

July 12, 2021

The Carroll County Board of Supervisors held a meeting on July 12, 2021, in the Board Meeting Room of the Carroll County Governmental Center.

Members Present:

Rex L. Hill  
Dr. Tom Littrell  
Phillip McCraw  
Robbie McCraw  
Tracy Moore  
Joe Webb

Others:

Michael Watson  
Crystal Adams  
Justin Martin  
Steve Durbin

**CALL TO ORDER**

Dr. Littrell called the meeting to order at 4:30 p.m.

**CLOSED SESSION – PURSUANT TO VIRGINIA CODE SECTION 2.2-3711**

Supervisor Robbie McCraw made a motion, seconded by Mr. Moore, to enter into Closed Meeting under Section 2.2-3711- A1, A7, A8.

Roll call vote was as follows:

AYES:	Rex Hill	Phillip McCraw
	Robbie McCraw	Tracy Moore
	Tom Littrell	Joe Webb

NAYS: None

**COME OUT OF CLOSED SESSION**

Mr. Robbie McCraw made a motion to come out of Closed Session. Mr. Phillip McCraw seconded the motion.

A (1) Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student, and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively.

A (7) 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. 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 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.

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A (8) Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall 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.

Roll call vote was as follows:

AYES:	Rex Hill	Phillip McCraw
	Robbie McCraw	Tracy Moore
	Tom Littrell	Joe Webb

NAYS: None

### **CERTIFICATION OF CLOSED SESSION**

Dr. Littrell certified Closed Session with 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.

Roll call vote was as follows:

AYES:	Rex Hill	Phillip McCraw
	Robbie McCraw	Tracy Moore
	Tom Littrell	Joe Webb

NAYS: None

Mr. Robbie McCraw lead in invocation and pledge.

### **DIXIE LEAGUE**

Mr. Moore told we have our 9- and 10-year-old Dixie Angels team with us. They won the state last week and they will be going on to South Carolina to represent Carroll County in the World Series. They are the first softball team that we have had advance to the World Series, and they go July 23 and you will probably see them doing some fund raising. Go support them and help pay for their quest to hopefully represent Carroll County and have fun. We have been out of Dixie Softball and Baseball for about 5 years and Larry contacted me back in the winter and asked if I would help on the Dixie Board. Larry is the Director of our program and from the Carroll County Board of Supervisors, we would like to honor you with this for your support and helping this year.

Mr. Collins told that it is not about him, it is about the kids and that is why I stay involved. I love kids and I did it for 30 some years and for some reason I got back into it. It is good to see the success these young ladies had last week; I know they are excited. We thank everyone and thank the Board.

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Dr. Littrell congratulated the team and best of luck at the World Series.

Mr. Robbie McCraw told that Mr. Watson had sent us an email asking us to consider donating \$1500 to the program.

Mr. Robbie McCraw made a motion, seconded by Mr. Webb to donate \$1500 to the Dixie Board for these girls to use on their trip.

Roll call vote was as follows:

AYES:	Rex Hill	Phillip McCraw
	Robbie McCraw	
	Tom Littrell	Joe Webb

NAYS: None

ABSTAIN: Tracy Moore

### **CITIZENS TIME**

Sue Edwards thanked the Board that supported us today in Galax. We live near I77 and US 58 and a lot of people travel through this area. The motels, if this happens are going to have to provide some kind of service to the people that come through. We don't want them to leave with a bad taste in their mouth. We need to think about that. We want to leave a good impression on people who travel through the county. I live close to the center. I don't have a gun and I don't want to get one, but I want to feel safe.

Elizabeth Surratt thanked the Board for doing what they can because they are afraid. I live right above the Training Center and I have never had any trouble. We are all one big family and that is how we would like to stay. I heard the Amish tried to get it but they wanted too much money and then they turned around and sold it for half. We need to know what is going on. We want to feel safe in our homes. I know people with drug problems need help, but they could buy anywhere on vacant land. We heard from people who used to work at both places and things are not ran the way they are supposed to. Something must be done.

