

March 8, 2010

The Carroll County Board of Supervisors held their regular monthly meeting on, March 8, 2010 in the Board Meeting Room of the Carroll County Governmental Center.

Present were: Wesley G. Hurst  
Dr. Thomas W. Littrell  
David V. Hutchins  
W.S. "Sam" Dickson  
Andrew S. Jackson  
N. Manus McMillian  
Gary Larrowe, County Administrator  
Ronald L. Newman, Assistant Administrator  
Nikki Shank, Assistant Administrator

Mr. Hurst called the meeting to order at 4:00 p.m.

**RELOCATION OF MEETING**

Upon motion by Mr. Jackson, seconded by Dr. Littrell and passing, the Board approved to move the location of the meeting to Carroll County High School Auditorium due to no electricity at the Complex.

VOTES

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. McMillian	Not Present

(Order)

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

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

VOTES

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. McMillian	Yes

Mr. Hurst announced that they would be running a little late coming out of Closed Session due to travel time to get to the High School.

(Order)

**CERTIFICATION OF CLOSED SESSION**

Upon motion by Mr. Hutchins, seconded by Mr. McMillian, 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;

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**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. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. McMillian	Yes

Mr. Hurst thanked everyone for coming and told that he is sorry about the change in the location of the meeting. He asked Mr. Dickson to lead in prayer and pledge.

(Order)

**APPROVAL OF MINUTES**

Upon motion by Mr. Dickson, seconded by Mr. Jackson and passing, the Board approved the minutes of the meeting on February 8, 2010 as previously distributed to the members of this Board.

**VOTES**

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Mr. Littrell	Yes
Mr. McMillian	Yes

(Order)

**APPROVAL OF PAYROLL**

Upon motion by Mr. Dickson, seconded by Mr. Jackson, and passed unanimously, the Board approved the payroll for February 2010 and did authorize the Chairman and Clerk, along with Bonita M. Williams, Treasurer, to sign on the 15<sup>th</sup> and 30<sup>th</sup> days of March 2010 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. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Mr. Littrell	Yes
Mr. McMillian	Yes

(Order)

**RECREATION DEPARTMENT ADDITIONAL ALLOCATION**

Upon motion by Mr. Dickson, seconded by Mr. Jackson and passing, the Board approved an additional appropriation in the amount of \$10,000.

VOTES

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Mr. Littrell	Yes
Mr. McMillian	Yes

(Order)

**RECREATION DEPARTMENT ADDITIONAL ALLOCATION**

Upon motion by Mr. Dickson, seconded by Mr. Jackson and passing, the Board approved an additional allocation in the amount of \$868.82 for money that was collected in fundraiser donations for improvements to programming.

VOTES

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Mr. Littrell	Yes
Mr. McMillian	Yes

(Order)

**FARMER'S MARKET ADDITIONAL ALLOCATION**

Upon motion by Mr. Dickson, seconded by Mr. Jackson and passing, the Board approved an additional allocation in the amount of \$42,386.26 for activity created by the hydro-cooler and the need to convert two part time positions to full time.

VOTES

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Mr. Littrell	Yes
Mr. McMillian	Yes

(Order)

**EMS BUDGET TRANSFER**

Upon motion by Mr. Dickson, seconded by Mr. Jackson and passing, the Board approved to transfer \$15,130.72 to Capital Projects from salaries and benefits. This will pay the final payment on the generator purchased from the IDA.

VOTES

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Mr. Littrell	Yes
Mr. McMillian	Yes

(Order)

**LGIP DEBT SERVICE RESERVE AND CAPITAL PROJECT RESERVE**

Upon motion by Mr. Dickson, seconded by Mr. Jackson and passing, the Board approved to transfer \$780,000 from LGIP Debt service reserve to the FY10 General Fund Debt service to reduce outstanding debt.

VOTES

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Mr. Littrell	Yes
Mr. McMillian	Yes

(Order)

**SHERIFF'S OFFICE ADDITIONAL ALLOCATION**

Upon motion by Mr. Dickson, seconded by Mr. Jackson and passing, the Board approved an additional allocation in the amount of \$13,462.58. This is due to a resolution adopted by the Board regarding VRS Multiplier and the Sheriff has agreed to fund this increase with funds collected as part of the Highway Safety Program.

