January planning session approved the participation in and funding of the Other Post-Employment Benefits (OPEB), also known as GASB 45, with an estimated funding amount of \$141,000 per year. Based on actuarial calculations and the school division funding their liability for three years, the final funding amount needed is \$380,175, net transfer. Therefore, the Board will need to approve the additional amount of \$125,474. Of this amount, \$98,176 is the school's share for three year funding, \$14,854 is the County share, and \$12,434 is Social Services share. The County's share is from the uncommitted balance.

Mr. Adams moved that the Board approve the additional appropriation, second by Mrs. Burnette and unanimously carried.

Acceptance of Grant, Additional Appropriation, and Award of Contract re: In-Car Camera Systems – Sheriff’s Office

Mr. Summerlin stated Sheriff Perry is requesting the Board to accept a grant from the Department of Justice in the amount of \$29,850 to go toward the purchase of in-car camera systems, and to award a contract in the amount of \$33,390 to WatchGuard Digital In-Car Video of Plano, TX for the purchases. This would be a sole-source contract and has been approved by the Purchasing Department as such. According to Sheriff Perry, the balance of the amount needed, or \$3,540, would come from the Sheriff’s Office’s current budget.

Mr. McMillian moved that the Board approve acceptance of the grant, approval of the additional appropriation, and award of the contract as outlined, second by Mr. Adams and unanimously carried.

Additional Appropriation re: Asset Forfeiture Funds – Sheriff’s Office

Mr. Summerlin stated Sheriff Perry is requesting the Board’s permission to use \$12,423 in asset forfeiture funds to purchase undercover surveillance equipment and video recording equipment for the interview rooms. The amount for the undercover purchase is \$5,423 and would be placed in the law enforcement equipment line item. The amount for the video recording equipment is \$7,000 and would be placed in the equipment line item.

Mrs. Burnette moved that the Board approve the additional appropriation in the amount of \$12,423, second by Mr. McMillian and unanimously carried.

Request to Apply for American Recovery and Reinvestment Act of 2009 Funds – Sheriff’s Office

Mr. Summerlin stated Sheriff Perry is requesting permission to apply for funding from the American Recovery and Reinvestment Act of 2009, also known as the federal stimulus package. According to Sheriff Perry the money would fund three full-time officers for the Community-Oriented Policing Services (COPS). The grant would provide funding for three positions for three years, predicated on Henry County funding the

positions for an additional one year after the three-year grant expires. The County also would be obligated to pay any salary increases for the positions during the four years. The County is required by the grant to maintain all County funded sworn positions for the four-year period. If the County is unable to do so, repayment of the grant or request of a waiver would be necessary.

Mr. McMillian moved that the Board approve the grant application for the American Recovery and Reinvestment Act of 2009 Funds, second by Mr. Vaughn and unanimously carried.

Request to Apply for Department of Justice Recovery Act JAG Grant – Sheriff's Office

Mr. Summerlin stated Sheriff Perry is requesting permission to apply for a Department of Justice Recovery Act JAG Grant. The grant, in the amount of \$126,329, would be used for the purchase of the following equipment:

- locking racks for patrol rifles (\$20,000)
- helmets for tactical operations (\$20,000)
- night vision equipment (\$38,000)
- miscellaneous SWAT equipment (\$25,000)
- miscellaneous patrol equipment (\$23,329)

It was noted that no local match is required; however, a public hearing is required.

Mr. McMillian moved that the Board give the Sheriff's Office permission to apply for the grant, and the setting of a public hearing for the Board's next regular meeting, April 28, 2009 at 6 pm to receive the required public input on the application, second by Mrs. Burnette and unanimously carried.

INFORMATIONAL ITEMS:

Comments From the Board

Mr. Slaughter stated that South Street has been graded and rocked and is moving along. He stated there are plans of getting a large

roll-off on April 10-17 for the folks to clean up and they are talking to the Ruritans in helping out with moving things to the roll-off. Mr. Slaughter stated the Fieldale Trail Phase II Grand Opening is scheduled on Saturday, March 28 at 12:00 at 3125 South River Road, Fieldale.

Mr. McMillian stated he would like to publicly thank those citizens in the Collinsville District who have made an attempt to clean up their yards. He also encouraged everyone to be in prayer for our country during these trying economic times.

Mrs. Burnette stated she and other members of the Board and staff attended a press conference at the Martinsville Speedway earlier today regarding the economic impact of the Martinsville Speedway. She noted Clean Community will be holding its cleanup on the weekend of April 17 for businesses and April 18 for the general community. She encouraged everyone's participation and to be sure and welcome race fans.

Mr. Adams stated as a member of the Board of Review for the Starting Place he recently attended a counsel session at Liberty Fair Mall. He stated this is a great program for parents or grandparents raising pre-kindergartens who may have special needs. Mr. Adams stated he also drove up to South Street and encouraged the Board to visit because the project is well deserved in that community.

Mr. Vaughn stated he attended the 55th Anniversary of Fontaine Ruritan Club on Saturday. Sunday he attended the Church of Mercy Crossing's Annual Government Day.

Mrs. Buchanan stated she will be holding a community meeting on Tuesday, April 14 at 7:00 pm at Victory International Ministries in the former Fieldale Elementary School. She encouraged everyone to participate in clean ups in the community prior to the upcoming race.

Mr. Summerlin stated the County received a check in the amount of \$33,000 from 5B's for the month of March. He stated the County also received the deed on Monday from Norfolk and Southern Railway on a 4.5 mile abandoned right-of-way for a rails/trails project and is in the process of being recorded. Mr. Summerlin briefly discussed the projects that the County has recently applied for or in the process of applying for through the federal stimulus package. Mr. Summerlin also

discussed with the Board a need for a master plan for a comprehensive broadband deployment strategy for the business sector in an effort to apply for broadband stimulus funds. He stated if the Board has no objections he would like for the County to participate with the City and the Economic Development Corporation to inventory all its assets and develop a comprehensive strategy. He stated funding is available in the budget and would cost no more than \$7,500.

The Board stated they had no objections.

CLOSED MEETING:

Mr. McMillian moved that the Board enter into a closed meeting at 4:20 pm to discuss the following, second by Mrs. Burnette and unanimously carried.

- 1) §2.2-3711(A)1 for Discussion of Appointees to Fieldale Sanitary District Board, West Piedmont Planning District Commission and Patrick Henry Community College Board.
- 2) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Legal Matters.
- 3) §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced Industries.
- 5) §2.2-3711(A)1 for Discussion of Personnel Matters.

OPEN MEETING:

The Board returned to an open meeting at 5:55 pm on a motion by Mr. McMillian, second by Mr. Slaughter and unanimously carried.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote affirming that the Board only discussed public business matters lawfully exempted and identified in the motion to enter closed

session. Those voting in the affirmative were Mr. Slaughter, Mr. McMillian, Mrs. Burnette, Mrs. Buchanan, Mr. Vaughn and Mr. Adams.

APPOINTMENTS:

Fieldale Sanitary District

Mrs. Burnette moved that the Board appoint Jason Collins to the Fieldale Sanitary District, second by Mr. McMillian and unanimously carried.

Patrick Henry Community College

Mr. Slaughter moved that the Board appoint Bonnie Favero to the Patrick Henry Community College to fill an unexpired term of Dale Wagoner ending 2012, second by Mrs. Burnette and unanimously carried.

Greenway Trail

Mrs. Burnette moved that the Board approve the Greenway Trail Agreement between Henry County and Univar USA for an easement, second by Mr. Adams and unanimously carried.

The Board recessed its meeting at 5:56 pm and reconvened at 6:00 pm. Mrs. Buchanan welcomed everyone present.

MATTERS PRESENTED BY THE PUBLIC:

There was no one present who wished to address the Board.

RECOMMENDATION BY THE FIREFIGHTERS ASSOCIATION FOR FY '09-'10 FUNDING:

Mr. Summerlin stated in FY '90 the Board of Supervisors established a Fire Equipment Capital Improvements Program funded by a \$100,000 contribution from the Board of Supervisors. In FY '96 the contribution was increased to \$150,000 per year. In FY '05-'06 the contribution was increased to \$175,000. The purpose of the fund is to assist the eight volunteer fire departments in purchasing pumpers. The

Board agreed to appropriate these funds each year based on the recommendation of the Henry County Firefighters Association.

Randy Smith, President of the Firefighter's Association, came forward and requested that the County award the Capital Improvement Funds of \$175,000 to Axton Fire Department. He stated he would also request 5% increase in the annual operations funding, which was \$283,185 for all squads last year. He asked that the high school firefighter program be continued.

Mr. Adams moved that the Board consider the Firefighters Association request during budget deliberations, second by Mr. Vaughn and unanimously carried.

PUBLIC HEARING – REZONING APPLICATION R-09-03 – MICHAEL MCPEAK:

Mr. Lee Clark reviewed Application R-09-03 for Michael McPeak. (Copy of Application included in Board's File). Mr. Clark stated that following a public hearing both the Planning Commission and staff recommend approval of the request.

The public hearing was open at 6:09 pm.

Following some discussion by Mr. McPeak, applicant, the public hearing was closed at 6:10 pm.

Mr. Adams moved that the Board accept the recommendation of the Planning Commission to approve the rezoning request, second by Mr. McMillian and unanimously carried.

RECOMMENDATION BY THE RESCUE SQUAD ASSOCIATION FOR FY '09-'10 CAPITAL FUNDING:

Mr. Summerlin stated in FY '92, the Board of Supervisors established a Rescue Squad Capital Improvements Program for the purpose of providing contributions to the County-based rescue squads to purchase vehicles. Initially, the Board of Supervisors agreed to contribute \$50,000 a year and in FY '94-'95 the contribution was increased to \$75,000 annually. In FY '05-'06 the contribution was increased to \$95,000. Funding policy for this program was later

amended to include the purchase of portable equipment and new facilities/additions in some instances. The Board agreed to appropriate these funds each year, based on the recommendation of the Henry County-Martinsville Rescue Squad Association.

Marcus Stone, Rescue Squad Association President, stated he would like to request an increase from \$95,000 to \$115,000 in the capital contribution. Mr. Stone stated the Rescue Squad Association also wants to retain the EMS program in the local high schools.

The Board recognized EMS and Firefighter members in attendance.

Mr. Summerlin stated the Firefighter and EMS programs are funded by the School Board and the County furnishes supplies, vehicles, etc. He noted the School Board Budget has not been received.

Mr. Adams moved that the Board consider the budget request along with all other requests for the FY '09-'10 Budget, second by Mrs. Burnette and unanimously carried.

PUBLIC HEARING AND RESOLUTION OF SUPPORT FOR SUBMITTAL OF COMMUNITY IMPROVEMENT GRANT REQUEST TO THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (VDHCD) FOR THE SOUTH STREET NEIGHBORHOOD IMPROVEMENT PROJECT:

Mr. Summerlin stated through the utilization of a Community Development Block Grant (CDBG) Planning Grant, Henry County has undertaken a study of community improvement needs for the South Street neighborhood in the Bassett community. Through this planning grant process, the County has developed plans for submittal of a Community Improvement Grant (CIG) application to the Virginia Department of Housing & Community Development (VDHCD) to make improvements identified by a needs assessment and public input. VDHCD requires that two public hearings be held during this process – the first public hearing was held on March 2, 2009 and the second public hearing is to be held at this meeting - March 24, 2009.

In conjunction with the second public hearing, the Board is also being presented with a resolution of support to approve the submittal of the Community Improvement Grant application. The grant application

has been designed to accomplish the following project activities: Rehabilitation of twenty-one (21) low-to-moderate (LMI) income residential units to include: seven (7) owner-occupied single-family units; ten (10) tenant-occupied single-family units; and one (1) multi-family unit containing four (4) apartments. One (1) vacant housing structure and utility building will be demolished and cleared. One (1) garage structure will be demolished and cleared for the ROW on South Street.

Additional project activities include road improvements that will bring South Street and portions of Pleasant Ridge up to VDOT standards; replacement of water and sewer lines disturbed by road construction; and stormwater drainage infrastructure improvements. The projected cost of this project is \$2,169,852. Included in this total will be \$1,400,000 in CDBG funds, \$118,959 in leverage provided by the County, and \$650,893 in additional funding sources and grant funds. (A copy of proposed resolution and budget is included in Board's File).

Mr. McMillian asked how much rural addition funds are being used for this project.

Mr. Summerlin stated \$103,000. He stated all Board members agreed to use the remaining balance of their revenue sharing funds to go towards the project with the exception of the Collinsville District representative.

Mr. McMillian stated he would like to go on record stating that the people in the Collinsville District would like to have the \$60,000 in rural addition funds back that was loaned by his predecessor to the Reed Creek District.

The public hearing was open at 6:18 pm.

Ms. Mary Ann Mason, Grants Administrator, read an appreciation note from the residents of South Street to the Board thanking the County for helping to fix the road. It was noted that approximately 20 citizens of South Street were in attendance.

Mr. Eldon Moore, a property owner on South Street who lives in North Carolina, stated anything the County can do to help the people on

South Street would be greatly appreciated and is a very worthwhile project.

There being no one else who wished to speak the public hearing was closed at 6:27 pm.

Following some discussion Mr. Adams moved that the Board adopt the resolution of support authorizing the submittal of the Community Improvement Grant application, second by Mr. Slaughter. The motion carried 5 to 1 with Mr. McMillian voting in opposition. (Copy of Resolution included in Board's File).

GENERAL HIGHWAY MATTERS:

Ms. Lisa Price-Hughes, VDOT Residency Administrator, was present to discuss general highway matters.

Six-Year Secondary Road Construction Plan

Ms. Hughes reviewed the proposed Six-Year Plan and following some discussion Mr. Adams moved that the Board accept the proposed Six-Year Plan as presented by VDOT, second by Mrs. Burnette. (Copy of Six-Year Plan included in Board's File).

Following some further comments Mrs. Burnette offered a substitute motion to delay action on the Six-Year Plan until the April meeting, seconded by Mr. Vaughn and unanimously carried.

Consideration of Resolution Regarding Section of Route 220 South (Greensboro Road)

Mr. Vaughn requested that the Board consider a resolution concerning a section of Route 220 (Greensboro Road) which has seen a number of accidents and two fatalities in the past four years. (Copy of Resolution included in Board's File).

Mr. Vaughn moved to adopt the proposed resolution, second by Mr. McMillian and unanimously carried. (Copy of Resolution included in Board's File).

There being no further business to discuss Mr. McMillian moved to continue the meeting to April 2, 2009 at 5:00 pm, second by Mrs. Burnette and unanimously carried.

Bos.Minutes.March 24.2009.3pm.sb

HENRY COUNTY BOARD OF SUPERVISORS MINUTES

April 2, 2009 – 5:00 pm

The Henry County Board of Supervisors held a meeting on April 2, 2009, at 5:00 pm in the Fourth Floor Conference Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The purpose of the meeting was to present the FY '09-'10 County Budget. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn; Jim Adams, Paula Burnette, Jim McMillian and Tommy Slaughter.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Jimmie Wright, Director of Finance; Mr. Darrell Jones, Deputy Director of Finance; and Mrs. Susan Reynolds, Human Resources/Public Information Director.

Mickey Powell of the Martinsville Bulletin and Ron Morris of B-99 Radio Station were present.

Chairman Buchanan called the meeting to order and stated the meeting is a continuation of the Board's March 24, 2009 meeting. The meeting was then turned over to Mr. Summerlin for presentation of the FY '09-'10 Proposed County Budget.

Mr. Hall stated on Thursday, April 9, 2009, Governor Kaine with his Cabinet Secretary will be in town and the Board is invited to a luncheon with the Governor on April 9th at 11:30 am at the Virginia Museum of Natural History.

Mr. Summerlin then gave an overview of the Discussion and Analysis for Fiscal Year -2009-2010 Proposed Operating Budget for the County of Henry and Capital Improvements Plan.

“There is no law of progress. Our future is in our own hands, to make or to mar. It will be an uphill fight to the end, and would we have it otherwise? Let no one suppose that evolution will ever exempt us from struggles. ‘You forget,’ said the Devil, with a chuckle, ‘that I have been evolving too.’ ”

William Ralph Inge

“The future ain’t what it used to be.”

Yogi Berra

Were there a “Pick the Philosophers” bracket for March Madness, one could assume that William Ralph Inge would be a No.1 seed and Yogi Berra would be a No. 16 seed. Yet each of them has captured this moment in time for Henry County, in his own inimitable style.

We are where we are, for better or worse, and we are there as a community through no fault of our own. The phrase “world economy” has been part of Henry County’s vocabulary since the mid-1990s; the rest of the country is finding out what we’ve known for years.

Yet it is really up to us to deal with our present and plan our next steps, isn’t it? Mr. Inge tells us that we are not entitled to progress, yet its possibilities are ours to craft. Mr. Berra tells us that the view of the future isn’t a particularly enticing one. Maybe it isn’t, but we still have one to plan for and to embrace. We can make it better than it looks, and we have the responsibility to do so.

The cover of this proposed 2009-2010 Henry County Budget captures our past, present and future in one snapshot.

In the foreground you see the work on the new shell building in the Patriot Centre. The \$3.5 million, 100,000-square foot building is targeted for completion later this year and already has sparked interest from several industries. This effort reflects what our future may hold, and we are optimistic that it will be a positive future.

In the middle you can see the steel going up at the RTI site. The company is building its new facility at full speed these days, with

production expected to begin sometime in 2010. This part of the picture shows what our present is – a cutting-edge company that produces titanium primarily for the aerospace industry. RTI is closer than ever to fulfilling the promise it made to hire 150 employees and provide more than \$100 million in capital expenditures.

At the top of the picture in the distance, you can see the VF facility, which we commonly refer to as Nautica. This project came to Henry County nine years ago and the company has been one of our best corporate citizens since then. The company and this facility are weathering all that the economy is throwing their way, and they continue to produce quality items and employ quality people.

VF/Nautica stands as an example of what can be accomplished with determination, stubbornness, and hard work. The cover image captures that same attitude in our present, symbolized by the RTI building, and the future, symbolized by the new shell building. Regardless of what we face, we must prevail. There is no option.

FY 2009 had many noteworthy items and events. Among them:

- The Smith River Sports Complex is scheduled to open in June. This \$8.9 million sports facility has two synthetic fields, four natural grass fields, picnic areas, walking trails, and playgrounds. This generous gift from the Harvest Foundation will be a tremendous attraction for our residents and for our visitors. Henry County provided the 91-acre site and \$140,000 in funding for an access road to the site, to go along with recreational access funding from the Commonwealth of Virginia for the road.
- We are partnering with the Economic Development Corporation to secure master plans for the 1,200-acre Bryant property and the 620-acre ROMA property. Staff anticipates those plans will be unveiled soon at a joint meeting among the Board of Supervisors and the boards of the Henry County Industrial Development Authority, the Henry County Public Service Authority, the Martinsville City Council, and the Martinsville-Henry County Economic Development Corporation. We also received a Congressional earmark of \$800,000 for water/sewer extensions to the ROMA site.
- The County also purchased an additional 110 acres adjacent to the ROMA property, increasing the size of the park to 730 acres and providing better highway access.

- The County's new emergency services radio system, a \$7.2 million project more than 10 years in the planning stage, is being rolled out as we speak and should be fully implemented by June 30. Staff would like to give a nod to Public Safety Director Dale Wagoner, who smoothly managed this incredibly complicated project.
- Mr. Wagoner also was appointed by Governor Tim Kaine to the Governor's Emergency Medical Services (EMS) Advisory Board. The Advisory Board develops, reviews, and recommends policies and practices related to the delivery of pre-hospital care in the Commonwealth, including training standards, ambulance standards, equipment recommendations, grant funding, medical helicopter usage, workforce development, and medical direction.
- Two major public water projects were completed this year. The Chestnut Knob Water Project provides public water to Magna Vista High School and many residents along the corridor, and the line is the first leg of getting public water to the ROMA site. The Pittsylvania County/58 East water sends Henry County water to the Brosville Industrial Park in Pittsylvania County, along with PSA customers along the line, and provides water service to the Bryant property.
- The County worked with the City of Martinsville to institute a fixed-loop public transit system. Piedmont Area Regional Transit, or PART, is seeing a slight increase in ridership over its debut in January.
- We manned two more Convenience Center sites during 2009, and this program continues to draw rave reviews from our citizens. We have staffed five of our seven Convenience Center sites, and each one is cleaner and more customer friendly than ever before.
- The Board and staff worked diligently to recoup the 5B's debt. The company provided a payment of \$275,333 to Henry County in FY '09, including money derived from the settlement of legal action against the company. We are receiving about \$33,000 a month from that legal action, and we received a secured interest in their manufacturing headquarters in Zanesville, Ohio.

- Work continues on the 4.5 mile rail-to-trail project and four associated trail-heads, with right-of-way recently received from Norfolk Southern and Univar. We anticipate this project will be under construction by early fall.
- The second phase of the Fieldale Trail opened March 28, extending the trail by 1.5 miles. A grant from Dominion Resources and project management by the Dan River Basin Association were key components of this project.
- The County's new mapping project, with updated aerial photos, is nearing completion.
- The Board increased the household income threshold for real estate tax relief for the elderly and disabled.
- A contract for architectural and engineering services was awarded for the Virginia Avenue Enhancement Project. Grant funds total \$192,000 to this point, with emphasis on Phase I from Reed Creek Drive to Kings Mountain Road.
- The ongoing drought and subsequent farm losses prompted Governor Kaine to declare Henry County a drought disaster area to help receive federal assistance for farmers.
- We partnered with Franklin County, Patrick County, and Martinsville in a \$1,248,000 Department of Homeland Security interoperability grant. The funds were used for tactical-level communications.
- We received a CDBG grant for the Riverside Drive Neighborhood Improvement Project, which includes rehabilitation of 23 homes and pedestrian safety improvements.
- The Board approved applications to the Literary Fund for \$9.7 million for roof improvements at Fieldale-Collinsville Middle School and Magna Vista High School, and HVAC replacement at Magna Vista.
- Public Safety received \$18,972 from a Health Department grant to purchase 800 smoke alarms and provide installation as part of its fire prevention program.
- The Collinsville Jaycees donated \$46,228 for new playground equipment at Jack Dalton Park. The playground equipment currently at Jack Dalton will be relocated by our Parks and Recreation staff to the Fieldale Ballpark.

- The School Board declared the former Ridgeway Elementary School surplus property and turned it over to the County. The Board is in the process of reviewing proposals to convert the site to private use that best fits the community.
- The County received a planning grant for the South Street Community Development project. An application will be submitted in April for CDBG funds for housing rehab, road improvements, storm drainage, and water and sewer rehabilitation.
- The County partnered with the Commonwealth in a feasibility study of a potential state park along the Mayo River in Virginia to complement the 2,000-acre state park now open just across the North Carolina line.
- We agreed to transfer the historic Henry County Courthouse to the Martinsville-Henry County Historical Society upon completion of work to stabilize the building. This project is being funded by two grants.
- The County and the PSA purchased and renovated the former Bassett Motor Pool for a County Service Center. The facility will be operational by July 1 and refuse collection, parks maintenance, radio shop, Sheriff's impound lot, and other local government functions will be relocated to it. The facility will also be the site of the surplus County auctions, Household Hazardous Waste Day, and other functions.
- The County agreed to extend public sewer to the Corps of Engineers property line near Philpott Lake, contingent on the Corps hooking up its facilities to the system and issuing a Request for Proposals (RFP) for a private marina concessionaire. Final design of the sewer line is under way.
- We took advantage of the mobilization for the RTI Industries project by working with the grading contractor for excess dirt graded from the site. Not only did we use the material on other sites in the Patriot Centre, we also wound up with an additional 15 acres of graded land.
- Public Safety received a grant in partnership with the SPCA for a Pet Emergency Trailer and supplies for statewide mutual aid for large-scale emergencies.

- We received a \$50,000 emergency citizens alerting system grant for the 9-1-1 Center to allow mass notification of citizens by phone of certain emergencies.
- The County's General Fund Balance increased from \$20,570,700 on June 30, 2007 to \$20,873,824 on June 30, 2008. The Undesignated Fund Balance dropped slightly from \$10,406,486 on June 30, 2007 to \$9,948,254 on June 30, 2008. Charts of these funds are included later in this presentation.

Reassessment

A big part of 2009 was the reassessment of Henry County properties. We reassess every four years. Our assessors evaluated 54,255 parcels in Henry County and property values increased an average of 16.5%.

Taxpayers who felt they were treated unfairly appealed their assessment to the Board of Equalization. The Board of Equalization has completed its work and further appeals can be made to the Henry County Circuit Court.

If the budget provides for an increase of greater than 1%, excluding new construction, the Board must hold a public hearing and consider a property tax increase. The Board has indicated it wants to roll the rate back to offset the increased values. The rollback rate is 46.3 cents per \$100 of value. A 1-cent increase on the real estate tax raises \$294,989.

Virginia law allows a fractional tax rate; however, the County Administrator recommends setting the rate at 46 cents and adjusting the special assessment for agricultural and horticultural real estate, to partially offset the revenue loss from not adopting a fractional rate. The Commissioner of the Revenue has the authority to adjust these special assessment rates and agrees with staff that the adjustments should be made, effective July 1, 2009. This would generate an additional \$24,867 in revenue.

Localities are authorized to reduce values on agricultural, horticultural, forest, and open space to discourage development. In 1981, Henry County authorized agricultural and horticultural land for reduced values. Values were set at \$300 an acre for agricultural land and \$425 an acre for horticultural land and those rates have not increased since then. It is staff's opinion that the land in these categories has been undervalued for quite some time.

As defined by code, agricultural use is for land that is either devoted to the bona fide production, for sale, of plants and animals useful to man, or land that meets the requirements for payments or other compensation pursuant to a soil conservation program. Horticultural use is for land that is either devoted to bona fide production, for sale, of fruits, vegetables, and nursery and floral products, or land that meets the requirements for payments or other compensation pursuant to a soil conservation program. A minimum of five acres is required for any parcel to be eligible for either classification outlined above.

The County has 27,029 acres in land use categories. This results in a reduction of \$99,429 in property tax; at the 46-cent rate, taxes are reduced by \$84,698. It is recommended that the value for agricultural property in land use be increased from \$300 per acre to \$500 per acre, and horticultural property in land use be increased from \$425 an acre to \$625 an acre. These adjustments would create the increased tax revenue of \$24,867 mentioned earlier. Land use values can only be adjusted during years of reassessment.

Without increasing the land use value, property owners enrolled in land use see a property tax decrease every time the tax rate is reduced. The rate went from 60 cents in FY 2002 to 54 cents and now to 46 cents. Land use values can be set at the same time as other tax rates in the budget adoption process.

Where Do We Go From Here?

Even with the many positive events outlined earlier, the losses outnumbered the gains in FY 2009. Job layoffs at many prominent employers and many smaller businesses had a huge impact on the unemployment rate and the psyche of our citizens. Our unemployment rate in January 2008 was 7.5%, with 24,534 people employed out of a workforce of 26,528. In January 2009 our rate was 13%, with 23,169 people employed out of a workforce of 26,627. The real difference now is that this problem is a global one, unlike the old days when it seemed only Henry County and Southern Virginia was dealing with these issues.

As we proceed down this path, it is painfully obvious that none of this will be easy. As Mr. Inge states above, this is an uphill fight – but what other kind of fight is there for the citizens and the companies of Henry County? We have trekked uphill for more than 10 years, and we are accustomed to the demands of such a journey.

These demands will not lessen in FY 2010, and probably not in FY 2011 either. FY 2010 shapes up as the most difficult year facing Henry County since your County Administrator took over his assignment in 2002. There is no easy path forward, and whatever road we choose will be a bumpy ride.

Before jumping into the details of this proposed budget, staff would like to acknowledge the impact that our retiring Director of Finance, Jimmie Wright, has had on this community and this County since joining our staff in 1976. Jimmie worked diligently on this budget proposal, just as he has on countless budgets in years past. His dedication and diligence to the task at hand is unmatched. We wish Jimmie well in his retirement, and we welcome Darrell Jones as the new Director of Finance.

Proposed FY 2009-10 County Budget

There are no easy answers and no simple solutions to the quagmire in which we find ourselves. The global economy is a mess, the Commonwealth's economy is stagnant, and the locality is following along too. Staff could at least be somewhat optimistic if we knew when the bottom was coming, but we do not. As we look 12 months into the future, and put ourselves in the position of drafting a budget for FY 2011, we can't see any significant improvement either.

The majority of the County's revenue comes from property taxes and aid from the Commonwealth. With no increases in real estate, a reduction in personal property values, and significantly less aid from the Commonwealth, significant reductions must be made to align expenses with revenue. For the first six months of FY 2009 we thought we were doing relatively well, as revenues remained fairly steady. However, we began to see a decline around January 1, and it continues today.

As you know, the County made mid-year budget adjustments in February for FY 2009 that totaled \$912,000. In crafting this budget proposal, staff worked on the premise that a deficit of \$1,102,323 had to be absorbed for FY 2010. We worked from that number and added a little more so we could provide some cushion should the downturn worsen. However, should the decline be steeper than what we've considered, another round of mid-year budget cuts could be needed.

Staff is presenting a budget for FY '10 that totals \$117,516,572. When compared to the FY 2009 Proposed Budget of \$127,756,265, this year's budget represents a reduction of \$10,239,693, or 8%, from the FY 2009 budget. Staff recommends no tax increase for FY '10, for the same reason as expressed in years past – our residents simply cannot afford it.

We have not included pay raises for employees. Staff recommends that the County continue to cover the single-subscriber health insurance costs, which will rise 4.7% in FY '10. Staff also recommends that County employees be given a one-time gift of an additional vacation day, to be taken with the approval of their supervisor, to thank them for their hard work in such trying times.

Staff recommends a local contribution to the school system of \$17,077,895 for FY '10. That is a decrease of \$374,063 from FY 2009 and is a proportional cut of the \$1,102,323 anticipated shortfall. This is the same amount of funding requested by the School Board in its budget dated March 23, 2009; staff appreciates the School Board's consideration of these trying times and its willingness to work together on these issues.

The School Board's budget shows a decrease in revenue of \$3,416,285, or 4.3%, for FY 2010. Also included in the School Board's budget is \$2,922,495 in stimulus package money to be received over a two-year period. County staff understands that most school divisions are budgeting the entire stimulus package amount in FY 2010 and plan to carry over the unspent portion in FY 2011. Our local school division is projecting spending \$1,000,000 of the stimulus funding in FY 2010; if that is the case, its revenue shortfall for FY 2010 will actually worsen by \$1,922,495, to \$5,338,780.

With the School Board's absorption of part of the deficit, the County was left with the rest - \$381,753. The Constitutional Offices were originally projected to receive \$346,507 less in Commonwealth of Virginia funding, but the federal stimulus package to the Commonwealth eliminated that cut. Still, this is just a temporary fix for the Constitutional Offices. Next year they could see the full impact.

Staff has not included any stimulus package funding in this proposed budget except for Constitutional Offices and funding determined by formula to schools for specific programs. It appears the school division has little latitude on how that money can be spent. The County and the Public Service Authority have applied for stimulus funds for specific capital projects, but there isn't enough

information at this time to determine whether those projects will be funded. If they are, the budget can be amended during the year to reflect those projects.

Some other items of note as proposed for FY 2010:

- To improve energy efficiency in public buildings, we have appointed the PSA's new safety manager, Tim Byrd, as the County and PSA Energy Manager. Mr. Byrd will continue his safety manager duties except for the processing of insurance claims, which will now be done by Administrative Assistant Michelle Via.
- Due to declining enrollments in the high school firefighter and EMT programs, the School Board has committed to fund only two half-time instructors in lieu of the two full-time instructors now funded. It is recommended the Board petition the Martinsville Circuit Court for a portion of the assets of the former Martinsville-Henry County Rescue Squad and use that funding to continue the high school programs for FY 2010. The County contributed more funding to the former squad than any other organization other than the United Way over the years.
- Due to the economic conditions it is recommended that the Board appropriate \$25,000 from this year's contingency fund for the Social Services emergency fund. The contingency fund has \$86,710 in unencumbered funds as of the March 24 Board meeting.
- The Assign-A-Highway Coordinator will begin supervising the inmate work crew two days a week at the Service Center to assist in renovations, custodial duties, and cleaning of County vehicles.

Details about our revenue and expenditure projections are outlined below.

Projected Revenues

- General property taxes assumes a collection rate of 95%
- Sales tax is down 13.4% based on year-to-date collections
- Utility tax is down 6.6% based on year-to-date collections
- Business license tax is down 3.4%
- Motor vehicle decals are down 3.2%
- Tax on wills is down 21.8%

- Transient occupancy tax is down 4.3%
- Food and beverage tax is down 3.3%
- Animal licenses are up 53.4% due to new notification requirements
- Building permits are down 47.5%
- County fines are down 22.1%
- Courthouse maintenance fees are up 3.8%
- Courthouse security fees are up 7.9%
- Bank interest is down 70% due to lower interest rates on our deposits
- Rent of property is up 25.6% due to additional lease agreements
- Sales of recyclables is up 73.9% based on year-to-date collections
- Jail reimbursement is up 16.7% due to an under-projection of revenue in FY '09
- Cooperative Extension is up 100% to reflect the City's contribution that increased after the budget was adopted last year
- Miscellaneous refunds are up 12.4% due to increased payments for shared programs or contracted services
- Mobile home titling taxes are down 37.9% to reflect state reductions
- Auto rental tax is down 24.2% to reflect state reductions
- Para-mutual tax is down 14.9% based on year-to-date collections
- Constitutional Offices were level funded by the Compensation Board, but state adjustments during the year and higher than budgeted projections resulted in the following:
 - Commonwealth's Attorney, up 3.6%
 - Sheriff, up 3.5%
 - Commissioner of the Revenue, down .1%
 - Treasurer, up .1%
 - Registrar, down 24.3%
 - Clerk of Court, down 5.4%

Projected Expenditures

All County departments were asked to submit two budgets. One was to reflect their current needs, cognizant of the economic

conditions, and the other was to show a 5% decrease from the current year appropriation. Each budget and line item was carefully scrutinized in developing this budget proposal.

Expense reductions were made in most cost centers. These reductions will impact the County's ability to deliver services. The reductions and impact are too numerous to list here, but examples include reduced mowing in our parks, less employee training, less preventative maintenance of our facilities, replacing worn-out equipment and vehicles less often, etc.

Specific items are as follows:

- Assessor's Office is down 29.8% since the four-year general assessment is complete
- Sheriff's Office salary line items are up in some cost centers and down in others to reflect budgeting the positions in the proper cost centers
- Sheriff's Office is replacing 10 vehicles instead of 14 as in recent years. It purchased an additional vehicle during the current budget year
- Level funding is proposed for the annual operating contribution to fire departments and rescue squads
- \$175,000 is proposed for fire truck replacement for the Axton Fire Department and \$95,000 to Bassett Rescue Squad, based on recommendations of the respective associations
- Electrical rate increases are based on the APCo rate increase that began in late 2008
- Fuel costs are generally budgeted at the same level as current year
- Minimum wage increases for part-time positions are set at \$7.25 an hour for July 2009
- A new maintenance position is proposed, to be funded 50/50 with the City, to perform maintenance at the Social Services and Health Department buildings
- Compensation for members of the Planning Commission and the Board of Zoning Appeals reduced by 50% due to fewer cases being heard
- An additional \$10,000 for a litter education grant from the Commonwealth

- \$119,000 in interest on the new shell building, to be reimbursed by the Economic Development Corporation
- The Contingency Fund is projected at \$117,000

Capital Improvement Projects

A very meager capital improvements plan is recommended for FY 2010. This is something that should not become a habit. Continually deferring capital expenditures will have negative long-term consequences.

