

February 8, 2010

The Carroll County Board of Supervisors held their regular monthly meeting on, February 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. and asked Mr. Campbell of the Ministerial Association to lead in prayer in pledge. Mr. Hurst thanked everyone for being here considering the recent weather. He told that he would like to congratulate all of those who worked on the Enterprise Zone amendments that now include 3 out of the 4 exits in the County. He told that the maps are displayed on the wall and most of the credit goes to Kathy Surratt, Bernie Deck and Emily Phillips. He told that he hoped everyone had a chance to look at those before the evening is over.

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

Upon motion by Mr. Hutchins, seconded by Mr. Dickson, 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

(Order)

CERTIFICATION OF CLOSED SESSION

Upon motion by Mr. Dickson, 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;

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

February 8, 2010

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

(Order)

APPROVAL OF MINUTES

Dr. Littrell asked for staff to look and see if he had made a motion last month regarding the Dog Ordinance. He thought that he had made a motion to take no action after the Public Hearing.

Upon motion by Mr. Hutchins, seconded by Dr. Littrell and passing, the Board approved the minutes of the meeting on January 4, 2010 and January 11, 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. Hutchins, seconded by Dr. Littrell, and passed unanimously, the Board approved the payroll for January 2010 and did authorize the Chairman and Clerk, along with Bonita M. Williams, Treasurer, to sign on the 15th and 30th days of February 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)

NATIONAL ENTREPRENEURSHIP WEEK RESOLUTION

Mr. Larowe told that Ken McFadden was here with BRCEA regarding the National Entrepreneurship Week Resolution.

Mr. McFadden told that the week of February 21-27 is National Entrepreneurship Week and they have prepared a resolution for each locality to consider. He told that they would be recognizing this week in several ways including a Marketing Virtual World Workshop, Youth Entrepreneur Day, and a Social Media Workshop.

Upon motion by Mr. Hutchins, seconded by Mr. McMillian and passing, the Board approved the National Entrepreneurship Week Resolution.

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. Hutchins, seconded by Dr. Littrell and passing, the Board approved an additional allocation in the amount of \$3468.32 for funds received for performing work in relation to drug enforcement.

VOTES

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

(Order)

SURPLUS ITEMS

Upon motion by Mr. Hutchins, seconded by Dr. Littrell and passing, the Board approved to surplus the following items.

- (2) Can Sealers
- (1) Line Exhauster
- Approximately 2460 metal cans
- Approximately 3000 metal cans

VOTES

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

(Order)

ANTI-DISPLACEMENT RESOLUTION

Upon motion by Mr. Hutchins, seconded by Dr. Littrell and passing the Board approved the Anti-Displacement Resolution below.

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN
The County of Carroll will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income dwelling unit as a direct result of activities assisted with funds provided under the *Housing and Community Development Act of 1974*, as amended. All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion.

Before obligating or expending funds that will directly result in such demolition or conversion, the County of Carroll will make public and advise the state that it is undertaking such an activity and will submit to the state, in writing, information that identifies:

1. A description of the proposed assisted activity;

2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate dwelling units as a direct result of the assisted activity.
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low and moderate income households in the jurisdiction.

The County of Carroll 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 that provided under Section 104 (d) of the *Housing and Community Development Act of 1974*, as amended, on the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

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. Hutchins, seconded by Dr. Littrell and passing, the Board approved an additional allocation in the amount of \$40,000 from the US Department of Ag/Rural Development for the purchase of vehicles. The match for this will be generated through the Highway Safety Program.

VOTES

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

(Order)

CONSTITUTIONAL BUDGET TRANSACTIONS

Upon motion by Mr. Hutchins, seconded by Dr. Littrell and passing, the Board approved transactions to recognize the reduced revenue to be received via the State

Compensation Board. These transactions will also reduce the corresponding expenditure budgets of the Constitutional Officers.

