

November 15, 2012

The Carroll County Board of Supervisors held their regular monthly meeting on, November 15, 2012 in the Board Meeting Room of the Carroll County Governmental Center.

Present were: David V. Hutchins
W.S. "Sam" Dickson
Dr. Tom Littrell
Joshua A. Hendrick
Phil D. McCraw
Gary Larrowe, County Administrator
Nikki Shank, Assistant Administrator
Jim Cornwell, County Attorney

Mr. Dickson called the meeting to order at 3:31 p.m.

CLOSED SESSION – PURSUANT TO VIRGINIA CODE SECTION 2.2-3711(A1, A3, A5, A7)

Upon motion by Mr. Hutchins, seconded by Mr. McCraw, and passing, the Board convened a Closed Session for the discussion of personnel, disposition of real estate, prospective business, investments, legal matter, as authorized by Virginia Code Section 2.2-3711(A1).

Mr. Durbin explained the purpose for entering Closed Session as listed below.

Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall

November 15, 2012

be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Not Present

(Order)

CERTIFICATION OF CLOSED SESSION

Upon motion by Mr. Hutchins, seconded by Mr. Martin, and passing, the Board adopted the following Resolution:

WHEREAS, the Carroll County Board of Supervisors convened a Closed Session this date pursuant to an affirmative recorded vote and on the motion to close the meeting in accordance with the Virginia Freedom of Information Act;

WHEREAS, Section 2.2-3711(D) of the Code of Virginia requires a certification by the Board of Supervisors that such Closed Session was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Carroll County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the Closed Session to which this certification applies, and (II) only such business matters as were identified in the motion by which this Closed Session was convened were heard, discussed, or considered in the meeting to which this certification applies.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

Dr. Littrell introduced the Carroll County JROTC and told that they did a fantastic job with their presentation at CCIS last week. The Carroll County JROTC presented the colors and lead in the pledge.

Mr. Hutchins lead in invocation.

November 15, 2012

Mr. Dickson told that the reason for the date change was so the Board members could attend the VACO Conference. He told that 4 members were able to attend and one member was able to go to a meeting there and return. He told that Mr. Hutchins was elected as the Region 12 Board of Directors for a two year term. He congratulated Mr. Hutchins for his desire to do this.

Mr. Hutchins thanked his fellow Board Members for the resolution that was approved in support of this.

Mr. Dickson told that there are various steering committees and 66% of the Board members are currently serving in some capacity. He told that he appreciates the efforts because it is time consuming.

(Order)

APPROVAL OF AGENDA

Mr. Dickson told that he has a few changes and after Spay and Neuter he would like to add EMS Volunteer Personnel Policy and the approval of the Water Agreement.

Upon motion by Mr. Hutchins, seconded by Mr. Hendrick and passing, the Board revised the agenda to add the presentation.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

APPROVAL OF MINUTES

Upon motion by Dr. Littrell seconded by Mr. McCraw and passing, the Board approved the minutes of the meeting on September 10, 2012 as previously distributed to the members of this Board.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes

November 15, 2012

Mr. Martin Yes

(Order)

APPROVAL OF PAYROLL

Upon motion by Mr. McCraw, seconded by Mr. Hutchins, and passed unanimously, the Board approved the payroll for November 2012 and did authorize the Chairman and Clerk, along with Bonita M. Williams, Treasurer, to sign on the 15th and 30th days of December 2012 of checks for the payment of salaries and wages for all County officials and employees as previously budgeted by the State Compensation Board and this Board of Supervisors.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Not Present

(Order)

E911 BYLAWS

Mr. Hutchins told that he would like to table the E911 Bylaws and not take any action until January.

Upon motion by Mr. Hutchins, seconded by Mr. McCraw and passing, the Board approved to table this until January.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Not Present

(Order)

DAY REPORTING PROGRAM

Sheriff Gardner told that this is a collaborative effort based upon a couple successful programs. He told that it would be non-violent and non-sexual offenders who could pull their community service locally. He told that this would save jail costs for the county which runs \$29.50 per day, per inmate. He told that we would also be gaining the price of the value of work that they will be doing such as trash pickup, washing windows, etc. He told that in Grayson County from January through September they have an average savings of \$88,000 from jail costs. He told that he feels that with cooperation there could be a substantial savings. He told that NRVRJ is almost always at capacity with the State Inmates there and we are trying to find alternate measures. He told that the good thing about this program is they do not have to be constantly supervised. He told that they get one shot at it or go to jail and the Circuit Court judge is on board with this. He told that they are required to attend life skills or a substance abuse class. He told that he is excited about this and it could save a lot of money for the county. He told that the judge has requested that this person over the program have police powers so it will be under the Sheriff's office authority.

