

March 15, 2005

The Carroll County Board of Supervisors held their regular monthly meeting on Tuesday, March 15, 2005, in the Board Meeting Room of the Carroll County Governmental Center.

Present were:        Brian E. Spencer, Chairman  
                              Glenna Myers, Vice-Chairman  
                              L. J. Jones  
                              Sharon Nichols  
                              Joseph H. Early, III  
                              W. Jeff Evans  
                              Craig E. Teller, County Administrator  
                              Ronald L. Newman, Deputy Assistant Administrator  
                              Bradley Dalton, County Attorney  
                              Will Jones, Student Supervisor

Mr. Spencer called the meeting to Order at 9:05 a.m. He stated that it was good to see everyone at the meeting and welcomed Student Supervisor Will Jones. He then asked Reverend David Moore to lead in the prayer and the pledge of allegiance.

(Order)

#### **APPROVAL OF PAYROLL**

Upon motion by Mr. Jones, seconded by Mrs. Myers, and passed unanimously, the Board approved the payroll for February 28, 2005 and March 15, 2005 and did authorize the Chairman and Clerk, along with Bonita M. Williams, Treasurer, to sign on the 31<sup>st</sup> day of March and the 15<sup>th</sup> day of April checks for the payment of salaries and wages for all County officials and employees as previously budgeted by the State Compensation Board and this Board of Supervisors.

(Order)

#### **APPROVAL OF MINUTES**

Upon motion by Mr. Jones, seconded by Mrs. Myers, and passed unanimously, the Board approved the minutes from their regular monthly meeting held on February 15, 2005 as previously distributed to the members of the Board by its Clerk and as recorded in Minute Book No. 24 in the County Administrator's Office.

(Order)

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**APPROVAL OF CLAIMS**

Upon motion by Mr. Jones, seconded by Mrs. Myers, and passed unanimously, the Board approved the County General Claims as presented this day and as evidenced by check numbers 73319-73469 and did approve the Carroll County Industrial Development Authority claims as presented this day and as evidenced by check numbers 1592-1594.

(Order)

**APPROVE COMMISSION OF REVENUE LINE ITEM TRANSFER**

Upon motion by Mr. Jones, seconded by Mrs. Myers, and passed unanimously, the Board approved transferring \$1792.00 from Salaries and Wages line item 012090-1001 to Office Supplies line item 012090-5401 for the Commission of Revenue fiscal year 2004-2005 budget.

(Order)

**APPROVE FUND TRANSFER**

Upon motion by Mr. Jones, seconded by Mrs. Myers, and passed unanimously, the Board approved transferring \$248,295.00 from Electoral Board Voting Machines line item 013010-9097 to Board of Supervisors Board Reserve line item 011010-7006.

(Order)

**APPROVE FUND TRANSFER**

Upon motion by Mr. Jones, seconded by Mrs. Myers, and passed unanimously, the Board approved transferring \$15,876.00 to the Board of Supervisors Vehicle Purchase line item 011010-9020 from the following:

Real Estate Appraiser 012100-5410	\$5000.00
Animal Control 035010-6415	5000.00
Maint. Force – Vehicles 043120-7003	876.00
Recreation 071010-9015	5000.00

(Order)

**APPROVE FUND TRANSFER**

Upon motion by Mr. Jones, seconded by Mrs. Myers, and passed unanimously, the Board approved transferring \$38,671.93 to Board of

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Supervisors Governmental Center Telephones line item 011010-5203 from the following:

Administrator 012020-5203	\$2144.62
Resource Office 012030-5203	824.97
Comm. Of Rev. 012090-5203	772.22
Real Estate Appraiser 012100-5203	188.68
Treasurer 012130-5203	2067.87
Registrar 013020-5203	1433.75
Circuit Court 021010-5203	1469.44
District Court 021020-5203	1875.33
Magistrate 021030-5203	58.28
Circuit Court Clerk 021060-5203	69.62
Commonwealth Atty	1335.51
Victim Witness 022020-5203	209.65
Sheriff 031020-5203	4790.33
Building Official 034010-5203	1026.69
Animal Control 035010-5203	501.54
Emergency Services 035050-5203	167.87
Cana Trash Site 042030-5203	197.14
Maint. Complex 043010-5203	14625.85
VPI Extension 082040-5203	2231.30
Farmer's Market 083060-5203	2681.27

(Order)

### **ESTABLISH PLANNING COMMISSION APPOINTMENT TERMS**

Upon motion by Mr. Early, seconded by Mr. Evans, and passed unanimously, the Board established the beginning of the terms of the Planning Commission appointments to be January 1, 2005 with the members of the Planning Commission to determine which member would serve the terms as listed in the Planning Commission by-laws.