The following Capital Improvement Projects are recommended for funding:

- \$55,583 for Clerk of Court's imaging equipment, to be paid for with Commonwealth of Virginia funds
- \$34,000 to replace a tractor in Parks and Recreation
- \$30,000 to dredge a pond at the former Henry County landfill
- \$39,000 for computer and file server upgrades
- \$175,000 for a new fire truck for Axton Volunteer Fire Department
- \$95,000 for a new ambulance for the Bassett Volunteer Rescue Squad
- \$294,000 for replacement vehicles for the Sheriff's Office

Outside Agencies

Funding to outside agencies generally was reduced by 5% with a couple of exceptions where reduction of local funds would have resulted in a significant decrease in state and federal funds. Outside agency funding was not reduced last year, nor was it reduced in the mid-year adjustments made in the current fiscal year.

In addition, several community agencies asked to be added to the County budget for funding in FY 2010. Staff has no doubt as to their good work, but budget constraints do not provide opportunity for new partners. The agencies not proposed for funding include:

- Southeast Rural Community Assistance Project
- Virginia Legal Aid Society
- Roanoke River Basin Association
- Smith Mountain Lake 4-H Center
- West Piedmont Better Housing Coalition

Goals and Objectives

Listed below are the Goals and Objectives the Board created at its 2009 Planning Session. It should be noted that this proposed FY '10 Budget does little to implement many of these items, compensate employees fairly, or deliver services desired by the public.

Short-Term Goals

- Strategy for development for ROMA and Bryant properties
- Develop strategy for broadband implementation and funding options
- Position the County to deal with the FY 2011 Budget
- Preserve the County's fund balance
- Secure a new facility for the Social Services department
- Decrease unemployment and increase the number of available jobs
- Continue to pursue the 58 West water project
- Continue to pursue accreditation for the Sheriff's Office
- Continue to address response issues for rescue squads
- Work on stormwater issues and other issues with the South Street Community Development project

Long-Term/Continuing Goals

- Emphasize energy efficiency/green initiatives
- Promote community health care resources
- Address jail needs
- Seek federal money for the completion of Route 58 to Interstate 77
- Work with the Corps of Engineers to improve the flow of water through the Smith River
- Initiate a Comprehensive Plan update
- Work to improve "community pride"
- Work to improve our educational facilities
- Support the Martinsville-Henry County EDC and continue to fund its efforts, and support its tourism initiatives
- Push for Interstate 73 corridor as outlined by the Board in 2008
- Continue to pursue delinquent taxes
- Endorse and participate in regional cooperation
- Endorse and participate in cooperative efforts with City of Martinsville

- Continue to support the New College Institute and Patrick Henry Community College
- Continue to support Blue Ridge Airport

Looking to the Future

As we look into the near future with the proposed FY 2010 Budget, we also need to cast a longer eye toward needs on the horizon. Some particularly important items to keep in mind:

1. A resolution is desperately needed in the never-ending saga of the facilities needs of the Henry-Martinsville Department of Social Services. Space issues for the Martinsville-Henry County Health Department also should be a part of a comprehensive plan to meet the human services needs of this community. The County has offered the former Athena building and has offered to fund the upfit required at no cost to the City of Martinsville. The Social Services Board is pursuing a zoning change for the building in order to allow for its use as a human services facility. Staff believes that if this matter is not resolved by the end of the fiscal year, the Board of Supervisors should seriously consider taking appropriate action to ensure the citizens of Henry County receive the help they need in a building that is safe, functional, and adequate.
2. It is recommended that the Board adopt the Martinsville-Henry County Rivers and Trails Recreational Use Plan as the trail and river plan for the County. This will provide a guide for deployment of County resources in this area.
3. Little progress has been made in improving our emergency medical services system. The system continues to deteriorate and our backup service is showing signs of stress. This problem has been studied off and on since the late 1980s. The County is not in a financial position to invest significant resources in much-needed service improvements. The only feasible alternative is for the agencies to bill for services. Research shows that billing by all agencies could generate up to \$1.3 million in annual revenue to support the system. Currently three of the five agencies bill or are planning to bill for services.
4. We need to begin the planning process to address our jail needs. The jail consistently ranks among the most cost-

effective operations in the Commonwealth but it is consistently overcrowded. As of March 31 the jail contained 167 inmates and has 103 beds. The County also has 19 inmates in other facilities.

Following Mr. Summerlin's presentation of the FY '09-'10 Budget the Board took the following actions:

Social Services Emergency Fund

Mr. Adams moved that the Board contribute \$25,000 from this years' Contingency Fund for the Social Services Emergency Fund, second by Mrs. Burnette and unanimously carried.

EMT Resolution

Mr. Adams moved that the Board adopt an EMT Resolution regarding the use of residual assets of the Martinsville-Henry County Rescue Squad to Support Emergency Services Education, second by Mr. Slaughter and unanimously carried.

Advertise FY '09-'10 Budget

Mrs. Burnette moved that the Board advertise the FY '09-'10 Budget on April 12, 2009, second by Mr. Adams and unanimously carried.

CLOSED MEETING:

Mrs. Burnette moved that the Board enter into closed session at 5:50 pm pursuant to Section 2.2-3711A(3) re: Acquisition/Disposal of Real Estate, second by Mr. Vaughn and unanimously carried.

OPEN MEETING:

The Board returned to an open meeting at 5:53 pm on a motion by Mr. McMillian, second by Mrs. Burnette and unanimously carried.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote affirming that the Board only discussed public business matters lawfully exempted and identified in the motion to enter closed session. Those voting in the affirmative were Mr. Slaughter, Mr. McMillian, Mrs. Burnette, Mrs. Buchanan, Mr. Vaughn and Mr. Adams.

Mr. Vaughn moved that the Board enter into a real estate sales contract with Victory International Ministries pertaining to land, buildings and fixtures formerly known as Ridgeway Elementary School in the Town of Ridgeway, second by Mrs. Burnette and unanimously carried.

There being no further business to discuss Mr. McMillian moved at 6:00 pm that the Board continue the meeting to April 7, 2009 at 5:00 pm, second by Mr. Slaughter and unanimously carried.

Bos.Minutes.April 2, 2009.5pm.sb

HENRY COUNTY BOARD OF SUPERVISORS MINUTES

April 7, 2009 – 5:00 pm

The Henry County Board of Supervisors held a meeting on April 7, 2009, at 5:00 pm in the Fourth Floor Conference Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The purpose of the meeting was to hold a work session on the FY '09-'10 School Budget and Total County Budget. The following Board members were present: Chairman Debra Buchanan; Vice Chairman H. G. Vaughn; Jim Adams; Paula Burnette, Tommy Slaughter and Jim McMillian.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Susan Reynolds, Director of Human Resources/Public Information; Jimmie Wright, Director of Finance; and Darrell Jones, Deputy Director of Finance.

Mickey Powell of the Martinsville Bulletin and Dawn Lawson of the School Board were present.

Chairman Buchanan called the meeting to order and welcomed everyone present. She stated the meeting is a continuation of its April 2, 2009 meeting. Mrs. Buchanan turned the meeting over to Mr. Summerlin.

Mr. Summerlin stated the Board would proceed reviewing the budget by category and if the Board has any questions he would respond.

Mr. Summerlin noted that the action by the Board at its meeting on April 2 approving the \$25,000 contribution to the Social Services Emergency Fund will be used for County residents only.

The following categories of the FY '09-'10 Budget were reviewed and discussed:

REVENUE

EXPENDITURE

- **General Government Administration**
- **Judicial Administration**
- **Public Safety**
- **Public Works**
- **Health and Welfare**
- **Education**
- **Recreation/Culture**
- **Community Development**
- **Non-Departmental**
- **Special Funds**
- **Capital Improvements**

The Board thanked Mr. Summerlin and staff for a good job on the budget.

CLOSED MEETING:

Mrs. Burnette moved that the Board enter into a closed meeting at 5:31 pm to discuss §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate, second by Mr. Slaughter and unanimously carried.

OPEN MEETING:

The Board returned to an open meeting at 5:55 pm on a motion by Mr. Adams, second by Mr. Slaughter and unanimously carried.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote affirming that the Board only discussed public business matters lawfully exempted and identified in the motion to enter closed session. Those voting in the affirmative were Mr. Slaughter, Mr.

McMillian, Mrs. Burnette, Mrs. Buchanan, Mr. Vaughn and Mr. Adams.

There being no further business to discuss Mrs. Burnette moved at 6:00 pm to continue its meeting to April 20, 2009, at 7:00 pm, second by Mr. Slaughter and unanimously carried.

Bos.Minutes.April 7.2009.5pm.sb

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

**Special Called Meeting
April 8, 2009 – 7:00 am**

The Henry County Board of Supervisors held a special called meeting on April 8, 2009 at 7:00 am in the Fourth Floor Conference Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan; Vice Chairman H. G. Vaughn; Jim Adams, Paula Burnette, Tommy Slaughter and Jim McMillian.

County Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Darrell Jones, Deputy Director of Finance; and Susan Reynolds, Director of Human Resources/Public Information.

Members of City Council present were: Mayor Kathy Lawson; Vice Mayor Kimble Reynolds; Danny Turner, Mark Stroud, and Gene Teague. Members of City staff present were: Clarence Monday, City Manager; Brenda Prillaman, Assistant to City Manager and City Attorney Eric Monday.

Members of the Social Services Board present were: Chairman Ben Meador; Joan Blankenship, Carolyn Byrd, Narda Dixon, Kathy Rogers, Dr. James Rountree, John C. Matthews and Don Thomas. Ms. Amy Tuttle, Executive Director of Social Services was also present.

Debbie Hall and Mike Wray of the Martinsville Bulletin, and Charles Roark with Roark Media were present.

The purpose of the joint meeting was to discuss a Memorandum of Understanding regarding space needs for the

Department of Social Services. (Copy of Memorandum of Understanding included in Board's File).

CALL TO ORDER:

Chairman Buchanan called the Board of Supervisors meeting to order. Mayor Lawson, called City Council in session and Chairman Meador called the Social Services Board to order.

Mr. Summerlin stated everyone has received a copy of the proposed Memorandum of Understanding and reviewed by legal counsel for all three entities.

Mr. Clarence Monday, City Manager stated City Council and staff have also reviewed the proposed Memorandum of Understanding as well as legal council.

Following comments expressed by City Councilman, Danny Turner, Mark Stroud and Kimble Reynolds, they stated the citizens of Martinsville deserve a chance to voice their opinion in an open forum on the matter. They also requested this issue be placed on City Council's Agenda for its Tuesday night meeting. Councilman Turner noted he received the document late Monday night and did not have any part in the discussions prior to today's meeting.

Mr. McMillian left the meeting at approximately 7:07 am.

Board of Supervisors members Buchanan, Vaughn and Burnette made similar comments, agreeing that this has been an ongoing discussion since approximately 2004, when the City and County received a study on possible site locations for the Social Services facility. The Board discussed the status of the Athena Building which they noted has been empty for a long time and that it was never taken off the market for economic development needs; however, there has been no traffic to this location. The use of the building is governed by the Social Services Board and basically lies in the hands of the

State agency, of which they have an urgent situation and the proposal presented is the most economical plan for Social Services and the community.

Mr. Rountree, a member of the Social Services Board, stated it is time to stop the foot dragging on this particular project and make a decision in the best interests of all concerned. He said the surveys have been done and the architects have determined that if they do anything other than what they are doing right now a lot of unnecessary money would be spent. Something needs to be done and the time is now not later.

It was noted by Mayor Lawson and Councilman Teague that they both agreed the loss of City revenue from the Athena Building would be made up in the future with the joint Revenue Sharing Agreement between the City and County.

Following some further discussion Mrs. Burnette moved that the Board approve the Memorandum of Understanding, second by Mr. Slaughter. The motion carried 5 to 0. Mr. McMillian was absent.

Mr. Don Thomas moved that the Social Services Board approve the Memorandum of Understanding, second by Mr. John Matthews. The motion carried unanimously with the exception of Ron Ferrill who was absent.

Mayor Lawson stated she respects the wishes of other members of City Council to place this item on City Council's Agenda for Tuesday night's meeting. However, she agreed that this agreement will provide a swift and comprehensive solution to the needs of the Department of Social Services, fulfilling their need for additional operating space and a more modern facility. The agreement will also satisfy the concerns of the City of Martinsville and Henry County, who share a vested interest in the former Athena Building and will do so without placing unnecessary hardship on any of the parties concerned or the community as a whole. She stated the agreement is a

substantial leap forward in cooperation and teamwork between the City and Henry County and is a continuation of the joint revenue-sharing projects in the Patriot Centre.

Chairman Buchanan thanked everyone for coming and stated the Board of Supervisors looks forward to the City's response.

There being no further business to discuss Mr. Adams moved to adjourn its meeting at 7:30 am.

Bos.Minutes.April 8.2009.7am.sb

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

April 20, 2009 – 7:00 pm

The Henry County Board of Supervisors held a meeting on April 20, 2009, at 7:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The purpose of the meeting was to hold public hearings on the FY '09-'10 School Budget and Total County Budget. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn, Jim Adams, Paula Burnette, Jim McMillian and Tommy Slaughter.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Jimmie Wright, Director of Finance; Darrell Jones, Deputy Director of Finance; and Susan Reynolds, Human Resources/Public Information Director.

Mickey Powell of the Martinsville Bulletin was present.

Tommy Slaughter gave the invocation and Jim Adams led in the Pledge of Allegiance.

Chairman Buchanan welcomed everyone present and stated there are two public hearings scheduled. The first public hearing is on the FY '09-'10 School Budget and following is the public hearing on the FY '09-'10 Total County Budget. She stated if anyone wishes to address the Board to come to the podium, state your name and the district in which you live. She stated those who wish to speak will agree to exhibit respect to the Board and they would receive the same level of respect and to keep comments three to five minutes.

PUBLIC HEARING ON PROPOSED FY '09 SCHOOL BUDGET:

Mrs. Buchanan opened the public hearing at 7:02 pm. The following persons spoke:

- Dorothy Carter, President of the Education Association, thanked the Board for its past funding to the School Board and requested full funding for FY '09-'10.
- Kathy Rogers, Chairman, School Board-Collinsville District, thanked the Board for its funding to the School Board. She stated it's a fair budget and the School Board looks forward to working with the Board of Supervisors to make the schools the best they can be.

There being no one else who wished to speak the public hearing was closed at 7:04 pm. Mrs. Buchanan recognized five members of the School Board in attendance and congratulated the School Board on the hiring of its new School Superintendent.

PUBLIC HEARING ON PROPOSED FY '09-'10 TOTAL COUNTY BUDGET:

The public hearing was opened at 7:05 pm.

The following persons spoke:

- Mr. Michael Mason of the Horsepasture District stated there are very few young farmers who are farming anymore and when they're gone he didn't know how people are going to get food. He stated with the recent drought and farming expenses going up and the price of cattle going down, holding the land use rates will help the few young farmers remaining.
- Mr. Barry Cox of the Horsepasture District stated the proposed land use rate is just another nail in a farmer's coffin. He stated he also leases farm land and most owners base their leases on property taxes. He stated farmers could not afford higher assessments due to higher expenses for cattle feed, fertilizer, fuel and other farming supplies while the costs of cattle is down. Young people can hardly afford to live in Henry County, let alone farm.
- Mr. Curtis Nolan of Anchor Residential and Family Services came before the Board to request the five percent reduction (\$3,667) in Anchor's funding contribution from Henry County be restored. He stated to compensate for the cut Anchor would have to raise its cost for electronic monitoring of

juvenile offenders from \$10 a day to \$13. He stated Anchor has not asked the County for an increase in over 10 years and feels the funding should be restored.

- Kathy Byrd, a first grade teacher at Carver Elementary also thanked the Board for its continued support of the schools and requested full funding to the School Board.
- Darryl Holland of the Horsepasture District and an agricultural teacher at Magna Vista stated the average age of farmers is approximately 58 years and many owners of farmland is approaching retirement age or older and on fixed incomes.
- Chris Cousins on behalf of Southside Business Technology Center thanked the Board for its continued funding to the agency.

There being no further comments the public hearing was closed at 7:20 pm.

CONSIDERATION OF ANY PROPOSED BUDGET CHANGES BEFORE EXHIBITS ARE FINALIZED FOR BUDGET ADOPTION:

Mr. Slaughter stated there has not been a change on the land use values since 1981, and doubling the taxes bothers him because there are people making a living at farming. He stated he would like to see the proposal adjusted or done away with.

Mr. Vaughn stated the Commissioner of Revenue controls this and he also agreed with Mr. Slaughter that the rates stay the same. He stated the economy has been hitting farmers hard long before everyone else.

Mrs. Burnette stated she agreed with Mr. Slaughter; however, maybe staff could take one line item on each page of the budget and reduce it to make up that difference.

Mrs. Buchanan stated that growing up in a rural area she fully understood what farmers are going through.

Mr. Summerlin noted that land use values can only be changed during the year of property assessments which would be every four years.

Mr. Adams moved that the Board keep the current land use values as they are and take the \$24,867 out of this year's Contingency Fund, second by Mr. Vaughn. The motion carried 5 to 1. Mrs. Burnette voted in opposition.

Mrs. Burnette expressed her concern on how the County would replace the extra revenue that higher assessments would generate over the next three years.

CLOSED MEETING:

On a motion by Mrs. Burnette at 7:30 pm the Board entered into a closed meeting to discuss the following, second by Mr. Slaughter and unanimously carried.

- 1) Section 2.2-3711(A)3 Acquisition/Disposal/Use of Real Estate.
- 2) Section 2.2-3711(A)5 Discussion of As-Yet Unannounced Industry.

The Board returned to an open meeting at 7:55 pm on a motion by Mr. Adams, second by Mr. Slaughter and unanimously carried.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote affirming that the Board only discussed public business matters lawfully exempted and identified in the motion to enter closed session. Those voting in the affirmative were Mr. Slaughter, Mr. McMillian, Mrs. Burnette, Mrs. Buchanan, Mr. Vaughn and Mr. Adams.

There being no further business to discuss Mr. Adams moved at 7:57 pm to continue its meeting to April 22, 2009, at 3:30 pm, second by Mr. Slaughter and unanimously carried.

**JOINT
HENRY COUNTY BOARD OF SUPERVISORS
AND INDUSTRIAL DEVELOPMENT AUTHORITY
MINUTES**

April 28, 2009 – 1:30 pm

The Henry County Board of Supervisors and the Henry County Industrial Development Authority held a joint meeting on April 28, 2009, at 1:30 pm in the Fourth Floor Conference Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn, Jim Adams, Paula Burnette, Jim McMillian and Tommy Slaughter.

The following Industrial Development Authority members were present: Vice Chairman Len Dillon, Barry Helmstutler, Wade Nelson, Rodney Thacker, Wesley Caviness, and Steve Isley. Chairman Larry McDorman was out of town.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; and Susan Biege, Administrative Assistant.

Mark Heath, President and CEO of the Martinsville-Henry County Economic Development Corporation was present and Mickey Powell of the Martinsville Bulletin.

CALL TO ORDER

Board of Supervisors

Chairman Buchanan called the Board of Supervisors meeting to order at 1:30 pm, which is a continuation from the Board's meeting of April 20, 2009.

Industrial Development Authority

Vice Chairman Len Dillon called the IDA meeting to order at 1:30 pm.

Mr. Summerlin presented a Performance Agreement entered into by the Virginia Tobacco Indemnification and Community Revitalization Commission, the County of Henry, the Henry County Industrial Development Authority and American of Martinsville, Inc. (Copy included in Board's File).

Mr. Summerlin stated that American of Martinsville has entered into a shared services agreement with Barcalounger Home based in Rocky Mount, NC, which will result in the creation of 94 new full time jobs and securing 121 existing positions. American of Martinsville plans to make an additional capital investment of \$1.4 million in equipment with no local incentive funds involved other than possible Enterprise Zone funding. He stated in addition to the manufacturing consolidation, Barcalounger's corporate headquarters will also move to American of Martinsville's Headquarters in uptown Martinsville. He stated the Virginia Tobacco Indemnification and Community Revitalization Commission have committed \$280,000 in funding to Henry County for this project. One-half of the funds in the Performance Agreement are allocated towards capital investment and one-half allocated towards jobs. Mr. Summerlin briefly reviewed several items in the Performance Agreement (disbursement of the grant, employment commitment, and capital investment commitment, determination of performance, repayment obligation, and events of default.)

Mr. Mark Heath, of Martinsville-Henry County Economic Development Corporation, thanked Mr. Summerlin for his commitment to this project. He stated not only will the area retain 121 existing jobs along with 94 additional new jobs, but Barcalounger's corporate headquarters will also move to Martinsville which will be another 14 executive/management positions that are not included in the 94. He stated the Tobacco Commission has been very helpful as well as the State who has offered funds through the Virginia Jobs Investments Program for training. He also thanked Noel Chitwood, President of American Furniture, and Kim Adkins of West Piedmont Workforce Investment Board, along with others involved on the project.

Following a brief discussion Mr. Adams moved that the Board of Supervisors enter into a Performance Agreement with the Tobacco Commission, the Industrial Development Authority, and American Furniture Company, second by Mr. Vaughn and unanimously carried.

Mr. Barry Helmstutler moved that the Industrial Development Authority accept the Performance Agreement with American Furniture Company, second by Mr. Wes Caviness and unanimously carried with Mr. McDorman absent.

Mr. Summerlin stated the announcement will be in the Board Room on the first floor at 2:00 pm.

There being no further business the Board of Supervisors and the Industrial Development Authority adjourned its meeting at 1:41 pm.

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

April 28, 2009 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on April 28, 2009, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn, Jim Adams, Paula Burnette, Jim McMillian and Tommy Slaughter.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Susan Reynolds, Director of Human Resources and Public Information; Jimmie Wright, Director of Finance; and Darrell Jones, Deputy Director of Finance.

Major Steve Eanes from the Sheriff's Office and Debbie Hall of the Martinsville Bulletin were present.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Jim McMillian gave the invocation and H. G. Vaughn led in the Pledge of Allegiance.

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present. She stated that anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm 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 pm 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 of Minutes included in Board's File).

- March 24, 2009
- April 2, 2009

- April 7, 2009
- April 8, 2009
- April 20, 2009

Approval of Accounts Payable

(Copy included in Board's File).

Consideration of Resolution Recognizing Linda Conner's Service to the Henry County Sheriff's Office

Linda Conner retired from the Henry County Sheriff's Office on March 1 with 28 years' service. A resolution was prepared on behalf of the Board in recognition of Ms. Conner's service to the Sheriff's Office and to the community; however, Ms. Conner was unable to attend today's meeting.

Consideration of Resolution Establishing May 1, 2009 as "Fire and Rescue Volunteer Appreciation Day" in Henry County

The Board was asked to consider adopting a resolution which establishes May 1, 2009 as "Fire and Rescue Volunteer Appreciation Day" in Henry County. May 1 is the day of this year's Volunteer Appreciation Banquet, which will be held at Victory Baptist Church.

Mr. Adams moved to approve Items of Consent as presented, second by Mr. Vaughn and unanimously carried.

MATTERS PRESENTED BY THE PUBLIC:

Mrs. Buchanan read the following statement regarding public comments: "The Board is here to listen to public comments and not to engage in a question and answer period or a debate. If anyone wishes to address the Board please come to the podium, state your name, subject matter and the district in which you live. By coming to the podium you have agreed to exhibit respect to the Board and its members. Each one will conduct themselves with dignity and will receive the same level of respect from the Board. Those who wish to speak please keep your comments between three to five minutes.

Dorothy Clark

Ms. Dorothy Clark of the Reed Creek District stated she would like to discuss the County's proposed noise ordinance. She played a recording of barking dogs which she says she has to listen to day and night directly under her bedroom window as well as having her property disrupted. Ms. Clark

stated she has health problems and dealing with the added stress has further affected her health. Ms. Clark requested the Board's support of passing the proposed noise ordinance.

CONSIDERATION OF RESOLUTION ESTABLISHING MAY 2009 AS "BIKE MONTH" IN HENRY COUNTY:

Mr. Roger Adams stated on behalf of the Parks and Recreation Department and Activate Martinsville-Henry County, he would request the Board of Supervisors approval of a resolution establishing May 2009 as "Bike Week" in Henry County. This is part of a national effort to bring attention to the many benefits of bicycling. (Copy of Resolution included in Board's File).

Ms. Jeanie Frisco of Activate Martinsville-Henry County also asked the Board for its support of the Resolution.

Mr. Adams moved that the Board approve the Resolution to establish May 2009 as "Bike Month" in Henry County, second by Mrs. Burnette and unanimously carried.

PRESENTATION BY MITONE GRIFFITH, REGIONAL DIRECTOR FOR VECTEC, CHRISTOPHER NEWPORT UNIVERSITY:

Ms. Mitone Griffith, Regional Director for (VECTEC), Virginia's Electronic Commerce Technology Center based out of Christopher Newport University, stated VECTEC was created in 1994 by Bill Winter, a professor at CNU. It is a non-profit, public/private organization supported by grant funding, state funding thru Christopher Newport University and client fees. She stated VECTEC is an economic outreach to educate businesses in e-commerce. She stated VECTEC has partnered with the Virginia Tobacco Indemnification and Community Revitalization Commission to provide a business assistance grant program in Southwest Virginia to determine the readiness of interested businesses to grow revenues and jobs through e-commerce. Henry County is one of many localities eligible for a 50-50 matching grant consideration. Ms. Griffith provided the Board with brochures for further information. (Copy included in Board's File).

Mr. Summerlin noted as points of contact, Amanda Witt, Director of the Chamber of Commerce and Mark Heath of the Martinsville-Henry County Economic Development Corporation were present.

CONSIDERATION OF PROPOSAL TO ESTABLISH "MILITARY VETERAN OF THE YEAR" COMMUNITY AWARD:

Mrs. Buchanan stated she discussed this issue several months ago and asked staff to come up with some suggestions on how to recognize the veterans of Henry County to help heighten the awareness of veterans in the community. Staff has endorsed a plan to create a "Military Veteran of the Year" award patterned after the County's successful "Jack Dalton Community Service Award." She stated staff would compile the nominations and the Board of Supervisors would select the winner as with the Jack Dalton Award. It was suggested by staff since Veteran's Day is scheduled on November 11, that the Board recognize the recipient at the Board's November monthly meeting.

Following some general discussion Mrs. Burnette moved that the Board approve the process to honor a "Military Veteran of the Year" each November, and accept the nomination form, second by Mr. Slaughter. The motion carried 5 to 1. Mr. McMillian voted in opposition and stated he feels this will slight other veterans who have done as much if not more than those who will be recognized for doing something in the community as opposed to all those veterans who have lost legs, arms, or sight.

CONSIDERATION OF REQUEST TO INCREASE MEMBERSHIP ON THE PIEDMONT REGIONAL COMMUNITY SERVICES BOARD:

Mr. Summerlin stated the Piedmont Regional Community Services Board was established in 1972 to serve Henry, Patrick and Franklin counties and the city of Martinsville. At the time the Board of Directors was established, with five members appointed from Henry County, three from Franklin County, and two each from Patrick County and the City of Martinsville, this ratio was based on the localities' population. He stated given the population growth in Franklin County, PCS Board Chairman Diane Ruth-Lovell is asking each locality to authorize an increase in Franklin County appointees from three to five. All other localities would keep their current allotment of members.

Mrs. Burnette moved that the Board approve the Resolution and approve the adjustment to the Franklin County appointees, second by Mr. Adams and unanimously carried.

DISCUSSION OF MATTERS CONCERNING THE MARTINSVILLE-HENRY COUNTY ECONOMIC DEVELOPMENT CORPORATION:

Mr. McMillian requested this item be placed on the March 2009 agenda and also on the April agenda. Mr. McMillian stated he requested the salaries of the employees of the Economic Development Corporation and is now

requesting a listing of all expenditures by the EDC for the past year and that the Board receive that information on a yearly basis.

Mr. Summerlin stated it is EDC's legal opinion that it is a private corporation and information would need to be requested through EDC. He stated Henry County being EDC's payroll agent, any check written by the County would be public information.

Mr. McMillian moved that the Board request a detailed report of the expenditures of EDC for the past year and have that information provided to the Board on a yearly basis, second by Mrs. Burnette for discussion.

Mark Heath, President and CEO of the EDC, stated information is reported periodically on marketing, etc. but not on a check by check basis. He stated he would take the request to his Board for discussion and would need Board authority to release expenditures by category. He stated EDC would not release individual information; however, EDC wants to be cooperative and they want people to know how they operate and where funds are invested. He stated Harvest Foundation is the only funding that is restricted to be spent in a particular area.

Mr. Vaughn made a substitute motion that the Board request Mr. Heath to take to his Board a request from the Board of Supervisors to ask to see a yearly summary at the end of the year by category as far as how the County's funds have been invested, second by Mr. Adams.

Mr. McMillian withdrew his motion; however, he would request that the Board receive this information as soon as possible.

Chairman Buchanan called for the question and the substitute motion carried unanimously.

LAND USE VALUE TAX RATES:

Mr. Adams stated a week ago the Board held a public hearing on the County and School Board Budget and one item discussed was land use rates. He stated people spoke and expressed that they did not want an increase and detailed their reasons why. Mr. Adams stated the Board followed through on those comments and recommended the land use values remain unchanged. He stated the Board received a memo addressed to the Commissioner of Revenue from the County Administrator advising her of the Board's action that the land use values would remain unchanged. He stated as a Board, they need to clarify one thing that was brought to him by a couple of citizens. Mr. Adams stated he would like Darrell Jones to help him clarify what the

rate would be. He stated by leaving it at the amount of \$300 for agricultural and \$425 for horticultural that is substantially less than a lot of acreage is valued at. However, the median average and he supports lowering the tax rate to .46 per \$100, in effect takes any values lower and those taxpayers would get a tax decrease on their tax ticket.

Mr. Jones stated for example if someone had 100 acres of land at \$300/acre in the land use with a rate of .54 they would pay \$162 in taxes and if it remained at \$300 and the tax rate is lowered to .46 they would pay \$138 which would be a reduction in taxes from \$162 to \$138. Mr. Jones stated by not adjusting the rate to make it revenue neutral the county would lose approximately \$6,500 in revenue.

Mr. Adams stated he wanted to make sure everyone understood that this puts an awkward decision upon the Commissioner of Revenue's Office to make this decision without some type of explanation to the public if the Commissioner were to do this. He stated as a matter of fairness to the Commissioner of Revenue's Office was his reason for bringing the matter up.

Mr. Summerlin stated to Mr. Adams' point, if you made a recommendation to the Commissioner to set a land use rate where you didn't pay more taxes or any less taxes, the agricultural rate would have to be \$3.52 and the horticultural rate would have to be \$4.99.

APPROVAL OF FY 2009-2010 HENRY COUNTY BUDGET:

Mr. Summerlin stated there are numerous actions necessary to complete the budget process: setting of tax rates, adoption of budget, and appropriation of budget. The Board of Supervisors is scheduled to set the tax rates and adopt the budget today; appropriation of the budget is scheduled for May 26, 2009.

Mrs. Burnette moved that the Board adopt the following tax rates for FY 2009-2010, second by Mr. McMillian and unanimously carried.

Real Estate: *\$.46 per \$100 assessed value*

Personal Property and Machinery and Tools: *\$1.48 per \$100 of assessed value for personal property, including motor vehicles, and \$1.19 per \$100 of assessed value for machinery and tools/business equipment.*

School Budget: The “*Summary of Revenues and Expenditures*” is listed as Exhibits A and B and staff is unaware of any pending issues that may alter the proposed budget.

Mr. McMillian moved that the Board allocate the School Board’s funding on a month-by-month appropriation for FY 2009-2010.

Mr. Vaughn made a substitute motion that the Board adopt the proposed budget for school expenditures for FY ’10 by category as summarized in Exhibits A and B, subject to the state, federal, and local funds becoming available as estimated, second by Mr. Adams. The motion carried 5 to 1. Mr. McMillian voted in opposition.

Total Budget: The “*Summary of Revenues and Expenditures*” is listed as Exhibits A and B.

Mr. Adams moved that the Board adopt the proposed FY ’10 Budget for fiscal planning purposes as summarized in Exhibits A and B, second by Mr. Vaughn. The motion carried 5 to 1. Mr. McMillian voted in opposition.

Mr. Adams moved that the Board direct the County Administrator as part of the FY 2010 budget package to include an extra employee day since no raises were given, second by Mr. Vaughn and unanimously carried.

CONSIDERATION OF LETTER OF INTENT WITH THE CORPS OF ENGINEERS FOR EXTENSION OF PUBLIC SEWER:

Mr. Summerlin introduced and welcomed Mr. Craig Rockwell, new Operations Manager at Philpott Lake, who transferred to the area from Washington State. Mr. Summerlin stated County staff has been working with Mr. Rockwell on various activities around the lake. The Board of Supervisors previously agreed to fund extension of public sewer from Route 57 to the Corps of Engineers’ property line to serve Corps facilities. The Corps has agreed to issue a Request for Proposal for development of a marina in the Philpott Park area after completion of the sewer line. The cost of the sewer line will be approximately \$500,000 and a \$27,000 contract has been issued to Adams Heath Engineering to develop plans and specifications for bidding. The project costs will be reimbursed by the County. The Corps of Engineers will construct sewer lines and necessary facilities on Corps property to make connection to the PSA and will sign up for PSA sewer services. The Corps is already a PSA water customer. The Corps is asking the Board to approve a Letter of Intent regarding this effort so it can move forward with its process. The PSA Board of Directors approved this item at its April 20 meeting. (Copy of Letter of Intent included in Board’s File).

Mr. Rockwell stated the Corps of Engineers is a very important part of the community. He stated the sewer line package is a project that has been worked on for some time. He stated word was out this morning of which projects were funded and was hoping to have received information from the district office; however, has not heard back yet. The Corps is working towards implementing the American Recovery and Reinvestment Act Funds that President Obama has been working very hard to get out into the communities. Mr. Rockwell stated the sewer package is very important to Henry County and the Corps understands that part of the Letter of Intent between the Corps of Engineers and Henry County is to continue to pursue the marina. He stated they are still debating the proper vehicle to use to go after the marina whether it is with public dollars or private dollars; however, there are true benefits either way. He stated they are not pursuing this at Henry County's expense but looking at public dollars outside of Henry County; if not, they will go privately. He stated the marina is something the Corps is committed to; however, they are not quite ready to determine which direction they want to go.