Mr. Martin told that at one point in the past they used these people in the schools and it worked out well.

Sheriff Gardner told that the school has ask for some to wash buses.

Mr. Martin told that with the cuts there are fewer people and he can see them working in the kitchen or custodial.

Sheriff Gardner told that there was a person in the program in Grayson who had received a DUI and he was a professional window washer so they were able to get all of the windows done in the County buildings.

Mr. Martin told that he thought the one they used was charged with drinking underage.

Sheriff Gardner told that sometimes there is a better alternative than going to jail.

Mr. Hendrick ask if this would be an additional position.

Sheriff Gardner told that Grayson did hire a person to maintain no more than 15 in the program. He told that they have saved \$88,000 so it has paid for itself. He told that they have not worked out the logistics yet.

Mr. Martin told that he likes the idea. He told that you don't gain a whole lot sitting in jail.

Mr. Dickson asked if this is approved is there a time line to have it in place.

November 15, 2012

Sheriff Gardner told that he would like to have it up and running by January 1st and Grayson County has offered to help with that.

Mr. Dickson told that if it doesn't work out, he could come back and let the Board know.

Sheriff Gardner replied absolutely.

Upon motion by Mr. McCraw, seconded by Dr. Littrell and passing, the Board approved the creation of the Day Reporting Program.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

COMMITTEE APPOINTMENTS

Upon motion by Mr. McCraw, seconded by Mr. Hutchins and passing, the Board approved adding Ms. Shank to FAPT and removing her from CPMT.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

SURPLUS

Upon motion by Mr. McCraw, seconded by Mr. Hutchins and passing, the Board approved items for surplus.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes

November 15, 2012

Dr. Littrell Yes
Mr. Martin Yes

(Order)

DISTRICT III ALLOCATION

Upon motion by Mr. McCraw, seconded by Mr. Hutchins and passing, the Board approved an allocation in the amount of \$533.00 to District III.

VOTES

Mr. Hendrick Yes
Mr. McCraw Yes
Mr. Hutchins Yes
Mr. Dickson Yes
Dr. Littrell Yes
Mr. Martin Yes

(Order)

MEETING DATE CHANGE

Upon motion by Mr. McCraw, seconded by Mr. Hutchins and passing, the Board approved to change the December BOS meeting to December 12th beginning at 9:30 a.m.

VOTES

Mr. Hendrick Yes
Mr. McCraw Yes
Mr. Hutchins Yes
Mr. Dickson Yes
Dr. Littrell Yes
Mr. Martin Yes

(Order)

AIDE TO LOCALITIES RESOLUTION

Upon motion by Mr. McCraw, seconded by Mr. Hutchins and passing, the Board approved the Resolution below.

WHEREAS, state financial assistance for mandated and high priority programs, including public education, health and human services, public safety and constitutional officers, was \$800 million less in FY12 than in FY09 and almost \$500 million less in FY13 than FY09; and

November 15, 2012

WHEREAS, cities and counties must balance their budgets during a time in which future state assistance is unreliable, federal stimulus dollars are depleted, and real estate assessments are either stagnant or in decline; and

WHEREAS, the Appropriation Act contains \$50 million in across-the-board cuts to cities and counties for FY13 and \$45 million in FY14, under which localities are required to either elect to take reductions in particular state aid programs, or to send the State a check for the amounts determined by the Department of Planning and Budget (“Local Aid to the Commonwealth”); and

WHEREAS, the reductions are applied to essential services, including law enforcement, jail administration, foster care and child protection services, election administration and social services; and

WHEREAS, the County of Carroll does not have the authority to unilaterally decide to discontinue providing services such as election administration or to refuse to house and care for state prisoners in local and regional jails; and

WHEREAS, the state budget cuts are not accompanied by any reductions in state-imposed mandates, standards and service requirements, nor do they provide any administrative flexibility for local agencies; and