### **HS2007 OCCUPANCY TAX BILL**

Mr. Teller told that HS2007, Occupancy Tax Bill, had passed both the House and Senate. He told that this would allow the Board to increase the occupancy tax from 2% to 5%, which would bring in approximately \$200,000 in revenue. He explained that a public hearing would be necessary before adopting the increase.

Mr. Spencer thanked Mr. Evans and Mr. Teller for their work on this issue.

There was a Board consensus for a public hearing to be held concerning the proposed increase in the occupancy tax.

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**CARTER HOUSE RENOVATION APPROPRIATION**

Mr. Teller told that both the House and Senate had approved an appropriation of \$50,000 toward the Carter House Renovation project. He explained that the funds would not be received until after July 1 but recommended that the project go forward, especially replacing the roof, and that the \$50,000 be used to replace funds used from the County.

There was a Board consensus to proceed with the Carter House Renovation project with the \$50,000 appropriation being used to replace County funds used toward the project.

**SPRINT TELEPHONE BOOK CORRECTION**

Mr. Teller informed the Board that the Sprint telephone book listings for Carroll County offices were incorrect. He told that Sprint would be putting notices with a correct listing in the next bills.

**CARROLL COUNTY CANNERY**

Mr. Teller told that there were some problems with the Carroll County Cannery including operating at a loss during the 2004 season and questions of liability issues.

Mr. Spencer stated that cross contamination was an issue. He asked how the County could assure disinfectants were being used properly and if someone got sick who they would sue.

Mr. Teller commented that there was the risk of liability and stated that the County would have to spend money to insure that FDA rules were being followed.

(Order)

**CARROLL COUNTY EMS BOARD OF TRUSTEES APPOINTMENT**

Upon motion by Mr. Evans, seconded by Mr. Early, and passed unanimously, the Board appointed Mr. James D. Vass to the Carroll County EMS Board of Trustees replacing Mr. William Komraus.

**AUTHORIZE PUBLIC HEARINGS**

Mr. Teller told that public hearings needed to be held concerning leases for the Old Courthouse for the usage by the Historical Society and the Chamber of Commerce.

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There was Board consensus to hold these public hearings.

### **TWIN COUNTY AIRPORT**

Mr. Teller told that the Twin County Airport Commission had requested that the Board commit to \$20,000 toward the new terminal that was to be built. He told that Galax and Grayson had approved this.

Mr. Spencer asked if this could be put into the budget.

Mr. Teller told that the commitment was needed in order to apply for the grant but that the amount would be put into the budget.

Mr. Jones stated that the County is already giving a monthly amount and that the Airport should be supporting itself.

Mr. Early stated that the Airport was in need a new terminal and commented that the current building was built in 1968. He told that the original request appeared to be \$50,000. He told that the airport usage had increased significantly over the last few years and stated that businessmen fly.

### **DUGSPUR SCHOOL COMMITTEE**

Mr. Teller told that there was interest by a local Church to use the playground equipment from the Dugspur School for a community playground.

### **CITIZENS TIME**

Mr. Jeff Matlock told that he had entered into an agreement to sell the property at Fancy Gap and had bought Blue Ridge Auto Salvage. He told that this was well screened and would be where he would operate his auto salvage yard. He stated that the goal was to help clean up the County by offering a safe place to put salvage vehicles. He told that he had been in this business several years and was familiar with how to operate a salvage business.

Mr. Early thanked Mr. Matlock for listening to the citizens and adapting his business plan to take the citizens thoughts into account.

Mr. Bob Beasley, VDOT Resident Engineer, told that Virginia Code Section 33.1-348 outlines a ten step procedure governing auto salvage yards. He told that VDOT would investigate salvage yards and work with the owners to bring them into compliance. He stated that if this did not work the issue could be taken to Court. He then told that the public hearing for the State Six Year Plan would be held in the Salem Auditorium on April 9.

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Mr. Spencer told that the BP gas station at the interstate was worried about the road striping. He told that the lines needed to be re-painted so motorists could clearly see the lanes.

Mr. Beasley stated that re-painted would start once the weather gets better.

Mr. Early asked for a speed study to be performed on the paved section of Silverleaf Road.

Mr. Charlie Turman asked if antique cars fell under the Ordinance. He told that he had talked with people on Fireside Drive and had been told that he was there first. He told that these people had told him that they did not like the looks of his cars but that it did not bother their property. He stated that 90% of his cars are antique.