VOTES

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Mr. Littrell	Yes
Mr. McMillian	Yes

(Order)

**SHERIFF'S OFFICE ADDITIONAL ALLOCATION**

Upon motion by Mr. Dickson, seconded by Mr. Jackson and passing, the Board approved an additional allocation in the amount of \$2810.79 for funds recovered for travel expense, fees for reports for insurance and insurance payments and restitution for damaged vehicles.

VOTES

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Mr. Littrell	Yes
Mr. McMillian	Yes

(Order)

**CITIZEN'S TIME**

Mr. Phillip Ayers told that they own property in Laurel Fork and there is a large track that borders theirs that may become a subdivision. He told that the deed does not show a right of way and he is here to find out if there have been any proposals for a large subdivision in the Dugspur area and if there is he is here to oppose it and to find out what they need to do to stay informed.

Mr. Newman told that he does not recall anything going on in this area and if there was it would come through the Planning Commission. Mr. Newman announced when the PC meetings were held and told that they are welcome to attend.

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Mr. Michael Dagasteno told that the captain of Laurel Rescue is messing around with a married woman and he has been to the Vice President and Joe Roma and he was told that he needed to come before the Board. He told that the cops have been following him and harassing him over it. He told that he didn't get an answer from Mr. Larrowe and he has been to the paper. He told that rules are rules.

Mr. Hurst told that this needs to be taken up with Laurel Rescue.

Mr. Dagasteno told that they are the ones who are calling the cops on him and he has been told that he cannot go on the grounds. He asked what the County was trying to hide since he has not gotten an answer from Mr. Larrowe.

Mr. Hurst told that this seems like a civil matter.

Mr. Dagasteno told that they are using the rescue building as a motel and he knows it for sure because it is his wife.

Mr. Hurst told that this is a civil matter that he needs to take up.

Mr. Dagasteno told that he has seen the truck over there and they call the cops on him. He told that something is being covered up and if we get rid of one captain for doing it then we need to do something about this. He told that Mr. Larrowe is pushing it under the carpet.

Mr. Larrowe told that we are not pushing anything under the carpet and there has been no evidence or situation that has been presented other than Mr. Dagasteno's accusations.

Mr. Hurst told that this is not a time for debate and it is a civil matter that needs to be handled.

Mr. Dagasteno told that he was going down the channels and not getting any answers. He told that the county forced the last captain out.

Mr. Hurst told that the captain resigned. He told him that he should attend the next Laurel Rescue meeting and take it up there.

Mr. Dagasteno told that maybe the newspaper would do something about it.

### **RC&D UPDATE**

Mr. Bob Martin told that while he was on the previous Board he was appointed to the RC&D Council, which stands for Resource Conservation and Development. He told that during the past year they have had 21 active projects and 17 of those have been or will be completed by June. He told that this is an all volunteer organization, but they have mentioned cutting it out of the budget.

Mr. Gary Boring told that they have done four projects at the Crooked Creek fee fishing area and spent a total of \$65,000 on the projects. He told that they stabilized some of the roads and worked on the stream banks to improve the habitat in the streams. He told that these are just some examples of how RC&D benefits the County.

Mr. Martin told that he has also worked on two grants through RC&D. The first is a Rain Garden where they use run off water to grow the garden at Hillsville Elementary which was for \$5000 and the second is for Carroll FFA in the amount of \$15,000. He told that this is a great return for a \$700 investment. He told that he has served for the last five years and he does not see this going away.

Dr. Littrell asked if they had heard anything from the Governor regarding the budget.

Mr. Martin replied no, but told that they have been talking to Congressman Boucher.

Dr. Littrell asked if it would be helpful for us to send a letter regarding funding.

Mr. Martin told that it would be helpful and told that if they loose the federal funding it would make it hard to come up with money.

Mr. Hutchins suggested doing a support letter or a resolution.

(Order)

**PUBLIC HEARING – WASTE INDUSTRIES FRANCHISE AGREEMENT**

Mr. Hurst opened the public hearing at 6:15 p.m. and told that the purpose is to hear citizen comments regarding the franchise agreement.

Mr. David Duke thanked the Board for the opportunity to be here. He told that he brought along with him 2 staff members, one of which will be taking his place in this area. He told that he was glad to answer any questions.