Carolyn Honeycutt told she attended the meeting this afternoon. I was really happy to see four members of our Board who attended the meeting. Today I learned that a contract has been signed by Arcadia and the State of Virginia. The report that would be written as part of this hearing will happen on September 7<sup>th</sup>. They are at the end of what they need to do. They should have started earlier and notified the county of what was going on. My feeling is that the County gave this property to the state for the Training Center, which benefited this community that if you have not already asked them to return that parcel to the county, you should be doing so. The meeting occurred in Galax on the Grayson side. The gentleman who represented Arcadia mentioned that the project is supported by Israel O'Quinn, and he does not represent one person in Carroll County. No mention was made of our representatives. I wanted this to be on record so that it was documented. Please keep us safe and ask for our property back.

Bill Bowers thanked the Board members who attended the hearing today. It looks like it is going to happen. We were not given a choice; it is their way or no way. What can we do to make it safe? I don't have the answer. Everything Carolyn said is right. They are going around the back way to get things done. I talked with Phillip today and I enjoyed it. I am worried and afraid; my mom is wanting to buy a pistol so she feels safe. Whatever you can do we appreciate.

Rick Alger told that I spoke today and it cost me my job, I was terminated as of 4:30 today. I will say the Life Center is unprepared to deal with the issue of

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substance abuse. Their security protocols are outdated, and it is most defiantly going to effect the community. I live in Hillsville, and I don't want to see the community go through what I know Galax is going through from firsthand knowledge from working in that facility. There are more drugs in that facility than there is on the street, and they are easily accessible. The Security Director is a former counselor, and he has no security experience. The Assistant Security Director has an HVAC diploma and that gave him his title. None of the gentleman that are employed as security guards are DCJS Certified which is state regulated to be a security officer. I will say now that this is going to go through that they have a tremendous task to protect this community and they can't do it. I don't know what you are able to do but I hope that you can do something. It is a monster that is coming into your back yard. Crime will be a result if Acadia is allowed to continue to practice the way that they are. If they had a successful program that would be different, but they don't care. Half of the time you have 62 patients in Galax that are on their own for 12 plus hours a night. The idleness leads to relapse, and it leads to old bad behavior. We have had tic toc videos of them giving out prison tattoos and this is a complete failure on the management level and that is why I spoke today, even though it cost me my job. Sometimes doing the right thing is hard and there are risks involved with it. Hopefully something can be done by you to protect the community.

Greg Alger told this is the first time I have come to a Board meeting since I was in scouts. I know people are scared to death. I know when the Training Center first open, some got out and people were scared. This is really scaring my mother. People have raised their families there, why should they have to move now. Whatever you can do to enhance security would be great. People do need a place for rehab, but does it have to be right there. What is it going to do for our property values? If it is going to be so safe, they should put it in their back yards. Are they going to have security guards, are they going to put up fences? From what I heard, probably not.

Sally Marshall thanked the Board for showing up today. I know how important rehab is because I have a son that is an alcoholic, but it doesn't t have to be in a residential area. Please do what you can.

Daryll Vaughan thanked the Board for supporting us today in Galax. The one thing that bothered me was the sheer arrogance from the guy from Acadia. The people of Carroll County mean nothing to him and that is the way the company sees us. They went through the back door to purchase this. I have lived here all my life and my property backs up to the Training Center property. The people of Carroll County deserve better than this. Being this close to the interstate, that is where drugs come in and out of.

Frances Boatman told that she owns property here and has family who live close to the Training Center. I was pleased to see you come out to the Public Hearing and I hope you understand that it does not sit well with me the attitude and approach that the company is giving Carroll County. It upset me to see the Acadia people ignore you and your questions. In Carroll County, neighbors and businesses need to be respectful to each other and I don't think that company has any respect for you, they are only looking at the profit they are going to make. I have been following this since December and this deal has not been handled correctly from the beginning by the state. It is now on your shoulders to hear your citizens cry for help and to let Arcadia and the State of Virginia understand that you don't come into Carroll County and treat people like they are beneath you. They need to answer your questions and be held accountable. Please pass something this evening that addressed the anger and frustration that I feel. Please protect the citizens of Carroll County.

