

August 9, 2021

The Carroll County Board of Supervisors held a meeting on August 9, 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, A5, A6, 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. 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 (5) Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

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.

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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

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.

PUBLIC HEARING – FINANCIAL POLICIES

Dr. Littrell told the purpose of this Public Hearing is to hear public comment on proposed ordinance for comprehensive financial policies. The Public Hearing was opened at 6:05 p.m.

No one was signed up to speak.

Mr. Robbie McCraw told that Mr. Durbin has an item I think we need to add to the policy.

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Mr. Durbin told he has prepared some revisions to send to the Board. It was my understanding that we are holding the Public Hearing, but we will continue to evaluate that. Basically, it would be comments to clarify some of the policies and comments to address debt limitation and also for the Board to consider when a referendum might not be required.

Dr. Littrell closed the Public Hearing at 6:06 p.m.

CITIZENS TIME

Elizabeth Surratt told that she lives in Oakland Heights and we have lived there for 51 years. We love the neighborhood, and it is a wonderful place to live. I think if they get it we must have ample fencing to keep us safe. The main problem is the safety. I know they have problems in Galax. I don't know why the state took it back when they gave the other two back to the county. I know that the Amish had tried to get the place for an Amish Village, and they were given too high a price. I think the Supervisors need to file an injunction to have the land given back to the citizens of Carroll County. We also ask that the County Attorney think about what he is doing because he is also representing City of Galax and Grayson County. I don't have anything against people getting help but I don't think it needs to be where there are so many people living.

Allison Taylor told that she has actually never spoke at a meeting before. I believe a lot of you know my late grandparents, Ivan and Billie Taylor. I live on Waterplant Road since 2009. It has been a good place to live up until recently. On June 29th my 9 year old son, 4 year old daughter, myself and my mom and dad and my husband were attempting to work our livestock when me and my children were almost ran over by a reckless driver. Speeding has become a huge problem on Waterplant Road. There are several families with small children on that road. I am here to ask the Board to do a neighborhood program where we can get some watch for children signs or children at play. There are two speed limit signs on the 52 side of Waterplant and it is listed at 30 miles per hour. VDOT does not do a very good job of maintaining the clearance of those signs. They are covered by trees and weeds. It is a very curvy road and no one has any business doing 80 plus miles per hour. This particular reckless driver left 186 feet of skid marks and still didn't come to a complete stop. Over the years I have begged the VSP, the Sheriff's Department and Town PD to come out and monitor the road. The road is a single lane road almost and with people coming through at massive speeds, someone is going to get killed.

Linda Shumate told that she is here to talk about the Training Center turning into a Life Center. We have lived there for 53 years and I wouldn't feel safe with them coming up in my neighborhood. I know they have to go somewhere and be took care of but I don't think they should come into a housing development where they are children and seniors. We paid taxes and bought that Training Center and now they are going to give it to a Life Center.

Harold Shumate told we can see the Training Center from our house. We only had one incident with the Training Center. We have a lot of ladies who are alone and they have no protection. We are going to have to take a gun to bed with us. I would appreciate if you would vote our way.

John Nobili told he and his wife have owned the Carrollwood Campground for over 50 years. I probably share the largest boundary with the former Training Center. If the sale to Arcadia moves forward, we respectfully request that an appropriate 8 ft tall fence be installed along the shared boundary line. This will prevent many of the primary issues already cited of having a facility like Arcadia as a neighbor. We want to protect our property that we have spent the last 5 decades building and investing in. We do not want to deal with issues like trespassing. We want to protect the security of a potential buyer of the property who could possibly reopen the campground in the future. We ask you to pass an ordinance requiring any rehab facility to be fenced and secured.