WHEREAS, the County of Carroll had a reduction of \$148,024 in FY12 and will require another reduction of \$138,605 in FY13; and

WHEREAS, cities and counties will have provided the state with \$270 million by the close of FY13 for this “Local Aid to the Commonwealth” program; and

WHEREAS, these reductions shift state costs to local taxpayers and artificially increases the amount of state surplus revenue; and

WHEREAS, state revenues have continued to recover and the state has experienced a budget surplus for the third consecutive year; and

WHEREAS, revenue collections for the County of Carroll continue to reflect the struggling housing market; and

WHEREAS, the state should not shift its share of the costs for mandates and responsibilities to local governments.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Carroll asks Governor Bob McDonnell to submit a budget amendment to the 2013 session of the General Assembly to reverse the \$50 million-a-year reduction for the current year, FY13, and to eliminate the aid to localities reduction in FY14;

November 15, 2012

AND BE IT FURTHER RESOLVED, that the members of the General Assembly are requested to support a budget amendment in the 2013 session of the General Assembly to reverse the \$50 million-a-year reduction for the current year, FY13, and to eliminate the aid to localities reduction in the budget for FY14.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

COMMONWEALTH ATTORNEY ALLOCATION

Upon motion Mr. McCraw, seconded by Mr. Hutchins and passing, the Board approved an allocation in the amount of \$250 from asset forfeiture to cover costs associated with trainings.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

LETTER TO ELECTED OFFICIALS

Upon motion by Mr. McCraw, seconded by Mr. Hutchins and passing, the Board approved a letter to Elected Officials regarding State responsible inmates at the New River Valley Regional Jail.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

SHERIFF'S OFFICE ALLOCATION

Upon motion by Mr. McCraw, seconded by Mr. Hutchins and passing, the Board approved an allocation in the amount of \$2500.00 from asset forfeiture to the general fund to support the Virginia Public Safety Foundation.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

COMMONWEALTH ATTORNEY TRANSFER

Upon motion by Mr. McCraw, seconded by Mr. Hutchins and passing, the Board approved a transfer in the amount of \$1500.00 from Office Supplies to Wages to continue a project to convert all paper records into electronic format.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

PHASE III CONSTRUCTION

Upon motion by Mr. McCraw, seconded by Mr. Hutchins and passing, the Board approved an allocation in the amount of \$1,137,552.19 for Phase III Construction and Renovation.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

November 15, 2012

(Order)

PHASE III UPDATE – DENNIS COLE

Mr. Cole told that at the Intermediate School they are doing the interior finishes and they should be done by the end of December if not earlier. He told that the site work may hold them up but right now it is 85.5% complete. He told that at the High School they are finishing up on the inside and working on the interior lighting. He told that the curb, guttering and asphalt are complete and everything seems to be working well. He told that the contractor is working diligently to correct the columns and a final decision will be made on Tuesday. He told that he doesn't see why we would not accept them at this point. He told that the project is 90% complete and they anticipate that it will be 99.5% complete by mid December. He told that the flooring in the lobby area is holding them up.

Mr. Hendrick asked if the arched roof will have guttering.

Mr. Cole replied no, that it is how it is now. He told that it will have snow guards.

Mr. Hendrick asked if there are plans for steps going to the lower parking lot.

Mr. Cole told that those were installed two days ago and it is similar to what was there before.

Mr. Martin asked if there are plans for a covered walkway from the field house to the main building.

Mr. Cole replied not at this time.

(Order)

LAUREL MEADOWS – LISA WALKER

Ms. Walker told that she is the new Marketing Director at Laurel Meadows. She gave an over view of the programs that they offer and of the contributions that they make to the County. She told that they have 75 full and part time employees and have 65 years of experience.

(Order)

PUBLIC HEARING – VA CODE 2.2-3711

Mr. Dickson told the purpose of the Public Hearing and opened it at 5:42 p.m.

November 15, 2012

Sheriff Gardner told that this is the State code on auxiliary deputies and it gives authority and power of arrest to those deputies. He told that we can have up to four and we currently have three that are certified to volunteer.

Mr. Hendrick asked if you have to go through the academy to participate.

Sheriff Gardner told that you do have to have completed the academy.

With no one else to speak, the Public Hearing was closed at 5:46 p.m.