Mr. Bob Parvin told that he was building a retirement home in Fancy Gap. He thanked Mr. Matlock for amending his business plan. He stated that the Board needed to look ahead rather than reacting to problems as they come up. He told that some regulations are good but they needed to be so the County could grow. He told that businesses such as junkyards and sawmills were needed but needed plans so all would be compatible.

Ms. Debra Bryant told that she owned property in Dugspur near the Dorthea S. Reagin property. She told that the quietness of the cabin had been great, but that the motorcross course would destroy the quietness. She stated that Ms. Reagin had the right to use the property for her family use but that the noise of the all these motorcycles is a nuisance. She told that the peaceful quietness of the cabin would be lost. She stated that the cabin was a storehouse of family memories.

Mr. Curtis Sheppard told there needed to be an ordinance for junkyards. He presented pictures of Mr. Turman's cars and stated that these cars were in front of his property and not in front of Mr. Turman's house.

Mrs. Charlotte Sheppard told that the main concern is unsightliness of things in front of the property. She told that a realtor had told that if they wanted to sell their property the property would be devalued. She told that there was also the concern for the environment.

Mr. Kent Ross told that he had been looking for property for two years. He stated that he was told there were no ordinances to prevent what was planned and that his only intention was to create a facility where kids could go and have a controlled place that four-wheelers and motorcycles could be ridden.

Mr. Early asked if he intended for the track to be a commercial venture.

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Mr. Ross asked what commercial meant.

Mr. Early asked if he intended to charge people to ride the track in order to make money.

Mr. Ross replied no.

Mr. Early asked if Mr. Ross intended to put up lighting in order to ride at night.

Mr. Ross replied no.

Mr. Early asked if Mr. Ross had dug holes for light poles.

Mr. Ross replied no, and stated that lighting was too expensive and that he would not be installing lights.

Mr. Early asked if Mr. Ross intended to build any more tracks or if the track he had built was all that would be built.

Mr. Ross replied that the track he had built would be it. He told that he had built two sets of 9X16 seats for parents to sit and watch and that if it would be like a camp or place for people to come and practice.

Mr. Spencer asked when the track would be operated.

Mr. Ross replied that since he was not putting up lights he could not go past dusk. He stated that if he held a class or school it would not start before 10:00 a.m.

Mr. Evans stated that Mr. Ross had bought the property and that it seemed it should be his business to do what he pleases with the property. He told that everybody gets mad when their rights are taken away.

Mr. Victor Allen told that the Garage Owners Association would like to have a clean-up starting in May. He stated this would be a curb side trash removal with large item pick-up and auto removal. He stated that the Association would like to work with everyone so that they didn't have more legislation.

Mr. Spencer stated that this would be a great program. He asked that the Association give the Board a copy of their by-laws and their rules and regulations so the Board could see that these would be acceptable in place of an ordinance.

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Mr. Early suggested that the County could help advertise the program.

Mr. Charles Frazier told that he had lived on Silverleaf for thirteen years and owned a farm and log home. He stated that 90% of NASCAR had started on dirt tracks between the ages of 9 and 12 and that the same was true for motorcycles. He told that the County needed something of this type for recreation. He then asked if Supervisors were required to live in their district and stated that the Board needed to check.

Mr. Robert Longo told that he lived on Harmony Lane and that he was opposed to the motorcross track. He told that he had concerns over the noise, environment, erosion, and air and water quality. He told that he had lived five miles away from the track in California and could hear the noise five miles away. He told that all have rights but there was also an obligation to the neighbors. He told that he would like to know what regulations would be put on the riders and to know what types of businesses would follow.

Ms. Sylvia Oberle told that she owns property on Silverleaf and spends most of here weekends there. She told she was attracted by the quietness and the quality of life. She told she was concerned about the track and stated that she believes any activity will be a nuisance to the neighbors. She urged the Board to stop the development and to monitor what had been done. She also urged the Board to adopt a noise ordinance.

Mr. J. B. Caviness told that he is checked all the time about fluids from junk vehicles. He told that something needed to be done about the junk cars and that the Association is working on this. He then told that it was better to have a place for people to ride motorcycles and four-wheelers rather than riding on the road.

Mr. Ray Melton told that he would like to commend the group for showing up. He stated that he had attended Board meetings for eleven years and that people had not been attending. He told that people need to attend the meetings to know what is going on.

Mr. Barnett Beamer told that he owned property in the Fancy Gap area. He asked the Board to help with problems with junkyards popping up along the highways. He stated that these were a blight on the community, were an environmental hazard, and that it was time for the Board to take action to discourage this activity.