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Frances Boatman told in 2019 the State of Virginia gave you all until July 2021 to come up with a plan for this position of the property for the purpose of housing children, providing foster care or as a juvenile residential facility. Apparently, nothing happened, at least nothing came to fruition. In January 2020 they ended up saying that it could be sold to be used as a health care center for five years so they didn't give you but less than nine months. I have 14 pages of minutes about the Training Center and gentlemen I am disappointed. On December 14th Mr. Hill asked Mr. Durbin to look into the legal methods to address the issue and it was supposed to have been on the next agenda. As far as I could find it was not. On February 8th, Mr. Durbin did say that you could zone the areas in zones, not the whole county with a special use process. On April 12th Mr. Hill and Mr. Durbin looked at getting the Planning Commission to look at it. May 10th Mr. Webb said the county should write a letter to the representatives expressing concern. On June 4th Mr. Hill directed the Planning Commission to address zoning. On July 12th Mr. Hill brought up a resolution requesting the property back and a letter to be sent to the office of the state inspector general and then Mr. Durbin made a presentation on how zoning works. What is your response from that resolution and why has the letter to the state inspector general not been sent. I am very disappointed. The citizens have come and talked to you, they have provided information. We have looked up the deeds to where two of the three parcels were returned. What is the delay, it has been 8 months. Perhaps Carroll County needs to engage an independent attorney to handle this \$9.2 million asset that in my opinion rightfully belongs to Carroll County. Mr. Durbin is not only representing Carroll County, but he also represents the City of Galax and the City is looking to push this over into Carroll County, so maybe it is time we took a different approach. It is time to take action. We could have had a baby in 9 months so let's get this property back to the citizens of Carroll County.

David Boatman told he is here to find out why not has happened with any substance since December when I first came here. I know a lot of you were caught off guard with the transition and the Life Center coming here. I do believe there is a conflict of interest with Mr. Durbin and representing Carroll County because it is my understanding that he represents Grayson and the City of Galax. Both localities want the Life Center out of their jurisdiction. Carroll County goes to Mr. Durbin and says what can we do to keep it from coming here. How can one attorney with conflicting interests of different parties that represents and is paid to do that with a nonbiased opinion. When you go to court you have two attorneys, there is a reason. The man fights for you because you are paying him. I ask that you do an injunction. Every attorney that I have spoke to including judges that I play golf with on a regular basis tell me that an injunction would freeze this up for a minimum of 90 days if it was worded correctly in court. That would give you time to pass an ordinance. Mr. Durbin's firm, his predecessor helped write the ordinance for Bland County to keep out a nuclear waste facility and for Grayson County for a medical incinerator. Why can he not write one for Carroll. I feel that it is the conflict of interest. Some of you are retiring and not going to be running again and we appreciate the service that you have done. Do you want your legacy to be that by being complicit that you have helped Carroll County become known as the largest suboxone and methadone distribution center on the East coast or the largest drug rehab on the East coast? Citizens don't want that here and I don't want that to be your legacy. You have an option here today. Why was the letter not sent to the inspector? Why was the request for the property to come back, why didn't it include those two of the three parcels have already come back? You give them the idea; they go with it. Do you want to be known as the Board that helped this thing come in and ruin the county or do you want to be known that you helped get back a \$9 million piece of property for the citizens, maybe lowering our taxes? Do something for the children in school and help our county.

Teresa Cornette told she has grown up in Woodlawn and I remember when the Training Center came in. I remember the problems we had the first few years with the residents getting out and walking up and down the road. I have seen

patients have seizures in the road. My husband works a swing shift and every other month my husband works nights, and I am home by myself. I don't want to sleep with a gun by my bedside in order to know that I am safe. I would like to ask the Supervisors to pass an ordinance requiring any rehab facility to be fenced and to have somebody watching out for us. Zoning is not required to do this. It is the opinion Ronald Newman and multiple County Administrators that an ordinance is the fastest way to protect the citizens. Ask the Supervisors to have the County Attorney to file an injunction on the sale of the Training Center property while the county fights to have land given back to the citizens who have already paid for it once. Ask the Supervisors to require the County Attorney to recuse himself in this matter due to the fact that he has a conflict of interest representing Grayson and the City of Galax, who want the facility gone from them. He has a clear conflict of interest because he can not represent competing interests equally. I also agree with everything that David Boatman and Frances Boatman had to say. We want our county to be safe and we want to feel safe in our homes.

