

August 15, 2006

The Carroll County Board of Supervisors held their regular monthly meeting on August 15, 2006 in the Board Meeting Room of the Carroll County Governmental Center.

Present were: Sharon F. Nichols, Chairman
Glenna Myers, Vice-Chairman
W. Jeff Evans
L. J. Jones
Joseph H. Early, III
Ralph J. "Bob" Martin, Jr.
Gary Larrowe, County Administrator
Ronald L. Newman, Assistant Administrator
Bradley Dalton, County Attorney

Mrs. Nichols called the meeting to Order at 9:03 a.m. and asked Mr. David Duke to lead in prayer and the pledge of allegiance.

(Order)

APPROVAL OF MINUTES

Upon motion by Mr. Evans, seconded by Mrs. Myers, and passed unanimously, the Board approved the minutes of their regular meeting held on July 18, 2006 and Road Order minutes from July 18, 2006, as previously distributed to the members of this Board by its Clerk and as recorded in Minute Book No. 24 and Road Order Book No. 4 in the County Administrator's Office.

(Order)

APPROVAL OF PAYROLL

Upon motion by Mr. Evans, seconded by Mrs. Myers, and passed unanimously, the Board approved the payroll for July 2006 and did authorized the Chairman and Clerk, along with Bonita M. Williams, Treasurer, to sign on the 15th and 31st days of August 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)

APPROVE REIMBURSEMENT APPROPRIATION

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board approved appropriating the reimbursement in the amount of \$325.12 received from Draper Aden, for sponsorship of the

August 15, 2006

Wildwood luncheon, to Board of Supervisors Miscellaneous line item 011010-5415.

(Order)

APPROVE REIMBURSEMENT APPROPRIATION

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board approved appropriating the reimbursement in the amount of \$606.03 received from the Carroll/Grayson/Galax Solid Waste Authority for travel expenses related to the waste to energy trip to Joppa, MD, to County Administrator Travel Expense line item 012020-5504.

(Order)

APPROVE SOCIAL SERVICES LINE ITEM TRANSFER

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board approved transferring \$79.57 from Social Services Undistributed VPA Expenses line item 053020-5799 to Social Services Hospitalization – State/Local line item 053020-6712.

(Order)

APPROPRIATE COUNTY FAIR CARRYOVER FUNDS

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board approved appropriating carryover funds in the amount of \$8393.34 as the profit from the 2005 County Fair to County Fair line item 012010-1000.

(Order)

APPROPRIATE COURTROOM SECURITY FEE CARRYOVER FUNDS

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board approved appropriating the Courtroom Security Fee carryover funds in the amount of \$107,126.65 as follows:

Salaries & Wages	031040-1001	\$35,000.00
FICA	031040-2001	2,678.00

August 15, 2006

VRS	031040-2002	3,955.00
VRS Insurance	031040-2006	350.00
Health Insurance	031040-2010	5,055.00
Office & Equipment	031040-5401	10,000.00
Capital Outlay	031040-7005	50,088.65

(Order)

**ADOPT RESOLUTION AUTHORIZING REGIONAL WATER
SUPPLY PLAN DEVELOPMENT**

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board authorized participating with the Mount Rogers Planning District Commission in the development of a regional water supply plan to comply with State regulations and adopted the following Resolution contingent upon need:

RESOLUTION AUTHORIZING
REGIONAL WATER SUPPLY PLAN

WHEREAS, the Virginia General Assembly has mandated the development of water supply plans throughout the Commonwealth and the State Water Control Board has developed regulations to implement this planning process; and

WHEREAS, based upon these regulations, the County of Carroll is required to complete a water supply plan that fulfills the regulations by November 2, 2011; and

WHEREAS, the Virginia Department of Environmental Quality has announced the availability of grant funds to assist localities offset some of the costs related to the development of these plans and are encouraging localities to submit applications for grants funds using regional water supply plans; and

WHEREAS, regional water supply planning is a sensible approach to developing a water supply plan since watershed boundaries do not follow political boundaries and since there will likely be cost savings to all jurisdictions participating; and

WHEREAS, the Mount Rogers Planning District Commission has previously managed the development of successful regional plans and is a logical entity to organize and manage a regional water supply planning process; and

August 15, 2006

WHEREAS, the Mount Rogers Planning District Commission desires to participate in a regional water supply plan and desires to secure DEQ grant funds to help offset the cost of the plan development.