Mr. Summerlin stated back in 2005, when the Board instructed staff to pursue funding for the sewer line extension, it became evident that if you take the marina out of the equation the Corps as a matter of national policy would like to hook Corps facilities up to public sewer. He stated Corps regulations do not allow the Corps to fund improvements off of federal property and the issue became how you get public sewer extended from Route 57 up and down Philpott Drive to tie in with the federal property line. The other challenge is how the Corps will find the funds in the federal budget to build all the lines on Corps property to pump to the public sewer line. He stated those improvements are approximately \$1 million to \$1.2 million depending on the bid. Staff came back to the Board and the Board had a verbal commitment that they would extend public sewer to the Corps property line contingent upon the Corps coming up with the money to build all those facilities on federal property and become a customer of the PSA and pump their sewer into the PSA line and then the Corps would proceed with its original plans to recruit a marina concessionaire. He stated the Corps is almost ready to go to bid with their project which is in final design. Last month the Board authorized the PSA to begin the final design of the public improvements from 57 to the Corps property line. The Board now has before them a Letter of Intent that both parties agree, contingent upon funding becoming available, that the County build the sewer line to the Corps property line and the Corps build the facilities on the Corps property.

Mr. Rockwell stated the Corps is very close to putting the bid on the streets at least by mid-July.

Mr. Summerlin stated this is why the matter is time sensitive because when the Corps is ready the County will have to be ready to receive the Corps' sewer.

Mrs. Burnette moved that the Board approve the Letter of Intent as requested and reimbursement of \$27,000 in design fees to the PSA, second by Mr. Slaughter and unanimously carried.

The Board thanked Mr. Rockwell for his comments.

FINANCIAL MATTERS:

Department of Homeland Security Grant for Pet-Sheltering Supplies – Public Safety

Mr. Dale Wagoner stated Henry County has been awarded a \$20,000 grant from the Department of Homeland Security to address pet-sheltering needs during a disaster. The Department of Public Safety and the Martinsville-Henry County SPCA worked together to secure this competitive grant, which requires no local match. Mr. Wagoner requested the Board to accept the grant, appropriate the \$20,000, and sign a proposed resolution authorizing the Director of Public Safety, County Administrator, or Finance Director to act on the County's behalf regarding this grant. Mr. Wagoner stated he is also requesting the Board to award a contract in the amount of \$17,500 to NC SART, a North Carolina non-profit organization authorized by the Commonwealth of Virginia to manage this project. Mr. Wagoner said the remaining \$2,500 would be used to purchase miscellaneous supplies. (Copy of Proposed Resolution included in Board's File).

Ms. Leslie Hervey, Executive Director of the SPCA, stated this grant would give the SPCA supplies to help house owners' personal pets without having to euthanize stray animals already housed in the SPCA; therefore, she would request the Board's support of the grant and approval of the resolution.

Mrs. Burnette moved that the Board approve acceptance of the grant; appropriation of the funds; approval of the resolution; and the award of a contract in the amount of \$17,500 to NC SART as outlined, second by Mr. Vaughn and unanimously carried.

Additional Appropriation re: EMS Training – Public Safety

Mr. Dale Wagoner, Director of Henry County Public Safety, stated he received \$1,428.00 from the Virginia Office of EMS to be used for the training of EMS providers. Public Safety intends to use these funds to cover costs associated with compensating E.M.T. instructors and lab assistants who help with programs taught at the Emergency Services Training Center. Mr. Wagoner stated he is requesting that the Board of Supervisors appropriate the \$1,428.00 for this purpose.

Mrs. Burnette moved that the Board approve the additional appropriation as outlined, second by Mr. McMillian and unanimously carried.

Additional Appropriation re: Four-4-Life Funds – Public Safety

Mr. Dale Wagoner, Director of Henry County Public Safety, stated he was recently notified that the Department of Public Safety will receive \$54,516.80 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, and/or equipment. In previous years, the funds were distributed equally between the five county rescue squads with Martinsville-Henry County receiving a half-share. In continuing this process it is recommended that each rescue squad continue to receive an equal share in the amount of \$9,912.15 and the remaining half-share of \$4,956.06 be allocated to Department of Public Safety for the purchase of training supplies and equipment.

Mr. Vaughn moved that the Board approve the additional appropriation as outlined, second by Mr. Adams and unanimously carried.

Award of Contract re: Maintenance of CPE Equipment – 911 Center

Mr. Wes Ashley, Director of the 911 Center, requested the Board to award a contract in the amount of \$15,741 to Embarq for the maintenance of the Center's call processing equipment (CPE) effective July 1, 2009. Embarq has maintained the equipment since 2000, and the company is raising its maintenance fee. Mr. Ashley stated there are no other local technicians skilled to maintain the equipment and the Purchasing Department has authorized this transaction as a sole-source award of contract.

Mr. Adams moved that the Board award a contract in the amount of \$15,741 to Embarq to provide maintenance on the 911 Center's CPE as outlined, second by Mr. McMillian and unanimously carried.

Award of Contract re: Citizens Alerting System – 911 Center

Mr. Wes Ashley, Director of the 911 Center, requested the Board to award a contract in the amount of \$49,999.86 to Twenty First Century Communications of Columbus, Ohio to purchase a Citizens Alerting System. The money to purchase the system is coming through Homeland Security and does not require a local match. The Purchasing Department has authorized this purchase as a “sole-source” purchase. Following was some discussion by Mr. Ashley regarding the benefits of the system.

Mr. McMillian moved that the Board award a contract in the amount of \$49,999.86 to Twenty First Century Communications in Columbus, Ohio for the purchase of a Citizens Alerting System, second by Mr. Slaughter and unanimously carried.

Award of Contracts re: Emergency Communications – Public Safety

Mr. Summerlin stated as part of the ongoing implementation of the new emergency communications system in Henry County, Public Safety Director Dale Wagoner is requesting the Board to approve four purchases and award the purchase contracts related to the new system. The first purchase, in the amount of \$34,728, is for 80 Minitor V pagers. The purchase would be made from Industrial Communications, Inc., and funds for this purchase are included in the current emergency communications system budget. The second purchase, in the amount of \$49,161.66, is for software and hardware upgrades to be purchased from Southern Software, Inc. Funds for this purchase also are included in the current emergency communications system budget. The third purchase is for 10 additional mobile data terminals and installation for the Sheriff’s Office in the amount of \$67,580 and the purchase would be from Motorola, Inc. This will be funded by the Public Safety Interoperability Grant, which requires a 20% match. Both the grant and the match have already been appropriated. The fourth purchase is for software and hardware to provide advanced mobile data features for the new mobile data terminals as outlined. This item costs \$32,733.34 from Southern Software, Inc. Both the grant and a 20% local match have already been appropriated by the Board.

Mr. Adams moved that the Board approve the items as outlined, second by Mr. McMillian and unanimously carried.

Award of Contract re: Architectural and Engineering Services for Improvements to New Social Services Facility

Mr. Summerlin stated the Board is being asked to award a contract in the amount of \$24,500 to Eden and Associates for architectural and engineering services needed for the improvements to the new Social Services Building. Funding for this purchase will come from the City of Martinsville's payment for a one-third ownership of the Athena Building, where Social Services is to move after renovations.

Mr. Vaughn moved that the Board award the contract to Eden and Associates in the amount of \$24,500, second by Mr. Slaughter. The motion carried 5 to 1 with Mr. McMillian opposing.

INFORMATIONAL ITEMS:

Comments from the Board

Mr. Slaughter discussed the National Day of Prayer coming up on May 7, 2009 at 7:00 pm at the Martinsville High School.

Mrs. Burnette stated she will be attending a VACo Board meeting this coming up weekend. She said she was also pleased to see in the news comments from the Director of the Department of Health indicating that Virginia is prepared in addressing the swine flu problems.

Mrs. Buchanan stated she would like to remind everyone that the 3rd Annual Fieldale Festival is scheduled on May 16, 2009.

Mr. Summerlin stated the Board at its Planning Session discussed a community tour and has tentatively been scheduled on May 21, 2009, starting around noon. A presentation of the Master Plans for the Bryant and ROMA Tracts has been scheduled for Thursday, May 28, 2009, at 6:00 pm at the EMS Training Center. The EMS Fire and Rescue Appreciation Dinner is scheduled on May 1, 2009, at 6:30 pm at Victory Baptist Church. The Business Appreciation Luncheon hosted by the Chamber and EDC has been scheduled on May 12, 2009, at 12:00 Noon at Bassett Country Club. Mr. Summerlin stated that Tim Hall has met with representatives of RADAR, a non-profit organization operating the public transportation system and there may be some opportunities to expand that program and staff should have additional information by May. He stated yesterday the State Water Control Board approved stimulus funding for Clean Water Projects. Three projects were submitted from Henry County and only one project was funded which was the installation of generators at all sewer lift stations in the amount of \$705,000, which is all grant money.

Mr. Craig Rockwell of the Corps of Engineers, announced he had just received an email stating the Corps has received its funding in the amount of \$1.2 million for the sewer lines, \$750,000 for rehabilitation of restrooms and parks on Philpott Lake, and \$2 million on the Hydropower rehabilitation.

CLOSED MEETING:

Mr. Adams moved to enter into a closed meeting at 4:10 pm to discuss the following, second by Mr. Vaughn and unanimously carried.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Parks and Recreation Board, Anchor Commission, Blue Ridge Regional Library Board, Community Policy and Management Team, Economic Development Corporation, Piedmont Regional Community Services Board, Southside Community Action Board, and West Piedmont Planning District Commission.
- 2) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Legal Matters.
- 3) §2.2-3711(A)3 For Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced Industries.

OPEN MEETING:

The Board returned to an open meeting at 5:09 pm on a motion by Mrs. Burnette, second by Mr. Slaughter and unanimously carried.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote affirming that the Board only discussed public business matters lawfully exempted and identified in the motion to enter closed session. Those voting in the affirmative were Mr. Slaughter, Mr. McMillian, Mrs. Burnette, Mrs. Buchanan, Mr. Vaughn and Mr. Adams.

The Board recessed its meeting at 5:15 pm until 6:00 pm. Chairman Buchanan reconvened the meeting at 6:00 pm and welcomed everyone present.

PRESENTATION TO CHARLIE REDD, RETIRING MEMBER OF THE WEST PIEDMONT PLANNING DISTRICT COMMISSION:

Mr. Robert Dowd, Director of the West Piedmont Planning District Commission, was present to recognize and present Mr. Charlie Redd with a plaque on behalf of WPPDC who has served as a Henry County appointee to the West Piedmont Planning District Commission Board since 1986.

Mr. Adams read a resolution on behalf of the Board of Supervisors recognizing Mr. Redd for his service to the people of Henry County. (Copy of Resolution included in Board's File).

Mrs. Burnette moved that the Board adopt the resolution, second by Mr. Adams and unanimously carried. Mr. Adams and Mrs. Burnette presented the resolution to Mr. Redd.

MATTERS PRESENTED BY THE PUBLIC:

There was no one present who wished to address the Board during its public comments session.

PRESENTATION BY THE EMS TASK FORCE:

Mr. Josh Tucker, Chairman of the Emergency Services Task Force, formed in 2008, was present to discuss recommendations of how local volunteer squads can better its services. Mr. Tucker discussed the following recommendations to the Board of Supervisors by the EMS Task Force.

- 1) The task force identifies the need for more public input in regards to enhancing the EMS system of Henry County.
- 2) A Henry County EMS Commission should be established to centralize efforts to administer the emergency medical services of Henry County.
- 3) Change EMS funds dispersal to a performance based system.
- 4) Revise the service districts of the rescue squads in order to improve response times.
- 5) Encourage all EMS agencies to implement revenue recovery by 2011.
- 6) Henry County should apply for a Rescue Squad Assistance Fund (RSAF) grant during the next grant cycle to seek funding for volunteer recruitment and public education regarding the appropriate use of the 911 EMS system.
- 7) It is strongly recommended that the 911 Commission adopt and oversee the implementation of Emergency Medical Dispatching within Henry County.
- 8) All county EMS agencies will work toward standardizing membership and standard operations policies.
- 9) The rescue squads will become more aggressive in recruiting participants of the High School EMT programs.

Following was some discussion among the Board and Mr. Tucker regarding the nine recommendations. Mr. Tucker stated the Task Force will hold further meetings and come back to the Board with another presentation. Mr. Vaughn stated he was apprehensive on performance-based funding because each district is different and has different challenges and each squad needs to be treated fairly.

Mr. Summerlin stated from staff's perspective it would certainly be helpful to have a lot more detail in order to form an opinion. He asked Mr. Tucker if all the squads have accepted the nine general recommendations. Mr. Tucker stated the squads have met and there are still some questions.

Mrs. Burnette stated that public meetings should be held first; however, she noted that the Task Force has done a tremendous job and the Board has received some good specifics.

Mr. Tucker introduced Dr. Rob Logan of Western Virginia EMS, who helped mediate the Task Force meetings. The Board welcomed Mr. Logan and thanked Mr. Tucker for his presentation.

PUBLIC HEARING – REZONING APPLICATION R-09-04 – MARIANNA L. B. DAVENPORT:

Mr. Lee Clark reviewed Application R-09-04 for Marianna L. B. Davenport. (Copy of Application included in Board's File). Mr. Clark stated that following a public hearing both the Planning Commission and staff recommend approval of the request.

The public hearing was open at 6:31 pm and was noted that the applicant was present. There being no one present to speak the public hearing was closed at 6:31 pm.

Mrs. Burnette moved that the Board accept the recommendation of the Planning Commission to approve the rezoning request, second by Mr. Vaughn and unanimously carried.

PUBLIC HEARING – SHERIFF'S OFFICE APPLICATION FOR JUSTICE ASSISTANCE GRANT:

The Board at its meeting in March set a public hearing regarding a request from Sheriff Perry to apply for a grant of \$126,329 under the Justice Assistance Grant (JAG) through the Recovery Act of 2009. The grant would be used to purchase locking racks for patrol rifles (\$20,000); ballistic helmets

for tactical operations (\$20,000); night vision equipment (\$38,000); other SWAT equipment (\$25,000); and miscellaneous police equipment (\$23,329).

The public hearing was open at 6:32 pm. There being no one present to speak the public hearing was closed at 6:32 pm.

Mr. McMillian moved that the Board approve application for the JAG Grant, second by Mr. Adams and unanimously carried.

PUBLIC HEARING – PROPOSED AMENDMENTS TO THE COUNTY ROAD NAMING ORDINANCE:

The Board at its meeting in March discussed some proposed changes to the County's ordinance regarding road name changes. Staff drafted a new ordinance reflecting those discussions and a public hearing has been set for today. The public hearing was open at 6:33 pm. There being no one present who wished to speak the public hearing was closed at 6:33 pm.

Mr. Vaughn moved that the Board approve the amendments to the road naming ordinance, second by Mr. McMillian and unanimously carried.

PUBLIC HEARING – ADJUSTMENTS TO THE HENRY COUNTY NOISE ORDINANCE:

As part of the ongoing work to tweak Henry County's Noise Ordinance, County Attorney George Lyle presented proposed ordinance changes to the Board last month. A public hearing is scheduled for today on those proposed changes. However, a decision by the Virginia Supreme Court in mid-April may impact how the County moves forward.

The public hearing was open at 6:34 pm.

Mr. David Silvey of the Blackberry District spoke against the proposed changes to the noise ordinance.

Ms. Dorothy Clark of the Reed Creek District spoke earlier during the meeting in favor of the proposed changes to the noise ordinance and reiterated her position in support of the ordinance.

There being no one else who wished to comment the public hearing was closed at 6:40 pm.

Following was some discussion by the Board and County Attorney George Lyle. Mr. Lyle stated the ordinance that the Board is considering

would not be enforceable under the Supreme Court decision handed down a week or two ago; therefore, recommended to the Board to not take action until the repercussions regarding Supreme Court's decision is fully understood and have a more definable standard.

Mr. Vaughn recommended to the Board to let the County Attorney monitor the situation with Virginia Beach to see what needs to be done that will be both fair and enforceable and report back to the Board. The Board was in agreement.

Mr. Jim Adams left the meeting at 6:51 pm.

GENERAL HIGHWAY MATTERS:

Ms. Lisa Hughes, Residency Administrator for the Virginia Department of Transportation was present to address the Board on highway matters.

Consideration of Six-Year Secondary Road Plan

The Board previously held a public input session with the Virginia Department of Transportation regarding the proposed Six-Year Secondary Road Plan for Henry County for 2009-2015 and the 2009-2010 Construction Budget. The Board also heard input from VDOT Residency Engineer Lisa Hughes regarding the funding challenges VDOT is facing. (Copy of Proposed Six-Year Plan included in Board's File).

Mrs. Burnette moved that the Board approve the Six-Year Plan as presented by VDOT, second by Mr. Slaughter. The motion carried 5 to 0. Mr. Adams was present.

Following was some general discussion with Ms. Hughes regarding particular projects in several of the Board's districts.

There being no further business to discuss Mr. Vaughn moved to adjourn at 7:10 pm, second by Mr. Slaughter. The motion carried 5 to 0. Mr. Adams was present.

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

May 26, 2009 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on May 26, 2009, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn, Jim Adams, Paula Burnette, Jim McMillian and Tommy Slaughter.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Susan Reynolds, Director of Human Resources and Public Information; Jimmie Wright, Director of Finance; Darrell Jones, Deputy Director of Finance; and Richard Stanfield, Assistant Director of Finance.

Sheriff Perry, Mickey Powell of the Martinsville Bulletin, and Ron Morris of B-99 were present.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Jim Adams gave the invocation and H. G. Vaughn led in the Pledge of Allegiance.

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present. She stated that anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm 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 pm 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 of Minutes included in Board's File).

- April 28, 2009 – Joint IDA/BOS
- April 28, 2009 – Regular Meeting

Approval of Accounts Payable

(Copy included in Board's File).

Mrs. Burnette moved to approve Items of Consent as presented, second by Mr. Adams and unanimously carried.

PRESENTATION BY REPRESENTATIVES OF THE COMMUNITY STOREHOUSE:

Mr. Travis Adkins, Assistant Executive Director of the Community Storehouse, and Mr. Payne Gravely, Backpack Program Coordinator, were present to discuss the Community Storehouse. The Storehouse was founded in 2001 and has served 22,000 people in the community in need of food, clothing and basic necessities. Approximately 120,000 boxes of food have been distributed since 2001. Mr. Adkins distributed brochures regarding a "Food for Kids Backpack Program," which addresses childhood hunger. Mr. Adkins stated to feed one child through this program would cost \$200 per year. (A Copy of Brochure in Board's File). Mr. Adkins stated the Community Storehouse would like to request a letter of support from the Board to include in its portfolio to send out with grant proposals.

Following was some discussion regarding the backpack program. Mr. McMillian moved that the Board adopt a letter of support for the Community Storehouse, second by Mr. Slaughter and unanimously carried.

APPROPRIATION OF FY 2009-2010 HENRY COUNTY BUDGET:

Mr. Summerlin stated the Board of Supervisors, at its April 29, 2008 meeting, adopted the FY 2009 Total County Budget, which included setting of tax codes and adoption of the School Budget. He stated no County funds can be expended or obligated until an

appropriation has been made. A draft Appropriations Resolution is included in the Board's working papers, which reflects categorical appropriation, based on the Board's previous decisions regarding the appropriations. He stated the Board also must adopt the effective reimbursement rate for the Personal Property Tax Relief Act on a qualifying vehicle at 44 percent.

Mr. Adams moved that the Board adopt the effective reimbursement rate for the Personal Property Tax Relief Act on a qualifying vehicle be set at 44 percent, second by Mrs. Burnette and unanimously carried.

Mr. Adams moved that the Board adopt the Appropriations Resolution and attachments as presented, second by Mrs. Burnette. The motion carried 5 to 1. Mr. McMillian voted in opposition.

CONSIDERATION OF MORATORIUM ON ROAD NAME CHANGES:

Mr. Vaughn stated he asked that this item be placed on the agenda after discussing the matter at the April meeting. He stated he would like the Board to consider imposing a moratorium on road-name changes in Henry County and the County Attorney has noted that no additional public hearings would be required.

There being no discussion Mr. Vaughn moved that the Board adopt the moratorium prohibiting road/street name changes indefinitely, second by Mr. Adams and unanimously carried.

ADOPTION OF THE ENVIRONMENTAL REVIEW RECORD FOR THE RIVERSIDE DRIVE NEIGHBORHOOD IMPROVEMENT PROJECT:

Mr. Summerlin stated as part of the Riverside Drive Neighborhood Improvement Project, the Department of Housing & Community Development (DHCD) requires the formal adoption of the Environmental Review Record (ERR) that was prepared during the pre-contract phase of this project. The ERR is a record showing that the Grantee will act to comply with all of the appropriate provisions of applicable environmental regulations and legislation relative to project activities. The ERR is a public document that is compiled and maintained as part of the official grant files. (Copy of Environmental Review Record is included in Board's File).

Mr. Adams moved that the Board adopt the Riverside Drive Neighborhood Improvement Project Environmental Review Record, second by Mr. Vaughn and unanimously carried.

CONSIDERATION OF CHANGES REGARDING VETERAN RECOGNITION PROGRAM:

Mr. Summerlin stated last month the Board approved a program to recognize the veterans of Henry County. Since the April Board meeting, he and Chairman Buchanan met with some local veterans groups and received ideas on tweaking the name of the award and its presentation. A suggestion was made that the Board present the award on the first Saturday in November, which is the same day as the Veteran of the Year is recognized. He stated the group also requested that the award not be called "Veteran of the Year." Mr. Summerlin stated Mr. Lyle suggested presenting a Veteran Medal of some type. Mrs. Burnette stated she would like to have a plaque in the Board Room similar to the Jack Dalton recipients.

Mrs. Burnette moved that the Board approve the changes as suggested for the veteran's recognition, second by Mr. Slaughter. The motion carried 5 to 1. Mr. McMillian voted in opposition and stated he was opposed and felt this was a slap in the face to those veteran's who have served their country and lost limbs, legs, eyesight, etc.

Mrs. Buchanan stated Mr. McMillian's concerns were expressed at the veterans meeting and they understand the Board cannot adequately recognize every veteran. However, it is an attempt to show veterans that the Board is concerned and it is a way to recognize and thank them for what they have contributed to their community as well as heighten the awareness of local veterans.

CONSIDERATION OF RESOLUTION REGARDING APCO ELECTRIC RATES FOR PUBLIC ENTITIES:

Mr. Summerlin stated The Virginia Municipal League (VML) and the Virginia Association of Counties (VACo) have a steering committee charged with negotiating Appalachian Power Company (APCO) rates for public authorities such as Henry County. He stated public entities have been paying the same rates as commercial customers. The

Steering Committee has negotiated a new 3-year contract effective July 1, 2009, and each locality under that contract is being asked to adopt a resolution indicating its acceptance of that contract. (A Copy of the proposed Resolution is included in Board's File).

Mr. Adams moved that the Board adopt the proposed resolution regarding APCo's electric rates for public entities, second by Mrs. Burnette and unanimously carried.

CONSIDERATION OF SCHOOL BOARD'S REQUEST REGARDING AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDS:

Mr. Summerlin stated the School Board is asking the Board of Supervisors to accept and appropriate additional monies the School Board is receiving through the American Recovery and Reinvestment Act (ARRA), commonly referred to as the federal stimulus package. According to information from the School Board, it will receive approximately \$3,750,598 in additional revenue through the ARRA. Of this amount, \$1,983,088 is through the Individuals' with Disabilities Education Act (IDEA) grant, while \$1,767,510.10 is through a Title I grant. The School Board also requests that it be allowed to carryover to FY 2010 whatever money is not spent in the current fiscal year. Because of the size of the budget adjustment request, a public hearing is required before the Board can act on this request.

Mr. McMillian moved that the Board set a public hearing on the budget adjustment on June 23, 2009 at 6pm, second by Mr. Slaughter and unanimously carried.

FINANCIAL MATTERS:

Additional Appropriation re: Citizens Alerting System-911 Center

Mr. Summerlin stated last month the Board voted to award a contract in the amount of \$50,000 to Twenty First Century Communications of Columbus, Ohio to purchase a Citizens Alerting System. The money to purchase the system is coming through Homeland Security and does not require a local match. This month the Board is being asked to appropriate the money for the purchase.

Mrs. Burnette moved that the Board approve the additional appropriation as outlined, second by Mr. McMillian and unanimously carried.

Acceptance of and Additional Appropriation re: EMS Respiratory Treatment Grant – Public Safety

Mr. Summerlin stated Public Safety Director Dale Wagoner is asking the Board to accept and appropriate a grant in the amount of \$8,000 from the Martinsville Area Community Foundation. The grant would be used to purchase respiratory treatment supplies and requires no local match.

Mr. McMillian moved that the Board accept the grant and approve the additional appropriation as outlined, second by Mr. Adams and unanimously carried.

Award of Contract – Worker’s Compensation Insurance Issues

Mr. Summerlin stated staff has evaluated worker’s compensation insurance plans offered by the County’s current provider, Virginia Municipal League, with a plan offered by the Virginia Association of Counties (VACo). Under the VML plan for FY 2010, the annual premium would be \$156,007.83. Under the VACo proposal for FY 2010, the annual premium would be \$120,681, a savings of \$35,326.83

Mrs. Burnette moved that the Board award a contract for worker’s compensation insurance to the Virginia Association of Counties (VACo) for FY 2010 in the amount of \$120,681, second by Mr. McMillian and unanimously carried.

PRESENTATION OF “AMBASSADOR OF THE YEAR” AWARD TO TIM PACE, COUNTY ENGINEER:

Mr. Mark Heath of the Martinsville-Henry County Economic Development Corporation was present to present the “Ambassador of the Year Award.” Mr. Heath stated EDC teams with the Martinsville-Henry County Chamber of Commerce to give annual business recognition awards in various categories. This year’s awards were presented May 12 at the annual Business Appreciation Awards

luncheon. He stated this year's recipient is County Engineer Tim Pace, who could not attend the May 12 event. Mr. Heath stated Mr. Pace has gone above and beyond the call of duty in hosting new economic development prospects for Martinsville-Henry County. Mr. Pace as Director of Engineering for Henry County has been an exceptional advocate of the Martinsville-Henry County community over the past several years. He has made himself available at any time of day to meet with and discuss the area with potential prospects especially regarding the shell buildings and industrial parks. Mr. Pace has met with various prospects and was instrumental in the RTI Project and the new shell building. Mr. Heath presented Mr. Pace with the award and stated it is a great honor to recognize Mr. Pace as "Ambassador of the Year."

Mr. Pace thanked Mr. Heath and stated he truly appreciated the award and felt it was a great honor. He stated as a citizen and an employee of Henry County, he felt it was his duty to promote business and provide an excellent educational system for our children. He thanked the Board of Supervisors, Public Service Authority Board of Directors and the current administration for its continued support of the Engineering Department. He thanked his staff for their hard work and dedication and also to his wife and children for their continued support and understanding.

INFORMATIONAL ITEMS:

Comments from the Board

Mrs. Burnette stated the first weekend of the month she attended the VACo Board Meeting at the Eastern Shore. She stated after observing other counties and topography, it brings a whole new set of ordinances that our Board may be unaware of.

Mrs. Buchanan stated she had a gentleman to approach her and asked if she was aware that there is a county in Georgia that recycles old oil. She asked Mr. Summerlin and Mr. Hall if they could get with Mike Amos to see if it would be advantageous for the County to pursue.

Mr. Summerlin stated staff would look into the request to see if oil can be taken out of convenience centers and at what costs, which would involve environmental containment, etc. He stated the County's new service center has two oil heaters that use motor oil and transmission

fluid. He stated they are trying to calculate how much oil the heaters will use and if oil can be taken out of the convenience centers and reuse in another County operation it will save in disposal costs. Mr. Summerlin stated staff will look into this and noted that it would be a worthwhile project to pursue.

Mrs. Buchanan and Mrs. Burnette commented on the Community Tour and both agreed it was one of the best tours the Board has had.

Mr. Lyle stated last month he discussed with the Board the Supreme Court's decision regarding several options in the Noise Ordinance. He stated the two options include several localities using decimal meters and the per se violations such as (types of noise and time of day) violations that would be prohibited. Mr. Lyle stated he discussed this with the Sheriff and he prefers the per se violations, and would like to get the Board's opinion on this issue.

Mr. Slaughter, Mr. Vaughn and Mrs. Burnette stated they liked the per se violation. Mr. McMillian stated he prefers a civil process.

CONSIDERATION OF RESOLUTION REGARDING APPALACHIAN POWER'S RECENT REQUEST FOR A RATE INCREASE:

Ms. Buchanan stated she requested this item be placed on the Board's Agenda. Appalachian Power Company recently asked the State Corporation Commission for permission to implement a rate increase of nearly 13% on residential customers. APCo officials have stated this rate increase would cover its increased fuel costs and implement new environmental and reliability surcharges. A draft resolution has been prepared to express the Board's opposition to the rate increase. (Copy of Resolution included in Board's File).

Following some discussion Mr. Vaughn read the resolution and moved that the Board approve the Resolution, second by Mr. Slaughter and unanimously carried.

CLOSED MEETING:

Mrs. Burnette moved that the Board enter into a closed meeting at 3:45 pm to discuss the following, second by Mr. Slaughter and unanimously carried.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Parks and Recreation Board, Anchor Commission, Blue Ridge Regional Library Board, Community Policy and Management Team, Economic Development Corporation, Piedmont Regional Community Services Board, Southside Community Action Board, and West Piedmont Planning District Commission.
- 2) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Legal Matters.
- 3) §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced Industries.

OPEN MEETING:

The Board returned to an open meeting at 5:05 pm on a motion by Mr. Adams, second by Mr. Slaughter and unanimously carried.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote affirming that the Board only discussed public business matters lawfully exempted and identified in the motion to enter closed session. Those voting in the affirmative were Mr. Slaughter, Mr. McMillian, Mrs. Burnette, Mrs. Buchanan, Mr. Vaughn and Mr. Adams.

APPOINTMENTS:

Parks and Recreation Advisory Board

Mr. Vaughn moved that the Board reappoint Mike Smith of the Ridgeway District and Sandra Adams of the Blackberry District to the Parks and Recreation Advisory Board for terms to end June 30, 2012, second by Mrs. Burnette and unanimously carried.

Community Policy and Management Team

Mr. McMillian moved that the Board appoint Lucy T. Moore as a Parent Representative, and Darrell Jones to the Community Policy and Management Team for terms to end June 30, 2011, second by Mr. Slaughter and unanimously carried.

Economic Development Corporation

Mr. Adams moved that the Board reappoint Butch Hamlet to the Economic Development Corporation for a term ending June 2012, second by Mr. Vaughn and unanimously carried.

Southside Community Action Board

Mrs. Burnette moved that the Board reappoint Thurman Echols to the Southside Community Action Board for a term ending June 30, 2011, second by Mr. Slaughter and unanimously carried.

West Piedmont Planning District Commission

Mr. Vaughn moved that the Board appoint Wesley E. George, III to the West Piedmont Planning District Commission for a term ending April 2013, second by Mr. Slaughter and unanimously carried.

The Board recessed its meeting at 5:10 pm until 6:00 pm. Chairman Buchanan reconvened the meeting at 6:00 pm and welcomed everyone present.

MATTERS PRESENTED BY THE PUBLIC:

Mrs. Buchanan recognized Boy Scout Troop 167 with eight members in attendance along with two of its troop leaders. Attending a Board meeting is one of the requirements of earning a Citizenship in the Community Merit Badge.

Mrs. Buchanan read the following statement regarding public comments: "The Board is here to listen to public comments and not to engage in a question and answer period or a debate. If anyone wishes to address the Board please come to the podium and state your name, subject matter and the district in which you live. By coming to the podium you have agreed to exhibit respect to the Board and its members. Each one will conduct themselves with dignity and will

receive the same level of respect from the Board. Those who wish to speak please keep your comments between three to five minutes.

Mr. Richard Spencer

Mr. Richard Spencer, a resident of the Horsepasture District for the past 13 years, stated next to his house is property that is an eyesore that the owner will not keep up. He distributed pictures of the unkempt property to the Board for its review. Mr. Spencer stated the property is infested with snakes, rats, possums, mosquitoes, fallen trees, unmowed grass, which was bush-hogged last year, etc. Mr. Spencer introduced his daughter and grandchild to the Board and said they are afraid to go outside and play. He stated he had contacted the Sheriff's Office and cannot get anything done about the problem. He stated he also contacted the Building Inspector several years ago, as well as the Assessor to come out recently to look at the property since the recent assessment would affect his property. Mr. Spencer stated he is now asking for the Board's help in finding a solution to the problem.

Mr. Lee Clark, Zoning Administrator, stated the structure cannot be declared an unsafe structure because the dwelling is not open. He stated the Building Inspector looked at the property last week and the property is zoned agricultural and is not in a platted subdivision.

Mr. Summerlin stated the standard is a dwelling has to be open or an imminent threat to structural collapse. Mr. Summerlin stated the zoning of the property could be changed and the ordinance could be changed. He stated in an agricultural zone the County's Grass Mowing Ordinance requires that property be in a platted subdivision, which this particular property is not.

Mr. Spencer stated that is why he is coming to the Board because the Board has the authority to change an ordinance. The Board thanked Mr. Spencer for his comments.

PUBLIC HEARINGS – PLANNING:

Rezoning Application R-09-05 – Frances A. Rieson

Mr. Lee Clark reviewed Application R-09-05 for Frances A. Rieson. (Copy of Application included in Board's File). Mr. Clark stated that

following a public hearing both the Planning Commission and staff recommend approval of the request.

The public hearing was open at 6:13 pm. Ms. Rieson stated she would ask the Board to support the rezoning of her property. There being no one else who wished to speak the public hearing was closed at 6:14 pm.

Mr. Vaughn moved that the Board accept the recommendation of the Planning Commission to approve the rezoning request, second by Mr. Slaughter and unanimously carried.

Proposed Abandonment, Portion of 30' Right-of-Way Known as Lake View Drive

Mr. Clark reviewed information regarding a request from Chad E. and Tammy G. Bowles requesting the abandonment of a portion of a 30' right-of-way that leads off the east side of Mountain View Road. The paper-street is recorded as Lake View Drive, and is located in the Ridgeway District. Once the right-of-way is abandoned, all lots that will not have access will be vacated and combined with adjoining lots. VDOT has advised that they have no objection to this abandonment.

The public hearing was open at 6:15 pm. It was noted that the applicants were present. There being no one present who wished to speak the public hearing was closed at 6:15 pm.

Mr. Vaughn moved that the Board adopt the following motion, second by Mr. Adams and unanimously carried.

“Be it ordained and resolved that a portion of the 30' right-of-way located off the east side of Mountain View Road, and recorded as Lake View Drive in the Ridgeway District, shown on a plat for H.O. Bryant, prepared by J.A. Trent, dated November 4, 1954, recorded in the Henry County Circuit Court Clerk's Office in M.B. 7, P.G. 120, be vacated and abandoned, subject to the rights of owners of any utilities previously installed.”

Proposed Abandonment, Portion of 40' Right-of-Way Known as Burbank Drive

Mr. Clark reviewed a request by Chester Harlowe Bowling to abandon a portion of a 40' right-of-way that leads off the northwest side of Madison Road. The road is commonly known as Burbank Drive, and is located in the Horsepasture District. Once the right-of-way is abandoned, the adjoining lots will be vacated, and the entire tract will be combined into one parcel. Mr. Bowling is the only property owner that will be affected by this abandonment. VDOT has advised that they have no objection to its abandonment.

The public hearing was open at 6:16 pm. With no one wishing to speak the public hearing was closed at 6:16 pm.