Sheriff Kemp – I am writing this letter regarding the potential sale by the State of Virginia of the former Southwest Virginia Training Center property to Arcadia Health. I appreciate all that the Board has done to intervene in this matter. Citizens have also spoken with me on numerous occasions about their concerns of this potential sale. Just as you all have done, I have also had conversations with some of our state representatives in Richmond about the citizens concerns of this sale and have been told that I, as a Sheriff have no authority in this matter. I understand that completely. My concern is that if this sale becomes final, the call for services will increase for my agency. This concern is not one based on a feeling but based on a list of calls that I had previously provided to the Board of Supervisors. As Sheriff, my priority is the safety and service to the citizens of Carroll County, which also includes businesses. My concern is that the potential call increase for my office will result in taking deputies from other areas of Carroll County and cause potential longer response times for calls for service by citizens. The State Compensation Board provides all funding to Sheriffs for one deputy for every 1500 citizens. The additional calls that this sale could bring to my office cannot be something that the State Compensation Board will take into consideration and fund more deputies. Any extra funding for deputies would have to come from the County. I am not asking for any additional funding thought this letter for personnel. I just want to be clear to you all what potential future issues we could be facing if this sale is finalized. I appreciate you all taking the time to listen to my concern and apologize that I could not attend in person tonight due to prior obligations. If any of you have any questions, please feel free to contact me at my office. Thank you again.

PAYMENT OF INVOICES

Mr. Moore 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. Phillip McCraw to approve the minutes for July 12, 2021, July 19, 2021 and July 28, 2021.

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Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

NEW BUSINESS

CONSENT CALENDAR

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

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

DR. MARK BURNETTE

Dr. Mark Burnette told on behalf of the entire School Board, my self and the Board officers we would like to provide you with a brief description of the request for funding for single stall restrooms that was made at our July 20th School Board Meeting. The court case has went through the court system since 2015. In 2019 the US District Court ruled in favor of Gavin Grimm, a transgender student, citing his rights under the title ix and equal protection clause of using the gender bathroom in which he identified were violated. The 4th Circuit Court of Appeals upheld the courts ruling in 2020 and the Supreme Court refused to hear the case last month. Legislature mandated the Virginia Department of Education to construct a model policy for all school systems to adopt before the start of the 2021-2022 school year. Carroll County Public School, at its July 2th School Board voted unanimously to not adopt the Virginia model policy for transgender students and to continue to follow the VSBA and CCPS policies regarding non-discrimination, equal education opportunities, prohibition against harassment and retaliation for all students. In order to address the concerns of our citizens and to respond to the Board of Supervisors request to find a solution to the problem regarding the transgender bathroom issue and privacy for all students, Carroll County Public Schools recommended that all bathroom facilities at Carroll County Middle and High School be converted to single restroom user facilities available to all students. The initial cost estimate to do this was \$2.1 million. Understanding that this is a huge financial commitment, the project has been scaled down to just renovate the high school at this time, since it is where we have the concern. The project has also been scaled down to the renovation of four banks of restrooms located adjacent to the dining room and directly above it on the 2nd floor. In the main hallway corridor on both the 1st and 2nd floors. All of the two stall facilities will be changed to one room facilities by removing a stall. There will be 9 additional single user restrooms that are added during renovations to the auditorium in addition to the auxiliary gym and classrooms that will be paid through SRE funds. This will bring us to a total of 35 restrooms in a facility that is required to have 31 restrooms by the Code of Virginia. The total cost of this project that is currently unfunded is estimated to be \$450,000. Our maintenance department will take care of the locker rooms, changing and shower facilities by constructing individual areas in our existing facilities. There is a cost