Upon motion by Dr. Littrell, seconded by Mr. Hutchins and passing, the Board approved to adopt Va. Code Section 2.2-3711, effective immediately.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

CITIZEN'S TIME

Mr. Mike Goldwasser told that he appreciates the opportunity and he wanted to say that he thinks Mr. Dickson needs to rethink his response to Mr. Martin's request for an investigation on the conflict of interest regarding the purchase and disposition of property by the County Administrator. Just a waste of time, you said. He told that this is further evidence of your unwillingness to have honest and open consideration of that case. He told that it shows an inconsistent application of justice contrasting the handling of recent conflict of interest from Mr. Hendrick with that of the Larowe case, different rules for different people. He told that in both cases the concern was that a conflict of interest compromised decision making and projects receiving significant outside funding. He told that Mr. Hendrick and Neimiah Engineering were always completely transparent about the company's work and when the potential conflict of interest was raised, it was openly discussed by the PSA with the cooperation of Mr. Hendrick. He told that the Franklin County Commonwealth Attorney was asked for an opinion, which turned out to be erroneous and finally Virginia's Attorney General was asked to rule and he declared that there was no conflict. He told to contrast that with Mr. Larowe's case, his ownership of property near Exit 19 was not publically disclosed until BRCEDA assumed administrative responsibility for Wildwood and his private land dealings with the owner were only made public when uncovered by a private citizen. He told that the discussion of the case by the Board of Supervisors was in closed session, in fact when he attempted to bring additional information about the case to open session during citizen's time he was denied the right to speak. He told that there was no thorough effort to learn the facts

November 15, 2012

and at that time it was stated that I had asked the State Police for an investigation and that they found no reason to look into it and I informed that Board that this was false but no further effort was made to learn the facts. He told that now Mr. Dickson has repeated that error. He told that the Board is going to continue to resist the investigation of the case. He told that loyalty to the County Administrator can be good, but it must not be at the expense of fairness and truth. He told that in the last election voters defeated the majority of the contested Board Members who were serving at the time of the conflict of interest controversy and the lame duck Board Members showed their loyalty, rushing through a policy change that gave increased job security to the County Administrator by making it more difficult to replace him. He told that it is certainly possible that what the County Administrator did was no more than poor judgment or bad ethics but there is absolutely no reason not to investigate it as openly and as thoroughly as the potential conflict of interest of Mr. Hendrick. He told that getting an opinion from the State Attorney General could put this controversy to rest. He told that at a time when we are working so hard to promote economic development and attract new business to the County, putting it to rest would make a great deal of sense. He told that transparency and justice, Mr. Dickson, are not just a waste of our time. He told that as a closing though he thought maybe we should reimburse Mr. Hendrick for the expense he had to go to, to defend himself.

SPAY AND NEUTER

Ms. Betty Sutton told that she lives in Laurel Fork and she has spoken with Mr. Hendrick. She told that she sent each of you an email about the idea of Carroll County helping curb overpopulation of cats and dogs by reimbursing citizens through the dog tag money as they do in Galax. She told that if you live in the city limits you can take your receipt and they will reimburse you up to \$50. She told that the Town of Hillsville received a grant from PetSmart and they are providing spay/neuter services for those who live in the 24343 zip code which leaves the rest of Carroll County with no service. She told that she is asking that the Board consider the possibility of providing the same kind of service to the citizens of Carroll County that Galax provides. She told that Bonita Williams would have all of those numbers. She told that she learned that November 1st through January 31st is when you are suppose to license your dogs in the County but she is not so sure that everyone does that. She told that some of her friends have been in touch with their supervisors as well. She ask the Board to gather information and see how much money we are talking about because she does not know how that money is used in the budget but she sees it like it you buy your fishing license, they stock the ponds.

Mr. Dickson told that he thinks Ms. Shank has already started getting some numbers together.

Mr. Larowe told that we could report back with those next month.

Mr. Terry Woods told that the PetSmart grant was for the 24343 zip code because it had to be for the largest populated area in the County. He told that there is a total of 9069

November 15, 2012

people in that area with 2062 of those being in the Town of Hillsville. He told that it means 72% of the County received those funds versus 30% of the Town. He told that we did a letter of support for that grant and the Town distributes those funds.

