

September 13, 2021

The Carroll County Board of Supervisors held a meeting on September 13, 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 Robbie McCraw made a motion, seconded by Mr. Moore, to enter into Closed Meeting under Section 2.2-3711- A1, A6, A7, A8.

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. Robbie McCraw 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 (6) Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

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

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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.

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

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. Robbie McCraw led in invocation and pledge.

CITIZENS TIME

David Boatman thanked those of you who were able to make it to the community meeting. Hopefully we can still get that meeting with the community and maybe the other Board members will be able to meet then. Just curious, is there any news from the state on possibly giving the land back to the county and where do we stand with the letter that was sent to the inspector general. I would like to

NAYS: None

ABSENT: Joe Webb

2nd QUARTER APPROPRIATIONS

Mr. Hill made a motion, seconded by Mr. Robbie McCraw to approve the 2nd Quarter appropriations.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

PPTRA

Mr. Watson told every year we approve a division of the personal property tax relief and in this resolution, it describes how it is going to be portioned out. Personal vehicles valued at \$1000 or less would be eligible for 100% tax relief. From \$1001 to \$20000 will be eligible for 23.85%. On vehicles valued at \$20001 or more will receive the 23.85% on the first \$20000 of value. We receive a certain amount of money and we divide it out and by code we need to pass a resolution to do that.

Mr. Robbie McCraw made a motion, seconded by Mr. Hill to approve the PPTRA Resolution.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

ACADEMY CHARTER RESOLUTION

Mr. Watson told this resolution allows us to continue to use the New River facilities in order to train our officers.

Mr. Durbin explained that Montgomery County has left the Training Academy and during that process they reviewed their documents and want to have formal approval of each of the localities that have been in the academy for years and that is in accordance with state code.

Mr. Robbie McCraw asked if it limits the Sheriff's Office in any way, they can go to other places to get training.

Mr. Durbin replied yes, but this is the official academy they are affiliated with. There are requirements if you ever decide to leave the training academy.

Mr. Hill asked if there is a cost to be a member.

Mr. Watson replied yes, I would have to find the amount for you. You pay a set amount, and you get training no matter how many officers.

Mr. Hill made a motion, seconded by Mr. Moore to approve the Academy Charter Resolution.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

CONTINUITY OF GOVERNMENT ORDINANCE

Mr. Durbin told much like we were confronted with in the spring, localities across Virginia are seeing rising rates of COVID 19 again, with a more highly transmissible variant. Our numbers locally have been rising and as a matter of prudence the code provides you the ability to adopt as an emergency ordinance a continuity of government ordinance that allows for alternative meeting procedures and would allow the county to vary from established procedures as necessary. This is before you as a matter of prudence as needed. Right now I don't think anyone is recommending changing our meeting procedures. This is for your consideration to adopt as an emergency for 60 days until you can hold a Public Hearing. The General Assembly has changed the ordinance to last for one year instead of 6 months.

Mr. Robbie McCraw made a motion, seconded by Mr. Phillip McCraw to approve the Declaration of Emergency and Emergency Continuity of Government Ordinance and to hold a Public Hearing at the next meeting.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

NEW HOPE ROAD ABANDONMENT

Mr. Newman told that this is not a new situation, but it is a new landowner. This is towards Dugspur and part of the road was discontinued in the late 1960's. The current landowner has asked that the Board consider abandoning and it would just be through the property that he owns. The Planning Commission has looked at this several times, there has been some discussion on ways to maybe control access but maintain the easement. The landowner has offered to buy the easement in order to get it abandoned. It is my understanding that he called Friday with the possibility of he may be selling it and not this.

Mr. Watson replied, I haven't spoke to him since then.

Mr. Moore responded, I spoke to him today and that is the case.

Mr. Watson replied, this might be something we can postpone until the next meeting before we make a decision.

Mr. Newman told if we are going to hold a public hearing it is going to need to be two months out to give us the required 30 days to be posted.

Mr. Robbie McCraw asked what the Planning Commissions thoughts are.

Mr. Newman replied that is probably one of the if not the prettiest places in Carroll County, where this road goes up to Burkes Fork. While there is desire to try to help limit some of the vandalism that has happened, they have tried to come up with ideas to keep from abandoning it to the public so that the public could still enjoy that view.

Dr. Littrell asked if there is a bridge across the creek.

Mr. Newman replied, there is now. The current landowner hired someone to help him to build a bridge and connect the two sides.

Dr. Littrell asked if the other side is a public road.

Mr. Newman replied yes, it falls under discontinued.

Mr. Durbin told it has been taken out of the secondary road system, but there is still a public right of way.

Mr. Robbie McCraw asked how far it goes on the other side.

Mr. Newman told it runs all the way through his property, through another property and joins a state-maintained road. The middle has been taken out as a discontinued and the two ends are still being maintained.