David Boatman said that you have seen me since November, and we have some new information. Today was the Certificate of Need hearing and that tells you that this deal is not done with the state. They can not move forward without the contingency of them receiving that certificate of need is approved. We have time

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to act. There are reasons you don't put sewer plants, power plants or drug rehab facilities of this size in the middle of a residential area. He talked about his doctor and what a great doctor she was, but he forgot to tell you how many countless her license as a doctor has restricted or revoked for not writing her pain prescriptions correctly. That is not really some one to brag on. He touted the Carroll County Department Social Services letter from Teresa Isom. He was awful proud that they had a letter from somebody in Carroll County saying this was a great facility to come here. I don't know if that is a conflict of interest, but I feel like it is. How does she write a letter for her husbands company stating enough facts for the citizens of Carroll. Another issue is, I am asking you all to request an investigation into the sale of this property. This property is not sold yet and the state has already produced legal documents from Virginia Department of Transportation as of February 26<sup>th</sup> saying that the property had been sold. It had not been listed on their website for 30 days at that point. You can't say it is sold if it is not sold. I ask for you to request that the County Attorney file an injunction on behalf of the County on the handling of this property and also the very important facts that in 1971 the Board of Supervisors purchased that land, 3 parcels. In 1978, since a parcel was no longer in use it was reverted back to Carroll County. In 1985, a second parcel which was no longer used reverted back to Carroll County. You can make a motion and vote on it now to ask for an injunction immediately for atleast 180 and ask the state in a formal letter to give the land back or we are willing to fight for it. If two out of three parcels have come back, the third parcel should be an easy get.

Dr. Littrell told we are working on this. We got the information very late in the game and our attorney has been taking notes and doing some research for us. Hopefully we will have some information soon.

### **PAYMENT OF INVOICES**

Mr. Moore made a motion, seconded by Mr. Hill to approve the payment of invoices.

Roll call vote was as follows:

AYES:	Rex Hill	Phillip McCraw
	Robbie McCraw	Tracy Moore
	Tom Littrell	Joe Webb

NAYS: None

### **MINUTES**

Mr. Robbie McCraw made a motion, second by Mr. Moore to approve the minutes.

Roll call vote was as follows:

AYES:	Rex Hill	Phillip McCraw
	Robbie McCraw	Tracy Moore
	Tom Littrell	Joe Webb

NAYS: None

### **NEW BUSINESS**

### **CONSENT CALENDAR**

Mr. Robbie McCraw made a motion, seconded by Mr. Phillip McCraw to approve the Consent Calendar as presented.

Roll call vote was as follows:

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AYES: Rex Hill Phillip McCraw  
Robbie McCraw Tracy Moore  
Tom Littrell Joe Webb

NAYS: None

**MOU – CANA BRUSH TRUCK**

Mr. Hill made a motion, seconded by Mr. Phillip McCraw to approve the MOU for the Cana Brush Truck.

Roll call vote was as follows:

AYES: Rex Hill Phillip McCraw  
Robbie McCraw Tracy Moore  
Tom Littrell Joe Webb

NAYS: None

**WORKFORCE DEVELOPMENT NOMINATION**

Mr. Hill made a motion, seconded by Mr. Moore to accept the nomination of Brad Rodrigues to the Workforce Development Board.

Roll call vote was as follows:

AYES: Rex Hill Phillip McCraw  
Robbie McCraw Tracy Moore  
Tom Littrell Joe Webb

NAYS: None

**WOODLAWN SCHOOL PROJECT**

Mr. Watson told in the past the Woodlawn School property was owned by the EDA and transferred to a developer that is putting housing in. There have been several discussion in the past requesting as an incentive they would reimburse after it has been paid, the first year of taxes. Going back and looking for a document, we couldn't find a signed document. After reading this, there is one thing I would like to change and that is on the permit fees. After they pay them we can reimburse them, that way we are not waiving them.