Budget Transactions to Recognize October, 2009 State Budget Reductions - Compensation Board

			Revenue	Expenditure	
23010-0001		State Shared Expense - Commonwealth's Attorney	26,796		
	22010-9998	State Budget Reductions		(26,796)	
23020-0002		State Shared Expense - Sheriff	80,405		
	31020-9998	State Budget Reductions		(80,405)	
23030-0001		State Shared Expense - Commissioner of the Revenue	10,876		
	12090-9998	State Budget Reductions		(10,876)	
23040-0001		State Shared Expense - Treasurer	11,635		
	12130-9998	State Budget Reductions		(11,635)	
23070-0001		State Shared Expense - Clerk of the Circuit Court	24,959		
	21060-9998	State Budget Reductions		(24,959)	
		Total	154,671	(154,671)	-

The above transactions are to be posted to Carroll County's General Fund (100) to recognize reduced revenue to be received via the State Compensation Board. These reductions are a result of state budget reductions enacted in October, 2009. These transactions will also reduce the corresponding expenditure budgets of the Constitutional Officers.

VOTES

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

(Order)

AGREEMENT FOR PRIDEMORE ROAD COMMUNITY WATER PROJECT

Upon motion by Mr. Hutchins, seconded by Dr. Littrell and passing, the Board approved the agreement for Pridemore Road Water Project.

VOTES

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

(Order)

CITIZEN'S TIME

Mr. Tommy Brown told that he would like to get the speed limit reduced on Road 638, Dugspur Road from Adams Branch to Route 58. He told that there has not been any widening done on the road and there are rocks hanging over the pavement. He told that when you meet people someone has to stop and there are a couple of businesses out that road. He told that the speed limit is 55 now and it is extremely dangerous. He told that he has a petition from citizens and they are also planning to develop the 2nd equine trail out from Kanawha Valley at no cost to the County. He told that he would be glad for someone to ride the road with him to take a look at it.

Mr. Larowe told the Board that this would require a speed study if the Board would like to move forward with it. He told that it would cost the County money.

Mr. Marty Goad announced that it is the 100th Birthday of the National Boy Scouts. He told that most everyone remembered Coy Fowler and he was a big instrument in replacing the burnt cannery. He told that he would like for the Board to consider naming the cannery "Coy Randolp Fowler" cannery. He told that Mr. Fowler cared about his neighbors and he fought hard for the cannery to be rebuilt. He told that this would honor him and his family.

PUBLIC HEARING ADVERTISEMENT – WASTE INDUSTRIES

Mr. David Duke with Waste Industries, Inc. told that they have been providing service since 1999 and they are very appreciative. He told that on March 31, 2010 the agreement expires and they are asking for a 2 year extension. He told that they would not have a rate increase in the first year and they would come back and ask for an increase in the 2nd year if they needed to. He told that the reason they would not ask for an increase in the 1st year is because the citizens have experienced some economic restraints and also in the spirit of partnership. He told that the rate adjustment for the commercial customers are not covered under the Franchise Agreement. Mr. Duke told that he sent a letter of intent to Mr. Larowe and he will get it revised to include that they will only do one annual audit on the commercial customers and their target for an increase if any will be 60 days notification. He told that the only time that would not be possible is if the landfill rates go up or if a governmental ordinance is put in place. He thanked the Board for letting him speak on short notice.

It is the consensus of the Board to hold a public hearing on March 8th, 2010 beginning at 5:30 or as soon thereafter as practical regarding the 2 year extension of the Franchise Agreement.

(Order)

CDBG PUBLIC HEARING

Mr. Larowe told that we have to have one general public hearing and one specific for the expenditure of funds. He told that this is for the Pridemore Self Help Program. He told that we have already approved the agreement and now we need to approve the expenditure of funds.

Mr. Hurst opened the Public Hearing at 5:30 p.m.

With no one to speak, the Public Hearing was closed at 5:31 p.m.

(Order)

ABANDONED ROAD ISSUES

Mr. Larowe told that neither issue was mature enough to come before the Board so this item needs to be removed.

WIB APPOINTMENT

Mr. Hurst told that Mr. Hutchins and Mr. Dickson are now serving on this board and asked if they would like to continue.