Mr. Vaughn moved that the Board adopt the following motion, second by Mr. Slaughter and unanimously carried.

“Be it ordained and resolved that a portion of the 40’ right-of-way located off the northwest side of Madison Road, and commonly known as Burbank Drive in the Horsepasture District, shown on a plat for Leonard F. and Evelyn W. Smith, prepared by C.M. Wyatt, dated October 14, 1966, recorded in the Henry County Circuit Court Clerk’s Office in M.B. 34, P.G. 57, be vacated and abandoned, subject to the rights of owners of any utilities previously installed.”

GENERAL HIGHWAY MATTERS:

Ms. Lisa Price-Hughes, VDOT’s local Residency Administrator was present to discuss highway matters. Ms. Hughes stated budget funding has continued to go down; however, Henry County received funding for two safety improvement projects (Route 220 South and Oak Level.)

Consideration of Priority List for Commonwealth Transportation Board and Selection of Representative to Attend June 3, 2009 Meeting

Following is the list of Priorities as approved by the Henry County Board of Supervisors beginning with FY 2010. The first five items are listed in order of priority:

1. Support for the funding and construction of the U.S. Route 58 Improvement Program between Stuart and Hillsville.
2. Support for a connection from Route 58 to the Patriot Centre, a business and industrial park which houses nearly 4,000 of the County's workforce.
3. Support for the design, engineering, funding, and construction of Interstate 73 through Henry County that follows a corridor east of the City of Martinsville and west of the Henry-Pittsylvania County border in an alignment that avoids large subdivisions.
4. Improvements to the Lee Ford Camp Road/Greensboro Road (US Route 220)/Church Street intersection in Ridgeway, near Mountain View Cemetery, to include signals.
5. Support for the City of Martinsville's request for Phase II of the Liberty Street improvement plan.

The Board of Supervisors also requests attention for the following items:

- Realignment and improvements on U.S. Route 220 from the intersection of Route 87/Route 220 South to the North Carolina line, including the alleviation of hazardous curves on southbound Route 220. This project is essential to tie into the four-laning of U.S. Route 220 in North Carolina.
- Support for the four-laning of Route 87 from Route 220 to the Virginia/North Carolina line to connect with planned improvements of the road in North Carolina. The road becomes Highway 14 in North Carolina.
- Support for the inclusion of an extension of Commonwealth Boulevard to the west to connect with Route 220 Bypass in the current Long-Range Plan studies.

Mr. Adams moved that the Board adopt the Priority List as presented for the Commonwealth Transportation Board, second by Mrs. Burnette and unanimously carried.

Mrs. Burnette agreed to represent the County at the June 3, 2009 Commonwealth Transportation Board Meeting at Northside Middle School in Roanoke.

Following was some general discussion with Ms. Hughes regarding particular projects in several of the Board's districts.

There being no further business to discuss Mr. McMillian moved to adjourn at 6:23 pm, second by Mrs. Burnette and unanimously carried.

Bos.Minutes.May 26.2009.3pm.sb

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

**Special Called Meeting
June 11, 2009 – 7:30 am**

The Henry County Board of Supervisors held a special called meeting on June 11, 2009, at 7:30 am in the Fourth Floor Conference Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan; Vice Chairman H. G. Vaughn; Jim Adams, Paula Burnette, and Tommy Slaughter. Jim McMillian was absent.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; and Susan Biege, Administrative Assistant.

The purpose of the meeting was to consider Resolutions regarding two separate applications to VDHCD for American Recovery and Reinvestment Act Funds and to the Virginia Tobacco Commission. (Copy of Resolutions included in Board's File).

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present.

CONSIDERATION OF RESOLUTION SUPPORTING AND AUTHORIZING APPLICATION TO THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR AMERICAN RECOVERY AND REINVESTMENT ACT FUNDS FOR SOUTH STREET PROJECT:

Mr. Summerlin stated the Board is being asked to support and authorize an application to Virginia Department of Housing and Community Development for American Recovery and Reinvestment Act Funds for the South Street Project. The application is due by June 12.

Mr. Slaughter moved that the Board adopt a Resolution to support and authorize an application to the VDHCD for American Recovery and

Reinvestment Act Funds for the South Street Project, second by Mr. Adams. The motion carried 5 to 0. Mr. McMillian was absent.

CONSIDERATION OF RESOLUTION SUPPORTING AND AUTHORIZING APPLICATION TO THE VIRGINIA TOBACCO COMMISSION FOR FUNDS FOR WATER AND SEWER INFRASTRUCTURE TO THE COMMONWEALTH CROSSING BUSINESS CENTRE:

Mr. Summerlin stated the Board is also being asked to support and authorize an application to the Virginia Tobacco Commission for funds for Water and Sewer Infrastructure to the Commonwealth Crossing Business Centre. The application is due by June 15.

Mrs. Burnette moved that the Board adopt a Resolution to support and authorize an application to the Virginia Tobacco Commission for Funds for Water and Sewer Infrastructure to the Commonwealth Crossing Business Centre, second by Mr. Vaughn. The motion carried 5 to 0. Mr. McMillian was absent.

There being no further business to discuss Mr. Adams moved to adjourn at 7:38 am, second by Mr. Slaughter. The motion carried 5 to 0. Mr. McMillian was absent.

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

June 23, 2009 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on June 23, 2009, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan, Jim Adams, Paula Burnette and Jim McMillian. Vice Chairman H. G. Vaughn and Tommy Slaughter were absent.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Susan Reynolds, Director of Human Resources and Public Information; Jimmie Wright, Director of Finance; Darrell Jones, Deputy Director of Finance; and Richard Stanfield, Assistant Director of Finance.

Sheriff Perry and Major Steve Eanes were present from the Sheriff's Office. Mickey Powell of the Martinsville Bulletin, and Ron Morris of B-99 were present.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Jim Adams gave the invocation and Jim McMillian led in the Pledge of Allegiance.

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present. She stated that anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm 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 pm 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 of Minutes included in Board's File).

- May 26, 2009
- June 11, 2009

Approval of Accounts Payable (Copy included in Board's File).

Mr. Adams moved to approve Items of Consent as presented, second by Mrs. Burnette. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

REMARKS FROM DONALD L. HART, JR., PRESIDENT OF THE VIRGINIA ASSOCIATION OF COUNTIES (VACo) BOARD OF DIRECTORS:

Mrs. Burnette stated it is a pleasure to introduce and welcome Mr. Donald L. Hart, Jr., President of the Virginia Association of Counties (VACo) Board of Directors for 2009, of which she also is a member. Mrs. Burnette stated Mr. Hart is a member of the Accomack County Board of Supervisors and recently retired from the school system. Mrs. Burnette stated Mr. Hart has made a major effort so far to visit 66 out of Virginia's 95 counties during his term as VACo's President.

Mr. Hart stated he was honored to be in Henry County to meet with the Board today. He stated VACo is a nine member Board of which he has been a member for 29 years. He stated he has visited 66 counties in the State and his plans are to visit all 95 counties. Mr. Hart stated Henry County is very important to the State of Virginia and also to VACo. He stated as VACo's President, Henry County would never stand alone. Some of VACo's goals are to develop a close relationship and be accessible to every county in the State. VACo has been focusing on unfunded mandates and there were none this year. He stated VACo is also trying to work on the equalization of rights, privileges and powers between counties, cities and towns. He stated cities and towns have more rights and privileges than counties; therefore, citizens of counties are discriminated against just because they live in a County. He stated VACo is working with the General Assembly to gain support to grant the same rights, privileges and powers to counties. Mr. Hart encouraged the Board to stay abreast of VACo's benefit services and offerings and to participate in legislative committees so Henry County will have a voice at the table. He encouraged the Board to contact him or VACo if the Board has any suggestions, concerns, solutions or criticisms.

Mr. Hart stated in closing he is saddened by Mrs. Burnette's recent announcement that she will not run for a fifth term as supervisor. He stated Henry County should be very proud of Supervisor Burnette. He said he had watched Mrs. Burnette's actions closely at VACo meetings and admires her.

She wears Henry County's flag around her and she stands up for Henry County with a very strong voice wherever she goes and she truly will be missed.

Mrs. Burnette thanked Mr. Hart for his comments and his visit to Henry County. On behalf of the Board, Mrs. Burnette and Mrs. Buchanan presented Mr. Hart with a historical book of Henry County.

CONSIDERATION OF "BUY AMERICAN" RESOLUTION REGARDING AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDS:

Mr. Summerlin stated the Virginia Association of Counties (VACo) is asking the County to adopt a resolution emphasizing the importance of using American Recovery and Reinvestment Act (ARRA) funds to buy American goods and services.

Mr. Adams read a copy of the Resolution. (Copy is included in Board's File).

Mr. Adams moved that the Board approve the Resolution as presented, second by Mr. McMillian. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

CONSIDERATION OF REVENUE-SHARING PROGRAM FOR FY 2010:

Mr. Summerlin stated VDOT annually funds a Revenue Sharing Program for the construction, maintenance, or improvement of primary and secondary roads in counties. The Commonwealth provides funds to match local funds. Henry County participated in the program for many years, but the County discontinued participation in FY 2001-02 due to fiscal constraints. The Board was provided a letter from Michael Estes, Director of VDOT's Local Assistance Division; outlining changes to the program and how localities can participate.

Mr. Adams moved that the Board not participate in the Revenue Sharing program in FY 2010, second by Mrs. Burnette. The motion carried 3 to 1. Mr. McMillian voted in opposition. Mr. Vaughn and Mr. Slaughter were absent.

Mrs. Buchanan stated she felt this may still be a good program in the future.

CONSIDERATION OF EXTENSION OF TRANSITIONAL DAY PROGRAM CONTRACT AND PROPOSED FY 2010 BUDGET:

Mr. Summerlin stated that Henry County, the County's Community Policy and Management Team (CPMT) and Henry County Schools are charged with providing an educational program specifically designed to address the needs of certain special education students. It is recommended that ANCHOR continue to run the program for the 2009-10 academic year under the name ANCHOR Transitional Day Program and would again be on site at ANCHOR. The proposed budget for FY 2010 is \$105,893, and is the same amount budgeted for the FY '09. Henry County is a party to the annual contract and must approve its extension with ANCHOR. The extension has already been approved by the CPMT and will be addressed by the School Board at its July meeting. (A Copy of the Proposed Budget and Contract for FY 2010 is Included in Board's File).

Mrs. Burnette moved that the Board extend the contract with ANCHOR in the amount of \$105,893 to run the Transitional Day Program for the 2009-10 academic year, contingent on similar approval by the Henry County School Board, second by Mr. Adams. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

APPROVAL OF PRE-CONTRACT ACTIVITY ITEMS REGARDING VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT/COMMUNITY IMPROVEMENT GRANT FOR THE SOUTH STREET NEIGHBORHOOD IMPROVEMENT PROJECT:

Mr. Summerlin stated through the utilization of a Community Development Block Grant (CDBG) Planning Grant, Henry County is undertaking a study of community improvement needs for the South Street Neighborhood Improvement Project in Bassett. Through this planning grant process, the County has developed and submitted plans for a Community Improvement Grant (CIG) application to the Department of Housing and Community Development (DHCD). The project would make improvements identified by needs assessment for this Neighborhood Improvement Project.

Mr. Summerlin stated a number of pre-contract activities are required by DHCD for the South Street Project, including several that require approval by the Board:

1. Local Business and Employment Plan: Both the locality and its contractors will try to use businesses located in Henry County and Martinsville.

2. Non-Discrimination Policy: Neither the County nor its employees will discriminate against an employee or applicant for employment because of race, age, handicap, creed, religion, color, sex or national origin.
3. Residential Anti-Displacement and Relocation Assistance Plan: Henry County commits to minimizing project-related displacement and hardships. As needed, Henry County will provide relocation assistance to each low/moderate-income household displaced by the demolition of housing, or by the direct result of assisted activities. Such assistance shall be provided under Section 104(d) of the Housing and Community Development Act of 1974, as amended, or the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.
4. Fair Housing Certification: Henry County will take at least one action each year during the course of the grant to further fair housing. The action taken will be selected from a list provided by DHCD.
5. Section 504 Grievance Procedure: Henry County will adopt an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Department of Housing and Urban Development's (HUD), implementing Section 504 of the Rehabilitation Act of 1973, as amended.

Mr. Adams moved that the Board adopt the five documents as required by Department of Housing and Community Development (DHCD) for the South Street Neighborhood Improvement Project, second by Mrs. Burnette. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

FINANCIAL MATTERS:

Consideration of Appropriation Transfers – Sheriff's Office

Mr. Summerlin stated the Sheriff's Office is requesting permission to make two Appropriation Transfers within its FY 2009 Budget. The first is to transfer \$37,000 into the Police Equipment cost center to purchase dive team dry suits, masks, and underwater communications and weapons. The money would be shifted from the Vehicles and Powered Fuels line item (\$22,000) and the Undercover Operations line item (\$15,000). The second transfer request is for \$12,500 to the Repair and Maintenance cost center to pay for interior design modifications to the SWAT Team van. The funds would come from the Vehicles and Powered Fuels line item (\$12,500).

Mr. McMillian moved that the Board approve the appropriation transfers, second by Mr. Adams. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

Award of Contract re: Food for Inmates at County Jail – Sheriff's Office

Mr. Summerlin stated Sheriff Perry is requesting the Board to award a contract to Dan Valley Food Service of Danville, VA to supply food for the Henry County Jail. According to Sheriff Perry, purchase orders are issued monthly for food, with the amounts needed and the overall price dependent on the number of inmates at a particular time. This contract does not stipulate a total expenditure amount because of the fluctuation in numbers of inmates; however Sheriff Perry indicates that the overall contract would exceed \$100,000. Mr. Summerlin stated 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. The Purchasing Department concurs with this process.

Mrs. Burnette moved that the Board award the contract regarding food for inmates to Dan Valley Food Service of Danville, VA, second by Mr. McMillian. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

Award of Contract re: Architectural/Engineering Services for the Virginia Avenue Transportation Enhancement Project

Mr. Summerlin stated the County has received a second grant award from the Virginia Department of Transportation (VDOT) Enhancement funding for the Virginia Avenue Transportation Enhancement project. The award, in the amount of \$112,000, will be utilized to fund the Phase 1 engineering work valued at \$42,056. The remaining grant funds, plus a local match of \$28,000, will be used toward construction of Phase 1 Improvements. Earth Environmental Consultants, LLC (EEC) was hired by the County to complete the architectural/engineering work for this project. On August 26, 2008, the Board of Supervisors approved Part A of EEC's contract in the amount of \$63,336 for the conceptual design of the entire project corridor. Part A is being paid for with the first grant award received from VDOT. Part B of EEC's contract in the amount of \$42,056 is now being presented for award and will be paid for with the second grant award received from VDOT. Part B will cover the engineering work for Phase 1 construction. (Mr. Wright distributed a revised appropriation sheet. (Copy is included in Board's File).

Mr. McMillian moved that the Board award Part B of Earth Environmental Consultants' contract in the amount of \$42,056 to complete the engineering work for Phase 1 construction, and approval of the additional appropriation as outlined, with \$28,000 coming from the County's Contingency Fund for the required match and \$112,000 from the VDOT grant award, second by Mrs. Burnette. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

Award of Contract re: Office Supplies – Purchasing Department

Purchasing Director David Moore is requesting the Board to award a contract to Bassett Office Supply to provide supplies to County offices, beginning in FY 2010. The contract is for one year with an option of four one-year extensions. The contract does not include a set amount of expenditure, because it will be based on how many office supplies are needed, but Mr. Moore indicates that it most likely would exceed the \$15,000 threshold that requires Board approval. A committee of County and School employees issued and screened a Request for Proposals (RFP), and three companies responded. Bassett Office Supply was recommended by that committee to receive the contract.

Mr. Adams moved that the Board award the contract to Bassett Office Supply, second by Mrs. Burnette. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

Acceptance of an Additional Appropriation of American Recovery and Reinvestment Act (ARRA) Funds – School Board

Mr. Summerlin stated that Henry County Schools' Nutrition Programs received notification that it will receive grant funds in FY 2010 from the American Recovery and Reinvestment Act (ARRA) in the amount of \$277,624. The money must be encumbered no later than September 30, 2009. The funds will be used for capital improvements in seven school cafeterias – Axton, Campbell Court, Carver, Collinsville Primary, Irisburg, Mount Olivet, and Rich Acres. The Board of Supervisors is being asked to accept and appropriate the money for FY 2010, on the condition that the School Board does the same at its June 30 meeting.

Mrs. Burnette moved that the Board approve the request to accept and appropriate the ARRA funds in the amount of \$277,624 to purchase capital items for seven Henry County schools, contingent on the School Board's similar action at its meeting June 30, second by Mr. Adams. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

INFORMATIONAL ITEMS:

Comments from the Board

Mr. Lyle stated that on Wednesday, July 15, at 11:00 am, Special Counsel, representing the County in special delinquent tax collections will hold a sell of eight delinquent tax properties. Mr. Lyle stated that number could change if someone were to pay their taxes before July 15. Mr. Lyle provided the Board with a summary of delinquent real estate taxes collected by Linebarger of \$500,000 through April 2009. He stated there was no cost to the County to collect the taxes since the attorney is strictly on a contingency basis.

Mr. McMillian stated the Collinsville District has two new businesses. Dr. Kieselbach has opened a Chiropractic Office and ERI Automotive Shop, which is factory certified in Ford, Chrysler and Nissan products has opened beside Best Western.

Mrs. Burnette stated a Neighborhood Watch Meeting is scheduled tomorrow at Piedmont Estates.

Mrs. Buchanan reminded everyone of the July 4th Celebration coming up on July 3rd at the Martinsville Speedway.

Mr. Summerlin stated a couple of months ago Mrs. Buchanan requested staff to look into the feasibility of collecting used motor oil at the convenience centers. Mr. Summerlin stated Mike Amos has done quite a bit of research and by the end of July a pilot program will be in place to collect used motor oil and batteries at the convenience center behind the County Administration Building. He stated if this proves to be successful staff will look into the program's expansion.

Mr. Summerlin stated as mentioned during the budget process, Mr. Tim Byrd was assigned the position of Energy Manager for the County and PSA. Mr. Summerlin stated staff has looked at several initiatives, one being a "Back of the Envelope Study." He stated energy companies specializing in energy efficiency applications will come in and conduct an informal walk-through to see where any improvements can be made. The Administration Building, Sheriff's Office, Jail and Courthouse have been identified for a walk-through being that they are the largest facilities and consume the most energy. Staff is working with a representative from the State through the Department of Mines, Minerals and Energy to assist localities in this process. On July 20th, energy companies will conduct a walk-through and determine if a particular project needs more detailed analysis in addressing efficiency.

Mr. Summerlin stated he received a copy from the school division of an unsolicited PPEA Proposal (Public Private Partnership) where companies can propose to do certain things for government relating to renovation of school buildings. He stated at some point the Board of Supervisors will be involved in these discussions; therefore, he advised the School Board when they get to a position of making the request to the Board to let him know.

Mrs. Burnette stated that Mr. Hart recommended to the Board to be more involved in VACo's legislative committees. She stated over the years Henry County has not had many representatives participating on these committees. The committees meet in February on Legislative Day, a summer meeting in August and the VACo Conference. She stated participation in these meetings is worth a lot in terms of bringing perspective to rural areas as far as having a voice. She stated with her going off the Board Henry County will lose its representation on VACo's Board, which would allow another Board member to participate and become more involved with VACo.

CLOSED MEETING:

Mrs. Burnette moved that the Board enter into a closed meeting at 3:45 pm to discuss the following, second by Mr. Adams. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Anchor Commission, Blue Ridge Regional Library Board, Community Policy and Management Team, Piedmont Regional Community Services Board.
- 2) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Legal matters.
- 3) §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced industries.

OPEN MEETING:

The Board returned to an open meeting at 4:08 pm on a motion by Mr. McMillian, second by Mrs. Burnette. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote. Those voting in the affirmative were Mr. McMillian, Mrs. Burnette, Mr. Adams and Mrs. Buchanan. Mr. Vaughn and Mr. Slaughter were absent.

APPOINTMENTS:

Community Policy and Management Team

Mrs. Burnette moved that the Board appoint Mr. Reginald Hayes to the Community Policy and Management Team for a term to expire June 30, 2011, second by Mr. Adams. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

Piedmont Regional Community Services Board

Mr. Adams moved that the Board appoint Tony Millner and Carol Nelson to the Piedmont Regional Community Services Board for terms expiring June 30, 2012, second by Mr. McMillian. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

The Board recessed its meeting at 4:11 pm until the 6:00 pm session. Chairman Buchanan called the meeting back to order at 6:00 pm and welcomed everyone present.

MATTERS PRESENTED BY THE PUBLIC:

There was no one present from the public who wished to address the Board. Mrs. Buchanan recognized Jason Ussery a member of Boy Scout Troop 166 of Collinsville, who is working towards his Citizenship in the Community Merit Badge.

PUBLIC HEARING - SCHOOL BOARD'S REQUEST REGARDING ARRA FUNDS:

Last month the School Board asked the Board of Supervisors to accept and appropriate additional monies that the School Board is receiving through the American Recovery and Reinvestment Act (ARRA), commonly referred to as the federal stimulus package. The School Board provided information that it will receive approximately \$3,750,598 in additional revenue through the ARRA. Of this amount, \$1,983,088 is through an Individuals with Disabilities Education Act (IDEA) grant, while \$1,767,510.10 is through a Title I grant. The School Board also requests that it be allowed to carryover to FY 2010

whatever money is not spent in the current fiscal year. Due to the size of the budget adjustment request, a public hearing is required and has been scheduled for tonight's meeting.

The public hearing was open at 6:01 pm. There being no one present who wished to speak the hearing was closed at 6:01 pm.

Mrs. Burnette moved that the Board approve the request to accept and appropriate the additional funds through the ARRA, second by Mr. Adams. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

Rezoning Application R-09-06 – Lawrence A. Penn, Jr.

Mr. Lee Clark reviewed Application R-09-06 for Lawrence A. Penn, Jr. (Copy of Application included in Board's File). Mr. Clark stated the special use permit for this request will be heard by the Board of Zoning Appeals tomorrow at 1:00 pm. Mr. Clark stated that following a public hearing both the Planning Commission and staff recommend approval of the request.

The public hearing was open at 6:03 pm. Mr. Lawrence Penn discussed his rezoning request of approximately 1.86-acres from Suburban Residential to Agricultural A-1 to construct a building on his property and establish a winery and retail use. There being no one else who wished to speak the public hearing was closed at 6:04 pm.

Mrs. Burnette moved that the Board accept the recommendation of the Planning Commission to approve the rezoning request, second by Mr. Adams. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

Proposed Abandonment – 40' Right-of-Way off Stultz Road

Mr. Clark reviewed information regarding a request from Marie B. Seay to abandon a 40' right-of-way that leads off the east side of Stultz Road. The paper-street is located between 1603 and 1583 Stultz Road in the Collinsville District. VDOT advised they have no objection to the abandonment.

The public hearing was open at 6:05 pm. There being no one present who wished to speak the hearing was closed at 6:05 pm.

Mr. McMillian moved that the Board adopt the following motion, second by Mr. Adams. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

“Be it ordained and resolved that a 40’ right-of-way located off the east side of Stultz Road, between 1603 and 1583 Stultz Road, in the Collinsville District, shown on a plat for Marie B. Seay, prepared by J.A. Gustin, dated July 27, 1990, recorded in the Henry County Circuit Court Clerk’s Office in D.B. 527, P.G. 69., be vacated and abandoned, subject to the rights of owners of any utilities previously installed.”

CONSIDERATION OF “WATCH FOR CHILDREN” SIGNS ON WILLIE CRAIG ROAD AND WOODBERRY ROAD IN THE BLACKBERRY DISTRICT:

Mr. Adams moved that the Board request VDOT to install Children Playing Signs on Willie Craig Road and Woodberry Road in the Blackberry District, second by Mr. McMillian. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

Mr. Summerlin stated Ms. Lisa Price-Hughes, VDOT Residency Administrator, advised she would be unable to attend today’s meeting. Ms. Hughes sent a note stating that VDOT received stimulus funds for paving. She stated contracts were advertised on June 9 with one section beginning on Route 220 Business from the Cloverleaf to the Bypass (both directions.) The other section is on Route 58 East (east bound lane only from the City Limits to the Bypass.)

Mr. Summerlin stated he read in recent news reports regarding potential stimulus projects in the Commonwealth, one of which is the Liberty Street widening. Ms. Hughes indicated it was her understanding they were contingency projects and some of the projects approved in the Six Year Plan for stimulus funding state-wide are coming back lower than engineers’ estimates and if VDOT has funds left over other projects may be added back in.

There being no further business to discuss Mr. Adams moved that the Board adjourn its meeting at 6:07 pm, second by Mr. McMillian. The motion carried 4 to 0. Mr. Vaughn and Mr. Slaughter were absent.

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

July 28, 2009 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on July 28, 2009, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn, Jim Adams, Paula Burnette, Jim McMillian and Tommy Slaughter.

Staff members present were Benny Summerlin, County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Susan Reynolds, Director of Human Resources/Public Information; Darrell Jones, Director of Finance; and Richard Stanfield, Assistant Director of Finance.

Sheriff Perry was present from the Sheriff's Office. Debbie Hall of the Martinsville Bulletin was present.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Jim McMillian gave the invocation and Paula Burnette led in the Pledge of Allegiance.

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present. She stated that anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm 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 pm may do so under Agenda Item - Matters Presented by the Public without contacting the County Administrator's Office.

Mrs. Buchanan welcomed Mike Hudson, Ben Whitlock and Scott Semones from the Sheriff's Office who were in attendance as a requirement of the Sheriff's Office Field Training Program.

Mrs. Buchanan welcomed Mr. Drew Densmore, a representative in the Roanoke Office of Senator Mark Warner, who is scheduled to be on the Board's August Agenda.

ITEMS OF CONSENT:

Confirmation of Minutes of Meetings (Copy Included in Board's File).

- June 23, 2009 – 3:00 pm

Approval of Accounts Payable (Copy included in Board's File).

Proclamation Recognizing 37th Anniversary of CONTACT of Martinsville-Henry County

CONTACT of Martinsville-Henry County is celebrating its 37th year of service in 2009. A Proclamation in recognition of that milestone was presented to Ms. Loretta Smith, a representative of CONTACT.

Mrs. Burnette moved that the Board approve Items of Consent as presented, second by Mr. Adams and unanimously carried.

INTRODUCTION OF MR. ANTHONY JACKSON, HENRY COUNTY SCHOOL SUPERINTENDENT:

The Board welcomed Mr. Anthony Jackson, the new Superintendent for Henry County Public Schools. Mr. Jackson introduced himself and stated he looked forward to a great cooperative working relationship with the Board of Supervisors.

DISCUSSION OF BATTERY AND FLUIDS RECYCLING PILOT PROGRAM:

Mr. Mike Amos of the County's Refuse Department gave an overview on the status of the pilot program on recycling batteries, antifreeze and oil at the Collinsville Convenience Center behind the County Administration Building. Mr. Amos stated the program has been up and running for nine days and the County has collected two drums of oil, one-half drum of antifreeze and three batteries. He stated the only cost savings will be with recycling batteries and there is no cost or savings involved in the oil or antifreeze. Mr. Amos stated the County is in compliance with DEQ regulations. Mr. Amos noted the Household Hazardous Waste Day is scheduled for October 17 at the new Bassett Motor Pool.

Mr. Summerlin stated the County may look into using the oil as a fuel source in the future at the service center, which is now being monitored for quality of the product. The Board thanked Mr. Amos for his update.

CONSIDERATION OF RESOLUTION REGARDING WORKERS' COMPENSATION COVERAGE:

Mr. Summerlin stated that effective July 1 the County's workers' compensation insurance changed from Virginia Municipal League to the Virginia Association of Counties. As part of that switch, the Board is being asked to consider approval of a resolution which brings the members of the Board of Supervisors and board members appointed by the Board under the policy. There is no additional cost as the Board's wages were included in the original annual contribution calculation. Benefits would only extend to work-related accidents that are within the scope of official duties. (Copy of Resolution included in Board's File).

Mr. Adams moved that the Board adopt the Resolution, second by Mr. Vaughn and unanimously carried.

FINANCIAL MATTERS:

Request to Apply for Department of Justice Recovery Act JAG Grant – Sheriff's Office

Mr. Summerlin stated Sheriff Perry is requesting permission to apply for a Department of Justice Edward Byrne Memorial Justice Assistance (JAG) Grant. The grant, in the amount of \$30,716, would go toward such programs such as Neighborhood Watch and the Citizen Police Academies Crime Prevention Program. There is no local match required, and a public hearing is required.

Mr. McMillian moved that the Board authorize the Sheriff's Office to apply for the grant, and set a public hearing at the August 25, 2009 meeting at 6:00 pm, second by Mrs. Burnette and unanimously carried.

Additional Appropriation re: American Recovery and Reinvestment Act Funds – School Board

Mr. Summerlin stated the School Board is seeking an additional appropriation of \$55,815.01 in American Recovery and Reinvestment Act (ARRA) funds. The grant is a Title II, Part D, Enhancing Education Through Technology Grant.

Mr. Vaughn moved that the Board approve the additional appropriation, second by Mr. Adams and unanimously carried.

Additional Appropriation re: Asset Forfeiture Funds – Commonwealth’s Attorney’s Office

Mr. Summerlin stated the Commonwealth’s Attorney Bob Bushnell is requesting the Board to approve an additional appropriation of \$696 from the asset forfeiture line item. According to Mr. Bushnell, the money would be used to purchase a flat-screen television and a DVD/VCR unit for use in showing video surveillance and other media items in court.

Mr. McMillian moved that the Board approve the additional appropriation, second by Mrs. Burnette and unanimously carried.

INFORMATIONAL ITEMS:

Comments from the Board

Mrs. Burnette stated over the last month she attended the Secure Commonwealth Panel meeting in Richmond and also visited the VACo Office. The Board is invited to an open house at VACo’s new office on August 14. She stated she participated in the Vision Tour Uptown Martinsville on Saturday representing the TheatreWorks Community Players. She also attended a Poverty Workshop held at the Patrick Henry Community College. She stated the numbers and statistics presented were quite astounding; however, only ten people attended the meeting. She stated there needs to be more participation on this issue and suggested that the Board take a closer look at poverty and try to get others involved. Mrs. Burnette inquired about getting welcome signs installed on the back side of Route 58 East of Martinsville and on Commonwealth Boulevard. She asked staff to see about getting some people together to discuss the lack of good appearance on the City/County 58 East side of the median stretch to Route 57 turnoff.

Mrs. Buchanan stated she attended the ribbon cutting of Piedmont Community Services Cottage House located on East Church Street for those who have challenging needs. She also attended the Spencer Penn Food Services Workshop coordinated by Lisa Fultz, and encouraged the Board to visit the facilities. Mrs. Buchanan stated she also had the opportunity to meet with Mr. Drew Densmore with the County Administrator and looked forward to meeting with him again at the Board’s August meeting.

Mr. Summerlin stated since the last meeting the Governor has announced that Henry County received a Community Development Block Grant for the South Street Neighborhood Project, which is \$1.4 million over two years. He stated the County applied to the Tobacco Commission for

allocation of funds for water and sewer extensions for Commonwealth Crossing with an estimated cost of \$4.2 million. The County received a letter of intent from the Tobacco Commission that if the County can secure \$1.7 million by mid-December from another source the Tobacco Commission will fund the \$1.7 million. He noted that the County has an earmark of \$800,000 from the SBA. Staff is working with West Piedmont Planning District Commission on an application to the U. S. Economic Development Administration requesting the other \$1.7 million. Mr. Summerlin informed the Board that on September 19 the County will hold its Annual Surplus Sale at DuPont. Also, Congressman Perriello will be in town on August 4 and will be holding a Town Hall meeting at Laurel Park Middle School. The Board and other local officials are invited to a meeting with him from 4:30 to 5:30 prior to the Town Hall meeting. The grand opening of the Smith River Sports Complex is scheduled on Sunday, August 23 from 2:00 to 6:00 pm.

Mr. Summerlin stated he had discussions with EDC and the City Manager regarding the new shell building nearing completion. He stated dedication of the shell building will need to be scheduled to transfer the keys to EDC for marketing. Also, in August the Board will need to consider whether to continue the public bus demonstration project funding for next year. There are also a number of actions related to the Social Services Memorandum of Understanding (Revenue Sharing Agreement, Lease with Social Services, and Award of Contract) which requires joint action with City Council. He stated he discussed with the City Manager about setting a joint meeting on Thursday, August 27 at 6:30 in the evening to hold an event at the shell building then meet at the Administration Building to discuss Social Service matters and hear a presentation from RADAR regarding public transportation. Following some discussion the Board was in agreement to try to come up with another date or time since it was a conflict with other schedules of the Board.

Mr. Summerlin stated regarding the Memorandum of Understanding for Social Services, once the City pays its share of the building and upfit costs, the County will need to transfer 1/3rd ownership to the City, which requires the Board to hold a public hearing and suggested setting the date for the August meeting.

Mrs. Burnette moved that the Board set a public hearing at the August 25 meeting, second by Mr. Slaughter. The motion carried 5 to 1. Mr. McMillian voted in opposition.

CLOSED MEETING

Mrs. Burnette moved that the Board enter into a closed meeting at 3:25 pm to discuss the following, second by Mr. Slaughter and unanimously carried.

- A) §2.2-3711(A)1 for Discussion of Appointees to the Anchor Commission, Blue Ridge Regional Library Board, and Roanoke River Basin Association.
- B) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Legal Matters.
- C) §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.
- D) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced Industries.

OPEN MEETING:

The Board returned to an open meeting at 5:42 pm on a motion by Mrs. Burnette, second by Mr. Slaughter and unanimously carried.

CERTIFICATION OF CLOSED MEETING:

Mr. Summerlin read the Certification of the Closed Meeting and took a roll call vote. Those voting in the affirmative were Mr. Slaughter, Mr. McMillian, Mrs. Burnette, Mr. Adams, Mr. Vaughn and Mrs. Buchanan.

APPOINTMENTS:

Anchor Commission

Mrs. Burnette moved to appoint Vickie Adams to fill an unexpired term on the Anchor Commission to expire December 31, 2010, second by Mr. Slaughter and unanimously carried.

Blue Ridge Regional Library Board

Mr. Vaughn moved that the Board appoint Linda Reynolds, Anita Ray, and Paula Burnette to the Blue Ridge Regional Library Board with terms to expire June 30, 2013, second by Mr. McMillian. The motion carried 5 to 0. Mrs. Burnette abstained.

Roanoke River Basin Association

Mr. Adams moved that the Board appoint Michael Ward to the Roanoke River Basin Association for a term of one-year, seconded by Mr. McMillian and unanimously carried.

Mrs. Burnette moved that the Board request the County Administrator to request the Blue Ridge Regional Library Board to provide a budget history for the previous five fiscal years in a format suitable for analysis of cost by branch locations, second by Mr. McMillian and unanimously carried.

Mr. Slaughter moved that the Board authorize the County Administrator to employ Whitt Clements, Attorney at Law, and add the law firm to the list of approved County legal service providers, second by Mr. McMillian. The motion carried 5 to 1. Mrs. Burnette voted in opposition; however, she agreed to add Whitt Clements to the list of legal service providers.