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to every solution. This is much less costly than the lawsuits that we would get from both sides of the issue regarding privacy rights and title ix violations that we will most certainly receive according to our attorney who represents other school divisions that are currently facing these lawsuits. In regard to our COVID relief funding, including the \$1.7 million that we received from the county, that has been documented and released to the public, roughly 70% or \$10,761 of the \$15,550 is for capital projects including roof, boiler and window replacements. HVAC upgrades, school buses and renovations and additions to the high school that the Board of Supervisors would be responsible for over the course of several years if it were not for these federal funds. Although the \$6.6 million makes a huge dent in the high school renovations, it still does not complete the much-needed high school renovation project. We still have a connecting hallway, football bleachers and a press box replacement, parking lot expansion and baseball lighting field issues to consider. We are hopeful that once our debt service decreases at the end of this year you will consider finishing this project. The other 30% of our funding went to PPE, cleaning supplies and equipment, technology equipment and software for each student, salaries for additional time and duties, online curriculum, fuel and other supplies to ensure that our students were taken care of and educated to the best of our ability. Our funds were also not given to us in a lump sum. We had to complete applications and detail any and all allocations of the funds. These applications had to be approved at the state level following both state and federal guidelines and could only be used for response, prevention and preparation for the current pandemic or future pandemics. Aside from the county cares funding we received, Carroll County Public Schools were restricted on what we could spend the funds on. We have until September 2024 to spend our latest on our planned construction projects. We moved quickly and had our construction plans approved by the Virginia Department of Education. We hired an architect and can start as soon as we get our construction bids open and approved in late September, something we are looking forward to. In regard to funding, at your last Board meeting you decided the school system needed to return the \$500,000 the Board of Supervisors paid for school buses last fall and the \$200,000 allotted for the Gladeville Elementary School roof replacement under a gentleman's agreement that we had with the previous County Administrator. We accepted your decision and did not create any controversy. We now ask that you restore that \$500,000 back so we can use this to fund these renovations. Neither our Board nor yours ask for this problem, please help us by being part of this amicable solution. If you have a better solution, please let us know.

Mr. Hill told he though the Code of Virginia was 24 bathrooms rather than 31.

Dr. Burnette replied, 31 according to our architect.

Mr. Hill asked when that code section changed.

Dr. Burnette replied, I don't know. I am just going by what our architect told us and he is very up to date on it.

Mr. Hill asked what are we going to do with the locker rooms.

Dr. Burnette told they will do those ourselves. We bought petitions to put into the existing bathrooms as a temporary fix. We will remove those petitions and put those in the locker rooms and redesign those using things we have already paid for. We will have to replace some of the shower stall and things like that.

Mr. Hill asked what we are going to do about the sports where females can compete with males.

Dr. Burnette told that is a VHSL decision and they have stringent guidelines on how they handle that. There has to be some type of proof that they are going through some type of transition. The Virginia High School league has removed that from public schools.

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Mr. Phillip McCraw asked with the state mandating this, how much money are they sharing so we can do it.

Dr. Burnette replied it is another unfunded mandate.

Mr. Robbie McCraw told this has put us all in a bad spot. This Board made a resolution against the transgender and in my opinion you all were able to stand by your convictions as a board and deny and vote no and make a stand and I am very proud of that stand that you all took. This puts us in a bad position to put our morals and standards on the back burner to fund this. I don't feel like the people that I have talked to do not support this. I know it has put us all in a real tight band. I don't know how the rest of the board feels, but that is where I stand. My moral convictions is not letting me support this.

Mr. Sturgill told we start school this week and if I identify as a transgender female, I get to go in the female bathroom. We can't stop that.

Mr. Robbie McCraw replied, I fully understand that.

Mr. Sturgill asked who would prefer to use a public bathroom over a single stall. We are proposing to renovate bathrooms and solve the problem. Otherwise, we can't stop that transgender student regardless of our policies.

Mr. Robbie McCraw told his biggest thing about it is why can't the bathrooms that are there now be converted to just a single use fixture.

Dr. Burnette replied, that is what we are doing. It won't look like it does now because you are going to have a sink in each stall.

Mr. Robbie McCraw asked why do you have to have a sink in each stall.

Dr. Burnette replied because you are required by code to do that. You have to have a hand washing facility.

Mr. Robbie McCraw told you can have a common hand washing facility.

Dr. Burnette replied okay, let me ask you this, how comfortable are you going to feel beside if you are a 17 year old girl beside an 18 year old boy. We are getting new bathrooms out of it. This is a renovation, and we are saving you all \$6.6 million with these funds. The things that you all are responsible for.