Mr. Martin asked how much the grant was for.

Mr. Woods told that it was for \$35,000.

Ms. Sutton told that it was \$35,000 last year and they met their goal so they released the second years funding of another \$35,000.

Mr. Woods told that we receive funds annually from the animal friendly tags that are sold and as of today we have a total of \$1368.27 that will be presented to the Humane Society for spay and neuter. He told that it averages about \$300 per year.

Mr. Dickson told that we may ask you back next time and we will let you know ahead of time.

Mr. Woods told that he does have some information on the City of Galax, they budget a \$50 reimbursement and when it first started it was just for those at the Animal Shelter. He told that he thinks it is \$2500 that they budget per year and this year they have spent around \$1800 on that. He told that the SPCA pays 50% now for those adopted at the Animal Shelter.

Mr. Dickson told that he would like to know the costs of what we pay the shelter per year and what that cost covers. He told that we will gather more information for next month.

WATER AGREEMENT

Mr. Dickson told that this is the water agreement with Mt. Airy and we have had more than one and we keep revising. He told that this one will have us and Rural Development so we will still be waiting on Mt. Airy's approval.

Dr. Littrell noted that the PSA has already approved this as well.

Mr. Martin stated that Mt. Airy could purchase water from us.

Mr. Dickson told that we would be purchasing from them.

Upon motion by Dr. Littrell, seconded by Mr. McCraw and passing, the Board approved the Water Agreement with Mt. Airy.

Mr. Martin told that he thinks it is a good idea when we can join with other localities even across the state line on this water stuff and he fully supports it.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

EMS PERSONNEL

Mr. Hendrick told that he is going to ask more questions than anything. He told that two or three times this year there have been questions about personnel policy and that sort of thing and he does not have enough information to give you an educated speech on what we do have. He told that it is his understanding that there is an umbrella policy that the County has that dictates how they conduct their meetings and elect officers and then each organization has their own by-laws. He asked if we as a County need something that would be more uniform and then in the matters of personnel he doesn't feel like the Board of Supervisors should dictate who is on there or who can serve and who can't and asked if we needed to reconvene an EMS Board to do that.

Mr. Dickson told that the EMS Board that we did have has been replaced with Mike Mock and the Fire Chiefs and the Captains and he likes that idea because if anyone knows anything about it they would know.

Mr. Hendrick asked if they dictate who can be a volunteer and who can't.

Mr. Hutchins told that he thought that would be by election.

Mr. Hendrick told that in each unit you have to be voted on to be a member and ask if there are guidelines that say you have to meet these requirements to be a volunteer.

Mr. Dickson told that he thinks we should have a uniform policy for all of them so we all know.

Dr. Littrell asked if something like that should fall under our personnel policy and let HR handle it.

Mr. Hendrick told that he has had people ask about that. He told that they are not defined in the personnel policy.

Dr. Littrell told that would be a good place to start.

Mr. Hendrick asked if any of it applies right now.

November 15, 2012

Mr. Larrowe told that we do have some language about volunteers in the policy right now. He told that it may be generic as far as volunteers and we have treated volunteers as unpaid staff in the past and he would have to check and make sure. He told that he had sent some things to Mr. Hendrick in the past.

Mr. Hendrick told that he may not have gotten all of the stuff because it was sent through Dropbox and he doesn't know that he was able to open all of it.

Mr. Larrowe told that the Codification is going on those documents are in the process of being updated. He told that he would be glad to print a copy of that.

Mr. Hendrick told that would be fine. He told that he has had questions come up and he thought he would see what everyone else thought.

Mr. Larrowe told that there are some guidelines as far as membership and we will get you the information and see if it needs to be updated if that is fair enough.

Mr. Martin told that he had a question from someone at Laurel and had not had a chance to talk to Gary about it but this guy was on the squad and then was suspended and he doesn't even know enough to talk about it. He told that he was interested in coming back on the squad.

Mr. Larrowe told that he is sure he is aware of that one.

Mr. Dickson told that he agrees but he is at a loss as to where we go from here and how to get all of these questions answered.

Mr. Hendrick told that we may not need anything and he doesn't have enough information to talk about it intelligently. He told that if he is confused and some of the people on the Fire Department are confused then it is worth bringing up.

