

The Carroll County Board of Supervisors held a meeting on November 8, 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

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

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

COME OUT OF CLOSED SESSION

Mr. Moore made a motion to come out of Closed Session. Mr. Hill 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.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

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	

NAYS: None

ABSENT: Joe Webb

Mr. Moore led in invocation and pledge.

CITIZENS TIME

Mr. Timothy Blair told he lives in Ivanhoe and the noise is a problem when they have the open-air concert. You don’t have a noise ordinance. How do you describe loud noise without a definition? It rattled the windows in my house for three days, I went and complained, and it didn’t help. I got my backhoe and took the muffler off of it and run up and down the fence line. There has to be something done. The fire department has the land leased. When they have the hippie festival in August, they played vulgar music. I called the Sheriff’s Department, and they can’t do anything about it. Carroll County needs a noise ordinance.

Mr. Boatman told tonight makes basically one year that I have been coming about the Training Center. My understanding is that no action has been taken on the land yet, it is still under contract with the state. It has also been brought to my attention that Acadia Health may be waiting. The longer they wait the less

the bond is for the state. A year ago, you told me that it would take a year to do an ordinance and I am excited to hear what that ordinance may be and hopefully have you all vote on it and get something done to protect the citizens of Carroll County. Where are we at in filing a land dispute case in court over our land? It belongs to Carroll County citizens, we paid for it once, we can take them to court and make them give it to us. What I can't believe is if nothing happens, are we just going to sit by and allow the liberals in Richmond to dictate what we do with our land. I am asking for your help. There are ways to do things with ordinances and in court. I am here to see what exactly we are doing. I was raised to put service over self and that is why I keep coming. Time is not up, you can still do something.

PAYMENT OF INVOICES

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

Roll call vote was as follows:

AYES:	Rex Hill	Phillip McCraw
	Robbie McCraw	Tracy Moore
	Tom Littrell	
NAYS:	None	
ABSENT:	Joe Webb	

MINUTES

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

Roll call vote was as follows:

AYES:	Rex Hill	Phillip McCraw
	Robbie McCraw	Tracy Moore
	Tom Littrell	
NAYS:	None	
ABSENT:	Joe Webb	

FINANCIAL POLICY UPDATE

Mr. Martin told we have Mr. Taylor from Davenport here tonight. Currently we are working with them to pursue different things from the county, one of which is going to be some bond refunding's for some potential savings. They are working on some financial policy updates. They have made some modifications and I believe you have a copy in front of you. All of these things are geared toward what bond rating agencies are looking for. They are working on some other things but this is kind of their first focus.

Mr. Taylor told we have been working with Mike and Justin to get some details on the county's finances. We are in the throes of putting all that work together and doing the analytical work this month. We hope to come back to you mid-December with some updates. There is a potential refunding opportunity that we are looking into for you all. We have reviewed the initial draft language in the financial policy guidelines. We have made some modifications and comments along the way. That is an evolving process, and it sends a message to the financing markets that you have that framework. One key important part is that it survives each board. It is a document that provides the parameters to operate.

This is not meant to be a onetime thing but used for decades. Some details of the document were explained.

Mr. Hill responded, I think you are on track with what we are looking for.

ZONING

Mr. Durbin told we have Aaron Sizemore with Mt. Rogers Planning District Commission. They have been reviewing the Comprehensive Plan and looking at areas that need to be updated. It has been 10 plus years since we have done a review and update. Additionally, the Board has asked about the process for adopting a zoning ordinance. I have reached out to Mr. Sizemore to talk about both of those issues tonight to give you a brief overview of what the process would look like.

Mr. Sizemore told the Comprehensive Plan is the simplest because you already have one and depending on how in depth you want to go, generally you are looking somewhere around \$20,000 and it takes about 12 months. Zoning is a whole different animal. It becomes a part of the ordinance that is enforceable. You have to have a zoning administrator, so it is a different document. It is part of the ordinance and there are some legal requirements for that. A change that big would take at least a couple public hearings. It is possible, there has to be a political will to do it. It is probably around \$50,000 to do a new one and \$20,000 to update an old one. It will take at least a year also.

Mr. Durbin told that there is a consensus that the data in the plan needs to be updated as well as the mapping.