Mr. Hutchins told that on January 27th they formed a new legal entity and appointed a nomination committee. He told that representatives will still be appointed by the locality, but he wanted to make everyone aware that this will come back up again within the next couple of months due to some changes that were taking place.

Upon motion by Mr. McMillian, seconded by Mr. Jackson and passing, the Board appointed Mr. Hutchins to the WIB Board and Mr. Dickson as the alternate for a 3 year term.

VOTES

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

(Order)

CLEO APPOINTMENT AND TERM

Upon motion by Dr. Littrell, seconded by Mr. Dickson and passing, the Board appointed Gary Larowe as alternate for CLEO with the term concurrent with his employment and also a term for David Hutchins to expire on 12-31-2011.

VOTES

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

(Order)

MRPDC – TRANSPORTATION RURAL TECHNICAL COMMITTEE

Mr. Larowe told that Johnny Hurst is currently serving for us and they have requested to have him reappointed.

Upon motion by Mr. Jackson, seconded by Dr. Littrell and passing, the Board appointed Johnny Hurst to the Transportation Rural Technical Committee and Will Dotson as the alternate.

VOTES

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

(Order)

PUBLIC HEARING ADVERTISEMENT – TRANSFER OF PROPERTY

Upon motion by Mr. Hutchins, seconded by Mr. McMillian and passing, the Board approved to hold a Public Hearing on March 8, 2010 at 5:30 p.m. or as soon thereafter as practical regarding the Transfer of the Carter Home to the Carter Home Foundation.

VOTES

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

(Order)

COMPREHENSIVE PLAN

Mr. Newman told that they had asked him to talk with the Planning Commission regarding the Subdivision Ordinance and not all of the members were present in December and the meeting was cancelled due to weather in January so he will bring the recommendations back next month. Mr. Newman told that all of the Comprehensive Plan workshops had also been cancelled due to the weather and they have been rescheduled for the week of March 22 -25. He told that in the mean time we will still be gathering data for the consultants and we have extended the survey to be open until the end of February. He told that citizens can either go on line or fill it out or he has some copies that are printed out.

Mr. Hurst asked how the response has been so far.

Mr. Newman told that he has sent an email to the consultants to find out and it still waiting on a reply. He told that notification for this has been sent out several ways such as the newspaper and on our website.

Mr. Hurst thanked Mr. Newman for his hard work.

Mr. Hutchins asked the staff to investigate naming the cannery. He asked if they could find out what was needed to make this happen and have it ready for the next meeting.

BOY SCOUT RESOLUTION

Dr. Littrell that he is known as the oldest Boy Scout in the area and he would like to give a brief history of how it was started. He told that a gentleman was looking to find the location of a business and a British scout helped him to find it and wouldn't take a tip stating that it was his good deed for the day. Robert Powell started Boy Scouts of American from his experience in 1908. Dr. Littrell told that some of the requirements for badges have changed over the years such as when it started an entire outfit was \$2.15 and the shirts are around \$40 now and another example was you had to earn and deposit \$1 in the bank. Dr. Littrell read the resolution below regarding Boy Scouts 100th Birthday.

Upon motion by Dr. Littrell, seconded by Mr. Jackson and passing, the Board approved the resolution below.

VOTES

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

February 8, 2010

WHEREAS, The Boy Scouts of America celebrates its centennial on February 8, 2010; and

WHEREAS, Scouting has been an integral part of life in Carroll County; and,

WHEREAS, The Boy Scout of America has provided a program of character development, physical fitness, and mental awareness to over 125 million youth of the United States in the past 100 years; and,

WHEREAS, there are over 2.8 million youth members and 1.2 million adult volunteers in the Boy Scouts of America in more than 300 Councils throughout the United States, sponsoring service projects to address such critical issues as poverty, health, hunger, illiteracy, and the environment in their local communities; and,

WHEREAS, the Blue Ridge Mountains Council, consisting of 21 counties and 8 cities in central, southwest and southside Virginia provides the Boy Scout program to over 12,000 youth and 6,000 adults volunteers; and,

WHEREAS, the Boy Scout Oath "I promise to do my duty, to God and my Country and to obey the Scout law; to help other people at all times; to keep myself physically strong, mentally awake, and morally straight" inspires members to become good citizens, encourages high ethical standards, and promotes good will and service in their community.

