

HENRY COUNTY BOARD OF SUPERVISORS MINUTES

November 24, 2020 – 3:00 p.m.

The Henry County Board of Supervisors held its regular meeting on November 24, 2020, at 3:00 p.m. in the Summerlin Meeting Room of the County Administration Building, King's Mountain Road, Collinsville, Virginia. The following Board members were present: Jim Adams, Chairman, Debra Buchanan, Vice-Chairman, Joe Bryant, Tommy Slaughter, David Martin, and Ryan Zehr.

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

Lt. Col. Steve Eanes, Deputy Nicole Dunn, Captain Eric Hairston, and Lt. Brian Lawson of the Sheriff's Office were present. Also present were Kim Meeks of the Martinsville Bulletin and Brandon Martin of Henry County Enterprise.

A moment of silence was held in memory of Registrar Liz Stone.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Mr. Adams gave the invocation, and Mr. Bryant led the Pledge of Allegiance.

CALL TO ORDER:

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

ITEMS OF CONSENT:

Confirmation of Minutes of Meetings

Copy included in Board's File.

- October 27, 2020

Approval of Accounts Payable

Copy included in Board's File.

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

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

NAYS: None.

REPORT ON DELINQUENT TAX COLLECTION EFFORTS

Mr. Grindstaff noted that 93.86% of 2019 personal property taxes and 95.52% of 2019 real estate taxes had been collected. Since January 1, 2020, TACS has collected approximately \$851,910.52. There were seven VRW stops collected in October 2020 and two stops collected in November 2020.

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

Mr. Hall said the West Piedmont Regional Economic Development District, which serves 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)*. The plan will be forwarded to the U.S. Economic Development Administration (EDA) to maintain the participating localities' eligibility to receive EDA funding. The document must contain a list of prioritized projects, and the WPPDC annually requests that each locality submit its proposed future project. It is essential that all projects the Board will consider within the next year be included in the CEDS because only projects on the list are eligible for EDA funding.

County staff developed the attached proposed list of projects. Including a project in the CEDS does not commit the County to undertake the project. It is merely a listing of potential projects from which EDA representatives choose for an investment of federal funds in this district. If EDA invites the County to apply to a specific project from the list, the Board would then be required to commit the local funds necessary for implementation. (Copy included in Board's file).

On a motion by Mr. Bryant and seconded by Dr. Martin, the Board approved the list of projects for submission in the regional CEDS by the following vote:

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

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

Mr. Hall said Sheriff Lane Perry is asking the Board to award the following contracts for vehicles:

- 1) R.K. Chevrolet in Virginia Beach for one 2021 Chevrolet Tahoe to be used by the Patrol Division, \$37,603.03.
- 2) Hall Automotive in Virginia Beach for two Dodge Durango SUVs at \$37,620.12 each and four Dodge Chargers at \$32,736.94 each. These vehicles will be used by the Patrol Division and Court Security Division. The total contract award amount is \$238,924.82.

Pricing is based on the Virginia Sheriff's Association vehicle procurement program and specifications. The Board approved funding for the purchase of these vehicles in the FY'21 County budget as a carryover from the previous budget.

On a motion by Mr. Zehr and seconded by Ms. Buchanan, the Board approved awarding contracts to R.K. Chevrolet for \$37,603.03 and Hall Automotive for \$238,924.82, as outlined above by the following vote:

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

CONSIDERATION OF RESOLUTION RE: SIGNATURE AUTHORITY OF JAIL INMATE FUND – SHERIFF’S OFFICE

Mr. Hall said Sheriff Lane Perry is asking the Board to approve the attached resolution to update the jail inmate fund’s signature authority. The jail inmate fund comprises cash on inmates of the Henry County Jail at the time of their arrest or contributions to them from their family members. These funds can only be used for the health and welfare of specific County inmates. Granting signature authority to specific sworn law enforcement personnel will ensure the Sheriff’s Office can effectively conduct day-to-day transactions related to the jail inmate fund. (Copy included in Board’s file).

On a motion by Mr. Zehr and seconded by Dr. Martin, the Board approved awarding the proposed resolution by the following vote:

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

ADDITIONAL APPROPRIATION RE: GRANT FUNDS FOR BROADBAND PLANNING STUDY

Mr. Hall said Henry County has been awarded two separate grants to cover the cost of a Broadband Planning Study. The primary grant of \$50,000 is from the Virginia Department of Housing and Community Development. This grant requires a \$10,000 match. The second grant of \$15,000 is from the Harvest Foundation to cover the required matching funds and other associated costs. The study will identify broadband service gaps in both the County and the City of Martinsville and provide a roadmap for addressing the gaps.