Mr. Sturgill told regardless of our opinions and what we think, the Supreme Court by not hearing this case has said that a student that is transgender has the right to go in the bathroom of choice.

Mr. Robbie McCraw replied I understand that.

Mr. Sturgill replied, so if you understand that and you want a solution, we are providing a solution. It has a price tag on it. At the High School you are having students that comes home to use the restroom. In talking to students that is pretty common. We are not benefiting 2% of the kids renovating bathrooms for over 1000 kids to be used two or three thousand times a day. We can change the labels on our bathrooms and say they are boys and girls, you can designate one bathroom that is single serve and I don't have to go there. If there is a girls bathroom and I identify as transgender I can go to that one little bathroom. We can't stop it whether we pass that policy or not. We can make it equal for everybody. I understand the expense. I can't speak for the board but we are going to move forward with it. People when from Richmond to Wise County to see how we handled this and they are commending Dr. Burnette for this move. We can solve it collectively as a community of two boards. The best solution I

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have heard from this board so far is don't let them use the bathroom. I'm not trying to be critical, if you have a better solution, please give it to us.

Mr. Durbin asked when the proposed project is completed, what will it look like? Will it be where a boy can walk in by himself and there be a sink and when he walks out a girl could walk right after, close the door and be there by themselves. I just want to make sure I understood what you are proposing.

Mr. Robbie McCraw asked what the other localities doing like Russell County, Bedford and Augusta. They stood up and they are not going to convert theirs.

Dr. Burnette told they are doing the same thing we are, they are going to follow the law though.

Mr. Sturgill told if I am transgender and there is a girls bathroom I can go in it, regardless if there is a single use bathroom and if the school system wants to try to stop me I am most certainly going to file a civil lawsuit.

Dr. Burnette told the ACLU will be sitting in our office the following day.

Mr. Sturgill told if Floyd County wants to keep it like it is or whatever county it will stay like that until the transgender student decides they are going into the bathroom of choice.

Mr. Durbin told you are reciting the Grimm case. I think the key holding in the Grimm case was that it is not sufficient to have boys bathrooms, girls bathrooms and then a bathroom that is designated for a transgender.

Mr. Sturgill told it is a tough issue and we have a viable solution. If we had a choice of 10 we would probably chose the one that was the most financially responsible to the county.

A member of the audience asked what is going to happen when a boy pushes a girl into the bathroom and locks the door or a fight breaks out.

Mr. Joey Haynes responded that what will happen is Sheriff Kemp will get a phone call.

A member of the audience responded so you will have a law suit because somebody's kid is assaulted.

Mr. Hayes replied, no. There will not be a lawsuit for the fact that it happened. That is assault, potentially rape.

Mr. Sturgill told we have been raising teenagers forever, what did they do when someone broke the rules when you went to school.

Mr. Moore asked if you did do this, when were you planning on starting with school starting this week.

Dr. Burnette replied as soon as we can. We will do the construction while school is going on. We may have to do one bathroom at a time. It is a pressing situation.

Mr. Hayes told that we are not waiting to be sued. I don't know if the county would back it or not. I know our insurance would not cover it because we are not following the law. They will not extend the coverage and we are not going to be indemnified. This is an impossible situation, and this is just a proposal for a solution to try to address this. There is going to be more coming. You are going to have transgender adults at a school function. This thing isn't age specific, they way that I understand it.

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Mr. Hill asked if you have the architectural drawing.

Dr. Burnette replied no, we do not have those yet. He told that the estimate was \$300 square foot. I will make sure that he gets something together.

Dr. Littrell told you mentioned the High School and you earlier mentioned the Middle School. What are your plans for the Middle School and when.

Dr. Burnette told they would like to do the Middle School but they know it is not financially feasible to do that right now. Right now we don't have that problem at the Middle School to be honest so we are addressing the school where we have the problem.

Dr. Littrell called a 10 minute recess for consultation.

Dr. Littrell asked for a Closed Session under 2.2-3711 A7 and A8.