NOW, THEREFORE, BE IT RESOLVED, that Carroll County does hereby proclaim February 8, 2010 as

BOY SCOUTS OF AMERICA, CENTENNIAL CELEBRATION DAY in Carroll County, and encourages all citizens to join in recognizing the Boy Scouts of America for 100 years of service to youth in our community and throughout this great nation.

(Order)

ADMINISTRATOR'S TIME

Mr. Larrowe told that a lot of the schedule had been changed due to the weather. He told that we were awarded the Enterprise Zone amendments and commented on the professionalism of the maps representing the areas. He told that this is great work and we would not have been able to do it a year ago. He told that we now have the Fancy Gap exit, Wildwood exit and also exit 14 included and this is a positive thing for Carroll County. Mr. Larrowe told that we are looking into to upgrading the cannery. He told that it has been a desire for a long time to commercialize the cannery and Judy Dalton from Laurel Fork has been working on this. He told that there is a possibility of getting some funding through Rural Development/USDA and they are excited about the possibilities. He told that we are working on getting quotes for the items that are needed.

Mr. Larrowe told that he and several others would be attending the VACO/Legislative Day in Richmond.

SUPERVISOR'S TIME

Mr. McMillian told that he appreciated everyone coming out because the ice and snow does not permit for good travel. He told that the resolutions that were adopted are very deserving. He told that we started the year off with a lot of new things on the slate to accomplish and he appreciates the staff's hard work because even if the office is closed they are still working from home. He told that Mr. Roma and the entire EMS have put in tireless nights and days and have responded to accidents where superior work was shown. He told everyone to be careful with more weather on the way.

Mr. Jackson told that he did not want to meet Mr. Brown or anybody on the road going over 25 miles per hour. He told that he drove through there recently and did not want to see anyone lose their life. He told that in the past we have had a lot of trouble

February 8, 2010

with the Recreation Department and the new director has introduced a notification program that lets parents know when games are cancelled or rescheduled. He told that this department is going in the right direction. He told that he has been listening to the scanner and it makes him proud to listen to the professionalism. He told that he hopes everyone understands that Mr. Roma is a coordinator and not a provider and talked about the wreck on Rt. 100 with 3 helicopters that had to land in the middle of the road. He told that they also had to pull someone out of the water and his friend Jerry Cooper had a massive heart attack during the snow storm and Melanie Boyer brought him back after he coded several times. He wanted to thank all of Carroll EMS and told that you appreciate them more when they save a friend.

Mr. Dickson told that he would also like to thank the EMS and Fire volunteers because their first thought is to stay away when something tragic happens and their first thought is to get there and help. He told that VDOT has done a good job at clearing up the snow with what they had to work with. He thanked those who are going to Legislative Day to represent the County.

Mr. Hutchins thanked everyone for being here and told that it is pleasant to hear the success stories during a time of adversity. He told that we have 2nd to none staff and you never know what it is like to need EMS until it is someone in your family and he appreciates the workers. He told that we are doing positive things and we have a lot of potential if we don't always do what we always did.

Dr. Littrell told that VDOT did a superb job in getting the roads clear. He told that he is looking forward to being in Richmond. He told that the counties problems get lost in all of the other things going on. He commended Mr. Newman for his work on the Comprehensive Plan

SPEED STUDY

Upon motion by Mr. Jackson, seconded by Mr. Hutchins and passing, the Board approved to ask VDOT for a Speed Study on Dugspur Road from Adams Branch to Route 58.

VOTES

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

(Order)

ADJOURNMENT

Upon motion by Mr. Hutchins, seconded by Mr. Jackson and passing, the Board adjourned at 6:14 p.m. until May 8, 2010 at 4:00 p.m.

VOTES

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

(Order)

February 8, 2010