With no one to speak, the Public Hearing was closed at 6:19 p.m.

Mr. Hutchins asked Mr. Duke if he was able to provide the one document that they were looking for.

Mr. Duke replied that he had gotten that to Mr. Larrowe.

(Order)

**WASTE INDUSTRIES FRANCHISE AGREEMENT**

Upon motion by Mr. Dickson, seconded by Dr. Littrell and passing the Board approved the 2 year extension of the franchise agreement with Waste Industries.

**VOTES**

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. McMillian	Yes

(Order)

**PUBLIC HEARING – 6 YEAR ROAD PLAN**

Mr. Bob Beasley with VDOT told that he would be the moderator for the Public Hearing at 6:21 p.m.

Mr. Johnny Hurst told that there is only one project planned and it is at Exit 19. He told that there are no unpaved funds available. He told that the one priority is to extend the existing 4 lane at Exit 19 from I-77 to Kaywood Road.

Mr. Tom Tabor told that he lives at 676 Bluestone Road and if they ever get any money to keep them in mind.

Ms. Doris Akers told that they live on Route 660, Waxy Ridge Road and told that VDOT has done a good job maintaining the road, but they understand that they don't have any more prioritized projects due to lack of money. She told that a logger uses their road and it is only 12 feet wide and there is also a school bus that comes down the road. She told that you have to stop because there are ditches on both sides and personally she doesn't feel like the road will stand much more. She told that they are willing to pay a few more cents for gas to give VDOT money to work on the roads.

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With no one else to speak the Public Hearing was closed at 6:29 p.m.

Mr. Hurst thanked Mr. Beasley and his staff for the great work that they have done over the years and told that there are more reductions coming. He told that VDOT has done a great service to this area.

Mr. Beasley told that it is much appreciated.

(Order)

### **6 YEAR ROAD PLAN**

Upon motion by Mr. Jackson, seconded by Dr. Littrell and passing, the Board approved the 6 Year Road Plan.

#### VOTES

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. McMillian	Yes

(Order)

### **PUBLIC HEARING – TRANSFER OF PROPERTY, CARTER HOME**

Mr. Larrowe told that the purpose of the Public Hearing is to hear citizen comments regarding the transfer of the Carter Home to the Hale-Wilkinson-Carter Foundation.

Mr. Hurst opened the Public Hearing at 6:32 p.m.

Mr. Don Foster told that these ladies have done a phenomenal job over the last couple of years and they have put forth a lot of effort. He told that a lot of work has been done through grants and they have risen to the occasion every time. He told that they pushed hard to become a 501C-3. He told that they have had some issues with Mother Nature and it has put a damper on their fundraising. He told that this will improve the economic conditions of the county and make it a destination home for tourists. Mr. Foster told that some think that tourism is not the answer. He told that they are even looking at adding a paid position soon and he thinks that this group will make the county proud.

With no one else to speak, the Public Hearing was closed at 6:35 p.m.

Mr. Jackson told that a couple of these ladies have been working with the group since day 1 and to get what you want you have to have a chance to succeed. He told that Mr. Garrett set forth a good game plan and this is something that we can all be proud of. He told that Mr. Hale built the house in 1845 and it is still in good shape.

(Order)

### **TRANSFER OF CARTER HOME**

Upon motion by Mr. Jackson, seconded by Mr. Dickson and passing, the Board approved to transfer the Carter Home to the Hale-Wilkinson-Carter Foundation.

#### VOTES

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. McMillian	Yes

Mr. Hutchins asked Mr. Garret if the group has a good probability of success.

Mr. Garrett replied that they done and the group has come across a lot of grants that they could not apply for since they did not own the property so his will help.

(Order)

**FARMERS MARKET UPDATE**

Mr. Larrowe told that Kevin Semones is on the front cover of the Grower Magazine with a story about the hydro-cooler. He told that with the help of the Tobacco Commission the county was able to build the hydro-cooler for local producers to have a better way to sell their produce. He told that we have submitted a proposal for the cannery upgrade with Rural Development and the grant would be a 55% match with them providing \$50,000. He told that the proposal includes freezer space, extra steam kettles and cooler space. Mr. Larrowe told that having these things will make the cannery available for year round use and we are waiting on a reply from USDA.