Mr. Dickson told that it is an ongoing thing. He told that maybe we need to get Mike Mock to come and we can express our concerns and see if he has a plan or if he is already working on something for the Codification. He asked staff to invite him in January.

SUPERVISOR'S TIME

Mr. Martin told that one of the big things he had was answered and we hope to meet with the School Board sometime in January. He told that he would like make a motion that the Board of Supervisors request a State Police investigation of the Wildwood Industrial Park, in particular the relationship of any land dealings Gary Larrowe as an individual or member of a corporation has had and that the investigation also ascertain the purpose of additional land transactions with an adjacent land owner, Mr. Stone in which it alleged that checks passed hands and then gathered, taken back at the beginning of the next week. He told that he thinks this thing; well we can discuss it later.

November 15, 2012

Mr. Dickson asked if the request could be an individual or could it be a Board.

Mr. Durbin told that enforcements fall under the jurisdiction of the Carroll County Commonwealth Attorney so that would be the person he would think that the request would be referred to.

Mr. Martin told that his motion is to ask for Virginia State Police investigation.

Mr. Durbin told that he doesn't have the records but it is his understanding that the Virginia State Police had conducted an investigation in December 2010.

Mr. Martin told he thought that to be the case to but he is not sure that was the case.

Mr. Dickson asked if we should relay this request on to Mr. Lyons since he is the Commonwealth Attorney.

Mr. Durbin told that he thinks the request would go to Mr. Lyons. He told that if anyone has concerns or the Board has concerns it should go to the Commonwealth Attorney.

Mr. Martin told that was not his motion, okay, it may very well go there Counselor but his request is that a copy go to the Virginia State Police first and he is willing to amend it to go to the Commonwealth Attorney second or in conjunction but he wants it to go to the Virginia State Police.

Mr. Durbin told that he is not taking issue with your motion he is only responding to the Chairman.

Mr. Martin replied, that is great.

Mr. Hendrick asked if it goes to the Commonwealth Attorney, he has to prompt it, right. He told that he has been through this one time before and it has to start with the Commonwealth Attorney.

Mr. Dickson told that he is the one who has to ask for a State Police investigation.

Mr. Durbin told that the act does set forth the enforcement of conflict of interest investigations and they are under the jurisdiction of the local Commonwealth's Attorney, so he would be the one to determine if an investigation needs to be done.

Mr. Martin told that he is not suggesting this but what about malfeasance or misfeasance, whose jurisdiction is that.

Mr. Hendrick replied, same thing.

November 15, 2012

Mr. Durbin told that if you are talking about the conflict of interest act that is the Commonwealth Attorney. If it is another act he would have to have a particular statute.

Mr. Martin told that it just needs to be solved and he doesn't expect to find anything there, but we have got to get on with life and so forth. He told that the law is the law and he likes Mr. Hendrick and he went from breaking the law to meeting the law. He told that whatever the law is, it needs to be cleared up.

Mr. Dickson told, let's get back to the motion. He said Mr. Martin's motion is for the Board to launch or ask for that investigation.

Mr. Martin replied, yes to ask for the investigation and he will remend it a little to ask the Commonwealth Attorney to proceed with an investigation about conflict of interest and these issues that he has raised and he prefers an independent State Police investigation. He told that we tried Franklin County and he would just assume trust the Virginia State Police.

Mr. Hendrick told that he has heard enough about it, good, bad or ugly but it keeps coming up and people ask questions all the time so he will second it. He told that he doesn't want to talk about it no more than anybody else but since it is out here he will second it.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	No
Mr. Dickson	No
Dr. Littrell	No
Mr. Martin	Yes

Mr. Hutchins told that this issue, Mr. Martin knows because he and one of his colleagues brought it up in 2007 and you then went to the then County Attorney and to the Commonwealth's Attorney and ask for an answer, do you remember that Mr. Martin.

Mr. Martin told that he does not remember going to the Commonwealth Attorney, but if you say I did then I probably did.

Mr. Hutchins replied, you did and the answer was nothing.

Mr. Martin told that however, time has passed and water has gone over the hill and there has been other things going on.

Mr. Hutchins told that he would say that if Mr. Martin wants an investigation then he needs to ask the Commonwealth's Attorney for it and he doesn't think that it is this Board's place. He told that it was ask then and it was answered.