NOW, THEREFORE BE IT RESOLVED, that the County of Carroll authorized the Mount Rogers Planning District Commission to develop an application for water supply planning grant funds and to develop a regional water supply plan which will meet mandated regulations; and

IT IS RESOLVED, that the County Administrator is authorized to sign the DEQ grant contract and other appropriate documents related to the source water planning grant and the regional source water supply plan; and

IT IS FURTHER RESOLVED, that the Mount Rogers Planning District intends to provide \$2,500.00 of in kind matching funds and \$2,500.00 in cash for the project. In addition, other funds will be researched and local funds may be solicited from the local jurisdictions as the project progresses.

(Order)

APPROVE CARROLL COUNTY EMERGENCY OPERATIONS PLAN

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

**Carroll County
Resolution
Emergency Operations Plan**

WHEREAS the Board of Supervisors of Carroll County, Virginia recognizes the need to prepare for, respond to, and recover from natural and man made disasters; and

WHEREAS Carroll County has a responsibility to provide for the safety and well being of its citizens and visitors; and

WHEREAS Carroll County has established and appointed a Director, a Deputy Director and a Coordinator of Emergency Management.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Carroll County Virginia, this Emergency Operations Plan as revised is officially adopted, and

August 15, 2006

IT IS FUTURE RESOLVED AND ORDERED that the Coordinator of Emergency Management, or his/her designee, are tasked and authorized to maintain, revise and update this document as necessary, but at least once a year, over the next four (4) year period or until such time be ordered to come before this board.

Chair, Carroll County Board of Supervisors

ATTEST:

Clerk
Carroll County Board of Supervisors

Adopted this _____ day of August, 2006.

Note: A complete copy of the Carroll County Emergency Operations Plan is on file in the Office of the County Administrator.

(Order)

APPROVE HIPAA POLICY

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board approved the Carroll County HIPAA (federal Health Insurance Portability and Accountability Act of 1996) Policy.

Note: A complete copy of the Carroll County HIPAA Policy is on file in the Office of the County Administrator.

(Order)

APPROVE SOCIAL SERVICES LINE ITEM TRANSFER

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board approved transferring \$296.30 from Social Services Undistributed VPA Expenses line item 053020-5799 to Social Services VPA PR Processing Fee line item 053020-5899.

August 15, 2006

(Order)

APPROVE CARROLL EMS LINE ITEM TRANSFER

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board approved transferring \$4575.80 to cover the EMS salaries from Carroll EMS line item 032030-7007 to the following Emergency Services line items:

Salaries & Wages line item 035050-1001	\$3637.32
FICA line item 035050-2001	158.00
VRS line item 035050-2002	400.12
VRS Insurance line item 035050-2006	380.16

(Order)

APPROVE HOMELAND SECURITY GRANT APPROPRIATION

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board appropriated Homeland Security Funds to Homeland Security Grant 032020-9015 in the amount of \$2567.37.

Note: Mr. Early asked if the draw last month on Homeland Security was an approval item.

Mr. Larowe stated that this was for broadband internet and was in the budget.

Mr. Early asked who received the bid.

Mr. Larowe stated that it was Trificient Technologies, Inc.

Mr. Early asked if this company had any association with CTI.

Mr. Larowe stated that Trificient Technologies is the technology contractor for CTI.

Mr. Early asked if Mr. Larowe had any involvement with this company.

August 15, 2006

Mr. Larrowe replied that he did not have any involvement with Trificient.

(Order)

APPROVE ANIMAL CONTROL APPROPRIATION

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board appropriated the proceeds from the auction sale of the donkeys to Animal Control Supplies line item 035010-5415 in the amount of \$575.00.

(Order)

APPROVE SHERIFF'S OFFICE APPROPRIATION

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board appropriated the Local Law Enforcement Block Grant received for the Department of Criminal Justice Services to the Sheriff's Office Police Supplies line item 031020-5409 in the amount of \$2909.00.

(Order)

APPROVAL OF CLAIMS

Upon motion by Mr. Evans, seconded by Mr. Jones, and passed unanimously, the Board approved the General County Claims as presented this day and as evidenced by check numbers 82192-82379, and did approve the Carroll County Industrial Development Authority claims as presented this day and as evidenced by check number 1654.

Notes: Mrs. Nichols asked what the claim to Blue Ridge Parkway was for.

Ms. Libby Lineberry explained this was for memberships dues for the Tourism Office.

Mr. Martin asked what the claim to Reserve Account was for.

Ms. Lineberry stated that this was for postage and that was the name of the account the check had to made payable to.