Mr. Larrowe told that the IDA approved to put lights up on the retail side of the market. He told that we are working with the Department of Ag regarding the lease of the property for the fair.

Mr. Semones told that they found that they could triple their production if they built 2 hydro-coolers with different water pressure. He told that greens continue to climb and they did 4000 boxes for one company. He told that they are trying to bring in new growers and figure out how to maximize the land they are using. He told that they want to make it feasible for the young people who want to go into farming. He told that they also have 2 forced air coolers that they use on berries. He told that they do a lot for the military and they want their stuff cooled. He told that he appreciates all the help with the fair and thinks that it will grow each year.

Mr. Hurst thanked Kevin for all of his hard work and everyone else who pitched in. He told that it is great to go see what they do and encouraged everyone to go take a look. He told that we have the best market in the state and it is something to be proud of.

**SADD ORGANIZATION**

Mr. Hurst told that we have a request from SADD at the high school for \$150 to go towards after prom.

Mr. Dickson told that during his teaching days he was the Chairman of the after prom party and it was always hard to raise money. He told that what they do is a good thing and keeps the students safe, they even have a chance to win a car. He suggested that we give them \$200.

Upon motion by Mr. Dickson, seconded by Mr. McMillian and passing, the Board approved a donation of \$200 to the SADD Organization for the after prom party.

Mr. Hurst told that sometimes you hear more chatter about the after prom party than the actual prom.

**VOTES**

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. McMillian	Yes

(Order)

**AIRPORT UPDATE**

Dr. Littrell told that he comes before the Board as an Airport Commission Member. He told that they have had a very active year and have received some good news. He told that they changed the airport classification. He told that they were putting in a wider runway and the estimate was \$1.4 million. He told that the FFA would be providing 95% of the funding with 3% from the state and 2% local. He told that they had 15 firms to place bids and the low bid was a local firm coming in at \$696,000 which is half of the estimated price. He told that the funding is in place and they are hoping to start in the next 2-3 weeks. He told that they would be removing most of the hillside to fill in the holes along the runway.

Dr. Littrell told that they are looking at putting in a 8 foot security fence that is topped with barbed wire. He told that there is money available and they will continue to work on doing the entire property. He told that they have a new T-hanger design and have designated money for that. He told that the county engineer had talked with them about the sewer project.

### **SUBDIVISION ORDINANCE**

Mr. Newman told that the Planning Commission finally got to meet in February and he has the following recommendations for changes in the subdivision ordinance. He went over each of the changes that were presented to the Board.

Mr. Hutchins asked about section 113.28, if this is intended to eliminate doing a perk test or if you don't know where you are going to put your well.

Mr. Newman told that was correct.

Mr. Hutchins asked if we need to have a Public Hearing to make the changes.

Mr. Newman replied yes.

Dr. Littrell asked about section 113.29 and asked why you have to show where the wells are.

Mr. Newman told that he has had several people who are having trouble finding wells and water and the Health Department does not have any rules on sharing wells.

Mr. Jackson asked if these changes are what is needed to fix the problems.

Mr. Dickson asked if it is still the policy of the county that all plats have to be signed off on.

Mr. Newman told that is correct and the Clerk of Circuit Court changed her policy beginning March 1<sup>st</sup>. He told that earlier he had a meeting with the Clerk, Bar Association and the Commonwealth Attorney. He told that it is the best solution if all plats are reviewed because it takes the burden off the Circuit Court. Now the Clerk does not require boundary surveys to be signed off on by a representative of the county. He told that this slows down the process of getting a building permit because if the county doesn't look at it and it is wrong then it has to be fixed before they can move forward or we won't issue the building permit.

Mr. Hurst told that someone will end up being irate over this.

Mr. Newman told that there are lawsuits in other counties regarding this and we would like to avoid that if possible. He told that he did respond to the Clerk to let her know that it would slow down the process, but has not received a response.

Mr. Hurst asked if we could get with the County Attorney. He told that we don't want to see someone get upset when they think they can get started. He asked if we could get Ms. Honeycutt to come to the next meeting to explain why she is no longer requiring a representative from the county to sign off on the surveys.

Mr. Newman told that the Attorney General gave an opinion that we cannot reject Boundary surveys plats due to lack of county approval.