Mt. Olivet Ruritan Club Lease

Mrs. Burnette moved that the Board approve the new lease between the County and Mt. Olivet Ruritan Club for the use of the ball field, second by Mr. McMillian and unanimously carried.

The Board recessed its meeting at 5:48 pm until 6:00 pm. Mrs. Buchanan reconvened the meeting at 6:00 pm and welcomed everyone present.

Mrs. Burnette noted she would like to congratulate Benny Summerlin on his recent Fred Herring Award from the Chamber of Commerce for his work on economic development.

MATTERS PRESENTED BY THE PUBLIC:

There was no one present who wished to speak under Matters Presented by the Public.

DISCUSSION OF ISSUES REGARDING THE BLUE RIDGE REGIONAL LIBRARY BOARD:

Mr. Vaughn stated there is a great deal of concern in the Ridgeway District regarding cuts in the hours at the Ridgeway Branch Library. He

stated the County cut the Blue Ridge Regional Library's budget 2.5%; however, the cut in operating hours at the Ridgeway Library was cut 12 hours and only open on Monday, Tuesday, and Friday from 10:00 am until 6:00 pm. He stated this does not leave much accessibility to use the library for citizens who work a day time job or who work out of town. Mr. Vaughn stated he would ask that the Board approve a Resolution requesting the Library Board to reconsider its hours at the Ridgeway Branch Library. He stated Mr. Hal Hubener, Executive Director of the Blue Ridge Library Board, was invited to attend the meeting but was not present. Mr. Vaughn stated a similar Resolution was considered by Ridgeway Town Council and was presented to the Blue Ridge Library Board on July 15. He noted that the Library has another meeting scheduled on July 29 at noon to consider the issue. Mr. Vaughn noted that over 687 signatures of citizens of the Ridgeway District signed a petition that was presented at the Library Board meeting on July 15.

Mr. Vaughn recognized Mayor Ed Page of Ridgeway Town Council. The following persons spoke regarding the cuts to the Ridgeway Branch Library.

Mrs. Buchanan read the following statement regarding public comments: "The Board is here to listen to public comments and not to engage in a question and answer period or a debate. If anyone wishes to address the Board please come to the podium and state your name, subject matter and the district in which you live. By coming to the podium you have agreed to exhibit respect to the Board and its members. Each one will conduct themselves with dignity and will receive the same level of respect from the Board. Those who wish to speak please keep your comments between three to five minutes."

Mayor Ed Page stated the citizens of Ridgeway spent many days, months, and years raising funds to get the Ridgeway Library built and equipped. He stated there has been a 43% reduction in the number of hours available to the citizens to utilize the library. He stated many people rely on internet services at the library and folks who work out of town have no time to utilize its services. Mayor Page thanked the Board for its support and consideration of the proposed Resolution.

Ms. Ruth Pace stated Ridgeway has been very proud of its library since its inception in 1987. Ms. Pace gave a detailed report of information dating back to the mid 90's on Ridgeway's fund raising efforts to build the new library.

It was noted that approximately 25 citizens were in attendance regarding the Ridgeway Library.

Ms. Aileen Bourne talked about a personal story involving a citizen she had spoke to that had expressed her wishes to spend more time with her granddaughter and visit the library more often. She works out of town and doesn't get off until 6:00 pm; therefore, this did not allow her to visit the library with her granddaughter.

Ms. Carol Myer read a card made by Rachel Cardwell, who is five years old from Ridgeway, VA entitled "The Day with No Library."

Mr. Tom Webber, a citizen of the Town of Ridgeway, stated education of its children in Ridgeway is as important as other areas of the County who have more operating hours of its libraries.

Ms. Shirley Marshall stated she lives in Ridgeway and is in between jobs and utilizes the library for internet service. She stated it is essential that the library have more operating hours for its citizens.

Ms. Lorraine Ziglar stated she and her son visit the library frequently and he is in the fifth grade with a ninth grade reading level and loves to read. Ms. Ziglar's son, Chris Chance, stated he is a regular user of the library and does not want it to be closed three days a week and it is not very accessible with its current hours.

Mr. Vaughn then read the proposed resolution. (Copy included in Board's File). Mr. Vaughn moved that the Board adopt the resolution, second by Mrs. Burnette and unanimously carried.

The Board thanked everyone for attending the meeting.

GENERAL HIGHWAY MATTERS:

Ms. Lisa Price Hughes, Residency Administrator of the local VDOT office was present to discuss general highway matters.

Consideration of Resolution Regarding Addition to the VDOT Secondary Road System

The Virginia Department of Transportation has requested that the Board approve the proposed resolution so that VDOT can add the access road to the Smith River Sports Complex to its Secondary Road System. (A copy of the Resolution and Road Plat are Included in Board's File).

Mr. Adams moved that the Board approve the resolution, second by Mr. Slaughter and unanimously carried.

Consideration of Resolution Regarding Route 687 Preston Road

Mr. Adams moved that the Board adopt the proposed resolution presented by VDOT regarding Route 687 Preston Road, second by Mr. Vaughn and unanimously carried. (Copy Included in Board's File).

Consideration of "Watch for Children" Sign on Motley Road in the Iriswood District

Mrs. Burnette moved that the Board request VDOT install a "Watch for Children" sign on Motley Road in the Iriswood District, second by Mr. Adams and unanimously carried.

Ms. Hughes informed the Board that safety improvements to Bassett Forks are moving forward. The turn lanes at Route 174 (Colonial Drive and Plantation Drive) will be advertised in September. She stated work should begin on two safety projects with flashing warning lights at 220 South and Route 688; also Route 57 and Route 606 the first week in September.

Following was some discussion by the Board with Ms. Hughes regarding miscellaneous projects in several of the Board's districts. The Board also discussed concerns on the lack of mowing in the area by the Virginia Department of Transportation. It was noted by Ms. Hughes that Henry County gets a complete mowing once every four years.

There being no further business to discuss Mr. Adams moved to adjourn at 6:53 pm, second by Mr. Vaughn and unanimously carried.

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

**Special Called Meeting
August 13, 2009 – 9:30 am**

The Henry County Board of Supervisors held a special meeting on August 13, 2009 at 9:30 am in the Fourth Floor Conference Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan; Vice Chairman H. G. Vaughn; Jim Adams, Paula Burnette, Tommy Slaughter and Jim McMillian.

County Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Darrell Jones, Director of Finance; and Richard Stanfield, Deputy Director of Finance.

The purpose of the meeting was to consider several economic development issues.

Chairman Buchanan called the meeting to order and welcomed everyone present.

**CONSIDERATION OF PERFORMANCE AGREEMENTS WITH
MONOGRAM MEAT SNACKS, LLC:**

Mr. Summerlin reviewed two Performance Agreements regarding Monogram Meat Snacks, LLC. The first agreement is between the County of Henry, Henry County Industrial Development Authority and Monogram Meat Snacks, LLC. Mr. Summerlin stated the County has been selected to receive a grant in the amount of \$400,000 from the Virginia Tobacco Indemnification and Community Revitalization Commission to benefit Monogram Meat Snacks based in Memphis, Tennessee. Monogram Meat Snacks purchased Knauss Foods and will locate in the existing facility located in Henry County's Patriot Centre Industrial Park. Monogram Meat Snacks has committed to making capital investments of at least \$3,000,000 and employ at least 120 persons within 36 months. The County agrees to convey 5.842 acres of

property in the Patriot Centre for the company to expand the existing Knauss facility.

Mr. Summerlin stated the second Performance Agreement is between the Virginia Tobacco Indemnification and Community Revitalization Commission, Henry County Industrial Development Authority, the County of Henry, and Monogram Meat Snacks, LLC. regarding the \$400,000 grant.

Some discussion followed regarding the number of existing employees, new jobs created, salaries, full-time or part-time positions, etc.

Mr. Vaughn moved that the Board approve the two Performance Agreements, second by Mrs. Burnette. The motion carried 5 to 0 with Mr. Adams abstaining due to his employment with Knauss Snack Foods. (Copy of Performance Agreements included in Board's File).

CONSIDERATION OF LETTER OF AGREEMENT WITH MASTERBRAND CABINETS:

Mr. Summerlin reviewed a letter of agreement involving the settlement of grants made for the benefit of MasterBrand Cabinets. The Virginia Economic Development Partnership, the Tobacco Indemnification and Community Revitalization Commission, the County of Henry, the Henry County Industrial Development Authority, and MasterBrand Cabinets entered into a Performance Agreement dated January 14, 2004, with a Phase I and Phase II proposal. Due to declining economy Phase II will not be completed at this point in time. Masterbrand committed to make capital investments of at least \$9,700,000 and to create and maintain at least 399 new jobs. All parties have agreed that Masterbrand has met the capital investment target by investing over \$9,700,000 at its facility in Henry County and has no obligation to repay any portion of the grants allocated for capital investments. All parties also agree that MasterBrand had an average of 243 employees at its facility during the fourth quarter of 2008, which represents a 39% shortfall in the creation of new jobs. Under the Performance Agreement MasterBrand would have an aggregate repayment of \$502,125; however, the State discounted this amount to \$375,594.00 with the IDA receiving \$117,000 by no later than

December 28, 2009. If payment is not received by the due date the discounted amount would no longer be available for MasterBrand.

Mrs. Burnette moved that the Board accept the Letter of Agreement with MasterBrand, second by Mr. Slaughter and unanimously carried.

**INFORMATION – SHELL BUILDING DEDICATION, AUGUST 31, 2009
– 6:30 PM:**

Mr. Summerlin announced that the new shell building dedication has been scheduled on August 31, 2009, at 6:30 pm.

There being no further business to discuss Mr. McMillian moved to adjourn at 9:46 am, second by Mr. Slaughter and unanimously carried.

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

August 25, 2009 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on August 25, 2009, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn, Jim Adams, Paula Burnette, Jim McMillian and Tommy Slaughter.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Susan Reynolds, Director of Human Resources/Public Information; Darrell Jones, Director of Finance; and Richard Stanfield, Assistant Director of Finance.

Major Steve Eanes and Sergeant Eric Hairston were present from the Sheriff's Office. Debbie Hall of the Martinsville Bulletin and Ron Morris of B-99 were present.

INVOCATION AND PLEDGE OF ALLEGIANCE:

H. G. Vaughn gave the invocation and Jim Adams led in the Pledge of Allegiance.

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present. She stated that anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm 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 pm 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).

- July 28, 2009 – 3:00 pm

- August 13, 2009 – 9:30 am

Approval of Accounts Payable

(Copy included in Board's File).

Consideration of Proclamation Establishing October 5, 2009 as "Schedule Your Mammogram Day" in Henry County

A request was made by Our Health Magazine and the Roanoke Chapter of the Susan G. Komen for A Cure to request the Board to consider establishing October 5, 2009 as "Schedule Your Mammogram Day" in Henry County. (A Copy of the Proclamation is included in Board's File).

Mr. Adams moved that the Board approve Items of Consent as presented, second by Mr. Slaughter and unanimously carried.

CONSIDERATION OF PROCLAMATION ESTABLISHING SEPTEMBER 2009 AS "BABY SAFETY MONTH"

Mr. Summerlin stated the Exchange Club of Martinsville and Henry County is requesting the Board to adopt a resolution to establish September 2009 as "Baby Safety Month" in Henry County. The Exchange Club's national project is child abuse prevention. Mrs. Burnette read a copy of the Proclamation and presented Ms. Michelle Agee-Stone, a member of the Exchange Club with a copy. (A Copy is included in Board's File.)

Mrs. Burnette moved that the Board adopt the Proclamation, second by Mr. Vaughn and unanimously carried.

APPROVAL OF PIEDMONT COMMUNITY SERVICES' FY '10 PERFORMANCE CONTRACT:

Mr. Summerlin stated the County each year is required to approve the Performance Contract between Piedmont Community Services and Virginia Department of Mental Health – Mental Retardation Substance Abuse Services. State law requires PCS to submit the contract for the Board's review and potential approval. The contract is approximately 100 pages long and is on file in the County Administrator's Office should the Board wish to review the document. (A Copy of Piedmont Community Services FY 2010 Budget is also included in Board's File).

Ms. Burnette noted it was only a .58% increase in the Piedmont Community Services Board budget. She stated she appreciated that the budget included no COLA or pay increases and asked if other agencies

followed this process.

Mr. Summerlin stated he was not sure because the agencies do not report to the County.

Mr. Adams moved that the Board approve the FY '10 Performance Contract for Piedmont Community Services, second by Mrs. Burnette and unanimously carried.

CONSIDERATION OF APPOINTMENTS TO THE HOUSING REHABILITATION BOARD FOR THE COMMUNITY IMPROVEMENT GRANT/SOUTH STREET NEIGHBORHOOD IMPROVEMENT PROJECT:

Mr. Summerlin stated on July 7, 2009, Governor Tim Kaine announced the award of a Community Improvement Grant for the South Street Neighborhood Improvement Project in Bassett. Through this grant, the County plans to accomplish the following activities:

- Rehabilitation of four (4) LMI owner-occupied single family units; substantial reconstruction of three (3) LMI owner-occupied single family units; rehabilitation of ten (10) LMI tenant occupied single family units; and rehabilitation of one (1) multi-family unit with four (4) LMI apartments. One (1) dilapidated vacant house will be demolished. One (1) dilapidated shed will be demolished to allow for necessary right-of-way for South Street to be a VDOT maintained road. Infrastructure improvements include 5,500 cubic yards of excavation, 1,340 linear feet of storm drainage installation, 13 drop inlets, a retaining wall, 11 utility pole relocations, 1,140 linear feet of grass ditches, 3,554 square yards of new road construction, 1,570 lateral feet of water line replacement, and 2,125 lateral feet of sewer line replacement.

One of the requirements of this grant award is the establishment of a Housing Rehab Board (HRB). The purpose of the HRB is to implement the South Street Neighborhood Improvement Project under the guidelines of the Virginia Department of Housing and Community Development. Staff is requesting that the Board recommend the following individuals be appointed:

Benny Summerlin, County Administrator
Randolph Lester, Building Official
Lee Clark, Director of Planning, Zoning and Inspection
Tommy Slaughter, Reed Creek District Supervisor
Pastor Issac McDuffie, Neighborhood Representative

All members shall serve for the duration of the project. The duties of the Housing Rehab Board shall include, at a minimum, the following:

1. Review and approval of housing applications based on family size, income and need.
2. Approval of contractors for bid list.
3. Review contractors' bids.
4. Make recommendations to the Board of Supervisors regarding contract awards. Awards shall be made by the County Administrator except in the case of contracts in excess of fifteen thousand dollars (\$15,000) which shall be awarded by the Board of Supervisors.
5. Serve to resolve complaints and problems.

Mrs. Burnette moved that the Board establish the South Street Neighborhood Improvement Project's Housing Rehab Board and appointment of the recommended individuals to serve on the Rehab Board, second by Mr. Vaughn and unanimously carried.

CONSIDERATION OF CHANGES TO OUTDOOR BURNING LAWS IN HENRY COUNTY CODE:

Mr. Summerlin stated the Code of Henry County, Chapter 9, Article II, Section 9-201, Outdoor Burning, does not mirror the Virginia Department of Forestry outdoor burning laws. The Henry County Code prohibits outdoor burning except for 4 pm to 12 midnight from March 1 to May 15. The state code is from February 15 to April 30. It is suggested by staff that the ordinance be changed to mirror the state code which requires a public hearing.

Mr. Adams moved that the Board set a public hearing for September 22 at 6pm to consider this issue, second by Mr. McMillian and unanimously carried.

FINANCIAL MATTERS:

Award of Contract - Sediment Removal at Old Henry County Landfill

Mr. Summerlin stated that sediment has built up in the old Henry County Landfill storm water pond over the last 15 years to the extent of necessary cleaning this year. Bids were received on the project on August 20, which was too late to get the information in the Board's packet. Mr. Summerlin provided the Board with updated information that four bids were

received, and the low bidder was Steve Martin Trenching of Bassett. The Board is being requested to award a contract in the amount of \$25,450 for sediment removal. Mr. Summerlin stated staff budgeted \$30,000 for FY 2010 in its capital budget for Phase I of this work which is being spread out over two or three years and the remainder of funds will be used to remove trees and to place additional gravel on the road. Mr. Summerlin noted this project is required by the Virginia Department of Environmental Quality.

Mrs. Burnette moved that the Board award a contract to Steve Martin Trenching in the amount of \$25,450 for sediment removal, second by Mr. Slaughter and unanimously carried.

Award of Contract – Replacement Tractor for Parks and Recreation Department

Mr. Summerlin stated Roger Adams, Parks and Recreation Director, is requesting the Board to award a contract in the amount of \$30,378.23 to Lawrence Equipment for the purchase of a replacement tractor for his department. Six vendors responded to the Request for Bids, and Lawrence Equipment of Cloverdale was the low bidder. This project was included in the County's Capital Improvement Program for the current budget year.

Mr. Adams moved that the Board award a contract in the amount of \$30,378.23 to Lawrence Equipment for the purchase of a replacement tractor for Parks and Recreation, second by Mr. Vaughn and unanimously carried.

Award of Contract – Toughbook Computers for Public Safety Department

Mr. Summerlin stated that Dale Wagoner, Director of Public Safety, is requesting the Board to take several steps surrounding a grant from the Department of Homeland Security. The grant in the amount of \$65,610 is for the purchase of 18 Panasonic Toughbook Computers to be placed in each of the volunteer rescue squad ambulances in Henry County, and Mr. Wagoner is asking that the Board accept the grant. Mr. Wagoner also requests that the Board approve the use of \$4,680 in rebates from Motorola to purchase an additional Toughbook computer and to purchase a printer that would be placed at the emergency room for use by volunteers to print patient care reports. Lastly, Mr. Wagoner is asking the Board to award a contract in the amount of \$69,255 (the grant money plus the rebate money) to Electronic Systems of Roanoke (the lowest bidder) to purchase 19 Toughbook computers.

Mr. Wagoner discussed the grant guidelines from the Department of

Homeland Security for the Toughbook Computers. He stated a computer would be placed on each licensed EMS vehicle provided by the volunteer rescue squads to primarily do patient care reports with a printer to be located in the emergency room for volunteers to print patient care reports. Mr. Wagoner noted that Henry County does not need to place additional insurance coverage on the computers, which would be covered under the rescue squad's vehicle insurance.

Mr. Vaughn moved that the Board accept the grant in the amount of \$65,610; and to appropriate the Motorola rebate in the amount of \$4,680; and award the contract to Electronic Systems, Inc. in the amount of \$69,255, second by Mr. McMillian and unanimously carried.

Award of Contract re: Interoperability Project – Department of Public Safety

Mr. Summerlin stated Dale Wagoner, Director of Public Safety, is requesting the Board to award a contract in the amount of \$155,000 to Motorola to purchase 50 portable radios and associated equipment related to the County's interoperability project. The Board previously accepted a grant from the Department of Homeland Security in the amount of \$1,040,000 for this project, and this expenditure will come from that amount.

Mr. Adams moved that the Board award the contract in the amount of \$155,000 to Motorola for the purchase of 50 portable radios, second by Mr. McMillian and unanimously carried.

Mrs. Buchanan commended the Public Safety Office in all their efforts in securing grants. Mr. Summerlin noted that Matt Tatum of the Department of Public Safety has also been instrumental in getting a grant for 18 public access defibrillators to be installed in all County owned facilities.

Additional Appropriation re: Smith River Fest – Parks and Recreation

Mr. Summerlin stated that Roger Adams, Director of Parks and Recreation, is requesting the Board for an additional appropriation of \$5,000 for the Smith River Fest. The September 7 event is sponsored by Henry County, Franklin County, the Dan River Basin Association, and the Martinsville-Henry County Economic Development Corporation's Office of Tourism. Funding for the appropriation is coming from Franklin County (\$2,000) and the Office of Tourism (\$3,000).

Roger Adams then discussed the four day event of the Smith River Fest beginning on Monday, September 7 on the Smith River with the primary staging area being the Bassett Canoe Access. He stated the event is being coordinated by Parks and Recreation with the assistance of the Dan River Basin Association and Franklin County.

Tim Hall showed the Board a brief video composed by an outside contractor through the efforts of Dan River Basin Association highlighting some of the natural aspects of the Smith River.

Mrs. Burnette moved that the Board approve the \$5,000 appropriation for the Smith River Fest, second by Mr. Vaughn and unanimously carried.

Additional Appropriation re: River Access at Smith River Sports Complex

Mr. Summerlin stated The Harvest Foundation is providing funding in the amount of \$5,000 for a river access point at the Smith River Sports Complex which will be operated and maintained by the Henry County Parks and Recreation Department. The Board is being asked to appropriate those funds.

Mr. Adams moved that the Board approve the \$5,000 appropriation, second by Mr. McMillian and unanimously carried.

Acceptance of Grant and Additional Appropriation re: DMV Safety Grant – Sheriff’s Office

Mr. Summerlin stated Sheriff Perry is requesting the Board to accept and appropriate a grant from the Virginia Department of Motor Vehicles in the amount of \$29,736. The grant would be used to provide overtime pay for deputies, travel expenses, purchase three radar units and four field breath tests. The grant requires a local match of \$5,947, which Sheriff Perry proposes to come from the fuel and maintenance line items of the vehicles that will be used in the work.

Mr. McMillian moved that the Board approve acceptance of the grant and the additional appropriation of \$29,736, second by Mr. Adams and unanimously carried.

Acceptance of Grant and Additional Appropriation re: JAG Grant – Sheriff’s Office

Mr. Summerlin stated Sheriff Perry is requesting the Board to accept and appropriate a grant from the Virginia Department of Criminal Justice Services through the Byrne Justice Assistance Grant program (JAG) of \$2,283. The grant would be used to install a security lock system in the main office building in the Sheriff's Office, which would allow the Sheriff's Office to track individuals entering the office. The grant requires a local match of \$254 which Sheriff Perry proposes to come from the law enforcement equipment line item.

Mr. McMillian moved that the Board approve acceptance of the grant and the additional appropriation of \$2,283, second by Mr. Slaughter and unanimously carried.

Acceptance of Grant and Additional Appropriation re: Department of Justice Grant – Sheriff's Office

Mr. Summerlin stated Sheriff Perry is requesting the Board to accept and appropriate a grant from the United States Department of Justice as part of the American Recovery and Reinvestment Act (ARRA). The grant is in the amount of \$126,329 and does not require a local match. The grant would be used for a variety of purchases, which are outlined in a memo from Sheriff Perry and included in Board's file.

Mrs. Burnette moved that the Board approve acceptance of the grant and the additional appropriation of \$126,329, second by Mr. McMillian and unanimously carried.

INFORMATIONAL ITEMS:

Comments from the Board

Mrs. Burnette stated she attended a VACo Board meeting several weeks ago and VACo has updated its website www.vaco.org which was extremely well done and easy to navigate. The website was prepared by two VACo staff members without having to hire an outside contractor. Mrs. Burnette noted that September is National Preparedness Month and was not aware of any events that the County may have planned.

Mr. Adams noted that the Board will probably have contracts coming in on the Riverside Drive Housing Rehab Project for approval in September. He also noted that the Bassett Heritage Festival is scheduled on September 12.

Mr. Vaughn stated he attended the most recent Blue Ridge Regional Library Board Meeting and its Board agreed to add some additional hours

back to the Ridgeway Library. He stated he also enjoyed attending the Sports Complex Grand Opening on Sunday and was looking forward to the upcoming Smith River Fest.

Mrs. Buchanan announced that she will be holding a community meeting on September 15 at 7:00 pm at the Horsepasture Ruritan Building.

Mr. Summerlin stated that Governor Kaine recently announced a potential State budget shortfall projected at approximately \$1.5 billion. Adjustments may be made and will be announced by Labor Day. Mr. Summerlin stated this would affect localities and every agency that receives state funding with the potential to see budget reductions. He stated public education is the largest amount of revenue received from the state followed by the aid to Constitutional Officers. He stated it remains to be seen as to what impact those cuts will have on County operations and services. He stated he is concerned with the proposed State cuts and staff continues to monitor its local revenue.

Mr. Summerlin stated Henry County agreed to be a Pacesetter Company for the United Way Campaign this year and encouraged the Board to donate a pledge if they have not done so. Mr. Summerlin discussed several recent fund raising events held by the County for United Way including several luncheons hosted by the Sheriff's Office, an employee yard sale, dunking booth and sale of ice cream, an employee golf tournament and a 50/50 ticket drawing. Mr. Summerlin stated employees enjoyed the events as well as successfully raising money.

Mr. Summerlin stated the Service Center in Bassett has been completed and is operational. He stated the PSA will hold its September 21 meeting there and asked if the Board of Supervisors would be available around 5:00 pm that day for a short tour. Mr. Summerlin stated a number of County operations are located in the Service Center such as Refuse Collection, a fuel island for County vehicles, a radio technician, the Household Hazardous Waste Day will be held there and the Parks and Recreation maintenance is also housed there.

CLOSED MEETING:

Mr. Adams moved to enter into a closed meeting at 3:40 pm to discuss the following, second by Mrs. Burnette and unanimously carried.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Southern Area Agency on Aging Board and Patrick Henry Community College Board.

- 2) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Legal Matters.
- 3) §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced Industries.

OPEN MEETING:

The Board returned to an open meeting at 5:13 pm on a motion by Mr. Adams, second by Mrs. Burnette and unanimously carried. No action was taken.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote. Those voting in the affirmative were: Mr. Slaughter, Mr. McMillian, Mrs. Burnette, Mr. Adams, Mr. Vaughn, and Mrs. Buchanan.

The Board recessed its meeting at 5:15 pm. Mrs. Buchanan reconvened the meeting at 6:00 pm and welcomed everyone present.

CONSIDERATION OF REPORT FROM EMS TASK FORCE:

Several members of the EMS Task Force, Mr. Marcus Stone, and President of the Rescue Squad Association; Mr. John Mitchell, Iriswood District community representative; and Mr. Stuart Bowman, Collinsville District community representative were present to discuss the EMS Task Force Report. Mr. Stone stated an Emergency Services Task Force was formed in 2008 to evaluate the process of how the community's volunteer squads deliver services. In April the committee reported on its progress and is prepared today to update the Board of Supervisors. The following recommendations were discussed by the Task Force.

EMS TASK FORCE RECOMMENDATIONS

The EMS Taskforce recommends the appointment of a Commission to oversee Emergency Medical Services in Henry County.

WHO SHOULD APPOINT THE EMS COMMISSION

1. The Henry County Board of Supervisors will coordinate the appointment of the EMS Commission
 - The Board of Directors from each Volunteer Rescue Squad shall appoint a representative for their respective agency.
 - The Henry County Board of Supervisors will appoint an equal number of citizens to serve on the commission.
 - The service terms of commission members are to be staggered so that not more than a third of the commission is reappointed in a single year.

WHAT AUTHORITY SHOULD THE COMMISSION HAVE

1. Coordinate Emergency Medical Services in the county with the volunteer agencies and other agencies operating within the county.
2. Assign, review, & update response territories to ensure all county citizens are provided services by volunteer squads.
3. Review squad performance with an effort toward maintaining consistent performance among squads to ensure all county citizens receive equal and adequate service.
4. Assist squads to identify and adopt best practices that could be beneficial to all squads.
5. Coordinate purchasing and expenditures to facilitate a central acquisition and storage of disposable medical supplies.
6. Act as a resource to the citizens of Henry County for citizen feedback on services provided by the squads and other emergency medical service agencies.
7. Develop a reaction/response time goal and support its implementation and modification as needed.
8. Explore and assist with implementing recruitment and retention incentives for volunteers.
9. Coordinate information on billing procedures between the agencies to support consistency between the agencies.
10. Provide and coordinate information to the squads that consider supplemental staffing to fill gaps and methods to compensate.
11. Set and implement policies for all secondary EMS providers operating within the County as part of the County's 911 Emergency Medical System.

FEED BACK QUESTIONS AND ANSWERS

ARE ALL AGENCIES ON BOARD WITH THIS PLAN

This recommendation was presented to the Rescue Squad association at its July meeting and was endorsed by the association at that time. With any new program there will be individuals that might not agree. It will be part of

the commission's duties to hear these concerns and address them by working with the EMS agencies' leaders and the Board of Supervisors.

WHY RECOMMEND THAT ALL AGENCIES PARTICIPATE IN REVENUE RECOVERY

1. It is an opportunity to have revenue that supports the operation of emergency services without taxing the citizens of the County.
2. The effects on insurance is minimal and normally not a factor in determining insurance premiums.
3. The process currently in use by the rescue squads is not a burden on those that cannot afford insurance. This makes revenue recovery as close to a win-win as possible.
4. By taking advantage of outside sources of revenue, reliance on County funds for operations will be minimized, allowing better use of county funds to support major capital upgrades, recruitment, and training.

WILL ALL AGENCIES PARTICIPATE IN REVENUE RECOVERY

1. It is recommended that each squad utilize this resource to fund the cost associated with providing emergency care to the citizens.
2. The Commission should have the authority to pursue revenue recovery for the areas covered by agencies that are not participants to cover the cost of supporting call coverage in those areas.

WILL SOME FUNDING BE USED TO FILL IN THE GAPS WITH THE PAID PROVIDERS

1. The commission will set expectations for call coverage and response times based on cost, available resources, and citizen feedback.
2. The decision to pay providers should be decided by the individual agencies based on the agency's needs to meet the criteria set for the county by the commission.
3. The commission will provide support for agencies that choose to implement such a program by sharing information and coordinating programs as requested by the individual agencies.

WHY SHOULD WE CHANGE THE PRESENT SYSTEM

1. Currently parts of the county have professional emergency medical service being provided by volunteer squads. It is the goal of this commission to ensure that all areas of the county have service by volunteer squads available to them.

HOW MUCH IS THIS PLAN GOING TO COST

1. The financial impact will be negligible since current resources will be utilized in the current recommendations.
2. Should the need for additional funding arise, the commission will present recommendations to the board.

WHY HAS THE TASK FORCE NOT MADE ADDITIONAL SPECIFIC RECOMMENDATIONS TO THE BOARD AT THIS TIME

1. We believe that the Henry County EMS Commission should make the specific recommendations and decisions relating to its charge. The Commission's hands should not be tied by decisions put in place before its creation.
2. Having the current task force make specific recommendations would duplicate efforts, as these details would necessarily require review and likely be modified by the Commission.
3. The current task force lacks a sufficient number of citizen representatives to ensure that both the citizens and the rescue squads have appropriate input on proposed changes. Also, this task force does not have the authority to implement such changes.

IS TIMING IMPORTANT

1. The current process lacks the needed input and support from the citizens and the rescue squads, and the authority to implement some of the needed changes. The longer the development of a commission is delayed the more difficult the implementation of changes will become.
2. In January of next year, we will have two new County Supervisors that will be unfamiliar with this process, and could further delay the progress. By having the majority of the commission established by January 1st the new supervisors can appoint citizens to the commission in a timely manner, thus allowing the process for improvement to begin.

Following was a lengthy discussion among the Board and members of the EMS Task Force regarding its recommendations.

Mr. McMillian stated he felt the County needs to proceed with establishing the Commission and at a later time add authority to the Commission as the County determines the legalities and what responsibilities the County assigns to the Commission.

Mr. Summerlin stated the Board received information that the Commission was to be an Advisory Board and now the Task Force is

requesting that the Commission be a policy making body. He stated establishing an EMS Authority Commission in County Code would involve researching the Code and holding a public hearing for citizen input. He stated the County needs to research what authority it has in creating an EMS system giving broad authority.

Mr. Vaughn stated the Board could start an advisory committee and after researching the legalities the Board could convey authority at a later time.

Mr. Summerlin stated the key principal is not the legal authority but what operational responsibility does the County want the Commission to do and clearly define its responsibilities.

Mrs. Burnette and Mrs. Buchanan agreed that the Board needs to set a future work session after staff has had time to research the legalities of the recommendation by the Task Force. Mrs. Burnette stated at this time she would like to thank all members of the Task Force and everyone who participated in any way.

Mr. Vaughn stated what needs to be addressed is stimulating volunteerism, providing incentives, and improving response time to calls. He asked if information could be generated regarding the number of members in a squad, the number of calls a member runs, and how many hours put in by a member for one year without providing names. Stuart Bowman of the Task Force stated that information could be provided; however, it would take some time to compile the data.

Mrs. Burnette moved that the Board receive the Task Force Report, set a future work session, request staff to research and provide the Board with legal information regarding the Board's authority to establish an EMS Commission, to include information regarding the number of members in each squad, the number of calls a member runs, and how many hours put in by a member for one year without providing names, also request information on what levels of training that members have, information on the point system and how it works, and to seek input from the Public Safety Department, second by Mr. McMillian and unanimously carried.

Mr. Summerlin stated staff would try and compile the information requested within the next month in order to schedule a work session.

MATTERS PRESENTED BY THE PUBLIC:

Mrs. Buchanan read the following statement regarding public comments: "The Board is here to listen to public comments and not to engage in a question and answer period or a debate. If anyone wishes to address the Board please come to the podium and state your name, subject matter and the district in which you live. By coming to the podium you have agreed to exhibit respect to the Board and its members. Each one will conduct themselves with dignity and will receive the same level of respect from the Board. Those who wish to speak please keep your comments between three to five minutes.

No one was present to address the Board under matters presented by the public.

PUBLIC HEARING – REQUEST TO APPLY FOR DEPARTMENT OF JUSTICE RECOVERY ACT JAG GRANT:

Sheriff Perry is seeking permission to apply for a Department of Justice Edward Byrne Memorial Justice Assistance Grant, or JAG Grant. The grant, in the amount of \$30,716, would go toward such programs such as Neighborhood Watch and the Citizen Police Academies Crime Prevention Program. There is no local match required and the public hearing has been advertised for August 25.

The public hearing was open at 7:10 pm. There being no one present who wished to speak the public hearing was closed at 7:10 pm.

Mrs. Burnette moved that the Board approve the application request as presented by Sheriff Perry, second by Mr. McMillian and unanimously carried.

PUBLIC HEARING – CONVEYANCE OF PARTIAL OWNERSHIP OF ATHENA BUILDING TO THE CITY OF MARTINSVILLE:

As part of the process of providing the Athena Building for the Henry-Martinsville Department of Social Services, Henry County entered into an agreement with the City of Martinsville to convey 34% ownership in the building to the City of Martinsville for 34% of the purchase price (\$561,000). Such action requires a public hearing and has been scheduled for August 25.

The public hearing was open at 7:11 pm. There being no one present who wished to speak the public hearing was closed at 7:11 pm.

Mrs. Burnette moved that the Board approve conveyance of 34% ownership in the Athena Building to the City of Martinsville for 34% of the

purchase price (\$561,000), second by Mr. Adams. The motion carried 5 to 1. Mr. McMillian voted in opposition.

GENERAL HIGHWAY MATTERS:

Ms. Lisa Price-Hughes, Residency Administrator, was present to review general highway matters with the Board. Ms. Hughes updated the Board on VDOT State cuts, which is approximately (\$136,000 million) in funding from this fiscal year's budget. Ms. Hughes stated there will be potential further reductions in operations and maintenance, staffing, services, contracts and it may also impact federal construction projects. Ms. Hughes stated she would have more information available in several weeks.