Mr. Durbin told this would be a reimbursement to the EDA.

Mr. Hill asked if we have a MOU.

Mr. Watson replied not that we can find. We can write up one if necessary, it is probably a good idea.

Mr. Hill made a motion, seconded by Mr. Robbie McCraw to table this request until next month.

Roll call vote was as follows:

AYES: Rex Hill Phillip McCraw  
Robbie McCraw Tracy Moore  
Tom Littrell Joe Webb

NAYS: None

**BROADBAND STUDY CONTRACT**

Mr. Moore made a motion, seconded by Mr. Robbie McCraw to approve the Broadband Study Contract subject to the County Attorneys approval.

Roll call vote was as follows:

AYES: Rex Hill Phillip McCraw  
Robbie McCraw Tracy Moore  
Tom Littrell Joe Webb

NAYS: None

**WORK SESSION**

Mr. Moore made a motion, seconded by Mr. Phillip McCraw to hold a work session on Monday, July 19<sup>th</sup> beginning at 5:30 p.m.

Roll call vote was as follows:

AYES: Rex Hill Phillip McCraw  
Robbie McCraw Tracy Moore  
Tom Littrell Joe Webb

NAYS: None

**TREASURERS DMV APPROPRIATION**

Mr. Hill made a motion, seconded by Mr. Robbie McCraw made a motion to appropriate \$10,936 to the Treasurer's Office from the DMV Stops.

Roll call vote was as follows:

AYES: Rex Hill Phillip McCraw  
Robbie McCraw Tracy Moore  
Tom Littrell Joe Webb

NAYS: None

**OPIOID LITIGATION**

Mr. Hill made a motion, seconded by Mr. Robbie McCraw to allow Steve Durbin, County Attorney to cast a vote on behalf of the County regarding the Opioid Litigation.

Roll call vote was as follows:

AYES: Rex Hill Phillip McCraw  
Robbie McCraw Tracy Moore  
Tom Littrell Joe Webb

NAYS: None

**OLD BUSINESS**

**LOCAL DISASTER LETTER**

Mr. Robbie McCraw made a motion, seconded by Mr. Moore to approve the Local Disaster Letter regarding the fruit trees during a freeze.

Roll call vote was as follows:

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AYES: Rex Hill Phillip McCraw  
Robbie McCraw Tracy Moore  
Tom Littrell Joe Webb

NAYS: None

### **COMMITTEE APPOINTMENTS**

Mr. Phillip McCraw made a motion, seconded by Mr. Robbie McCraw to appoint Greg Hawks to the EDA to replace Mr. Collins expired term.

Roll call vote was as follows:

AYES: Rex Hill Phillip McCraw  
Robbie McCraw Tracy Moore  
Tom Littrell Joe Webb

NAYS: None

### **BOARD MEMBER COMMENTS**

Joe Webb thanked everyone that spoke tonight. I did not get to attend the meeting in Galax today and I am sorry. I want everyone to understand that I hear you. I don't want this thing in my back yard either. This Board, every single one of us are trying as hard as we can to get those safety features. Our hands are tied. I heard you say we can do it, but we talked to Legal Counsel in Closed Session and the information that came back to us is we can pass every kind of resolution we want but the state is going to over rule everything. This Board begged the state of Virginia for that facility when it first became empty. We wanted to put a Foster Care Facility there. I don't know what else to do. I know you are frustrated. We are going to try until the very end to do anything we possibly can. We don't have the authority to say you can't do it if. I hear you and feel for you and we will continue to work with legal counsel to see what we can do.

Phillip McCraw thanked everyone for bringing your concerns to us. It wouldn't be in my back yard, but I am still concerned about it. I was shocked they sent someone who was not able to answer our questions today. I hope there is something we can do that will help. I am willing to do anything I can.

Rex Hill told our counsel has filed a FOIA request and I would ask you to send a letter to the Office of the State Inspector General to look into how this was conducted, how it originated or any details that we can find out. If they looked and found something they would automatically look into it.