Ms. Karen Baldwin presented a petition to the Board asking that a halt be put on the development of the 40-acre junkyard proposed for Frog Spur Road. She stated that first impressions were important and discussed the junk cars along the highways.

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Mr. Don Foster told that he was concerned with first impressions. He thanked Mr. Matlock for his decision to relocate his business and thanked the garage owners for forming an association. He told that it was time for the

Board to step forward but he was not sure exactly what action the Board would need to take.

Mr. Carol Cox stated that the motorcross property was bought off of Jody Early. He told that he did not want to start a problem but stated that Mr. Early had held a meeting of concerned neighbors and told them that for \$1000 from each of them he would hire an attorney to fight the racetrack. He commented that there were more motorcycles on the Parkway than cars.

Mr. Spencer called for Order in the meeting and told that citizens' time was a time for the citizens to discuss issues with the Board and stated that each citizen would be allowed to express their views to the Board without harassment from the audience if that person was with a majority or if that was the only person who held a particular view.

Reverend Ron Pedigo told that he did not have a problem with the track but did not want to have a lot of noise and a lot of traffic. He told that the County had plenty of land and suggested that this track could be put on some of this property. He told that he liked the peace and quiet God had put in that community.

Mr. Stephen Bryant told that he agreed that people have freedoms but that freedom without boundaries becomes a problem. He stated that he wanted to be a good neighbor to Mr. Ross.

Mr. Olen Gallimore stated that AmerLink was a good thing. He told that one company should not have control over the logs in Carroll County and stated that he did not see a shortage of timber. He told that he appreciated the opportunity for people to have jobs.

### **PUBLIC HEARING – WITHDRAWAL FROM NEW RIVER REGIONAL WATER PROJECT**

Mr. Spencer called the Public Hearing to Order at 11:11 a.m.

Mr. Teller told that the purpose of the Public Hearing was to hear public comment concerning the proposal for Carroll County to withdraw from the New River Regional Water Authority. He then opened the floor for comments.

With no one to speak, the Public Hearing was declared Closed at 11:12 a.m.

### **HOSPICE OF SURRY COUNTY**

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Ms. Leslie Leonard and Ms. Denise Watson appeared before the Board to discuss the services of Hospice of Surry County. They told that the organization had been in business in Yadkin and Surry counties for twenty-one years and had now opened an office in Hillsville. They presented a brochure of the services available and told that services are provided to patients and the families of patients with life threatening diseases.

### **CARROLL COUNTY SCHOOL ENROLLMENT DISTRICTS**

Dr. Oliver McBride, School Superintendent, told that the proposed enrollment districts would impact grades K-5 and stated that with the attendance zones all K-5 students would be placed in either new or renovated elementary schools. He told that students from the Sylvatus area would attend Hillsville Elementary School and those attending K-5 at Woodlawn would either go to Fancy Gap or Laurel. He stated that the Preschool Handicap class

for ages 2-4 and age 4 would be moved to Hillsville Elementary. He told that the School Board would be holding meetings to discuss this plan on Tuesday, March 22 beginning at 5:30 p.m. at Laurel Elementary and 7:30 p.m. at Woodlawn School.

Dr. McBride told that with this plan Woodlawn would become a grade 6-7 school and have over 500 students. He told that the plan was to have three grade 6-8 schools with the 9<sup>th</sup> grade being at Carroll County High School, but commented that this would require additions to the high school. He then told that the School Board had used software to determine bus routes and had eliminated two routes.

### **PRESENTATION OF CERTIFICATE OF APPRECIATION**

The Board of Supervisors presented a Certificate of Appreciation to Mr. Robin Whittington for his valuable contributions as the Chairman of the Carroll County Recreation Commission, to the youth baseball programs, and to the development of youth in the County.

### **GENERAL REASSESSMENT OPTIONS**

Ms. Janie Harrison, County Assessor, told that the first reassessment representing 100% of market value was conducted for the County by the Virginia Department of Taxation to be effective January 1, 1980. She told that since that time the County had contracted with appraisal firms to complete the reassessment every six years. She stated that the cost for the 2004 reassessment was \$485,382.50, or \$15.50 per parcel. She estimated that the

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per parcel cost could range from \$18.00 to \$19.50 for 32,151 to 33,115 parcels if reassessment was done either on a 4-year basis or a 6-year basis. She told that the Mount Rogers Planning District Commission currently had a contract with a firm to perform assessments at \$9.50 per parcel, but stated that Carroll County had not participated in this contract due to quality issues with the appraisal firm.