Ms. Hughes advised that paving has begun on 220 South in Ridgeway and should be completed by August 26. VDOT would then move to Route 58 in Spencer for paving which should last a couple of weeks. Also pipe replacement on Route 619 has begun.

Several Board members discussed several miscellaneous projects in their districts such as mowing issues, line painting, clearing overgrown brush from roadways, occurring accidents at the Intersection of Carver Road (Route 684).

CONTINUATION UNTIL AUGUST 31, 2009 AT 6:30 PM:

The Board received information in its working papers that tonight's meeting will need to be continued until Monday, August 31, at 6:30 pm. At that time the Board of Supervisors will hold a joint meeting with Martinsville City Council which will begin with a dedication of the newest shell building. The meeting will then convene in the fourth floor conference room to hear reports on the Piedmont Area Regional Transit system and on the move of the Social Services department into the former Athena Building.

Mr. Vaughn moved at 7:16 pm that the Board continue its meeting to August 31, 2009 at 6:30 pm at the Shell Building, second by Mrs. Burnette and unanimously carried.

**JOINT MEETING OF THE
HENRY COUNTY BOARD OF SUPERVISORS AND
MARTINSVILLE CITY COUNCIL
MINUTES**

August 31, 2009 – 7:15 pm

The Henry County Board of Supervisors held a joint meeting with Martinsville City Council on August 31, 2009 at 7:15 pm in the Fourth Floor Conference Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The purpose of the meeting was to hear a presentation on the Piedmont Area Regional Transit System and consider various matters related to the Department of Social Services relocation. Prior to the joint 7:15 pm meeting, members of the Board of Supervisors, City Council, and staff attended a dedication ceremony at 6:30 pm at the new shell building on Beaver Creek Drive at Patriot Centre.

The following Board members were present: Chairman Debra Buchanan; Vice Chairman H. G. Vaughn; Jim Adams, Paula Burnette, Tommy Slaughter and Jim McMillian.

County Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Darrell Jones, Director of Finance; Richard Stanfield, Deputy Director of Finance; Susan Reynolds, Director of Human Resources/Public Information; and Lee Clark, Director of Planning, Zoning and Inspections.

Members of City Council present were: Mayor Kathy Lawson; Vice Mayor Kimble Reynolds; Danny Turner, Mark Stroud, and Gene Teague. Members of City staff present were: Clarence Monday, City Manager; Brenda Prillaman, Assistant to City Manager; Eric Monday, City Attorney; and Leon Towarnicki, Public Works Director.

Mr. Ben Meador, Chairman of the Social Services Board and Ms. Amy Tuttle, Executive Director of Social Services were present.

Mickey Powell of the Martinsville Bulletin, and Ron Morris of B-99 were present.

CALL TO ORDER:

Chairman Buchanan called the Board of Supervisors meeting to order. Mayor Lawson called City Council in session.

PRESENTATION ON PIEDMONT AREA REGIONAL TRANSIT (PART):

Tim Hall, Deputy County Administrator, Leon Towarnicki, City Public Works Director, and Curtis Andrews of RADAR were present to give a presentation on the Piedmont Area Regional Transit (PART). PART began as a demonstration grant which funded one bus for area public transportation and the State has recently approved a second bus with no local contribution for a period of two years. Mr. Hall gave a Powerpoint Presentation while Mr. Andrews reviewed the programs operation. Several highlights discussed during the presentation were:

- Discussed Types of Public Transit Service, which PART provides a Deviated Fixed Route. PART operates five days a week, Monday through Friday between the hours of 7:30 am and 5:30 pm.
- Discussed PART timeline on its Marketing and Public Relations. Brochures were distributed which included a map and schedule of routes for the City and Henry County.
- Discussed the Six Top Stops which are Wal-Mart, Patrick Henry Community College, downtown Martinsville to the City Municipal Building, Patrick Henry Mall, Liberty Fair Mall and the Virginia Museum of Natural History.
- Discussed a Survey of Ridership and Trip Purposes.
- Reviewed PART Program Funding and Operating Expenses for FY 2010, which is a combination of Federal, State and Local funds.
- Discussed Path Forward with the Committee's recommendation to continue the program, which includes new routes, continued support from the Commonwealth and partnering with the Boys and Girl's Club after School Programs.
- Discussed Future Signage and Use of Tokens. At present, a fare of fifty cents per trip is charged. Individuals who are (Americans with Disability Act) ADA may request the van to deviate off its route to make picks-ups and drop offs; however, the distance may not exceed 3/4ths of a mile off of the route. Adult monitoring has been agreed upon if issues arise from children riding alone.

- Discussed Charter Regulations involving alternating routes, transporting on weekends during special events, etc.

Mr. Andrews recognized members of the committee following the presentation. Tim Hall, Curtis Andrews and Leon Towarnicki answered general questions asked by members of City Council and the Board of Supervisors.

Gene Teague moved that City Council approve the resolution authorizing the application for State Aid to Public Transportation for continuation of the Piedmont Area Regional Transit services, second by Danny Turner and unanimously carried.

Paula Burnette moved that the Board of Supervisors approve the resolution authorizing the application for State Aid to Public Transportation for continuation of the Piedmont Area Regional Transit services, second by Tommy Slaughter and unanimously carried.

CONSIDERATION OF PATRIOT CENTRE REVENUE SHARING AGREEMENT:

George Lyle, County Attorney, and Eric Monday, City Attorney, discussed the new Patriot Centre Revenue Sharing Agreement which was based on the 2002 Revenue Sharing Agreement between the City and County. The new agreement will supersede the 2002 Agreement. Mr. Lyle stated the new agreement will include all land that is developable in the Patriot Centre. (Copy of August 31, 2009 Revenue Sharing Agreement is included in Board's File).

Following discussion Gene Teague moved that City Council approve the 2009 Revenue Sharing Agreement at Patriot Centre between the City and County, second by Mark Stroud and unanimously carried.

H. G. Vaughn moved that the Board of Supervisors approve the 2009 Revenue Sharing Agreement at Patriot Centre between the City and County, second by Tommy Slaughter and unanimously carried.

CONSIDERATION OF VARIOUS MATTERS RELATED TO SOCIAL SERVICES RELOCATION:

Review Space Plan

Mr. Summerlin introduced Mr. Jeff Turton, Engineer with the Henry County Engineering and Mapping Department. Mr. Turton has been assigned to coordinate the project on the Social Services relocation. Ms. Amy Tuttle, Director of Social Services was present to assist Mr. Turton in reviewing the space plans for the new Social Services facility. Mr. Turton reviewed proposed charts of the proposed two-story floor plan and Ms. Tuttle discussed the various offices proposed for social workers and clients as well as certain floor plans designed to meet clients in a confidential setting and supervised meeting areas.

Review Project Budget

Mr. Summerlin reviewed the proposed project budget on the Social Services relocation estimated at \$700,000, including the following items:

• Building Renovation	\$203,590
• Modular Furniture	\$106,680
• Other Furniture/Fixtures	\$53,320 estimate
• Mechanical Equipment	\$32,716
• Paving	\$42,870
• Phone and Data Wiring	\$8,000 estimate
• Telephone System	\$42,000 estimate
• Northrup Gruman IT Cost	\$13,000 estimate
• Building & Grounds Equipment	\$10,000 estimate
• Engineering Costs	\$24,500
• Moving Costs	\$5,000 estimate
• Sprinkler System Modifications	\$8,000 estimate
• Signage, Dumpster, Sound Panels, Cleaning, etc.	\$18,647 estimate
• Security Equipment	\$25,000 estimate
• Miscellaneous Electrical	\$10,000 estimate
• Contingency	\$96,677
• TOTAL	\$700,000

Consideration of Lease Agreement

Mr. Summerlin reviewed the proposed lease agreement, stating that the Memorandum of Understanding specified that the new lease would utilize all of the existing conditions with the Department of Social Services, which is outlined in the Social Services current lease agreement to the extent that the terms and conditions do not conflict with the Virginia Department of Social Services general lease requirements.

Mr. Summerlin stated the maximum base rent is calculated by considering cost and depreciation. Depreciation on the building is calculated at 30 years based on the type of construction resulting in a maximum base rent of \$75,000 per year. He stated that currently the City and County receive a total of \$29,436 in annual rent and the new lease has been structured to provide for the existing rent payment. In addition, at the end of the budget year, if funds are remaining in the Social Services budget, Social Services is to pay additional rent subject to funds being available in their budget for that purpose. Mr. Summerlin stated that the Virginia Department of Social Services will have to approve the depreciation schedule, therefore recommendation to the Board and City Council is to approve the lease contingent upon final approval of the depreciation schedule by the State. (Copy of Lease Agreement is included in Board's File).

Mr. Summerlin noted that the Social Services Board this morning approved the lease agreement contingent upon the costs allocation being approved by the Commonwealth.

Jim Adams moved that the Board of Supervisors approve the lease agreement contingent upon final approval of the depreciation schedule by the Virginia Department of Social Services, second by Paula Burnette. The motion carried 5 to 1. Jim McMillian voted in opposition.

Gene Teague moved that City Council approve the lease agreement contingent upon final approval of the depreciation schedule by the Virginia Department of Social Services, second by Mark Stroud. The motion carried 4 to 1. Danny Turner voted in opposition.

Award of Contracts

Mr. Summerlin stated since Henry County is the fiscal agent for the relocation project the following contracts would need to be awarded by the Board of Supervisors.

- Building Renovations – Quirk Design Build, \$203,590 (sealed bid)
- Paving – J.C. Joyce Paving, \$42,870 (sealed bid)
- Modular Furniture - \$106,680, Bassett Office Supply (sealed bid)
- Mechanical Equipment - \$32,716, Trane, Sole Source to match existing equipment and controls
- Telephone System – not to exceed \$42,000, City of Martinsville

Paula Burnette moved that the Board of Supervisors approve the award of the five contracts, second by H. G. Vaughn. The motion carried 5 to 1. Jim McMillian voted in opposition.

APPROPRIATE CITY SHARE OF EXPENSES:

Clarence Monday, City Manager, reviewed the City's share of expenses, which include the building purchase, renovations and moving expenses for the Department of Social Services in the amount of \$799,000.

Danny Turner moved that City Council in its FY 2010 budget, to authorize the expenditure and approve the appropriation of \$799,000 from the Fund Balance of the General Fund for the City's share of the building purchase, renovations and moving expenses for the Department of Social Services, second by Mark Stroud and approved unanimously.

CONSIDERATION OF COUNTY BUDGET AMENDMENT:

Mr. Summerlin stated the Board of Supervisors would need to amend its FY 2010 County Budget to include \$700,000 for renovation expenditures.

H. G. Vaughn moved that the Board of Supervisors amend its FY 2010 Budget to include \$700,000 for renovation expenditures for the Social Services building, second by Paula Burnette. The motion carried 5 to 1. Jim McMillian voted in opposition.

SCHEDULE PUBLIC HEARINGS AND AUTHORIZE SOLICITATION OF PROPOSALS CONCERNING DISPOSITION OF BUILDING LOCATED AT 20 EAST CHURCH STREET:

Mr. Summerlin stated the current Social Services building located at 20 East Church Street is jointly owned by Henry County (66%) and Martinsville (34%). He stated a public hearing must be held before the governing bodies can dispose of real property. The recommendation to the Board of Supervisors is to hold a public hearing on the disposition of the property on Tuesday, September 22, at 6:00 pm and City Council would hold its public hearing also on Tuesday, September 22, at 7:30 pm. Mr. Summerlin stated it is also recommended that the Board of Supervisors and City Council authorize staff to advertise and solicit proposals concerning disposition of the building until December 1. Mr. Summerlin stated that the City Manager has agreed to receive proposals and provide a copy to the County. It was noted that staff will coordinate with the Department of Social Services for interested parties to inspect the building prior to submitting their proposal.

Gene Teague expressed concerns of City Council soliciting proposals for the building at this time because the City is in the middle of a Master Plan for Uptown Martinsville. Mr. Teague stated that the first quarter of 2010, a CDC will be formed as part of the Master Plan to work on projects that can return investments on a specific project. He stated his concern is if the City solicits proposals ahead of that process that would not provide an opportunity for the CDC to look at all projects that would fit within the Master Plan for the City. He stated he would prefer to get public input but not propose solicitation of the building.

Gene Teague moved that City Council set a public hearing at its September 22, meeting at 7:30 pm for citizen input on the disposition of the Social Services building, second by Danny Turner and unanimously carried.

H. G. Vaughn moved that the Board of Supervisors set its public hearing at its September 22, meeting at 6:00 pm for citizen input on the disposition of the Social Services building, second by Tommy Slaughter and unanimously carried.

There being no further business to discuss Jim Adams moved that the Board of Supervisors adjourn its meeting at 8:45 pm, second by H. G. Vaughn and unanimously carried.

Gene Teague moved that City Council adjourn its meeting at 8:45 pm, second by Danny Turner and unanimously carried.

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

September 22, 2009 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on September 22, 2009, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn, Jim Adams, Paula Burnette, Jim McMillian and Tommy Slaughter.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Susan Reynolds, Director of Human Resources/Public Information; Darrell Jones, Director of Finance; and Richard Stanfield, Assistant Director of Finance.

Sheriff Lane Perry and Sergeant Eric Hairston were present from the Sheriff's Office. Debbie Hall of the Martinsville Bulletin and Ron Morris of B-99 were present.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Jim McMillian gave the invocation and Paula Burnette led in the Pledge of Allegiance.

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present. She stated that anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm 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 pm may do so under Agenda Item - Matters Presented by the Public without contacting the County Administrator's Office.

Ms. Buchanan welcomed Deputy Mark Jamison who was in attendance as a requirement in his field training program with the Sheriff's Office. Mr. Jamison recently completed basic training. He stated he was glad to be present and appreciates the opportunity to serve the public.

ITEMS OF CONSENT:

Confirmation of Minutes of Meetings

(Copy included in Board's File).

- August 25, 2009 – 3:00 pm
- August 31, 2009 – 7:15 pm

Approval of Accounts Payable

(Copy included in Board's File).

Mrs. Burnette moved that the Board approve Items of Consent as presented, second by Mr. Adams and unanimously carried.

CONSIDERATION OF RESOLUTION ENDORSING BASSETT HISTORICAL SOCIETY'S HERITAGE BOOK:

Mr. Adams stated that the Bassett Historical Society is considering the publication of a Henry County "Heritage Book" that would detail some of the County's illustrious history. A resolution has been prepared expressing the Board's support for the effort by the Bassett Historical Society in this endeavor. (Copy of Proposed Resolution is Included in Board's File).

Mr. Adams moved that the Board approve the resolution in support of the Bassett Historical Society's Heritage Book, second by Mr. Vaughn and unanimously carried.

CONSIDERATION OF CHANGES TO THE HENRY COUNTY'S ANIMAL IMPOUND ORDINANCE:

Mr. Summerlin stated the Sheriff's Office is requesting several changes to the Henry County's Dog Impound ordinance, which has not been addressed in more than 15 years. Among the suggestions is to raise the fee charged for the capture and delivery to the pound of a dog, and an increase in the daily boarding fees. He stated as with any change to the County Code, a public hearing is required before any action can be taken.

Outlined in a report by County Attorney George Lyle, the following information was provided after researching the Virginia State Code.

- 1) The fee charged for the capture and delivery to the pound of the dog would be raised from \$30 to \$40 for the first time the animal is captured. Subsequent captures of the same dog would result in an \$80 impoundment fee for the owner to reclaim.

- 2) In addition to the impoundment fee, the Sheriff's Office is requesting an increase in the daily boarding fee charged while the captured animal is at the pound. The current fee is \$5 per-day and the Sheriff's Office is proposing a \$7 daily fee.
- 3) Virginia law allows for animals that remain at the pound after five days to become property of the County. The exact number of days (five or longer) must be set by the Board by ordinance. Currently the County ordinance sets the number of days to be reclaimed at 10. The Sheriff's Office is requesting the 10 day period be changed to 5 days.

Mr. McMillian moved that the Board set a public hearing for October 27 at 6 pm on this issue, second by Mr. Adams and unanimously carried.

CONSIDERATION OF ISSUES REGARDIING SOUTH STREET NEIGHBORHOOD IMPROVEMENT PROJECT BUDGET:

Mr. Summerlin stated at the Board's meeting on March 24, 2009, a public hearing was held for a community improvement grant application for the South Street neighborhood in Bassett. The Board also approved a resolution authorizing the grant application in the amount of \$2,169,853. On July 7, 2009, Governor Tim Kaine announced the award of a Community Development Block Grant (CDBG) to Henry County for this project. Since that amount is more than 1% of the overall County budget, a public hearing is required before the money can be appropriated.

Mr. Vaughn moved that the Board set a public hearing on October 27, 2009, at 6 pm to consider this budget adjustment, second by Mr. Slaughter and unanimously carried.

FINANCIAL MATTERS:

Additional Appropriation re: H1N1 Medical Supplies Grant – Public Safety

Mr. Summerlin stated that Dale Wagoner, Public Safety Director, indicated that Henry County has been awarded a grant from the Virginia Department of Health, Office of Emergency Medical Services in the amount of \$4,320 for the purchase of H1N1 (swine flu) protective respiratory masks. Masks will be distributed to each of the five volunteer rescue squads. The competitive grant requires no local match.

Mr. Wagoner responded to a question asked by Mrs. Burnette regarding vaccines being made available to first responders. He stated Public Safety has been in close contact with the local Health District to insure a consistent

voice on H1N1 preparation, planning and distribution of information. Indications are now that vaccines will be made available to first responders; however, until a final count is available of how many vaccines are going to be allocated to the State and divided up by locality, there's not any absolute to say yes, but the plan is to provide first responders with vaccines.

Mrs. Burnette moved that the Board approve the additional appropriation in the amount of \$4,320 as requested, second by Mr. Slaughter and unanimously carried.

Additional Appropriation re: Title II Part D ARRA Funds – School Board

Mr. Summerlin stated that School Superintendent Anthony Jackson is requesting an additional appropriation of \$9,227.79 in Title II Part D American Recovery and Reinvestment Act (ARRA) funds. According to information from the School Board office, the money is a sub-grant from the Enhancing Education through Technology Formula. Dawn Lawson, Director of Business, was present from the School Board.

Mrs. Burnette moved that the Board approve the additional appropriation in the amount of \$9,227.79 as requested, second by Mr. Adams and unanimously carried.

Transfer Appropriations re: State Fiscal Stabilization Funds-School Board

Mr. Summerlin stated that School Superintendent Anthony Jackson is requesting two transfers totaling \$1,060,000 for use on facility improvements. According to information provided by the School Board, the money came from the State Fiscal Stabilization Fund. Mr. Jackson is requesting that the Board approve a transfer of \$500,000 from capital outlay addition categories into the building improvements category. The School Board approved the transfer earlier this month. The second transfer, of \$560,000, will not go before the School Board until its October 1 meeting. However, to expedite the process, Mr. Jackson would like the Board of Supervisors to approve the transfer appropriation contingent on the School Board's similar action on October 1. According to information from the School Board, this money would be used for roof replacements, playground fencing, and restroom renovations at various schools.

Mrs. Burnette moved that the Board approve the \$500,000 transfer as suggested and that the second transfer of \$560,000 be approved contingent

on School Board approval at its October 1, 2009 meeting, second by Mr. Vaughn and unanimously carried.

Additional Appropriation re: 21st Century Community Learning Centers Grant – School Board

Mr. Summerlin stated that Superintendent Jackson is asking the Board for an additional appropriation of \$200,000 from the Title IV, Part B, 21st Century Community Learning Centers grant. The federal grant flows through the State Department of Education and is intended for Laurel Park Middle School.

Mrs. Burnette moved that the Board approve the additional appropriation in the amount of \$200,000 as requested, second by Mr. Adams and unanimously carried.

Additional Appropriation re: Asset Forfeiture Funds – Commonwealth’s Attorney’s Office

Mr. Summerlin stated that Commonwealth Attorney Bob Bushnell is requesting the Board to make an additional appropriation in the amount of \$2,000 from the Asset Forfeiture line item to his Travel Expenses line item.

Mr. Adams moved that the Board approve the additional appropriation in the amount of \$2,000 as requested, second by Mr. McMillian and unanimously carried.

Additional Appropriation re: Philpott Sewer Line Project

Mr. Summerlin stated in April the Board of Supervisors approved a Letter of Intent with the U.S. Corps of Engineers to fund extension of public sewer from Route 57 to the Corps’ property line to serve Corps facilities at Philpott Lake. The cost of sewer line will be approximately \$500,000 and bids are to be opened later this month. The Corps of Engineers will construct sewer lines and necessary facilities on Corps property to make connection to the Public Service Authority and will sign up for PSA sewer services. The Corps is already a PSA water customer. The Board is being asked to allocate up to \$500,000 from its Fund Balance to the PSA for that construction, as agreed to in the Letter of Intent and by vote of the Board of Supervisors on April 28, 2009.

Mrs. Burnette asked what funds remain in the Fund Balance. Mr. Summerlin stated approximately \$20 million in cash and \$11 million in

committed funds. Mrs. Burnette asked if the Board could receive those numbers in its background information in the future. Mr. Summerlin stated staff could provide that information.

Mrs. Burnette moved that the Board approve the additional appropriation of the funds, up to \$500,000, second by Mr. Slaughter and unanimously carried.

Award of Contracts re: Riverside Drive Housing Rehabilitation Project

Mr. Summerlin stated on September 3, 2009, the Riverside Drive Housing Rehab Board reviewed and approved the following contract awards for three houses in the project area:

- Kenneth D. Robertson Masonry - \$24,775.00 – rehabilitation of Nancy Wood’s home at 3110 Riverside Drive, Bassett
- Kenneth D. Robertson Masonry - \$25,210.00 – rehabilitation of Dorothy Craiger’s home at 3260 Riverside Drive, Bassett
- Wood Building & Remodeling, LLC - \$45,000 – rehabilitation and addition to Herbert and Rebecca Parnell’s home at 4008 Fairy Stone Park Highway, Bassett

Mr. Adams asked the County Attorney since he was a member of the Housing Rehab Board would it be a conflict to vote on the motion. Mr. Lyle stated it would not be a conflict of interest.

Mr. Adams moved that the Board award the contracts as recommended by the Riverside Drive Housing Rehab Board, second by Mr. Vaughn and unanimously carried.

UPDATE ON STATE BUDGET CUTS:

Mr. Summerlin stated that Governor Kaine revised the Virginia’s revenue forecast and projected additional shortfall in state revenues of approximately \$1.3 billion. This will be the fourth cut localities have sustained in the past two years. Mr. Summerlin stated the additional cuts are all revenue the County receives for its Constitutional Officers. He stated the only exception is a few dispatchers in the 911 Center whose salaries are through the Sheriff’s Office and funded through the Compensation Board, which will also be impacted. He stated the amount of State funds to be cut from Henry County total \$451,000, which is recurring costs. Mr. Summerlin

stated he has met with the Constitutional Officers and asked them to prepare plans to reduce expenditures by the amount of the State revenue cuts. He stated Constitutional Officers would be very appreciative if the Board could find the funds to put local money in instead of State money for the State cuts. He stated he didn't see where the County had the money to do that since it is a recurring expenditure. He stated the FY 2011 budget will be coming up in the next few months and this would be the same revenue reduction in the FY 2011 budget. He stated at some point, and probably not until the end of the calendar year, he could not say if there would be local County revenue shortfalls. The County has not collected property taxes and is not collected until December 5. Mr. Summerlin stated after property taxes are collected staff will re-examine local revenues, but if for some reason the County is not OK, staff will have to come back to the Board again during the FY 2010 calendar year to make further reductions in County expenditures. He stated he would again meet with Constitutional Officers to make the reductions based on their state revenue as authorized in the appropriations resolution.

INFORMATIONAL ITEMS:

Comments from the Board

Mr. Slaughter stated he attended the Bassett Heritage Festival and was a great success. He stated he would like to commend the Stanleytown Ruritan Club and everyone involved in the activities.

Mrs. Burnette stated the Axton Fireman's Fair and Brunswick stew will be held this upcoming Saturday. She stated as far as Henry County's financial fiscal management, she would put Henry County on a pedestal. She thanked Benny Summerlin, Tim Hall, Darrell Jones and Jimmie Wright for a good job.

Mr. Adams stated in addition to attending the Bassett Heritage Festival he attended the River Access Point event. He stated it was well attended and he had an opportunity to speak with numerous out-of-town visitors.

Mrs. Buchanan stated the Coat Drive for Kids is underway and she recently held a community meeting on September 15.

Mr. Summerlin stated he read a recent article where Southside Virginia is getting stimulus funds from the Department of Forestry. He stated a number of those projects are for Henry County. He said he would find out more information and specifically what projects in the area are targeted for those funds. He stated last week five inmates at the Henry County Jail were transferred to an outside jail due to overcrowding, but have since been

transferred back to Henry County. Mr. Summerlin recognized Henry County employees and everyone who supported the United Way Campaign. He stated employees had a 30% increase in its donations over last year. Mr. Summerlin stated the County Surplus Auction was held at the DuPont site over the past weekend and raised approximately \$83,000. Mr. Summerlin stated the County has also been focusing on being more environmentally conscientious and looking at energy costs. He stated the County put out RFP's for a Back of an Envelope Study, which is an informal energy audit. The County would move to a more formal audit after picking an energy partner. He stated the County received three proposals and a committee will start reviewing those next week working with a representative from the State that specializes in this field.

Mr. Vaughn stated on September 9, the Board Chairman, himself, and the Chairman and Vice Chairman of the School Board met with both accounting staffs to discuss and exchange ideas of the School Board and Board of Supervisors as far as what challenges in the future the School Board faces with issues such as capital improvements and maintaining existing structures, and the Board of Supervisors' situation regarding revenue projections.

Mr. Slaughter discussed a growing problem with trash on the highways and the need for Henry County residents to start showing more pride for the community.

Mrs. Burnette stated that Gateway Streetscape is continuing with the clean up on the Smith River on Saturday, October 3, and the Community Pride Committee will do its roadside cleanup on the same day. She encouraged everyone to come out and help.

Mr. Vaughn stated several years ago when the Community Pride effort began he was hopeful that convenience stores and fast food restaurants would put up signs reminding people not to throw trash out along side of the highways.

Tim Hall advised everyone that Household Hazardous Waste Day is scheduled on October 10, 2009, from 9:00 am until noon at the New Service Center in Bassett.

Mr. McMillian noted to the Board that in the upcoming election there are six local positions up for election. He stated there are three on the School Board and three on the Board of Supervisors and none of the positions is contested.

CLOSED MEETING:

Mrs. Burnette moved that the Board enter into a closed meeting at 3:34 pm to discuss the following, second by Mr. Slaughter and unanimously carried.

- 1) §2.2-3711(A)1 for Discussion of Appointees to Patrick Henry Community College Board, Southern Area Agency on Aging Board and Dan River ASAP Board.
- 2) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Legal Matters.
- 3) §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced Industries.
- 5) §2.2-3711(A)1 for Discussion of Personnel Matters.

OPEN MEETING:

The Board returned to an open meeting at 4:20 pm on a motion by Mrs. Burnette, second by Mr. Adams and unanimously carried.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote. Those voting in the affirmative were: Mr. Slaughter, Mr. McMillian, Mrs. Burnette, Mr. Adams, Mr. Vaughn, and Mrs. Buchanan.

Easement – King’s Mountain Overlook

Mrs. Burnette moved that the Board approve an easement on King’s Mountain Overlook with Lester Lumber Company, Inc. for 0.055 acres and allow transfer of \$3,600 within the Parks and Recreation’s Capital Improvements budget, second by Mr. Adams and unanimously carried.

APPOINTMENTS:

Patrick Henry Community College Board

Mr. Vaughn moved that the Board appoint Nancy Sprinkle to the Patrick Henry Community College to fill an unexpired term ending June 30, 2012, second by Mrs. Burnette and unanimously carried.

Southern Area Agency on Aging Board

Mrs. Burnette moved that the Board appoint Myron Kelly to the Southern Area Agency on Aging Board with a term ending November 1, 2012, second by Mr. Slaughter and unanimously carried.

Dan River ASAP Board

Mr. Adams moved that the Board appoint Ronnie Minter to the Dan River ASAP Board to fill an unexpired term ending March 31, 2011, second by Mr. Slaughter and unanimously carried.

The Board recessed its meeting at 4:25 pm until 6:00 pm. Mrs. Buchanan called the meeting to order at 6:00 pm and welcomed everyone present.

MATTERS PRESENTED BY THE PUBLIC:

No one was present who wished to address the Board under Matters Presented by the Public.

PUBLIC HEARING – DISPOSITION OF HENRY-MARTINSVILLE SOCIAL SERVICES BUILDING:

Henry County and the City of Martinsville jointly own the Henry-Martinsville Department of Social Services building on Church Street in Martinsville. The two entities recently entered into an agreement to move Social Services into the former Athena Building on Progress Drive in the City. In order to proceed with the disposition of the current building, a public hearing has been set for tonight's meeting.

The public hearing was open at 6:00 pm. There being no one present who wished to speak the public hearing was closed at 6:01 pm.

Mrs. Burnette moved that the Board coordinate with the City on the path forward to dispose of the property, second by Mr. Slaughter. The motion carried 5 to 1. Mr. McMillian voted in opposition.

PUBLIC HEARING – CONSIDERATION OF CHANGES TO OUTDOOR BURNINGS LAWS IN HENRY COUNTY CODE:

Mr. Lyle stated the Code of Henry County, Chapter 9, Article II. Section 9-201, Outdoor Burning, does not mirror the Virginia Department of Forestry's outdoor burning laws. The Henry County code prohibits outdoor burning except for from 4 pm to 12 midnight from March 1 to May 15. The state code is from February 15 to April 30. A public hearing is required to change the ordinance, and has been set for tonight's meeting.

The public hearing was open at 6:02 pm. There being no one present who wished to speak the public hearing was closed at 6:04 pm.

Mr. Vaughn moved that the Board change the Henry County Ordinance as proposed in order to mirror the Commonwealth of Virginia's law, second by Mr. Adams and unanimously carried.

PUBLIC HEARING – REZONING APPLICATION R-09-07 – MILLARD'S MACHINERY, INC.:

Mr. Lee Clark reviewed Application R-09-07 for Millard's Machinery. (Copy of Application included in Board's File). Mr. Clark stated that following a public hearing both the Planning Commission and staff recommend approval of the request.

The public hearing was open at 6:05 pm. There being no one present who wished to speak the public hearing was closed at 6:05 pm.

Mr. Vaughn moved that the Board accept the recommendation of the Planning Commission to approve the rezoning request, second by Mr. McMillian and unanimously carried.

GENERAL HIGHWAY MATTERS:

Ms. Lisa Price-Hughes, Residency Administrator of the local Virginia Department of Transportation, was present to discuss general highway matters.

Consideration of "Watch for Children" Signs on Lackey Road in the Collinsville District and Fellowship Drive in the Horsepasture District

Mr. McMillian moved that the Board request VDOT to install a “Watch for Children” sign on Lackey Road in the Collinsville District and on Fellowship Drive in the Horsepasture District, second by Mrs. Burnette and unanimously carried.

Ms. Hughes stated VDOT has two projects that open for bid tomorrow. She stated one is the bridge repair project on Trent Hill Drive (Route 666) over the Smith River and the bridge will be closed during construction until early summer. Ms. Hughes stated the second project is the safety project on Route 220 at Bassett Forks with the installation of the median. She stated on October 5 a paving project will begin of approximately 10 miles that runs from Route 58, and runs from the City limits all the way to the Leatherwood Creek bridge on the east bound lane and also the section at 220 business that goes from the Cloverleaf to the bypass. This project will be paid for with \$1.9 million of stimulus funds. Ms. Hughes stated VDOT’s last round of mowing for the year will begin on Monday on primary and secondary roads and the interchanges on the bypass.

Several Board members discussed miscellaneous projects in their districts such as painting line markings, status of Adopt-A-Highways signs and its program, trash issues, the signage confusion on Route 58 East bypass from Spencer to Martinsville going south, Koehler Road and Route 220 at Bojangles regarding north bound traffic cutting through Bojangles and the elevation of the new bridge at Fieldale.

CONSIDERATION OF ISSUES REGARDING EMS TASK FORCE REPORT:

Mr. Lyle stated at the August meeting the Board heard a progress report by the Emergency Services Task Force. Representatives of the committee recommended to the Board of Supervisors that an EMS Commission, with operational authority, be created. The Board directed County staff to research the issue if the Board of Supervisors could appoint an Emergency Medical Services Commission that can be empowered to impose regulations on the operations of the volunteer rescue squads in the County and enforce said regulations and report back to the Board. Mr. Lyle stated he and the Director of Public Safety Dale Wagoner are prepared to update the Board on their research.

Mr. Lyle reviewed background information of the five non-profit volunteer rescue squads governed by the Commonwealth of Virginia. Mr. Lyle discussed the Board of Supervisors’ role in the provision of emergency medical services, which he stated is two fold. First, the Board allocates funding to the rescue squads and to the Department of Public Safety which provides indirect support to the squads. Second, the Board, in partnership

with the City operates a joint dispatch center for all public safety functions. Mr. Lyle stated that Virginia courts have traditionally upheld the Dillon Rule which stands for the proposition that local governments can only exercise such powers as the Virginia General Assembly has specifically delegated to local governments. He stated in his research he could find no authority for the Board to appoint a panel of citizens that would impose additional regulations at the local level.

Mr. Lyle stated it seemed to be the EMS Task Force's position to have more uniformity in the operations and delivery of emergency medicine in Henry County. He stated one way to move toward that objective would be to adopt an ordinance assigning authority for provision of emergency medical services to the Henry County Department of Public Safety. He stated an EMS Commission could still be in place in an advisory capacity to help guide the decisions of the Public Safety Department. Mr. Lyle stated there is no statutory authority for the Board to create an EMS Commission to govern the independent, non-profit and for-profit corporations that provide emergency medical services in Henry County.

Mr. Wagoner came forward and stated the Board at its August meeting also requested that staff research information regarding the number of members in each squad; the number of calls a member runs; how many hours put in by a member for one year without providing names; information on what levels of training that members have; information on the point system and how it works; and to seek input from the Public Safety Department. Mr. Wagoner stated Public Safety has solicited that information to the individual squads and would provide that information as soon as it is received.

Mr. Wagoner stated the public safety staff solicited information from other localities in the Commonwealth as to how their locality administered emergency medical services. He stated most localities grant the authority for the provision of EMS to a county department (Public Safety, Fire Department, etc.) He stated many localities also use an appointed advisory committee to facilitate responder and citizen input into EMS decisions. Mr. Wagoner briefly reviewed a 1990 Study by RAM Communications regarding recommendations to improve emergency medical services. He also discussed a 1993 "Report on Feasibility of Establishing a County of Henry Emergency Medical Services Commission" submitted by the Public Safety Department. He stated while there have been significant improvements since 1990, staff clearly recognizes the need for consequential changes in the delivery of emergency medical services. He stated over the past several years, the trend has deviated from a more central approach of delivery to a more decentralized, fragmented approach where rescue squads are making

independent policies that do not take into consideration the overall County-wide delivery of EMS. Mr. Wagoner stated based on the research and recommendations of the County Attorney, the Public Safety review of other localities, and the current trends in Henry County's EMS system, the Public Safety staff recommends intervention by the Board to prevent further deterioration and fragmentation of emergency services in Henry County. He stated this can be accomplished either through granting of authority to County staff in conjunction with an advisory board or delegating that authority to an independent commission as requested by the task force. He stated either directive will require a contractual arrangement with the volunteer rescue squads to ensure compliance and will be limited in scope based on findings of the County Attorney. Mr. Wagoner stated that both proposals have strengths, weaknesses, opportunities and threats that should be explored in greater detail before making a final decision. Mr. Wagoner stated any path forward whether it be an EMS Commission or the Public Safety Department model, the first step would be adopt a five-year strategic plan and identify key priorities as to what items need to be addressed first.