On a motion by Mr. Bryant and seconded by Mr. Slaughter, the Board approved the appropriation of \$50,000 from the Virginia Department of Housing and Community Development and the \$15,000 from the Harvest Foundation to cover the costs associated with conducting a Broadband Planning Study by the following vote:

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

REQUEST FOR CARRYOVER OF FY’20 COUNTY FUNDS

Mr. Hall said staff asks the Board to approve the carryover of committed funds from the FY’20 budget year to the current FY’21 budget. Staff has prepared the attached list of carryover items by cost center. Items on the carryover list are committed items encumbered or obligated from the prior budget year, but the item was not received, or the service was not performed before June 30. It also includes unexpended grant funds that may have been awarded in the prior fiscal year and

other commitments not completed prior to June 30. This year's carryover request totals \$76,787,757.77 which includes interfund transfers of \$4,247,783.91.

On a motion by Mr. Zehr and seconded by Mr. Slaughter, the Board approved the carryover funds to FY'21 as requested by the following vote:

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

NAYS: None.

AWARD OF CONTRACT RE: SOLID WASTE AGREEMENT

Mr. Hall said the County has a contract with the City of Martinsville to handle solid waste disposal. The City of Martinsville has a contract with First Piedmont Corporation to operate a transfer station located off Clearview Drive in Martinsville. The agreement is for a term of five (5) years beginning January 1, 2021, and extends through December 31, 2025. The term tipping rates are lower on the new agreement due to the City of Martinsville having a contract with Pittsylvania County, VA, instead of Roxboro, NC.

On a motion by Mr. Slaughter and seconded by Mr. Zehr, the Board approved the solid waste agreement and approved the County Administrator to sign the agreement by the following vote:

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

NAYS: None.

GENERAL HIGHWAY MATTERS

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

INFORMATIONAL ITEMS

Comments from the Board

Dr. Martin asked the Board if they would like to make any changes to the county code, which currently allows the firing of guns in suburban residential areas in the County. After some general discussion, no motions were made to change the code.

Ms. Buchanan asked the County to look for grants, speak with other localities, etc., to find ways to help the schools with struggling students learning online during the COVID pandemic.

Mr. Slaughter said the City of Martinsville Police Officers are now authorized to shoot coyotes if needed and asked Sheriff Perry if Henry County Sheriff's Office has received any complaints on coyotes in the area. Sheriff Perry said there were probably numerous coyotes in the area, but Animal Control has received very few complaints on the matter.

Mr. Adams asked the Board to consider changing the December Board of Supervisor meeting from December 22 to December 15.

On a motion by Mr. Zehr and seconded by Dr. Martin, the Board approved changing the December Board of Supervisor meeting to December 15, 2020, by the following vote:

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

Mr. Hall said the County follows the State Holiday Schedule and will be closing at noon on November 25 and reopening on November 30 for the Thanksgiving Holiday. Unemployment is continuing to decline in the area. Governor Northam ordered meetings and gathering to be attended by 25 or fewer, and the County will follow the order. The County revenue stream is down approximately 10%. Specifically, sales tax revenue increased 7%, occupancy tax decreased 30%, meals tax decreased 4.4%, courthouse and security fees both have fallen 40%, jail fees decreased due to fewer inmates, recreation fees decreased 85%, and EMS fees for service decreased 25%. Mr. Hall requested to end the hiring freeze for staff to be lifted to fill current positions in departments. No new positions will be created.

CLOSED MEETING

Mr. Zehr moved that the Board go into a closed meeting at 3:46 p.m. to discuss the following:

- A) §2.2-3711(A)1 for Discussion of Appointees to the Public Service Authority, Anchor Commission, Ninth District Development Financing, Inc., and West Piedmont Planning District Commission.
- B) §2.2-3711(A)7 for Discussion of Pending Legal Matters.
- C) §2.2-3711(A)5 for Discussion of As-Yet Unannounced Industries.

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

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

OPEN MEETING

The Board returned to open meeting at 4:50 p.m. on a motion by Mr. Zehr, seconded by Mr. Bryant, and it carried by the following vote:

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

CERTIFICATION OF CLOSED MEETING

Mr. Wagoner read the Certification of the Closed Meeting and took a roll call vote.

Board members voting in the affirmative were Mr. Adams, Mr. Bryant, Ms. Buchanan, Mr. Zehr, Dr. Martin, and Mr. Slaughter.

Public Service Authority – On a motion by Ms. Buchanan and seconded by Mr. Slaughter, the Board unanimously approved the re-appointment of Marcus Stone to a four-year term ending January 5, 2025, by the following vote:

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

NAYS: None.

Anchor Commission - On a motion by Mr. Bryant and seconded by Mr. Zehr, the Board unanimously approved the re-appointments of Jeanette Hurd, Pamela Randall, and Bonnie Favero to four-year terms ending December 31, 2024, by the following vote:

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

NAYS: None.

Ninth District Development Financing, Inc. – On a motion by Dr. Martin and seconded by Mr. Zehr, the Board unanimously approved the re-appointment of Barry Jarrett to a two-year term ending December 31, 2022, by the following vote:

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

NAYS: None.