Ms. Harrison then discussed the option of performing an In-House Reassessment. She told that this would require additional field and office personnel working with the County Assessor. She outlined the steps and timing of those steps that would be necessary to perform this assessment. She then provided an estimate of the costs associated with this project. The projected cost for performing a 4-year In-House Reassessment is \$575,458.74.

**DR. ANN ALEXANDER – WYTHEVILLE COMMUNITY COLLEGE**

Dr. Ann Alexander, President Wytheville Community College, told that enrollment had declined with having less students but commented that the students were taking more credit hours. She told that for the Fall 2004 Semester 535 students were from Carroll County with 128 enrolled in dual credit classes. She told that some of the services available included business seminars, financial aid workshops, and placement exams. She told that there was a modest increase in the total budget but stated that the request from Carroll County had decreased by 2.8%.

(Order)

**CLOSED SESSION – PURSUANT TO VIRGINIA CODE SECTION 2.2-3711(A1,A3,A7,A30)**

Upon motion by Mrs. Nichols, seconded by Mrs. Myers, and passed unanimously, the Board convened a Closed Session at 2:00 p.m. until 5:47 p.m. for the purpose of discussion of the performance of specific personnel as authorized by Section 2.2-3711(A1), for the discussion of proposals for the purchase of real property as authorized by Section 2.2-3711(A3), for the discussion of legal matters as authorized by Section 2.2-3711(A7), and for the discussion of contract award matters as authorized by Section 2.2-3711(A30).

(Order)

**CERTIFICATE OF CLOSED MEETING**

Upon motion by Mr. Early, seconded by Mrs. Nichols, and passed unanimously, the Board adopted the following Resolution:

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**WHEREAS**, the Carroll County Board of Supervisors convened in a Closed Session on this date pursuant to an affirmative recorded vote 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 public business matters as were identified in the motion by which the Closed Session was convened were heard, discussed, or considered in the meeting to which this certification applies.

**TIM BROWN – TWIN COUNTY AIRPORT MANAGER**

Mr. Tim Brown, Twin County Airport Manager, discussed the building of the new Airport Terminal. He told that 95% of the design had been completed. He told that other items associated with the project would be site work, building a road, and fencing. He stated that the project would cost \$1.2M with \$900,000 supplied by the Virginia Department of Aviation, \$240,000 supplied by the Virginia Tobacco Commission Special Projects Division, and \$60,000 from the localities with Galax, Grayson, and Carroll each supplying \$20,000. He told that the towns would be asked for a lesser amount. He told that Galax and Grayson had indicated they would support this level of funding but that he did not know if a vote had been taken at this time.

(Order)

**APPROVE TWIN COUNTY AIRPORT TERMINAL FUNDING**

Upon motion by Mr. Early, seconded by Mr. Evans, and passed, the Board authorized supporting the request by the Twin County Airport Commission for funding in the amount of \$20,000 toward construction of the airport terminal.

Note: Mr. Jones voted No on the above motion.

**SUPERVISORS TIME**

Mrs. Myers told that there would be benefit breakfast on Saturday morning at the Dugspur Rescue Squad building for Molly Henley, a cancer patient.

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Mr. Early stated that he appreciated the public interest and encouraged citizens to come to the Board meetings.

(Order)

**ADOPT RESOLUTION – GARRY JESSUP**

Upon motion by Mr. Early, seconded by Mr. Evans, and passed unanimously, the Board adopted the following Resolution:

**RESOLUTION**

**WHEREAS**, questions have arisen concerning the past submission of grant applications on behalf of the Hillsville Volunteer Fire Department; and

**WHEREAS**, the County of Carroll strives to maintain the highest standards of integrity with regard to accurate financial accounting and reporting.

**NOW THEREFORE BE IT RESOLVED**, this Board requests the resignation of Garry Jessup from the Hillsville Volunteer Fire Department effective immediately.

Mrs. Nichols told that she appreciated Mr. Spencer and Mr. Teller speaking at the Twin County Employer's Advisory Committee meeting. She told that the Workforce Investment Board had been sent notification to Mr. Coleman at Social Services that they needed the Memorandum of Understanding but still have not received it. She then told that Carroll County had good things in the Blue Ridge magazine.

Mr. Jones told that there were people that lived on the Patrick County side of Orchard Gap Road that their power came out of Carroll County and they were being charged the utility tax.

Mr. Teller stated that these people needed to contact the power company and tell them they live in Patrick County.

Mr. Evans stated that he would like to see something to regulate this tax to one meter per residence so people are not paying for both a residence and an outbuilding.

**ADJOURNMENT**

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Mr. Spencer declared the meeting Adjourned at 6:20 p.m.

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Brian E. Spencer, Chairman

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Ronald L. Newman, Clerk