Mr. Robert Logan, Executive Director of the Western Virginia Emergency Medical Services, commented on State regulations in forming an EMS Commission.

Mr. Stuart Bowman, President of the Fieldale-Collinsville Rescue Squad, presented information as requested from the August meeting on F-C's levels of training, its stipend program and point system, coverage of calls, and its bookkeeping procedures. (Copy of Report in Board's File).

Mr. Ronnie Grubb of the Reed Creek District briefly discussed a 2004 JLARC Study (Joint Legislative Audit and Review Committee) commissioned by the General Assembly to provide a comprehensive assessment of EMS systems that operate throughout the State. He stated this issue has been ongoing since 1990, and the County is at a juncture where something needs to be done with its EMS services. He stated the previous speakers are very accurate in their assessment of the current EMS system in Henry County.

Mr. John Mitchell of the Iriswood District and member of the EMS Task Force stated there needs to be more discussion on giving citizens input and be made one of its priorities since this will be a system designed to serve the public and they're the ones paying the bill.

Ms. Ruth Dickinson of the Iriswood District commented that each district should call their communities together to hear complaints and agreements and a lot can be resolved out of committee meetings.

The Board discussed and asked questions of those who spoke regarding EMS services.

Following comments regarding holding a work session to discuss the issue further, Mr. Summerlin suggested that it may be helpful to the Board to first invite several communities who have made such changes to their EMS services to come and speak with the Board and discuss the advantages and disadvantages before trying to proceed. The Board was in agreement with Mr. Summerlin.

There being no further business to discuss Mr. McMillian moved that the Board adjourn at 7:32 pm, second by Mr. Adams and unanimously carried.

BOS.Minutes.September 22, 2009.3pm.sb

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

October 27, 2009 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on October 27, 2009, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn, Jim Adams, Paula Burnette, Jim McMillian and Tommy Slaughter.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Susan Reynolds, Director of Human Resources/Public Information; Darrell Jones, Director of Finance; and Richard Stanfield, Assistant Director of Finance.

Sheriff Lane Perry and Major Steve Eanes were present from the Sheriff's Office. Debbie Hall of the Martinsville Bulletin and Ron Morris of B-99 were present.

INVOCATION AND PLEDGE OF ALLEGIANCE:

H. G. Vaughn gave the invocation and Tommy Slaughter led in the Pledge of Allegiance.

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present. She stated that anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm 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 pm may do so under Agenda Item - Matters Presented by the Public without contacting the County Administrator's Office.

Chairman Buchanan welcomed Officers Thomas Kenny and Jeff Tuggle who were in attendance as part of their field training requirements with the Henry County Sheriff's Office.

ITEMS OF CONSENT:

Confirmation of Minutes of Meetings

(Copy included in Board's File).

- September 22, 2009 – 3:00 pm

Approval of Accounts Payable

(Copy included in Board's File).

Mrs. Burnette moved that the Board approve Items of Consent as presented, second by Mr. Adams and unanimously carried.

CONSIDERATION OF MARTINSVILLE-HENRY COUNTY CHAMBER OF COMMERCE'S 2010 LEGISLATIVE AGENDA:

Ms. Amanda Witt, President of the Martinsville-Henry County Chamber of Commerce, was present to discuss the recently adopted Chamber's 2010 State and Federal Legislative Agendas. Ms. Witt stated the Chamber's main legislative priorities for 2010 will be workforce development being the highest priority, with continued support and development of the New College Institute, and the expeditious construction of I-73. She stated other key issues are education, and transportation, along with economic development, taxation, tourism and healthcare. She stated the Chamber is requesting the Board's support of its 2010 legislative priorities. (A Copy of the Chamber's State and Federal Legislative Agenda is included in Board's File).

Ms. Witt stated the Chamber also supports a green economy but opposes the American Clean Energy and Security Act and the impact that it would have to employers in rural communities in Virginia. The Chamber also supports a higher return to Virginia of Federal Unemployment Tax (FUTA) paid by Virginia businesses. The Chamber opposes the Employee Free Choice Act as it is currently proposed.

Mrs. Burnette stated U.S. Route 58 is not eligible for federal funding and feels there should be some amendment or addendum to that legislation to allow Virginia to supplant the State money with Federal money for Route 58. Mrs. Burnette stated regarding taxation, and based on the statement that "the Chamber believes that local taxes are best decided by local leaders and local communities," she stated if you're going to use this as a talking point the Chamber should follow-up in support of counties seeking a change in the Dillon Rule. She stated regarding tourism, the Dillon Rule would also help in this factor if the County had the ability to levy additional funds on lodging taxes which is available to the County. Mrs. Burnette stated another issue she would like to discuss is that Henry County has been a distressed area with high unemployment rates for so long, that areas such as Henry County should have some type of relief or otherwise it will be hard to pull out of tough economic times. She stated with the high unemployment rate this could also help be a factor in applying for the Route 58 transportation money.

Mrs. Burnette asked about the Chamber's state priority on health care, which states "we oppose additional healthcare mandates that dictate that insurance products include certain benefits and we oppose mandates that dictate that a percentage of health care costs be paid by businesses to their employees." She asked what the Chamber describes as certain benefits.

Ms. Witt stated health care reform while the Chamber understands there needs to be health care reform, the main problem with this is, main insurance providers could be required to give certain services no matter what and with an added 8% per employee, and it could essentially put some businesses out of business.

Mrs. Burnette asked if pre-existing conditions were considered a certain benefit. Ms. Witt stated she did not have that information available but would forward it to the Board.

Mr. Vaughn stated he has concerns and he values area businesses; however, the Board also represents every citizen of Henry County. He stated some of the issues especially health care have not been resolved which the Board has no control over. He said he felt it was best if the Board remains neutral since the Chamber and the County has separate legislative agendas.

Mr. Vaughn moved that the Board remain neutral on the 2010 Chamber Legislative Agenda and take no action on the Chamber's request, second by Mr. McMillian. The motion carried 5 to 1. Mr. Slaughter voted in opposition.

PRESENTATION BY CRAIG ROCKWELL, OPERATIONS MANAGER, CORPS OF ENGINEERS' PHILPOTT LAKE:

Mr. Craig Rockwell, Operations Manager at Philpott Lake for the Corps of Engineers, came forward to update the Board on the American Recovery and Reinvestment Act Funds for Philpott Lake and its marina plans. Following are some of the topics discussed: (Copy of Report in Board's File).

American Recovery and Reinvestment Act Update (ARRA)

- Hydro-Power Projects
- Hiring of Park Rangers
- Restroom Rehab Package
- Sewer Line Project
- Groundbreaking – November 23, 2009, 12:00 Noon at Philpott Lake Visitor Center

Marina

- Marina smaller than previously discussed.
- Sewer line available to accommodate the marina.
- Lay out reasoning behind public option.
- Marina needs a public sponsor.

Mr. Summerlin noted that last month the Board appropriated funds up to \$500,000 for the County's share of the sewer lines. He stated bids were open and Steve Martin Trenching was the low bidder of less than \$400,000.

Following some discussion the Board thanked Mr. Rockwell for his update.

DESIGNATION OF VOTING REPRESENTATIVE FOR THE 2009 VIRGINIA ASSOCIATION OF COUNTIES (VACO) ANNUAL MEETING:

Mr. Summerlin stated the 2009 VACo Annual Meeting is scheduled for November 8-10. He stated each County is asked to designate a member of its elected Board and an alternate to vote on the County's behalf on any issues that may arise. Mr. Summerlin stated that Supervisors Burnette and Slaughter have indicated they will attend, as well as himself.

Mr. Adams moved that the Board appoint Mrs. Burnette as the voting representative and Mr. Slaughter as an alternate, second by Mr. Vaughn and unanimously carried.

CONSIDERATION OF CORRESPONDENCE FROM THE HENRY COUNTY-MARTINSVILLE RESCUE SQUAD ASSOCIATION:

Mr. Summerlin stated that the Board of Supervisors, County staff, and a Task Force established by the Henry County-Martinsville Rescue Squad Association have spent many hours over the past several months discussing possible changes to how volunteer rescue squads operate. The Board has heard three presentations from the Task Force, with the most recent at its August and September 2009 meetings. The direction given to staff after the September presentation was to solicit feedback from localities that operated with a government department having oversight of the squads, and from localities that operated with an independent board having that authority. The Board also heard from the County Attorney on the limitations that the independent board would have to meet. He stated staff has also been working on setting up a meeting to allow outside representatives to come and present their operational models.

Mr. Summerlin stated staff has since received a letter from the Henry County-Martinsville Rescue Squad Association proposing a third option. The Rescue Squad Association wants to form a commission that would work as a sub-committee of the Association. It would establish operational ground rules that the squads would be asked to voluntarily follow. He stated details are included in a letter from Marcus Stone, president of the Rescue Squad Association. (Copy of Letter is included in Board's File).

Mr. Summerlin stated staff is requesting guidance from the Board about proceeding with the work session as the Board directed at its September meeting. Staff also recommends that if the Board decides to concur with the latest proposal, the Board and staff work together to establish benchmarks of performance that the sub-committee would be expected to include in its directive to the squads.

Following some discussion it was the consensus of the Board to direct staff to schedule the localities to come and speak with the Board.

CONSIDERATION OF RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT:

Mr. Summerlin stated as part of the American Recovery and Reinvestment Act (ARRA), otherwise known as the Stimulus Package, certain parts of the Commonwealth are eligible for Recovery Zone Economic Development Bonds. Recovery Zone Economic Development Bonds allow state and local governments to obtain lower borrowing costs through a new direct federal payment subsidy to finance a broad range of qualified economic development projects. Mr. Summerlin stated Henry County is eligible for up to \$2,371,000 in these bonds. The Henry County School Board is interested in pursuing \$2,000,000 in financing for renovations to the HVAC system and roof replacement at Magna Vista High School, as well as replace the ceiling and lights at Laurel Park Middle School and the School Board would be solely responsible for the debt service on that bond. A resolution from the Board of Supervisors is needed as part of the application process. (A Copy of the Proposed Resolution is included in Board's File).

Mrs. Burnette moved that the Board authorize the School Board to file its intent with the Commonwealth of Virginia to ask for \$2 million for the renovations to Magna Vista High School and Laurel Park Middle School and request that the Recovery Zone designation include all of Henry county, and the County Administrator be designated to file all of the required documents, second by Mr. Vaughn and unanimously carried.

FINANCIAL MATTERS:

Award of Contract - Uniforms

Mr. Summerlin stated Henry County, the Public Service Authority, and the Henry County School System issued a Request for Proposals (RFP) for uniforms for employees in maintenance and who work in the field. Five companies responded to the RFP, and the low bidder was ALSCO-Servitex Corporation. This company currently supplies uniforms for the three entities, and its contract expires October 31. The new contract would be for the period of November 1, 2009 to October 31, 2012. (Copy of Bids and Contract with ALSCO-Servitex is included in Board's File).

Mr. Adams moved that the Board approve the three-year contract with ALSCO-Servitex, second by Mr. Slaughter and unanimously carried.

Additional Appropriation re: Asset Forfeiture Funds – Commonwealth's Attorney's Office

Mr. Summerlin stated Commonwealth's Attorney Bob Bushnell is seeking Board approval of the use of \$3,889 from his Asset Forfeiture line item to cover some unexpected personnel costs.

Mr. McMillian moved that the Board approve the additional appropriation of \$3,889 for the Commonwealth's Attorney's office, second by Mr. Adams and unanimously carried.

Additional Appropriation re: West Piedmont Workforce Investment Board Grant – School Board

Mr. Summerlin stated the West Piedmont Workforce Investment Board (WPWIB) oversees youth workforce development programs to operate under the provisions of the Workforce Investment Act. The Workforce Investment Act (WIA) of 1998 provides the framework for a national workforce preparation system. The goal of this system is to increase employment, job retention, and earnings and develop the work potential of the residents of Area XVII. The WPWIB issued a Request for Proposals on March 6, 2009 to solicit innovative youth workforce development programs to operate under the provisions of the WIA. Goodwill Industries of the Valley (Goodwill) has been approved by the West Piedmont Workforce Investment Board (WPWIB) to be the lead agency to provide services to the Henry County In-School program of the Workforce Investment Act. Goodwill will subcontract specific required youth program elements to Henry County Public Schools during the two-year agreement. Mr. Summerlin stated the School Board is requesting the Board of Supervisors to approve the additional appropriation of \$45,900 for the first year of the program. The funding is provided by the WPWIB to the School Board.

Mrs. Burnette moved that the Board approve the additional appropriation of \$45,900 as outlined, second by Mr. Slaughter and unanimously carried.

Additional Appropriation re: Title II Grant – School Board

Mr. Summerlin stated the School Board is requesting the Board of Supervisors to appropriate an additional \$21,974.01 in Title II grant funds. The Board of Supervisors has previously approved \$454,108.48 in Title II funds for the current year, but the School Board recently learned it was to receive an additional \$21,974.01 in Title II funding. (Copy of Information from School Board is included in Board's File).

Mrs. Burnette moved that the Board approve the additional appropriation of \$21,974 in Title II money as requested by the School Board, second by Mr. Slaughter and unanimously carried.

Additional Appropriation re: Computer Upgrades – Circuit Court Clerk's Office

Mr. Summerlin stated that Vickie Helmstutler, Clerk of Circuit Court, is requesting the Board to approve an additional appropriation of \$500 for an upgrade to a computer in her office. According to Ms. Helmstutler, the money is in addition to funds included in the FY 2010 budget that will pay for upgrades to four other computers. The additional funding will be provided by the Commonwealth of

Virginia's Technology Trust Fund. (Copy of Information from Clerk's Office is included in Board's File).

Mr. Adams moved that the Board approve the additional appropriation of \$500 for the computer upgrade as outlined, second by Mr. Slaughter and unanimously carried.

Award of Contracts re: Replacement Vehicles – Sheriff's Office

Mr. Summerlin stated that Sheriff Lane Perry is requesting the Board to award a contract in the amount of \$166,670 to Crossroads Ford of Petersburg to purchase seven patrol vehicles (\$23,810 each) and a contract to Hall Automotive of Virginia Beach in the amount of \$23,120 for one F-250 truck. Crossroads Ford, Hall Automotive and Sheehy Ford of Richmond were the only three vendors to respond to a Request for Proposals (FRP) for these purchases. Money for the purchases is included in the FY 2010 County Budget. (Copy of Information from Sheriff's Office is included in Board's File).

Mrs. Burnette moved that the Board approve award of contracts to Crossroads Ford of Petersburg and Hall Automotive of Virginia Beach as outlined, second by Mr. McMillian and unanimously carried.

Acceptance and Appropriation of Edward Byrne Memorial Justice Assistance Grant – Sheriff's Office

Mr. Summerlin stated that Sheriff Lane Perry is requesting the Board to accept and appropriate an Edward Byrne Memorial Justice Assistance Grant in the amount of \$30,716. Sheriff Perry indicates the money would be used for a variety of community initiatives. The grant does not require a local match. (Copy of Information from Sheriff's Office is included in Board's File).

Mr. McMillian moved that the Board approve acceptance and appropriation of the grant as outlined in the amount of \$30,716, second by Mr. Slaughter and unanimously carried.

Acceptance and Appropriation of Department of Justice Grant – Sheriff's Office

Mr. Summerlin stated that Sheriff Lane Perry is requesting the Board to accept and appropriate a Department of Justice grant in the amount of \$22,905 to be used on enhancement of security and monitoring of inmates in the County Jail. Of that amount, \$16,905 would go toward updated video surveillance equipment and \$6,000 of the grant would be used to train officers on the use of the new equipment. The grant does not require a local match. (Copy of Information from Sheriff's Office is included in Board's File).

Mr. McMillian moved that the Board approve acceptance and appropriation of the grant as outlined in the amount of \$22,905, second by Mr. Slaughter and unanimously carried.

Award of Contract re: Deed Book Conversions – Circuit Court Clerk’s Office

Mr. Summerlin stated that Vickie Helmstutler, Clerk of Circuit Court, is requesting the Board to award a contract to EMI Imaging to convert 495 deed books from microfilm to digital images. EMI has proposed a price of seven (7) cents per image. The total contract amount will be based on the number of pages which are converted to digital images and is estimated that 371,250 pages would be converted. Mr. Summerlin stated Ms. Helmstutler has indicated that she has budgeted \$27,929 for this process and the funds would be provided by the Commonwealth’s Technology Trust Fund. (Copy of Information is included in Board’s File).

Mr. Adams moved that the Board approve award of contract to EMI Imaging to convert 495 deed books to digital images up to \$27,929 as budgeted, second by Mr. McMillian and unanimously carried.

INFORMATIONAL ITEMS:

Comments from the Board

Mrs. Burnette stated she attended a quarterly meeting of the Secure Commonwealth Panel in Winchester, VA, and the GED Kickoff sponsored by the Chamber of Commerce during the past month. Mrs. Burnette stated she received a letter from Congressman Perriello advising that he will be holding a conference call with local elected officials on October 30, and two members of the Board of Supervisors are invited to participate in the call from 9:00 am to 9:30 am.

Mr. Hall advised the Board that staff will need to collect the votes on the Outstanding Military Veteran Award today. Mr. Hall stated the Martinsville-Henry County 911 Communications Center will unveil its new Citizens Alerting System today. The primary use of the alerting system will be to disseminate messages pertaining to the health, safety or welfare of Martinsville-Henry County when affected by a perceived, emerging, or imminent emergency event. With the alerting system, the 911 Center, local law enforcement and public safety officials will be able to send emergency notifications for situations such as flooding, chemical spills, missing persons, hostage situations and evacuations. During the test the Center will contact 10% of its database, which includes all residential and commercial landline phone numbers in Martinsville-Henry County. Mr. Hall stated that citizens are encouraged to register additional methods of contact, such as cell phone numbers, VoIP numbers, and email addresses, by visiting the websites of Henry County www.henrycountyva.gov and the City of Martinsville www.martinsville-va.gov. Mr. Hall stated the deadline for applications for the Jack Dalton award is November 30 and will be awarded at the Board’s December meeting.

Mr. Summerlin stated as previously mentioned by Mr. Rockwell, the sewer line groundbreaking has been scheduled for November 23, 2009, 12:00 Noon at Philpott Lake Visitor Center. He stated staff has received the "Back of the Envelope Study" regarding energy efficiency. The County has partnered with Virginia Trane as its energy partner and the next step is to proceed to the Detailed Energy Audit with the first part beginning at the four buildings of the Administration complex. He stated there is one opportunity to apply for an energy efficiency block grant through the stimulus program with the deadline being extended to November 6. Mr. Summerlin stated regarding the upcoming Census he plans to meet with representatives of the Census Committee next week. He stated staff will be coming to the Board in the next few months with recommendations regarding a Complete Count Committee, made up of a group of citizens to encourage everyone to participate in the Census.

Mrs. Burnette stated there is a public hearing scheduled on Thursday, November 19 in Rocky Mount at 6:00 pm regarding AEP rates. She stated if staff prepares written comments the Board should appoint someone to attend to represent Henry County.

Mr. Vaughn stated he was pleased to see at Martinsville's NASCAR race this past weekend that each fan was made a Grand Marshal by giving each fan a flag.

Mr. Vaughn moved that the Board appoint Mrs. Burnette to attend the AEP rate public hearing on November 19 on behalf of the County and to also direct staff to draft written comments, second by Mr. Adams and unanimously carried.

Mrs. Burnette stated the community in and around the racetrack should be complimented for cleaning up the area of trash and debris before the NASCAR race.

CLOSED MEETING:

Mrs. Burnette moved at 4:06 pm to enter into a closed meeting to discuss the following, second by Mr. Adams and unanimously carried.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Patriot Centre Advisory Board and West Piedmont Planning District Commission.
- 2) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Legal Matters.
- 3) §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced Industries.

OPEN MEETING:

The Board returned to an open meeting at 5:23 pm on a motion by Mrs. Burnette, second by Mr. Slaughter and unanimously carried.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote. Those voting in the affirmative were: Mr. Slaughter, Mr. McMillian, Mrs. Burnette, Mr. Adams, Mr. Vaughn, and Mrs. Buchanan.

SAMUEL H. HAIRSTON BALLFIELD - LEASE AGREEMENT:

Mrs. Burnette moved that the Board approve the Lease Agreement between Henry County and Turner Properties for the Samuel H. Hairston ballfield, second by Mr. Adams and unanimously carried.

SOCIAL SERVICES FACILITY COSTS AGREEMENT:

Mr. Adams moved that the Board approve the Facility Costs Agreement for the Social Services building between Henry County, City of Martinsville, and the Department of Social Services, second by Mr. Vaughn. The motion carried 5 to 1. Mr. McMillian voted in opposition.

The Board recessed its meeting at 5:27 pm until 6:00 pm.

Mrs. Buchanan called the meeting back to order at 6:00 pm and welcomed everyone present. Mrs. Buchanan also welcomed Lucas Draper and Garrett Cooper of Boy Scouts Troop 166, who were in attendance as a requirement for their Communication Merit Badge for Eagle Scouts. Ms. Buchanan also welcomed Clint Martin, a senior at Franklin County High School who was in attendance as a requirement in his Government Class.

MATTERS PRESENTED BY THE PUBLIC:

There was no one in attendance that wished to address the Board.

PUBLIC HEARING - CHANGES TO THE HENRY COUNTY'S ANIMAL IMPOUND ORDINANCE:

Mr. Lyle briefed the Board on background information regarding changes requested by the Sheriff's Office to the Henry County's Animal Impound Ordinance, which governs the impoundment and redemption of dogs found running at large. The ordinance has not been addressed in more than 15 years and the changes appear to be permissible. The recommended changes are as follows: (Copy of Information from Sheriff's Office and County Attorney is included in Board's File).

- 1) The fee charged for the capture and delivery to the pound of the dog would be raised from \$30 to \$40 for the first time the animal is captured. Subsequent

captures of the same dog would result in an \$80 impoundment fee for the owner to reclaim.

- 2) In addition to the impoundment fee above, the sheriff's office is requesting an increase in the daily boarding fee charged while the captured animal is at the pound. The current fee is \$5 per-day and the sheriff's office is proposing a \$7 daily fees.
- 3) Virginia law allows for animals that remain at the pound after five days to become property of the county. The exact number of days (five or longer) must be set by the Board by ordinance. Currently the County ordinance sets the number of days to be reclaimed at 10. The sheriff's office is requesting the 10 day period be changed to 5 days.

The public hearing was open at 6:03 pm. There being no one who wished to speak the public hearing was closed at 6:04 pm.

Following was some discussion regarding the issue of five days not being enough time for an owner to claim an animal if they were on vacation or if it were on a weekend. Mr. Summerlin noted that the Sheriff's Office does a real good job in making an effort to identify owners and with adoptions. Mr. Lyle also noted that only 20% of dog owners are properly in compliance with the County's licensing requirements.

Mr. McMillian moved that the Board approve the changes as proposed, second by Mr. Slaughter and unanimously carried.

PUBLIC HEARING - SOUTH STREET NEIGHBORHOOD IMPROVEMENT PROJECT BUDGET:

Mr. Summerlin stated at the Board of Supervisors meeting on March 24, 2009, a public hearing was conducted for a community improvement grant application for the South Street neighborhood in Bassett. Additionally at that meeting, the Board of Supervisors approved a resolution authorizing the grant application in the amount of \$2,169,853. On July 7, 2009, Governor Tim Kaine announced the award of a Community Development Block Grant (CDBG) to Henry County for this project. Since that amount is more than 1% of the overall County budget, a public hearing was set at the Board's September 22, 2009, meeting before the money can be appropriated. (Copy of Information is included in Board's File).

The public hearing was open at 6:12 pm. There being no one present who wished to speak the public hearing was closed at 6:12 pm.

Mr. Slaughter moved that the Board approve the appropriation and adoption of the South Street Neighborhood Improvement Project budget, second by Mr. Adams and unanimously carried.

GENERAL HIGHWAY MATTERS:

Ms. Lisa Price-Hughes, Residency Administrator of the local Virginia Department of Transportation, was present to discuss general highway matters.

Discussion of Regulations Regarding Wearing of Reflective Vests near Highways

Mrs. Burnette stated she requested this item be placed on the agenda. She stated during the course of community planning for recent roadside cleanups, it was discovered that changes to VDOT regulations last year mandated certain types of vests be worn during roadside cleanups. There are concerns that the increased regulations, along with the increased price of the vests, would make it more difficult for community groups to do roadside cleanups; therefore, she asked Ms. Hughes to review highway policy. (Copy of Information from VDOT is included in Board's File).

Ms. Hughes stated this is a Federal Highway Administration regulation regarding worker visibility and includes all volunteers, paid or unpaid that work along federal aid primary routes (numbers 600 and below). In Henry County that would include all primary roads and reflective vests are required. Ms. Hughes stated VDOT has and will continue to provide the vests at no cost.

Mrs. Buchanan discussed an accident that occurred today that resulted in a fatality at the Intersection of Route 684 – Carver Road and A. L. Philpott Highway. She stated this particular road has been in the Six-Year Plan as a safety issue for the past 14 years. She asked Ms. Hughes if VDOT could revisit this issue.

Mr. Vaughn moved that the Board direct the County Administrator to draw up a resolution for the Board asking VDOT to conduct a safety study and possibly installing a traffic light at the intersection, second by Mrs. Burnette and unanimously carried.

Mrs. Burnette reviewed information she received regarding state regulations of signage on bridges and in particular the relocation of signage on Martin Luther King Bridge.

Mrs. Buchanan asked Ms. Hughes to gather and provide the Board with data on Route 684 intersection including accidents, fender benders, rescue squad response calls, etc.

Ms. Hughes updated the Board on a request by Mr. Vaughn at the September meeting regarding the visibility of Route 58 Bypass signage confusion from Spencer to Martinsville going south. She stated VDOT has gone back and cleared brush behind guardrail and install additional reflectors on the guardrails as well as putting up more signage and possibly installing some street lights.

There being no further business to discuss Mr. Adams moved that the Board adjourn its meeting at 6:27 pm, second by Mr. Vaughn and unanimously carried.

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

November 24, 2009 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on November 24, 2009, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn, Jim Adams, Paula Burnette, Jim McMillian and Tommy Slaughter.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Susan Reynolds, Director of Human Resources/Public Information; Darrell Jones, Director of Finance; and Richard Stanfield, Assistant Director of Finance.

Sheriff Lane Perry was present as well as Debbie Hall of the Martinsville Bulletin and Ron Morris of B-99 was present.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Tommy Slaughter gave the invocation and Paula Burnette led in the Pledge of Allegiance.

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present. She stated that anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm 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 pm may do so under Agenda Item - Matters Presented by the Public without contacting the County Administrator's Office.

Chairman Buchanan welcomed new coming Board members, Joe Bryant and Milton Kendall.

ITEMS OF CONSENT:

Confirmation of Minutes of Meetings
(Copy included in Board's File).

- October 27, 2009 – 3:00 pm

Approval of Accounts Payable

(Copy included in Board's File).

Mr. Adams moved that the Board approve Items of Consent as presented, second by Mrs. Burnette and unanimously carried.

CONSIDERATION OF 2010 LEGISLATIVE PACKAGE:

Mr. Summerlin stated that County staff and the Board of Supervisors typically present a list of legislative positions/concerns to its General Assembly representatives prior to the General Assembly's annual deadline for filing bills. The first draft has been provided to the Board for consideration and was based on input from County staff and constitutional officers. Mr. Summerlin reviewed the following list of Henry County's official positions on legislation expected before the Virginia General Assembly in 2010. (Copy is included in Board's File).

Positions

- Henry County favors increased support for public education. The Board supports increases in operating funds, technology funding, and financial assistance in the construction of new school buildings and the improvements and expansion of existing buildings.
- Henry County supports the completion of the "Super 58" project that will make U.S. 58 four lanes from Virginia Beach to the Cumberland Gap. Of critical importance is the completion of the section between Stuart and Hillsville, Virginia.
- Henry County urges the Commonwealth to expedite the financing and construction of Interstate 73 between Roanoke and the North Carolina line. The Board again emphasizes its request that construction begin in Henry County and proceed south toward the North Carolina line.
- Henry County urges the continued support of the New College Institute and its ultimate conversion into a stand-alone four-year university. The Board also supports restoration of funds to NCI and to Patrick Henry Community College.

- Henry County supports increased appropriations for the Governor's Opportunity Fund.
- Henry County requests full funding of the offices of local Constitutional officers.
- Henry County supports continued funding of the Virginia Museum of Natural History and its many educational outreach programs.
- Henry County requests "Tax Equity." The Board supports all revisions to the tax code that grant localities additional revenue generating options and authority which can lead to diversifying the local tax revenues. The County opposes the reduction, elimination, or restriction of local funding sources.
- Henry County urges a bipartisan effort to address the issues that arise when an elected official faces criminal prosecution, including a process for appointing a temporary replacement to carry out the duties and responsibilities of the office until the legal process is complete.
- Henry County supports the creation of a statewide anti-litter campaign.
- Henry County supports the maintaining of sovereignty of counties in the Commonwealth.
- Henry County encourages the Commonwealth to develop new economic development incentives that allow the state and localities to be more competitive with neighboring states. In developing economic development incentives the County urges the Commonwealth to put special emphasis on incentives for communities heavily impacted by federal trade policies or that are above the state average unemployment rate.
- Henry County supports changes in the code section that specifies health insurance credit for retirees of local government, constitutional officers, school division employees, and state employees. All classes of retirees should receive the same health insurance credit.
- Henry County supports legislation that would allow any County wanting a referendum on mixed beverages be allowed to place the item on the ballot after a majority vote by the County's Board of Supervisors.

- Henry County requests the Commonwealth to allocate funding for market-based rent for the Henry-Martinsville Department of Social Services and the Henry-Martinsville Health Department.
- Henry County supports the Commonwealth's acquisition of additional land to complement the 350 acres recently purchased for the establishment of the Mayo River State Park and allocation of funds for master planning of the park.
- Henry County supports the development of a multiuse trail traversing Southern Virginia from the Blue Ridge Parkway to the Chesapeake Bay in order to stimulate economic growth and promote regional tourism.
- Henry County supports legislation that promotes land conservation and the preservation of open space as a means to protect water quality and preserve wildlife corridors.
- Henry County supports legislation that improves the recruitment and retention of volunteer fire and EMS workers without placing additional burden on localities. Additionally, Henry County asks that the Commonwealth provide matching funds for the *Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund* (VOLSAP), §§ 51.1-1200 through 51.1-1211.
- Henry County requests that the General Assembly leaves intact the fire programs fund and the rescue squad assistance funds and not use these funds as a way to balance the state budget.
- Henry County urges the Commonwealth to fund the Enterprise Zone program at whatever level the Commonwealth deems appropriate, and to discontinue the prorating of benefits to qualifying businesses.
- Henry County requests greater flexibility from the Commonwealth to apply budget cuts in state funds, should more cuts be forthcoming in the current fiscal climate.
- Henry County requests the Commonwealth pay its share of the Philpott 216 Study.

Mrs. Burnette discussed the issue regarding tax equity. She suggested adding a statement to restore taxing authority taken from local government. She also discussed the bipartisan effort to address the

issues that arise when an elected official faces criminal prosecution. She suggested adding a statement to support legislation introduced by Senator Reynolds to include government employees found guilty of misusing or embezzling public funds, which would also include public safety agencies and service authorities, etc.

Mr. Vaughn stated instead of including this issue in the legislative package that the Board discuss this issue with Senator Reynolds and the other delegates to ask that the bill “enhanced penalty” be reintroduced or to request staff write a letter to Senator Reynolds.

Mrs. Burnette noted a grammatical error in the following statement: *In developing economic development incentives the County urges the Commonwealth to put special emphasis on incentives for communities heavily impacted by federal trade policies or that are above the state average unemployment rate.*

She stated a comma should go after incentives and should read as follows: In developing economic development incentives, the County urges the Commonwealth.....

Mr. Adams moved that the Board approve the 2010 Legislative Package with the noted grammatical change and forward to its General Assembly representatives, second by Mr. Slaughter and unanimously carried.

CONSIDERATION OF RESOLUTION SUPPORTING THE VIRGINIA TECH CENTER FOR CREATIVE TECHNOLOGIES IN THE ARTS:

Mr. Summerlin stated that Kay Dunkley, Director of the Reynolds Homestead, and Jo Evans with the Virginia Tech Arts Initiative, asked that this item be placed on the agenda. The Arts Initiative at Virginia Tech is a university-wide commitment to strengthening the presence and practice of the arts throughout Virginia Tech. Part of that initiative is the construction of the Virginia Tech Center for Creative Technologies in the Arts on the Blacksburg campus. A proposed resolution, if approved, would indicate the Board of Supervisors’ support of the arts in general and its support of the construction of the Center for Creative Technologies in the Arts. (Copy of Proposed Resolution included in Board’s file).

Mrs. Burnette moved that the Board approve the resolution in support of the Virginia Tech Center, second by Mr. Slaughter. The motion carried 5 to 1 with Mr. McMillian voting in opposition. Mr.

McMillian stated if this is using State funds he felt there are better things to spend the money on.

CONSIDERATION OF ITEMS RELATED TO THE 2010 CENSUS:

Mr. Summerlin stated the federal government enacts a count of residents in the United States every 10 years, with the next Census scheduled for 2010. Staff recently met with representatives from the Census Bureau to discuss the 2010 Census and how Henry County can assist the federal government to ensure that as many of our residents get counted as possible. A resolution was prepared establishing that Henry County will be a willing and helpful partner with the Census Bureau as the process moves forward. The Board also is asked to give the County Administrator the authority to establish a Complete Count Committee with the City of Martinsville to help publicize the benefits of having all local residents counted during 2010. (Copy of Resolution is included in Board's file).

Mrs. Burnette moved that the Board approve the resolution as proposed, and recommends that the Board authorize the County Administrator to work with the City of Martinsville to establish a Complete Count Committee to serve both localities for the 2010 Census, second by Mr. Adams and unanimously carried.

CONSIDERATION OF ACTIONS REQUIRED FOR RECOVERY ZONE BOND FINANCING FOR SCHOOL RENOVATION PROJECTS:

Mr. Summerlin stated last month the Board authorized issuance of \$2 million in recovery zone bonds for renovations to Laurel Park and Magna Vista schools through the VML/VACo Bond Pool. Hunton & Williams, Bond Counsel for the project has prepared two resolutions that were distributed regarding authorizing the financing, 1) Resolution Designating The Entire Geographic Area of Henry County, Virginia, As A Recovery Zone For Purposes Of Recovery Zone Economic Development Bonds And Recovery Zone Facility Bonds That May Be Issued From Time To Time Pursuant To The Provisions Of The American Recovery and Reinvestment Act of 2009; and 2) Resolution Authorizing A Financing Lease Transaction And Providing For the Form, Details And Payment Thereof.. Financing will be a lease/lease-back transaction to comply with Virginia law through an Industrial Development Authority already established in Stafford County, and the City of Staunton, Virginia. The transaction will be between the IDA, School Board, and Board of Supervisors. (Copy of Resolutions included in Board's file).