November 15, 2012

Dr. Littrell told that this has been an ongoing issue and he is satisfied that it has been put to rest.

Mr. Martin told that he would like to say that if everything had been put to rest then it also appears that Mr. Hendricks situation had been put to rest to, should have been in Executive Session with you folks and he thinks that our citizen has spoke and he laid it right on, Mike Goldwasser laid it right on the table and he also saw the way Mr. Hendrick handled it they laid it all out and nothing was held back as far as he is concerned and the issue needs to be laid to rest.

Mr. Dickson told that makes it 3 to 2 and he is voting no for the fact that he thinks the State Police were asked to do that and he saw the response where they found no reason to investigate so he doesn't see going down the same road twice and getting the same result. He told that makes it 3 to 3 so the motion dies.

Mr. Martin asked what the motion was on the PSA.

Mr. Dickson told that he is just dealing with the motion that we have now.

Mr. Hendrick told that he doesn't want to talk about his conflict of interest since he is sitting here part of the discussion. He told that he doesn't have a problem talking about it but doesn't want to discuss his in relation to another while he is on the Board.

Mr. Dickson told that his has been investigated once and we accepted the results and thinks that we owe no less to anyone else and ask if Mr. Martin had anything else.

Mr. Martin replied no, except it hasn't been settled and the issue is ongoing. He told that it was the issue in the County several years ago and it is the issue in the County right now.

Mr. Dickson asked Mr. Martin if he was aware that he could go ask him for that investigation.

Mr. Martin replied, I guarantee that I will be there. He told that frankly if he had these allegations about him he would have went over there personally asking for things to be cleared up and he is disappointed that it is not and he accepts the 3-3 vote.

Dr. Littrell told that he meant to do this when they started the meeting. He told that he would like to recognize our veterans in the audience. He told that he appreciates the opportunity to attend VACO and every time he goes he learns something that would be good for us to think about. He told that there is a group in Shenandoah Valley who have started an AgriTourism group composed of 7 counties and some cities and their initiative is the fields of gold and they have found that in 2011 the travelers spent over \$1 billion in that particular region. He told that outdoor and cultural activities are the most popular. He told that they have the National Forest, Blue Ridge Parkway, rivers and things like that and it sounds a whole lot like our community here. He told that they try to retain

November 15, 2012

jobs on and off the farm and it involves a mechanism for bringing together partners to coordinate a well designed economic strategy for the region. He told that they call theirs the fields of gold and it came to him that we could call ours the hills of gold and see if we could get this started here. He told that they emphasis their dairy, beef, grapes, orchards, winery, farmers market, farm tours, hayrides, corn maze, pumpkin growers, fish farms, etc. He told that it gives the public an opportunity to enjoy outdoor products and farms, builds a connection between farmers and consumers, and supports recreational opportunities. He told that we are almost within a day's drive of about half the population in the United States. He told that there are some grants and funding available and he thought we so think about looking into it. He told that if anyone had an opportunity to read the article in the Gazette recently they may have noticed that he had a rare opportunity to participate in the making of a film. He told that it brought to mind how much money these film companies bring to a locality. He told that film was budgeted at \$2 million and included lodging and food, rental of equipment, salaries and almost all of the props that were purchased there. He told that the film took place in 1940 and they were looking for a courthouse and a town that 1940's character, a river where they could baptize and we have all of those things here. He told that he is suggesting that within our tourism office, perhaps we need to have a film development person who goes out and seeks these folks who are looking for locations to do these films. He gave some figures that Virginia has put out for films that have been done in Virginia.

Mr. Dickson told that we need to pass that information on.

Dr. Littrell told that he received an anonymous letter with some concerns for the county. He told that he does not pay any attention to anonymous letters because there is no way to tell who sent it. He told that if anyone wants to send a letter or call him and you ask for it to remain confidential it will be.

Mr. Hutchins told that there are a lot of things that he would like to say but sometimes silence is the best thing, so he will say nothing.