Mr. Hurst told that we need to make people aware that just because they get something recorded doesn't mean they will get a building permit.

**PUBLIC HEARING – SUBDIVISION ORDINANCE**

Upon motion by Mr. Hutchins, seconded by Mr. Jackson and passing, the Board approved to hold a joint public hearing with the Planning Commission on the Subdivision Ordinance on April 12<sup>th</sup> at 5:30 p.m. or as soon thereafter as practical.

VOTES

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. McMillian	Yes

(Order)

**COMPREHENSIVE PLAN**

Mr. Newman told that he has meet with the focus group and also with the County tourism office. He told that the survey is still online, but only 87 people have filled it out so far. He told that they are still collecting data and they plan on looking at policies and goals to increase the efficiency and effectiveness of service. He told that mapping has been a large part of the plan.

Mr. Newman told that no one knows how much he depends on VDOT for road issues. He told that they have done a super job over the years and have been very cooperative.

**ADMINISTRATOR'S TIME**

Mr. Larowe told that there will be a GIS Training at Crossroads. He told that Loves Truckstop opened at Exit 1on February 18<sup>th</sup> and they are doing a very good business. He told that several of the Board members attended Legislative Day and they were able to talk about budget issues. He told that things are critical at this point and they are anxiously awaiting the numbers to determine the issues. He told that during Rural Caucus they were able to meet the new Secretary of Commerce and Trade. He told that the cost of Health Insurance has gone up by 15.8%. He told that they have been visiting all of the volunteer rescue squads and they are gaining a lot of information. He told that we have moved the county garage to the old school bus garage and will be reconfiguring the Fire & Rescue building for better usage. Mr. Larowe told that we have been going through the employee study and that he has met with People Inc. regarding the revolving loan fund.

**SUPERVISOR'S TIME**

Mr. Hutchins told that he would like to recognize Mr. Preston Hill for his work on the Indoor Plumbing and Restoration. He told that they have 4 new dwellings in the process of being plumbed. He told that he has been working with CLEO diligently and told that the RFP to be the fiscal agent maybe something Carroll is interested in. He told that the stack of paper they received from the EMS request took a lot of time to put together and he thinks it should come under FOIA and be charged for it.

Mr. Jackson told that we lost valuable time over putting the information together and something different needs to be done instead of wasting employee's time. He told that the Regional Jail Ribbon Cutting is next Friday and everyone is welcome to attend. He told that today is an unusual day and thanked the school for accommodating us. He

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congratulated the group on the Carter Home and told that there used to be a military school across the road, but they lost it so he is glad to see the home still in use.

Mr. McMillian told that it has been a pleasure visiting Love's. He told that it will be a great success and all of the projections have been exceeded. He congratulated the Carter Home folks and wished them well. He told that the GIS system is an invaluable tool and they have had 181,000 hits on the site. He thanked the high school for the use of the facility and congratulated the ladies varsity basketball team for representing the county at the State championship.

Dr. Littrell told that he had the pleasure to go to Richmond and attend VACO and the Chairman's Institute where Mr. Hutchins was one of the speakers. He told that he was able to talk with other supervisors around the State and met with Legislators. He told that they had a couple of ideas about communication where they use an email list for citizens regarding meeting notices.

Mr. Hurst thanked the staff for helping with the move. He told that he has been to Love's and was very impressed so he bought something at all three places. He told that it is good to see people working and he looks forward to other changes at the exit. He told that he did not want to see anymore stacks of paper unless it is a FOIA request. He told that we are running lean and don't have time for this.

Mr. Dickson told that it is good to be back in school. He told that the staff is still excellent and he ate in the cafeteria today and it was good. He told that the building was built in 1969 but it has been taken good care of. He told that Dr. Watson has been very accommodating. He told that he has people call about jobs at the high school all the time. He told that it is a pleasure to work with this group.

Mr. Hutchins told that at the Chairman's Institute he showed our Board goals and every county there asked for a copy so it was very flattering for us.

#### **ADJOURNMENT**

Upon motion by Mr. Hutchins, seconded by Mr. McMillian and passing, the Board adjourned until March 10, 2010 at 6:00 p.m. for a joint meeting with the School Board at Woodlawn School.

#### **VOTES**

Mr. Jackson	Yes
Mr. Hurst	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. McMillian	Yes

(Order)