Mr. Vaughn moved that the Board approve the Resolution, second by Mr. Adams. A roll call vote was taken by the County Administrator with the following votes recorded:

Mr. Slaughter	yes	Mr. Vaughn	yes
Mr. McMillian	yes	Mrs. Buchanan	yes
Mrs. Burnette	yes	Mr. Adams	yes

FINANCIAL MATTERS:

Change to Previously Approved Contract, Henry-Martinsville Social Services Renovation

Mr. Summerlin stated on August 31, 2009 the Board of Supervisors awarded several contracts related to the renovations of the new Henry-Martinsville Social Services facility. One of those contracts, Renovation Bid # 09-08273-2699, P.O. 20100792 to Bassett Office Supply, needs to be amended from \$121,014.12 to \$143,204.21. This is for the additional purchase of 100 Allsteel 5 drawer filing cabinets at \$221.90 each for a total increase of \$22,190.

Mr. Adams moved that the Board approve the contract change as requested, second by Mrs. Burnette. The motion carried 5 to 1. Mr. McMillian voted in opposition.

Additional Appropriation re: Title I Funds – School Board

Mr. Summerlin stated the Virginia Department of Education recently notified Henry County Schools that the 2009-2010 Title I grant award was increased from \$2,169,106.57 to \$2,696,946.20, an increase of \$527,839.63. According to information from the School Board, the additional funds will be used for salaries and fringes for reading specialists, materials and supplies for all elementary schools, and professional development.

Mrs. Burnette moved that the Board approve the additional appropriation as outlined, second by Mr. Adams and unanimously carried.

INFORMATIONAL ITEMS:

Comments from the Board

Mr. Slaughter asked if there were any updates regarding trailer graveyards as he discussed near Sportlanes. He stated the Board may

have to look at some type of ordinance to control this issue. Mr. Slaughter stated he attended the VACo Conference.

Mr. McMillian stated he felt as far as ordinances the County has everything in place to control the issue it's just a matter of executing what we've got.

Mr. Summerlin stated he would have Lee Clark update the Board on this matter at the Board's December meeting.

Mr. McMillian asked if the Department of Emergency Services have started charging for their services during race weekends.

Mr. Summerlin stated the Department of Emergency Services has changed its request somewhat and has staggered some of its employee's work schedules where it doesn't have to pay overtime and the County is not paying for any services at this time.

Mrs. Burnette stated she attended the VACo Conference and noted that the new representative for Region 10 is Mary Biggs on the Board of Supervisors from Montgomery County. She stated she also attended several ground breakings.

Mr. Vaughn stated he attended the Veteran's Ceremony and it was an excellent turn out.

Mrs. Buchanan stated she attended four Veteran's Day recognition gatherings and the two veterans who received awards from Henry County were very surprised and appreciative of their award. She stated the Fieldale Festival of Lights begins the day after Thanksgiving. She stated she received an email if the County is interested in appointing someone to the Martin Luther King Committee.

Mrs. Burnette noted that in the past that has not been recognized as a County appointee.

Mr. Hall stated that Jack Dalton award nominees are due Monday at 5:00 pm. Mr. Hall stated Henry County has now joined Facebook with a fan page where quick notes about events, meetings, etc., can be posted and will be on Twitter soon.

Mr. Summerlin stated a meeting has been scheduled for Monday, November 30, at 6:00 pm at the Public Safety Training Building to hear from three localities regarding how they provide oversight to its Emergency Medical Services. He stated the Board would need to continue its meeting tonight until November 30, at 6:00 pm. Mr.

Summerlin stated the Electoral Board has made a request to move the Ridgeway Precinct #2 from the Old Ridgeway Elementary School to the First Baptist Church in Ridgeway. He stated that would require both an ordinance amendment and approval from the U.S. Department of Justice.

Mr. McMillian moved that the Board authorize staff to advertise a public hearing on the moving of Ridgeway Voting Precinct #2 to the First Baptist Church in Ridgeway, second by Mr. Slaughter and unanimously carried.

Mr. Summerlin stated the School Board is sponsoring a H1N1 Clinic on Monday, November 30 from 10:00 am until Noon and County employees and the Board of Supervisors are invited to participate.

Mr. Summerlin advised that each December the County puts out an RFP for the Tax Revenue Anticipate Note which deals with debt associated with 5B's. He stated the TRAN will be paid by January 15th and the County will not reissue the TRAN unless the Board directs staff otherwise.

Mrs. Buchanan welcomed Mr. Anthony Jackson, Superintendent of Henry County Public Schools.

CLOSED MEETING:

Mrs. Buchanan welcomed Mr. Kendall and Mr. Bryant to join the Board in closed session.

Mrs. Burnette moved at 3:45 pm to enter into a closed meeting to discuss the following, second by Mr. Adams and unanimously carried.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Public Service Authority, Patriot Centre Advisory Board and West Piedmont Planning District Commission.
- 2) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Legal Matters.
- 3) §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced Industries.

OPEN MEETING:

The Board returned to an open meeting at 5:06 pm on a motion by Mr. Adams, second by Mrs. Burnette with 5-0 vote. Mr. McMillian left during closed session.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote. Those voting in the affirmative were: Mr. Slaughter, Mrs. Burnette, Mr. Adams, Mr. Vaughn, and Mrs. Buchanan.

The Board recessed its meeting at 5:07 pm until 6:00 pm.

Mrs. Buchanan called the meeting back to order at 6:00 pm and welcomed everyone present.

CONSIDERATION OF RESOLUTION HONORING THE BASSETT HIGH SCHOOL MARCHING BENGALS:

The Bassett High School Bengals Marching Band recently won its third consecutive state championship and finished second in the country in the United States Scholastic Band Association National Championships. A resolution has been prepared in honor of the band. Band director Trey Harris and numerous band members were in attendance.

Mr. Adams read the resolution and moved that the Board approve the resolution honoring the Bassett High School Marching Bengals, second by Mr. Vaughn. The motion carried 5 to 0. Mr. McMillian was absent.

Mrs. Buchanan and Mr. Adams presented a copy of the resolution to Band Director, Trey Harris. Followed was pictures taken of members of the band.

Mrs. Buchanan recognized four members of the Collinsville Boy Scout Troop 166 who were present as a requirement in earning their Communications Badge.

MATTERS PRESENTED BY THE PUBLIC:

There was no one present who wished to address the Board.

GENERAL HIGHWAY MATTERS:

Ms. Lisa Price-Hughes, Residency Administrator of the local VDOT office was present to discuss general highway matters. The following items were discussed by Ms. Hughes:

- VDOT has completed Route 650.
- VDOT has been making some changes at the Interchange of Route 220 and Route 58 regarding visibility and signage confusion.
- VDOT has begun work on the safety study on Route 58 at Carver Road.
- Discussed and Reviewed the Six-Year Plan.

Consideration of Priority List for Commonwealth Transportation Board and Consideration of December 1, 2009 meeting

Following discussion by the Board on the Six-Year Plan, Mr. Adams moved that the Board adopt the Priority List and forward to VDOT and the Commonwealth Transportation Safety Board, second by Mr. Vaughn. The motion carried 5 to 0. Mr. McMillian was absent. The Priority List is as follows:

The first five items are listed in order of priority:

1. Support for the funding and construction of the U.S. Route 58 Improvement Program between Stuart and Hillsville.
2. Support for a connection from Route 58 to the Patriot Centre, a business and industrial park which houses nearly 4,000 of the County's workforce.
3. Support for the design, engineering, funding, and construction of Interstate 73 through Henry County that follows a corridor east of the City of Martinsville and west of the Henry-Pittsylvania County border in an alignment that avoids large subdivisions.
4. Improvements to the Lee Ford Camp Road/Greensboro Road (US Route 220)/Church Street intersection in Ridgeway, near Mountain View Cemetery, to include signals.
5. Support for the City of Martinsville's request for Phase II of the Liberty Street improvement plan.

The Board of Supervisors also requests attention for the following items:

- Realignment and improvements on U.S. Route 220 from the intersection of Route 87/Route 220 South to the North Carolina line, including the alleviation of hazardous curves on southbound Route

220. This project is essential to tie into the four-laning of U.S. Route 220 in North Carolina.

- Support for the four-laning of Route 87 from Route 220 to the Virginia/North Carolina line to connect with planned improvements of the road in North Carolina. The road becomes Highway 14 in North Carolina.
- Support for the inclusion of an extension of Commonwealth Boulevard to the west to connect with Route 220 Bypass in the current Long-Range Plan studies.

The Board discussed several miscellaneous highway projects in their district with Ms. Hughes.

There being no further business to discuss Mr. Adams moved at 6:19 pm to continue its meeting to November 30, 2009 at 6:00 pm at the Public Safety Training Building, second by Mr. Vaughn. The motion carried 5 to 0. Mr. McMillian was absent.

BOS.November 24, 2009.3pm Meeting.sb

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

November 30, 2009 – 6:00 pm

The Henry County Board of Supervisors held a continuation meeting from its November 24, 2009 meeting on November 30, 2009 at 6:00 pm at the Henry County Public Safety Training Building. The purpose of the meeting was to hear presentations from three localities on their rescue squad operations. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn, Jim Adams, Paula Burnette, and Tommy Slaughter. Jim McMillian was absent.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; and Susan Biege, Administrative Assistant. Public Safety staff members present were Dale Wagoner, Director of Public Safety; Matt Tatum, EMS Coordinator; and Susie Helbert, EMS Training Coordinator. Iriswood Supervisor-Elect Milton Kendall also was present, as were numerous members of local rescue squads.

Debbie Hall of the Martinsville Bulletin was present.

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present.

PRESENTATION OF RESCUE SQUAD OPERATION MODELS:

Dale Wagoner, Director of Public Safety, introduced the following panel representing three localities to discuss their County rescue squad operations.

Franklin County Rick Huff, County Administrator and
Daryl Hatcher, Public Safety Director

Amherst County Gary Roakes, Public Safety Director and
Chris Adams, Pulaski County Board of Supervisors

Pulaski County Joe Trigg, Director of Regional EMS, Inc.

The Board welcomed the panel and Mr. Wagoner gave background information regarding the formulation of a Task Force to study Henry County's Rescue Squad operations presented to the Board during the past few months. He stated one of the follow up actions was to look at other localities to see how they provide oversight and operations of emergency services.

Following are some of the highlights discussed by Mr. Gary Roakes of Amherst County, Mr. Joe Trigg, of Pulaski County, and Mr. Daryl Hatcher of Franklin County.

Mr. Gary Roakes, Public Safety Director of Amherst County, stated Amherst County's main concern is to its citizens and to protect lives and property. Emergency medical service in Amherst County is served by dedicated volunteers and career staff members in three departments; Amherst, Monelison and Pedlar with each having primary service areas in the county. Three non-jurisdictional departments also provide first response service in an effort to provide quicker response. Each department is assigned a primary response area and acts as backup response for other departments. Mr. Roakes stated that Amherst County developed a Memorandum of Agreement implementing a self-funding revenue recovery/soft billing program and allowing citizens an option to pay a voluntary subscriber fee of \$75.00 a year for ambulance transport. He stated volunteer captains have some control over their volunteers, who are supplemented under the County for insurance, payroll, worker's comp, uniforms, etc.; however, the volunteers control ownership of the buildings and purchase their own vehicles and equipment with the County providing capital funds and operating expenses on a day to day basis. The County also acts as a central purchasing agent for supplies for volunteers. Mr. Roakes stated he would be glad to answer any questions the Board may have. (Copy of Amherst County's Powerpoint Presentation is included in Board's File).

Mr. Joe Trigg, Director of Regional EMS, Inc. of Pulaski County, stated an independent consultant was hired to study its emergency medical services. The plan as presented was to merge the two existing volunteer rescue squads into one organization, managed by an executive director with appropriate staff and hire career staff as employees of Pulaski County to supplement volunteers. This initiative would be paid by a soft billing/revenue recovery program. Pulaski County also has a voluntary membership program fee of \$45.00 a year, guaranteeing no out of pocket expense for ambulance transport regardless of whether you have insurance. Mr. Trigg stated Pulaski County now has 12 full-time employees, 25 part-time employees and approximately 45 volunteers. Volunteers are a huge part of its system and the County offers a volunteer friendly program. All volunteers have to do is run calls and keep up their training and they do not deal with day to day operations of the squads. He stated as part of its regional EMS administration, Pulaski County maintains the fire and rescue stations. Each station has a leader elected by the volunteers, who manages the volunteers and reports to the Deputy Director or Director. Pulaski County pays all the bills for lights, water, fuel and maintenance on all vehicles. He stated the Regional EMS Board of Directors are representatives made up of two primary hospitals, Carrilion New River Valley Medical Center and Pulaski Community Hospital, a representative from the Town of Pulaski, the County of Pulaski, the Town of Dublin and the Pulaski County Emergency Management Coordinator. Pulaski County's funding contribution has remained flat in General Fund contributions; however, Capital Improvements Funds have increased due to rising costs of vehicles and equipment. Pulaski County also purchases one ambulance for the agency and one defibrillator each year. He stated he would be glad to answer any questions.

Mr. Daryl Hatcher, Director of Public Safety in Franklin County, gave an overview of its operations. He stated Franklin County is dedicated to providing

emergency services, to include, but not limited to, Fire, EMS, Animal Control and Emergency Management that are, delivered in a timely and efficient manner by well-trained and dedicated career and volunteer professionals. Mr. Hatcher stated the Franklin County Department of Public Safety was created to address SARA Title III guidelines and established as the coordinating agency for all fire and EMS response. Franklin County has 17 volunteer fire and EMS agencies and approximately 300 volunteer fire and EMS providers. He stated Franklin County employs 45 full and part time career personnel. Staff ranges from EMT/FF, to Paramedic/FF, to the Operational Medical Director. Franklin County provides approximately 3,500 EMS and 1,100 Fire responses annually. He stated as far as legal authority, the Public Safety Director is designated in County ordinance to serve as County Fire Chief as well as specifying that all Fire and EMS agencies are responsible to the Department of Public Safety. Franklin County's strategic plan is to provide consistent county-wide emergency and fire services with responses of 8 minutes 90% of the time within the County's identified centers and 10 minutes 85% of the time outside the identified centers. Mr. Hatcher stated that each volunteer agency handles the day to day operations of their agency; however, apparatus for fire and EMS service are owned and paid for by Franklin County. He stated that Franklin County has a soft billing revenue recovery program. All vehicles are purchased using the County base specifications and the County insures all public safety apparatus. Mr. Hatcher stated stipends range from \$4 to \$10 per call per volunteer, based on training level, and a \$25 annual allocation to cover expense of County decals. The County provides paid worker's compensation and liability insurance as well as EMS training ranging from basic to advanced training. Mr. Hatcher stated he would be glad to answer any questions. (Copy of Franklin County's Powerpoint Presentation is included in Board's File).

Mr. Rick Huff, Franklin County Administrator, stated that Franklin County has had concerns regarding liability and by having the departments, agencies and squads listed under the County ordinance as entities of the County, its umbrella protects them to the point of gross negligence. He stated another thing to keep in mind is that what works for one County may not work for another.

DISCUSSION OF RESCUE SQUAD ISSUES:

Mrs. Buchanan on behalf of the Board thanked the panel for its presentations. The floor was open to the Board of Supervisors to ask questions of the panel. The floor then was opened to the audience for questions. Following was a question-and-answer period with general discussion about rescue squad policies and procedures.

The Board agreed to include this item on its January Agenda. There being no further business to discuss Mr. Adams moved to adjourn at 8:35 pm, second by Mr. Slaughter. The motion carried 5 to 0. Mr. McMillian was absent.

**HENRY COUNTY BOARD OF SUPERVISORS
MINUTES**

December 15, 2009 – 3:00 pm

The Henry County Board of Supervisors held its regular meeting on December 15, 2009, at 3:00 pm in the Board Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Chairman Debra Buchanan, Vice Chairman H. G. Vaughn, Jim Adams, Paula Burnette and Tommy Slaughter. Jim McMillian was absent.

Staff members present were Benny Summerlin, County Administrator; Tim Hall, Deputy County Administrator; George Lyle, County Attorney; Susan Biege, Administrative Assistant; Susan Reynolds, Director of Human Resources/Public Information; Darrell Jones, Director of Finance; and Richard Stanfield, Assistant Director of Finance.

Sheriff Lane Perry and Major Steve Eanes were present as well as Debbie Hall of the Martinsville Bulletin and Ron Morris of B-99.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Jim Adams gave the invocation and H. G. Vaughn led in the Pledge of Allegiance.

CALL TO ORDER:

Chairman Buchanan called the meeting to order and welcomed everyone present. She stated that anyone who wishes to be on the Agenda for the Board's regular business meeting held at 3:00 pm 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 pm may do so under Agenda Item - Matters Presented by the Public without contacting the County Administrator's Office.

Chairman Buchanan welcomed incoming Board members, Joe Bryant and Milton Kendall. She stated there were several additional items to be added to the Board's Agenda including the South Street Project and a Resolution authorizing a grant to the Tobacco Commission.

ITEMS OF CONSENT:

Confirmation of Minutes of Meetings

(Copy included in Board's File).

- November 24, 2009 – 3:00 pm
- November 30, 2009 – 6:00 pm

Approval of Accounts Payable

(Copy included in Board's File).

Mrs. Burnette moved that the Board approve Items of Consent as presented, second by Mr. Adams. The motion carried 5 to 0. Mr. McMillian was absent.

CONSIDERATION OF DATE FOR 2010 ORGANIZATIONAL MEETING:

Mr. Summerlin stated the Board of Supervisors is required to have an organizational meeting at or soon after the first of the year. The Board will set its meeting dates and elect a chairman and vice chairman for the 2010 calendar year.

Mr. Adams moved to set the Board's 2010 Organizational Meeting on Thursday, January 7, 2010, at 3:00 pm, second by Mr. Vaughn. The motion carried 5 to 0. Mr. McMillian was absent. Mr. Bryant and Mr. Kendall also concurred with the date set for the organizational meeting.

CONSIDERATION OF FY 2010-2011 BUDGET CALENDAR:

Mr. Summerlin stated staff has provided the Board with a proposed calendar for preparation of the FY 2010-11 County Budget. The calendar provides for preparation, adoption, and appropriation of the budget in accordance with the deadlines provided in the Code of Virginia. (Copy of Proposed FY 2010-2011 Budget Calendar is included in Board's File).

Mr. Adams moved to adopt the budget calendar for the upcoming FY 2010-2011 County Budget, second by Mr. Slaughter. The motion carried 5 to 0. Mr. McMillian was absent.

UPDATE ON ACTIVITIES OF THE GATEWAY STREETSCAPE FOUNDATION:

Mrs. Burnette stated she requested this item be placed on the agenda for an update on activities by the Gateway Streetscape Foundation.

Ms. Lois Christensen of Gateway Streetscape gave a brief history of Gateway Streetscape Foundation and an update on current activities. Ms. Christensen stated she would be glad to answer any questions of the Board.

Mrs. Burnette stated she was concerned about the trees on Route 58 East from the City limits to Route 57 not being taken care of and due to the fact the area is an entryway coming into the City. She stated some of the trees have died and have not been replaced and some are not being trimmed. She stated since the trees were planted by Gateway she would like to see Gateway have an overall plan to maintain the tree line.

Ms. Christensen stated the rural trees are pruned at least every other year. She stated several reasons some of the trees are missing is because people have complained they could not see at the crossover going into Food Lion or they have either been hit by cars; therefore, VDOT removed the trees and replanted them at Axton Middle School. She suggested perhaps the businesses in the area could get together and hire a contractor to maintain the landscape which would need VDOT approval. Also, another alternative would be to remove the trees altogether.

Mrs. Burnette and other Board members thanked Ms. Christensen.

RECOGNITION OF OUTGOING BOARD OF SUPERVISORS MEMBERS:

Mr. Summerlin stated staff has secured a clock for the Board to present to Paula Burnette in recognition of her 16 years of service to the Board as the Iriswood District representative with her term ending December 31, 2009.

Mrs. Buchanan stated that Collinsville District Supervisor Jim McMillian is leaving the Board December 31 after serving one term on the Board. Mr. McMillian has indicated that he wants no public recognition for his service; however, the Board did obtain a clock for his years of service.

The Board individually recognized and thanked Mrs. Burnette for her 16 years of dedicated service to the County as well as her professional and personal relationships with the Board. Several Board members also shared fond memories of Mrs. Burnette throughout the years.

Mrs. Burnette then joined the Board at the podium as Mrs. Buchanan presented her with a clock for her outstanding years of service to Henry County.

Mrs. Burnette stated she has appreciated the positive working relationship with the Board and County staff members and was very proud to represent the citizens of Henry County. She stated she looked forward to spending more time with her two grandchildren Logan and Ryan.

FINANCIAL MATTERS:

Award of Contract re: Historic Henry County Courthouse HVAC Project

Mr. Summerlin stated the HVAC system at the Historic Henry County Courthouse needs replacement. Bids were solicited, and four responses were received. The low bidder was John Bryant, Inc. of Fieldale with a bid of \$64,350. Grant funds from the Harvest Foundation and Save America's Treasures grant are being used for the purchase.

Mrs. Burnette moved that the Board award the contract in the amount of \$64,350 to John Bryant, Inc. of Fieldale, second by Mr. Adams. The motion carried 5 to 0. Mr. McMillian was absent.

Additional Appropriation re: Emergency Medical Services Reimbursements – Public Safety

Mr. Summerlin stated the Henry County Department of Public Safety has received \$4,219 from the Virginia Office of Emergency Medical Services for reimbursement of EMS training-related expenses. The funds are reimbursement of expenses from programs previously conducted by Public Safety staff. There is no match or restrictions on the use of these funds. The Public Safety staff wishes to use the funds to replace broken and worn-out classroom chairs at the Emergency Services Training Center.

Mrs. Burnette moved that the Board approve the additional appropriation of \$4,219 from the Virginia Office of Emergency Services as requested, second by Mr. Slaughter. The motion carried 5 to 0. Mr. McMillian was absent.

Grant Acceptance, Additional Appropriation, and Award of Contract re: Department of Justice COPS Technology Grant – Sheriff's Office

Mr. Summerlin stated Sheriff Perry is requesting the Board to accept and make an additional appropriation of \$75,000 in grant money from the Department of Justice's COPS Technology program. The money would be used to help purchase 16 digital in-car camera systems at a total cost of \$78,160. The extra \$3,160 would come from existing funds, and this project does not require a local match. Sheriff Perry indicates that this grant began under former Congressman Virgil Goode and has continued under Congressman Tom Perriello. Sheriff Perry also is asking the Board to award a contract in the amount of \$78,160 to WatchGuard Video of Plano, TX for the purchase of the camera systems. WatchGuard Video has been approved as a sole-source vendor for this purchase.

Mrs. Burnette moved that the Board approve acceptance of the \$75,000 grant from the Department of Justice, the additional appropriation of the grant, and the awarding of a contract in the amount of \$78,160 to WatchGuard Video of Plano, TX as requested, second by Mr. Adams. The motion carried 5 to 0. Mr. McMillian was absent.

Grant Acceptance, Additional Appropriation, and Award of Contract re: Bulletproof Vest Program – Sheriff's Office

Mr. Summerlin stated Sheriff Perry is requesting the Board to accept a grant in the amount of \$13,928.50 from the Department of Justice's Bulletproof Vest Program. Sheriff Perry is asking that the grant ultimately be combined with \$13,928.50 in budgeted funds to ultimately buy as many as 28 replacement vests. The local match would come from the Sheriff's Office budget - \$5,000 from contingency reserve grants line item; \$3,000 from police equipment line item; and \$5,928.50 from asset forfeiture. He stated the Board of Supervisors would have to approve the expenditure from asset forfeiture. The Board is also being asked to award a contract in the amount of \$27,857 to PT Armor of Fairfax for the vests. PT Armor has been approved as a sole-source vendor for this purchase.

Mrs. Burnette moved that the Board approve the acceptance of the Department of Justice grant in the amount of \$13,928.50; the approval of the matching funds as outlined, including \$5,928.50 from asset forfeiture; and the award of contract in the amount of \$27,857 to PT Armor of Fairfax to purchase up to 28 bulletproof vests, second by Mr. Vaughn. The motion carried 5 to 0. Mr. McMillian was absent.

Award of Contract re: Replacement Equipment – Sheriff’s Office

Mr. Summerlin stated Sheriff Perry is requesting the Board to award a contract in the amount of \$68,359.08 to Town Police Supply of Collinsville for the purchase of replacement equipment for the Sheriff’s Office. The Board of Supervisors previously accepted \$126,329 in American Recovery and Reinvestment Act (ARRA) stimulus money, and the Sheriff’s Office issued a request for bids for night vision equipment and security rifle mounts in vehicles. Four companies responded, and the low bidder for both items was Town Police Supply. The low bid for the night vision equipment was \$48,623.76, and the low bid for the security rifle mounts was \$19,735.32.

Mrs. Burnette moved that the Board award a contract in the amount of \$68,359.08 to Town Police Supply for the night vision equipment (\$48,623.76) and the security rifle mounts (\$19,735.32), second by Mr. Slaughter. The motion carried 5 to 0. Mr. McMillian was absent.

Improvement of South Street Project and Pleasant Ridge to standards for Acceptance into the State Secondary System

Mr. Summerlin stated the South Street Project is part of the whole South Street Rehabilitation project and funds were received to rehabilitate South Street, which is a locally administered project under the provisions of VDOT’s Project Management which requires the County Administrator be authorized to sign the Agreement. (Copy of Standard Project Administration Agreement is located in Board’s File).

Mr. Slaughter moved that the Board approve the Resolution, second by Mr. Adams. The motion carried 5 to 0. Mr. McMillian was absent.

Resolution Regarding the Tobacco Commission Grant

Mr. Summerlin stated bids were open for construction of a 4.5 mile Smith River Trail which is being reviewed by VDOT. He stated there is an application for Reserve Funds for approximately \$100,000 to the Tobacco Commission to help make up the difference in local funds and requires approval of a resolution.

Mrs. Burnette moved that the Board approve the Resolution to the Tobacco Commission for the grant in the amount of \$100,000, second by Mr. Adams. The motion carried 5 to 0. Mr. McMillian was absent.

INFORMATIONAL ITEMS:

Comments from the Board

Mrs. Burnette stated she would be attending her final meeting on the Secure Commonwealth Panel Board in Richmond on Wednesday. She stated she is happy to say that Mr. Slaughter would be replacing her on the West Piedmont Planning District Commission Board. Mrs. Burnette again thanked the Board, staff members, the news media and everyone for all the interaction throughout her time on the Board.

Mr. Vaughn stated he would like to thank Mr. McMillian for his four years of service to the Board of Supervisors and wished him the best. Other members of the Board also wished Mr. McMillian well.

Mrs. Buchanan stated she would like to receive the Board's comments on considering a one-time donation from the Contingency Fund to the Social Services Emergency Fund. Mr. Summerlin stated the Emergency Fund is a fund of last resort for someone who has exhausted all means of receiving help.

Mrs. Burnette moved that the Board appropriate a one time donation of \$25,000 from the Contingency Fund to the Social Services Emergency Fund, second by Mr. Adams. The motion carried 5 to 0. Mr. McMillian was absent.

Mrs. Buchanan reminded everyone of the Festival of Lights in Fieldale.

Mr. Summerlin stated staff would try and schedule a ground breaking for the rail trail sometime in mid-January. He stated the Social Services office space project is on schedule and on budget. He stated the plan is to start the move on January 4, with Social Services closed on the 5th and 6th and reopen on January 7 in its new location. He stated a tentative date is being considered for Monday, January 25, at 6:00 pm for a dedication of the new space with City Council and Social Services and to tour the new office space.

CLOSED MEETING:

Mrs. Burnette moved that the Board enter into a closed meeting at 4:00 pm to discuss the following, second by Mr. Adams. The motion carried 5 to 0. Mr. McMillian was absent.

- 1) §2.2-3711(A)1 for Discussion of Appointees to the Public Service Authority, Community Policy and Management Team, Patriot Centre Advisory Board and West Piedmont Planning District Commission.

- 2) §2.2-3711(A)7 for Consultation with the County Attorney re: Pending Legal Matters.
- 3) §2.2-3711(A)3 for Consultation with the County Attorney re: Acquisition/Disposal of Real Estate.
- 4) §2.2-3711(A)5 for Consultation with the County Attorney re: Discussion of As-Yet Unannounced Industries.

OPEN MEETING:

The Board returned to an open meeting at 5:35 pm on a motion by Mrs. Burnette and second by Mr. Slaughter. The motion carried 5 to 0. Mr. McMillian was absent.

CERTIFICATION OF CLOSED MEETING:

Mr. Hall read the Certification of the Closed Meeting and took a roll call vote. Those voting in the affirmative were Mr. Slaughter, Mrs. Burnette, Mr. Adams, Mr. Vaughn and Mrs. Buchanan. Mr. McMillian was absent.

APPOINTMENTS:

Public Service Authority

Mr. Vaughn moved that the Board reappoint Jim McInerney to the Public Service Authority for a term of four years, second by Mr. Adams. The motion carried 5 to 0. Mr. McMillian was absent.

Patriot Centre Advisory Board

Mrs. Burnette moved that the Board reappoint Hal Prillaman, George Lester, W. E. Giesler, and Nubby Coleman and appoint Terry Cundiff to the Patriot Centre Advisory Board for a term of two years, second by Mr. Adams. The motion carried 5 to 0. Mr. McMillian was absent.

West Piedmont Planning District Commission

Mrs. Burnette moved that the Board appoint Tommy Slaughter and Jim Adams to the West Piedmont Planning District Commission for a term of four years, second by Mr. Vaughn. The motion carried 5 to 0. Mr. McMillian was absent.

The Board recessed its meeting at 5:37 pm until 6:00 pm.

Mrs. Buchanan called the meeting to order at 6:00 pm and welcomed everyone present.

UPDATE ON SPENCER PENN PRESERVATION CENTRE:

Mrs. Mary Jordan, President of the Spencer Penn Preservation Centre gave the Board an update on activities at the Spencer Penn Centre.

PRESENTATION OF THE 2009 JACK DALTON COMMUNITY SERVICE AWARD:

Mr. Summerlin stated 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 to preference.

Mrs. Buchanan gave background information on the 2009 recipient and stated she was proud to announce that Mary Jordan is the recipient of the 2009 Jack Dalton Community Service Award.

Members of the Board of Supervisors and Ms. Lois Dalton, wife of the late Jack Dalton, then presented Mary Jordan with a plaque.

Mrs. Jordan thanked the Board and stated she was deeply honored to accept the award.

PUBLIC HEARING - CHANGE IN VOTING PRECINCT FROM FORMER RIDGEWAY ELEMENTARY SCHOOL TO FIRST BAPTIST CHURCH OF RIDGEWAY:

Mr. Summerlin stated the Henry County Electoral Board is seeking to have a voting precinct relocated from the former Ridgeway Elementary School to the First Baptist Church of Ridgeway. In a memo from the Electoral Board, it was indicated that the heat was no longer functional in the former school building. A public hearing is required to move a voting precinct, and afterwards the Board of Supervisors must vote whether to move the precinct. Approval from the United States Department of Justice also is required before the precinct can be moved. (Copy of Proposed Ordinance is included in Board's File).

The public hearing was open at 6:08 pm. There being no one present who wished to speak the public hearing was closed at 6:08 pm.

Mr. Vaughn moved that the Board approve the change in the voting precinct from former Ridgeway Elementary School to the First Baptist Church of Ridgeway and forward it to the Department of Justice for approval, second by Mr. Adams. The motion carried 5 to 0. Mr. McMillian was absent.

PUBLIC HEARINGS - REZONINGS:

R-09-08 - William W. Lewis

Mr. Lee Clark reviewed Application R-09-08 for William W. Lewis. (Copy of Application included in Board's File). Mr. Clark stated that following a public hearing both the Planning Commission and staff recommend approval of the request.

The public hearing was open at 6:10 pm. There being no one present who wished to speak the public hearing was closed at 6:10 pm. It was noted the applicant was present.

Mrs. Burnette moved that the Board accept the rezoning request as recommended by the Planning Commission, second by Mr. Slaughter. The motion carried 5 to 0. Mr. McMillian was absent.

R-09-09 – Michael E. Lavinder

Mr. Lee Clark reviewed Application R-09-09 for Michael E. Lavinder. (Copy of Application included in Board's File). Mr. Clark stated that following a public hearing both the Planning Commission and staff recommend approval of the request.

The public hearing was open at 6:12 pm. There being no one present who wished to speak the public hearing was closed at 6:12 pm. It was noted the applicant was present.

Mrs. Burnette moved that the Board accept the rezoning request as recommended by the Planning Commission, second by Mr. Slaughter. The motion carried 5 to 0. Mr. McMillian was absent.

MATTERS PRESENTED BY THE PUBLIC:

There was no one present from the public who wished to address the Board.

GENERAL HIGHWAY MATTERS:

Ms. Lisa Price-Hughes, Residency Administrator of the local VDOT Office was present to discuss highway matters.

Consideration of Addition and Abandonment of Portions of Route 650 (Irisburg Road)

The Virginia Department of Transportation is requesting the Board consider the adoption of a resolution that will abandon 0.89 of a mile along Route 650 (Irisburg Road) and that will add into the secondary system 0.88 of a mile along the same Route 650 (Irisburg Road).

Mrs. Burnette moved that the Board approve the resolution, second by Mr. Adams. The motion carried 5 to 0. Mr. McMillian was absent.

Ms. Hughes stated VDOT has started work on two slides one on Chestnut Knob and the other is Mica Road.

Mrs. Burnette thanked Ms. Hughes for her working relationship and all she has done for the Iriswood District.

Mr. Slaughter asked Ms. Hughes about the light at Sportlanes. Ms. Hughes stated this will depend on funding.

Mr. Summerlin noted that the Commonwealth Transportation Board will consider the I-73 Resolution at its meeting on Thursday.

SWEARING-IN CEREMONY OF ELECTED OFFICIALS:

Vickie Helmstutler, Circuit Court Clerk, Elizabeth Stone, County Registrar and Randolph Dyer, Chairman of the Electoral Board, and Peggy Moran, Secretary of the Electoral Board, were present to participate in the Swearing-In Ceremony for those placed in office in the November 3 election. The following Supervisor-elect members were sworn: Jim Adams of the Blackberry District, Milton Kendall of the Iriswood District, and Joe Bryant of the Collinsville District. Also sworn in were School Board-elect members Curtis Millner of the Iriswood District, Rudy Law of the Blackberry District and Kathy Rogers of the Collinsville District.

There being no further business to discuss Mrs. Burnette moved to adjourn at 6:35 pm, second by Mr. Slaughter. The motion carried 5 to 0. Mr. McMillian was absent.