West Piedmont Planning District Commission Technical Advisory Committee – On a motion by Mr. Slaughter and seconded by Mr. Zehr, the Board unanimously approved the appointment of Lee Clark and alternate Bryan McAlexander to a three-year term ending December 31, 2023, by the following vote:

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

NAYS: None.

Mr. Adams recessed at 4:53 p.m. until the 6:00 p.m. evening meeting.

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

PRESENTATION OF THE 2020 VETERANS AWARDS

Mr. Adams said each year, a local veteran is recognized for their service to our Country and our community with the Martinsville-Henry County Outstanding Military Veteran Award. The award is typically presented as part of the Community's Veterans Day ceremony, but due to COVID restrictions, the ceremony was not held this year.

In addition, David Kipfinger and S.T. Fulcher, representing the Martinsville-Henry County Veterans Service Organization (VSO), have requested time to present the Veteran of the Year award and a special award on behalf of their group.

Ms. Buchanan said this 2020 Outstanding Military Veteran Award was being presented by the Henry County Board of Supervisors, in conjunction with the City of Martinsville. We want to express our sincere appreciation to all veterans and the veterans' service organizations. The award will go to the nominee judged by the selection committee to represent the best service to our Country and the community. The award was created in 2009 by the Board of Supervisors. With the support of the Martinsville City Council, the award was expanded in 2013 to include nominations of both Martinsville and Henry County Veterans.

Mr. Slaughter gave a brief background about this year's recipient, saying he began his military training at the Virginia Military Institute and later joined the United States Army. He has since been instrumental in leading J.R.O.T.C. programs at Bassett, Patrick County, and Tunstall High Schools. Mr. Slaughter said we are proud to present the 2020 Outstanding Military Veteran Award to Lt. Colonel David King.

David Kipfinger and S.T. Fulcher, representing the Martinsville Henry County Veterans Service Organization, presented Sharon Mills with the HJDB Event Center in Bassett a certificate for excellence to provide veterans' facility meet throughout the year without charge. Awards of recognition were presented to Destinee Spencer for her grandfather, Daniel Spencer, and to David Gilliland for the family of Darrell Peay. This year's Veteran's Service Office Veteran of the Year award was presented to Charles Williams, a 1969 graduate of Martinsville High School and a veteran of the Vietnam War.

PUBLIC HEARING – CONSIDERATION OF PROPOSED ORDINANCE REGARDING SCHOOL CONSTRUCTION SALES AND USE TAX

During the recent election, Mr. Hall said Henry County voters approved a ballot referendum to raise the local sales tax by one percent, with the proceeds going toward school construction and capital projects. The next step in the process requires the Board to update the County ordinance to reflect the tax's increase and collection. This measure requires a public hearing, and it has been properly advertised for this meeting.

Mr. Adams opened the public hearing at 6:20 p.m. There being no one present who wished to speak, Mr. Adams closed the public hearing at 6:20 p.m.

On a motion by Dr. Martin and seconded by Mr. Slaughter, the Board approved the update to County ordinance to reflect the one percent local sales and use tax increase (Copy included in Board's file) by the following vote:

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

NAYS: None.

PUBLIC HEARING – REZONING APPLICATION R-20-08 – BOBBY J. NICKELSTON

Mr. Clark said the property is located at 1160 Fisher Farm Rd in Ridgeway District. The Tax Map number is 52.7(21)/53-56. The applicant is requesting the rezoning of approximately 0.7-acre from Suburban Residential District S-R to Mixed Residential District M-R. The applicant has removed the existing site-built house and intends to replace it with a double-wide manufactured home.

Mr. Adams opened the public hearing at 6:22 p.m. There being no one present who wished to speak, Mr. Adams closed the public hearing at 6:22 p.m.

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

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

NAYS: None.

PUBLIC HEARING – REZONING APPLICATION R-20-09- ADAM LEE FOLEY

Mr. Clark said the property is located on the northwest side of Smith Rucker Rd, approximately 400' north of Virginia Ave., in the Collinsville District. The Tax Map number is 41.1(20)F/A,B. The applicant is requesting the rezoning of approximately 1.29-acres from Suburban Residential District S-R to Commercial District B-1. The applicant intends to develop commercial self-storage units on the property. Mr. Adams opened the public hearing at 6:27 p.m. Applicant Adam Foley said if the rezoning was approved, the storage facility would be fenced in and locked with lighting, and he would plant landscape screening. Gary Brown, Randy Powell, Kelvin Bradshaw, Una Bradshaw, and Nancy Philpott all spoke in opposition with concerns with increased traffic and declining property values. There being no one else present who wished to speak, Mr. Adams closed the public hearing at 6:43 p.m.

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

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

NAYS: None.

MATTERS PRESENTED BY THE PUBLIC

Mr. Steven Edwards, representing his parents who live in the Reed Creek District, discussed enforcement of the County's ordinance relating to excessive noise (Sec. 13-200).

Adjournment

There being no further business to discuss, Mr. Bryant moved to adjourn at 8:54 p.m. Ms. Buchanan seconded the motion, and it carried by the following vote:

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

NAYS: None.