CLOSED SESSION – PURSUANT TO VIRGINIA CODE SECTION 2.2-3711

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

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.

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:

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|-------|---------------|----------------|
| 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 made a motion, seconded by Mr. Robbie McCraw to table the bathrooms at the school until next month.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

COMMITTEE APPOINTMENTS

Mr. Robbie McCraw made a motion, seconded by Mr. Moore to appoint Greg Yonce to the Airport Commission.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

Mr. Hill made a motion, seconded by Mr. Robbie McCraw to appoint Terry Russell to the EDA.

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Mr. Moore made a motion to keep Mr. Sowers on the EDA.

Dr. Littrell told we have a motion on the floor. We will dispense with that then take up yours.

Mr. Moore asked if this is on the motion or the appointment. We have two candidates and I would like to make a motion for the other one.

Dr. Littrell told the motion was to appoint Terry Russell.

Mr. Durbin told if I understand correctly, you have two candidates for one position. You have a motion for one of them. If the motion once voted on carries then it would basically make it move as to the other candidate. If this motion is defeated then it would be open for a motion to appoint an alternative candidate.

Mr. Moore told he was not familiar with Mr. Russell. Mr. Sowers has been on the EDA for a while, and I think he enjoys serving or he wouldn't have applied again. Whether I made the motion for his or someone made one for Mr. Russell we are going to have votes from Board members who are going off the Board to approve either one. I would like to see the Board consider tabling this appointment until the new Board comes in in January based on the fact that when Phillip and I came on the Board, the previous Board had nominated candidates for the Economic Development Authority before we came on and we are getting ready to have three new Board members so we should table it until then.

Roll call vote was as follows:

AYES: Rex Hill Phillip McCraw
Robbie McCraw Tom Littrell

NAYS: Tracy Moore

ABSENT: Joe Webb

LAUREL FORK FIRE APPROPRIATION

Mr. Watson told the Laurel Fork Fire Department sent us a request for payments for the 3rd and 4th quarter. Once we budget an item it is good for that fiscal year. Once July 1st rolls around the fiscal year ends and it is zeroed out. There is appropriations for this amount for the next four quarters of this upcoming year, however, since this was a disbursement requested for the previous year we don't have as staff the authority to make that appropriation. This would be paying the allocations for last year. It was not requested before July 1st. We will be changing the policy. A lot of times, unfortunately these requests are done each quarter. When you get to the fourth quarter you should really request 2 quarters at the same time. The 3rd and 4th quarter should have been requested earlier in the year. We are going to try to combine them or instead of doing on a quarterly basis doing it annually.

Mr. Hill made a motion, seconded by Mr. Moore to appropriate \$11,250 to Laurel Fork Fire for 3rd and 4th quarter of last fiscal year.

Roll call vote was as follows:

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

NAYS: None

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ABSENT: Joe Webb

EMERGENCY OPERATIONS PLAN

Mr. Robbie McCraw made a motion, seconded by Mr. Hill to approve the Emergency Operations Plan Resolution.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

LAUREL FORK VOLUNTEER FIRE MOU

Mr. Hill made a motion, seconded by Mr. Robbie McCraw to approve the Laurel Fork MOU.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

ARPA

Mr. Watson told you have a request for an appropriation. There are two items now that we are looking at, one is a Broadband Study for \$34,625 and a flow study for the PSA for \$13,885. This will be used from the American Rescue Plan Act that we received. We will transfer the money for the flow study to the PSA for Exit 1 sewer and pay the other directly out of the line item.

Mr. Robbie McCraw made a motion, seconded by Mr. Moore to approve the two appropriations as presented.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

ARPA DISCUSSION

Mr. Watson told over the past several months we have been looking at different items that we need. You have a list in the pack with some things that staff felt like is important in order to move forward. The flow study that we just talked about will determine the flows at Exit 1. We are also looking for a water and sewer connection grant. This will be an opportunity to provide a grant to provide hookup for water and sewer service within the County. There are also some needs with the SCADA design. There is also two emergency vehicles that are

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used for emergency response and two that are used for first responding. We are beginning to look at some renovations at the Farmers Market and for financial software which will help us do more remote working. It allows paying bills online. A lot of these things we don't have a definite cost yet. I just want to give the Board information about moving forward.