Mr. Early asked why Amanda Bourne and Dallas Garrett were being paid mileage since the County did have cars.

August 15, 2006

Mr. Larrowe stated that this had been stopped after last month and there may not have been a car available.

Mr. Early stated that the School System had plenty of cars.

Mr. Larrowe stated that School Board cars were used a lot.

Mr. Early commented that Ms. Bourne was Kathy Surratt's daughter and asked if the personnel policy allowed this.

Mr. Larrowe explained that Ms. Bourne reported to Mr. Donnie Turner who reported to Mr. Larrowe so there was no line of authority between Ms. Bourne and Ms. Surratt.

Mr. Dalton commented that a memo should be circulated to employees to spell out the policy on mileage reimbursement.

Mr. Early stated that \$1500 was paid to Jimmy Strickland for the 3D presentation and asked if any other money was going to that.

Mr. Larrowe stated no, but reported that the Department of Housing and Community Development has indicated they would like to buy the equipment for the area. He told that the County had paid this money because of tourism and the Courthouse Tragedy.

Mr. Early commented that the cost to produce a movie was beyond the capabilities of the County.

Mr. Larrowe told that private investment would be doing this.

Mr. Martin stated that there was tremendous interest in the tragedy whether that be good or bad.

Mr. Early asked Ms. Judy Reese, Treasurer's Office, if there were any concerns with the spending.

Ms. Reece replied the VRS Insurance.

Mr. Larrowe explained that the VRS Insurance had not been budgeted for.

Mr. Early asked for a report on the revenues and expenses for EMS.

Mr. Evans asked if the income of the Cannery was covering the costs and commented that a monthly watch needed to be kept on that.

August 15, 2006

Mr. Martin asked what SNAP was concerning school construction.

Ms. Reece told that this was an interest bearing account that was used to draw down funds from.

Mr. Early thanked Ms. Reece for the spending report on such short notice and stated that he would like to see a monthly report on EMS.

Mr. Martin stated that there would be a big delay in reimbursements for EMS.

Mr. Evans commented that the Tourism Office was paying for water and a cooler and asked if it would be cheaper to install a water fountain.

Ms. Lineberry told that this was for rent on a water cooler and for water.

Mr. Evans stated that the Board done reimbursements to Hillsville Fire Department and an appropriation for Ivanhoe Fire Department. He told that bills were coming in to departments outside the county and that they should be treated the same way. He asked if something could be done to help Fries Fire Department on a monthly basis.

Mr. Early told that he appreciated the report on the Board Reserve line item and commented that at the rate it was going it would depleted by December. He stated that every penny needed to be watched and that he got the impression it was not being watched.

Mr. Martin asked about the ABC profits.

Ms. Reece stated that this was received quarterly from the State.

BUSINESS RECOGNITION

Mr. Larrowe told that the Board would be honoring Nuckoll's Drug Company, Inc. and gave the following history of the business:

Nuckoll's Drug Company, Inc.
1896 – Present
110 years of service

The first owner of Nuckoll's Drug was Dr. C. B. Nuckolls in 1896. There have been five owners since that time: Mr. Sam Weddle, Mr. John Hope, Mr. E. J. Hicks; and Mr. Randall Gravley. All the owners were pharmacists' except for Dr. Nuckolls.

August 15, 2006

The sixth and present owner Angelique Phipps-Vass is the first female owner. She purchased Nuckolls Drug in January 2005. She graduated from Medical College of Pharmacy in 1993 and has been affiliated with independent pharmacies since 1988. Her husband, Greg is employed by Twin County Regional Hospital in the radiology department.

Nuckolls Drug is the oldest continuous business in Hillsville with 110 years of service to the public. The goal is to continue to provide the residents of the area with excellent service.

Mr. Larrowe told that a Certificate of Appreciation would be presented to Nuckolls Drug Company, Inc., but explained that all company representatives were busy serving the community and unable to attend the meeting.

TRASH SERVICE FRANCHISE DISCUSSION

Mr. Larrowe told that he had been working with Mr. Dalton, Mr. Newman, and Waste Industries concerning the trash franchise and the recommendation would be to extend this agreement until December 2007.

Mr. Dalton stated that this was a non-exclusive franchise agreement and that any company can supply the service if they comply with the rules and regulations. He told that right now the only company providing the service was Waste Industries. He told that there had been discussion concerning doing an exclusive franchise agreement but under the requirements of the State Code he did not recommend this. He then recommended that the Board consider extending the current arrangement to December 2007 and holding public hearings in the fall of 2007 to plan for the future.