Mr. Durbin stated that I did submit a FOIA and the response was the land sale of the Training Center property has not been finalized therefore the contract is not subject to FOIA because it is still being negotiated. I intend to file the same FOIA request every week so when it is signed I want that document. I will continue to follow up on that.

Mr. Hill told I am sure they can get documents that we can't. It was my understand that the General Assembly had to approve it.

Mr. Durbin told there has been action by the General Assembly to see the property with the provision included that it must be used as a health care facility for five years.

Mr. Hill told he would like to make a motion that we pass a resolution requesting the property come back to Carroll County.

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Mr. Durbin told we are going to have a work session next week and I could have a resolution for your consideration for adoption.

Mr. Hill told he was not happy about the meeting today. It is tough that we have to deal with this stuff and I understand peoples concern. They should have ample security in place. It is just sad that it is the best we can do. Last week we had a Planning Commission meeting about zoning to deal with things like this. They will meet again Thursday night if you are interested.

Mr. Moore asked about the motion.

Mr. Durbin told a motion is not necessary. I will prepare it for your consideration at the work session.

Mr. Robbie McCraw thanked everyone for being here. I hate I missed the meeting today but my public job had me tied up. We hear you and I know a lot of you personally. There are lots of things that we have been discussing and I hope the County Attorney can shed some light on the zoning. The Life Center does not have a good track record of maintaining their security evidently. The gentleman that spoke he explained that and it is eye opening when a former employee speaks those things. We are trying to do everything that we can. I appreciate Rex direction to the County Attorney.

Mr. Moore dittoed what everyone else said. I wasn't planning on speaking but I felt insulted in the opening speech. We had the girls here earlier and they have a lot of fight in them, that is what we are about in Carroll County. It is tough that this thing got in here like it did without our representatives and us even knowing. It just leaves a bad taste in your mouth. Thank you all for coming out and for supporting the Dixie Board tonight. It has been an honor to represent them as the assistant district director and hopefully we will enjoy some good things in the future. I think counsel for all you have worked on, you have been spending a lot of time on it. Mike and our employees are working hard and we are seeing a lot of good things.

Dr. Littrell thanked everyone for their comments tonight. I appreciate the audience for expressing their concern. Unfortunately, sometimes our hands are tied. Richmond is a tough nut to crack. I did my best to try to keep the training center open in the first place. I attended two subcommittee meetings and spoke before both of those. The Senators would nod their heads when you spoke to them but when it came time to vote they would vote no. It is hard to get anything through Richmond for our area for some reason, but it is not for lack of trying. I don't know what the outcome will be, but I hope it is something positive.

## **COUNTY ADMINISTRATOR COMMENTS**

Mr. Watson told he wanted to make you aware that the AS400, which is the hardware that we use in order to support our financial software. There are some performance issues with it and we will be looking in the future at new software. It will not be right away, but in the next couple years. We are going to have to repair this hardware and I just wanted to give you a heads up. In the next month or two you might see me ask for an appropriation of somewhere between twenty and thirty thousand dollars for the repair.

Dr. Littrell mentioned the Joint Meeting on E-911. That is going to be an important meeting. The equipment is getting very old and an update needs to happen in the near future.

## **COUNTY ATTORNEY COMMENTS**

Mr. Durbin told he prepared a PowerPoint on this. If we are going to consider going down the path of zoning, we need to have an overview. The power point below was shown.

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Mr. Durbin told he has covered a lot in a short amount of time. I would say that that this is something that you would consider to affect a significant portion of the county. Zoning is not something you adopt on a property-by-property fashion. It is designed to govern the overall use in a county or a district.

Dr. Littrell told that this has always been a hands-off subject in the past and I think the fact that we are even discussing it shows that we are serious about the problem. It may or may not solve it, but at least we are looking into it.

## **ADJOURNMENT**

Mr. Hill made a motion, seconded by Mr. Moore to adjourn the meeting.

Roll call vote was as follows:

AYES:	Rex Hill	Phillip McCraw
	Robbie McCraw	Tracy Moore
	Tom Littrell	Joe Webb

NAYS:       None

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Chairman