Mr. Robbie McCraw asked if it would be a good place to put in a trail of some sort.

Mr. Newman told when he has walked it, it has been extremely beautiful and peaceful. I have not been on the east end so I can't speak for the other side.

Dr. Littrell asked if Mr. Zimmerman is in the room.

Mr. Moore made a motion, seconded by Mr. Robbie McCraw to continue the issue until next meeting.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

MOUNT ROGERS PERFORMANCE CONTRACT

Mr. Watson told that state code requires counties to establish Community Service Boards and this allows them to continue providing us the services through Mt. Rogers Community Services.

Mr. Moore made a motion, seconded by Mr. Robbie McCraw to approve the Mount Rogers Performance Contract.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

PFWTA

Mr. Durbin told this is a MOU. The Peppers Ferry Regional Wastewater Treatment Authority is in Fairlawn. It is a joint authority between the City of Radford, Montgomery County, Pulaski County, the Town of Dublin and the Town of Pulaski. They operate a sewage treatment plant that discharges into the New River and they provide services for localities in the surrounding geographical areas. They have agreements with Wythe and Floyd County, the Town of Christiansburg and others for septic treatment haulers. The County of Carroll would not have to pay anything for this agreement, it is up to the septic haulers, we just have to identify the haulers and they will need to abide by their rules.

Mr. Hill made a motion, seconded by Mr. Moore to approve the MOU with PFWTA.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

EDA EXECUTIVE DIRECTOR

Mr. Robbie McCraw made a motion, seconded by Mr. Moore to give the County's consent for Mr. Watson to serve as Executive Director of the Economic Development Authority per the EDA's request.

Mr. Durbin told the reason we need consent is because the County Administrator's duties are defined and you agree not to take on any additional duties without the consent of your employer.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

OLD BUSINESS

COMMITTEE APPOINTMENTS

Mr. Moore made a motion, seconded by Mr. Hill to put the appointments off at least until next month, if not until when the new Board comes on.

Roll call vote was as follows:

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

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NAYS: None

ABSENT: Joe Webb

BOARD MEMBER COMMENTS

Mr. Phillip McCraw thanked everyone for coming out and thanks to all who gets the meetings together. Everyone works together good.

Mr. Hill dittoed what Mr. McCraw said.

Mr. Robbie McCraw told everything is going well.

Mr. Moore urged citizens to continue to turn in the Broadband surveys. We all know there is a need and we have to come up with a game plan for that. I want to thank all of the employees and I really want to express my appreciation for the personnel, employees and volunteers that work at the Fair. I worked there a few nights and it was a huge success. It is good to have something that our citizens can afford and enjoy as a family.

Mr. Robbie McCraw told that he wasn't able to be at the fair, but I have heard so many good things about our fair. I have heard from people everywhere and we need to keep it going.

Mr. Moore told they parked cars from Massachusetts and New York.

Dr. Littrell asked Mr. Durbin if he had any answers to the questions regarding the Training Center.

Mr. Durbin told the report has been made to the Inspector Generals Office and all of the information that Mr. Boatman has shared with the county has been provided to the Inspector Generals Office. They have confirmed that a matter has been opened and we have been given a reference number for further reporting. I have not received a status update in the last week or so whether there is a request for additional information or where that stands. Once it is referred to the Inspector Generals Office, unless there is additional information, it is out of our hands. Additionally, my office has not received any response from the state, and I am not aware of the County Administrators Office receiving any about reconveying the property to the county. I can understand why the public sometimes feels like things are not moving fast enough, but I will remind everyone that there is a process that needs to be followed before the Board can adopt things like Land Use. The Constitution of the United States and the Constitution of Virginia are set up to protect private property rights. The law does recognize the ability to use the police power to regulate what people can do on their land, but the safeguard for government is that you follow a very defined process. It is not a 30 day process, it is generally more like a 9 month to 18 month process and you have to do it right. Statutory defects in the process are fatal. That is even more true when you have a situation where some of the land uses that you might be regulating are protected by federal law. I understand why some of the people want to see this move quickly. I would encourage them to come to the Planning Commission meetings. We are having another one on Thursday night to work on updating the Comprehensive Plan.

Dr. Littrell thanked everyone for coming and the comments that we have heard. The fair was an excellent affair. It is a great thing that we do for our citizens, and I hope that it can be continued in the future.

COUNTY ATTORNEY COMMENTS

Mr. Durbin thanked the Board and complimented the Treasurer and her office on getting the system in place to move forward with the collection of delinquent

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taxes. The process has really improved, and we have been moving properties much more quickly and receiving payments. Today I delivered a check to the Treasurers Office in the amount of \$133,307.61. Once we have a system in place we can make a dent in this.

ADJOURNMENT

Mr. Robbie McCraw 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	

NAYS: None

ABSENT: Joe Webb

Chairman