Mr. Sizemore told if we do the maps, it is generally about \$5000 more. We have to drive the whole county and mark those.

Mr. Durbin asked on the zoning side, it would be in collaboration with legal counsel.

Mr. Sizemore replied yes. Usually, we do it through Planning Commission. If the attorney is not present through the process, they at least have to review it.

Mr. Durbin told one of the benefits of working with the Planning District Commission is that they are a governmental entity and you do not have to go through procurement to solicit a proposal. We would formally request a proposal from the PDC, if the Board is so inclined to approve the proposal, then we would enter into a memorandum of agreement.

PUBLIC HEARING UTILITY EASEMENT

Mr. Durbin told that Va Code Section 15.2-1800 provides very limited exceptions for when any locality in Virginia can convey an interest in real property and an easement is one of those. In order to grant a valid legally binding easement you have to have a public hearing.

Mr. Robbie McCraw made a motion, seconded by Mr. Hill to set a Public Hearing on December 13th at 6:00 p.m. or as soon thereafter as practical on the Utility Easement.

Roll call vote was as follows:

AYES:	Rex Hill	Phillip McCraw
	Robbie McCraw	Tracy Moore
	Tom Littrell	
NAYS:	None	

ABSENT: Joe Webb

CONSENT CALENDAR

Mr. Hill made a motion, seconded by Mr. Phillip McCraw to approve the Consent Calendar.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

OLD BUSINESS

BOARD MEMBER COMMENTS

Mr. Phillip McCraw told we have been hearing about zoning and I want to go on record that I am against it. I think you own the property, and you are not damaging your neighbor with anything on it and you are paying the taxes. That is not a welcome word down my way. I appreciate all the work that Mr. Watson does for us and all the staff. We were talking about community centers, and I appreciate what the county does for the two down in my district. I feel like they are very well run.

Mr. Hill told I don't know if many of you remember Stompin 76. I ask that Mr. Durbin check to see if there is a festival ordinance and if that would solve his problem.

Mr. Durbin responded; I would be happy to review. There is a statue that allows you to enact a festival ordinance and I think the County does have one. It doesn't sound like it regulates the issues that Mr. Blair is concerned about, but there may be room to expand that. About 8 years ago, the Virginia Supreme Court struck down the Virginia Beach noise ordinance because it was unconstitutionally vague.

Mr. Hill made a motion, seconded by Mr. Robbie McCraw to request a proposal from Mt. Roger PDC for the Comprehensive Plan update and drafting a zoning ordinance.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

Mr. Robbie McCraw thanked everyone for being here tonight. Remember Veteran's Day is this week, and we need to remember the sacrifices that have been made.

Mr. Moore asked if we could find out about the internet on 221/52. I think a lot of that was paid for with federal and state funding. I call but haven't gotten anywhere. Ronald has been working on a road abandonment and I will ask that he speak.

Mr. Newman told that is 347 Stonewall Road and it only affects that landowner. It has been surveyed to show that the adjoining landowners are not using that portion of the road. All of the items on the abandonment policy have been complied with. We are asking for a Public Hearing to be set on December 13th.

Mr. Moore made a motion, seconded by Mr. Robbie McCraw to hold a Public Hearing on December 13th at 6:00 p.m. or as soon thereafter as practical on the road abandonment.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

Mr. Moore asked that everyone remember the Clerks Office and the Sheriff’s Department. We have a lot to be thankful for during the holiday season.

Dr. Littrell told that about 12 years ago we had a public hearing on a noise ordinance and the room was full of people and the hall was full. I found that everybody was a fox hunter, and they were all concerned about the noise in the middle of the night with the dogs. I hope everyone has a nice Thanksgiving and I appreciate everyone’s comments.

COUNTY ATTORNEY COMMENTS

Mr. Durbin wished everyone a Happy Thanksgiving. I will be preparing a resolution for your consideration at the next meeting to approve a MOU with the Attorney Generals Office for distribution of the opioid litigation settlement funds. Also, a resolution to approve the county’s participation in the settlement with big three distributors and Jansen pharmaceuticals.

ADJOURNMENT

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

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

Chairman

November 8, 2021