Mr. McCraw told that he enjoyed going to VACO and he made a lot of contacts and did a lot of networking. He told that as far as the vote on the last motion he would like to explain why he voted yes. He told that he has no doubt that Mr. Larrowe has done nothing wrong and he thinks that Mr. Larrowe has done a great job for Carroll County. He told that he is sure that he could care less if he is investigated or not because he believes in his heart that he has done nothing wrong. He told that he really regrets that he even voted yes but he did it because he knows in his heart of hearts that Mr. Larrowe is innocent and if it were investigated it would be found innocent of anything other than doing the right thing. He told that Mr. Larrowe does an outstanding job for Carroll County and he hate stuff like this goes on.

Mr. Hendrick told that he would like to congratulate David for Director of Region 12. He told that on the HVAC application, have we heard anything.

Mr. Larrowe told that we do not.

November 15, 2012

Mr. Hendrick asked if they have a timeline.

Mr. Larrowe told that there has been no timeline given or even an indication of where there is funding or not. He told that there is a rumor that it has been approved and may of realize that there are lots of rumors that float around.

Mr. Hendrick asked if that is through RD.

Mr. Larrowe replied, USDA.

Mr. Hendrick told that he went to a \$275 meeting at VACO and attended the transportation committee meeting and may give an update in December or January. He told that there is some interesting stuff going on.

Mr. Dickson told that we have been working on a joint tree lighting with the Town of Hillsville for December 1st and we do need someone to do the invocation so if anyone is interested let him know. He encouraged everyone to attend this, normally we have two tree lightings and this time we will have one.

(Order)

ADMINISTRATOR'S TIME

Mr. Larrowe told that obviously there have been some distractions on some things that took place many years ago and one of the things that happened was that the closing attorney on that was actually the former County Attorney, under the advice of him and the efforts that had taken place and he would like to make sure that people understand that. He told that another thing is that he certainly would hate to disappoint Mr. Martin and he has actually been working with Counsel Steve Durbin and with the Commonwealth's Attorney about an opinion so he would hate to disappoint you that it has not been sought after. He told that the efforts that have been going on have derailed activity and actually some of the things that have taken place are that Mr. Martin assured him that we could work through this together and obviously that is incorrect. He told that we will march on and we will make things happen and you.

Mr. Martin spoke up and told that he assures Mr. Larrowe that it wasn't anything personnel, however.

Mr. Hutchins called point of order and told that Mr. Martin has already had his speech and this is Administrator's Time.

Mr. Martin told that point of order is if he stands up and makes accusations directed at him, he should have an opportunity to respond.

November 15, 2012

Mr. Hutchins told that Mr. Larrowe is responding to accusations that Mr. Martin made about him.

Mr. Dickson told that let's give Mr. Larrowe his time to talk.

Mr. Larrowe told that the efforts have been going on and he can ask Mr. Durbin to attest to that. He told that we can move forward and work as a group and he certainly hates that some people have jumped off the team and that is disappointing to him, Mr. Martin.

Mr. Durbin told that at the request of Mr. Larrowe he and Mr. Cornwell have been compiling the documents that they looked at in 2010 to base the evaluation that was done then and he will have a packet ready to submit to the Commonwealth's Attorney.

Mr. Larrowe told that one item he failed to mention is that it was only at the request of the Board that an investigation or a Commonwealth's Attorney opinion was not sought after years ago. He told that he was acting on behalf of the request of the Board at that time so if that has been a distraction, he thinks that it was not necessarily all on him since he was asked not to do anything.

Mr. Dickson told that is correct.

Mr. Martin told that he certainly appreciate reading all of this information in the paper for the last 2 or 3 years and he appreciates Mr. Larrowe trying to clear up this misunderstanding and he is sure that there were articles in there for the last 2 or three years.

Mr. Larrowe told that those were mostly by Mr. Martin.

Mr. Martin told that Mr. Larrowe could have cleared this up in a heartbeat.

Mr. Larrowe told that at the request of the Board, he was following what they asked.

Mr. Dickson called point of order and told that it was at his request that we not seek the determination and if that was a mistake he is sorry but now since he is working on it and is sure that Mr. Martin will be asking the Commonwealth's Attorney to do the same thing so we will get the determination that we need and it will allow us to move forward. He told that we have to work together and we don't need to go back and bring up things that are settled. He told that maybe this will be the last one and thinks that when we get a decision it is done.

(Order)

November 15, 2012

ADJOURNMENT

Upon motion by Mr. Hutchins, seconded by Dr. Littrell and passing, the Board adjourned.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

Chairman

Clerk