Dr. Littrell asked if you are speaking of the retail Farmers Market.

Mr. Watson replied yes. This will provide additional space for the Extension Office. This will give them an opportunity to have separate offices.

OLD BUSINESS

WOODLAWN SCHOOL PROJECT

Mr. Watson told there is one change to the MOU to allow for the use of the gym to include other governmental activities.

Mr. Durbin told the MOU currently provides for Rec Department use. We want to clarify and make it a little broader so that it includes other governmental activities.

Mr. Robbie McCraw made a motion, seconded by Mr. Hill to approve the MOU with the noted change in wording.

Roll call vote was as follows:

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

NAYS: None

ABSENT: Joe Webb

BOARD MEMBER COMMENTS

Mr. Phillip McCraw thanked everyone for coming out tonight, the School Board for their concerns and especially the people about the Training Center. I get their sense of wanting security. I just don't see how we will be able to help them like they wish we could. I am concerned about them and about the county. I do want all of our citizens to feel safe.

Mr. Hill told he agrees with Phillip. I thank everyone for coming and speaking up tonight about the various concerns. I want to thank all the employees for the work they have done and all the work that was done on the financial policy.

Mr. Moore dittoed everyone's statements so far. I thank the Board and Mike and his staff for getting us all the information before we come here. I challenge the citizens to pay attention this week as school starts. Continue to be vigilant with COVID, it seems like it is on the rise. Our thoughts and prayers are with Robbie's family.

Mr. Robbie McCraw told he would like to reiterate what everyone said and I want us all to keep our schools in our prayers as they start school. I've got a list of some names of people that done some work at the old courthouse that I think that we need to thank. I don't want to leave anyone out but I don't know all the names. Delilah Brady, Anne McGrady, and Kim Clontz worked on getting some flowers and dressing up the front of the old courthouse and they need to be recognized. They took their own time and funds to do that and it looks really nice. I wish I knew all of the rest of the ones that helped them but I think Kim was the one that inspired that so she might could give the rest of the names. It

looks really good over there and I think they need some recognition. Thank you all for being here.

Dr. Littrell told we had a good crowd tonight and heard some arguments for and against some things. I would like to ensure those who are not here that we are working towards some of your concerns. Some of the things we are working toward we can't really discuss. I would like to express my condolences to Robbie and his family for their loss. I would also like to recognize two of our future Board members in the audience, Joey and Jody. After tonight you all may decide to write someone else in come November.

COUNTY ATTORNEY COMMENTS

Mr. Durbin told he doesn't want to get into it right now because I don't want to prejudice anything the county is working on, but I will say that I disagree with most everything that Mr. and Ms. Boatman said tonight. I would like some time on the agenda at the next meeting to address all the legal options that members of the public have suggested tonight. I think we have been discussing them some, particularly during the presentation I made regarding zoning last month but I don't think maybe some of that has sunk in or maybe I need to reiterate it more. I will say that anyone is free to contact Mr. Cornwell, who was my colleague for over 10 years, who will tell you that the Bland County example that people keep going back to was the result of an ordinance being prepared for over a year. That ordinance was ultimately not adopted until the need arose and then it was able to be adopted in a quick process. Starting from scratch without an ordinance is not an overnight process. I have no conflict of interest. I have never had any discussion with Galax or Grayson concerning the Life Center or the Training Center. It has absolutely never come up. I have never been ask to take a position adverse to Carroll County, nor would I. As my ethical duty, I would be the first to disclose to the Board if I had a conflict of interest and withdraw from the representation. I just want to make that very very clear. The second thing that I do have before you is I have been going through some drafts of a potential ordinance to grant a personal property tax exemption on the motor vehicle of disabled veterans who are adjudged to be 100% disabled. I prepared an ordinance, gave it to the Commissioner of Revenue for her review and comment. She has sent back some comments which I will incorporate into the proposed ordinance where I can. We are at a point if you are inclined to advertise for a public hearing in September.

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

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