Mr. Early suggested that this be extended another three months to give the new Board an opportunity to determine how this would be handled.

Mr. David Duke, Waste Industries, told that Waste Industries would be in agreement with an extension to March 2008.

Mr. Jones asked if any other company could come in.

Mr. Larrowe stated that there had not been any other companies come into the office showing interest.

Mr. Evans stated that it is up to the companies to come in.

Mr. Early told that while Mount Pilot was still providing service there was a person who called the Administrator's Office and was only given Waste Industries' number.

August 15, 2006

Mr. Larrowe stated that both numbers should have been given.

Mr. Evans told that the article in the paper and the letter from Mount Pilot was false. He stated that even the tonnage increased at the landfill when they left which showed they were not complying with the agreement.

(Order)

APPROVE AMENDING TRASH SERVICE FRANCHISE AGREEMENT

Upon motion by Mr. Early, seconded by Mr. Evans, and passed unanimously, the Board approved amending the Trash Franchise Agreement by extending the term to March 31, 2008.

TAX RELIEF – DISABLED VETERANS

Mr. William Lambert told the Board that he was a 100% Disabled Veteran who was a new resident to the County. He told that when he lived in Bluefield, West Virginia, he received tax relief due to being a 100% Disabled Veteran. He told that when he moved to Carroll County he was directed to the Commissioner of Revenue who directed him to the tax relief notice which does not allow anyone to receive relief if they receive \$23,700 in income. He stated that a Disabled Veteran would receive more than this and asked the Board to increase the allowed income so as to not disclude Disabled Veterans. He stated that he would like to see special consideration given to 100% Disabled Veterans. He told that it was not as important for him as it was for those returning with limbs blown off.

Mr. Evans told that he agreed with Mr. Lambert and commented that it was a shame the way the Country takes care of veterans. He told that if it were not for them we would not be sitting here today. He told that he would like to see something done for the veterans and to increase the tax relief limit for everyone.

Mr. Larrowe told that he would take this information and discuss it with the Commissioner of Revenue.

Mr. Lambert told that he would like to see veterans thanked with this relief.

Mr. Early told that he agreed with Mr. Evans concerning increasing the tax relief limit and doing something for the veterans. He thanked Mr. Lambert and all veterans and told that he understood what Mr. Lambert had been through.

Mr. Larrowe thanked Mr. Lambert and all veterans for their service.

August 15, 2006

PUBLIC HEARING – SUNDAY ALCOHOL SALES

Mrs. Nichols Opened the Public Hearing at 10:20 a.m.

Mr. Larrowe told that the purpose of this Public Hearing was to hear public comment pertaining to the possible allowance of alcoholic beverage, which would be beer and wine, sales on Sunday in Carroll County. He then opened the floor for comments.

Mr. Clyde Easter told that he lived in the Fancy Gap area and was 100% against the sale of any alcohol sales at any time. He told that he was past 81 years old and he had yet to see anything good from alcohol and had witnessed the results of alcohol since the 1930's. He told that it was an expensive habit that injured peoples' own health as well as others. He told that he wished the beverage companies would put up signs showing the bad things. He told that alcohol affects families, the County, the State, and the Nation. He told that alcohol was available and would be bought somewhere but that more would be bought as it was made more available. He told that this should be voted down or put on a referendum. He told that he was against alcohol sales on any day but especially on Sunday.

Mr. Todd McDonald stated that he was from the Laurel Fork District. He told that liquor by the drink had been on the ballot twice and was voted down by the citizens. He stated that this was another way for a few to bring this in by the back door. He told that the Board was voted on by the people for the people and that the people had said no. He told that he did not drink but that he used to smoke and stated that he had family members who are dead because of alcohol. He stated that he did not want this in the County.

Mr. Stan Patton told that he owned Gladeville Grocery along with Bobby Lineberry. He told that with the Paxar shutdown and with the plants shutting down in Galax it made it harder to stay in business. He stated that this would generate extra revenue for the County at no cost to the County. He told that he had people in the store every Sunday and have to turn them away. He stated that people can go ¼ mile into Galax and buy alcohol and can buy it in all the surrounding counties except Carroll and Grayson. He stated that Carroll County is \$60M in debt and cannot turn its back on revenue. He told that Patrick County collected \$75,000 the first year after starting this and that with Carroll being bigger he hoped it would generate more revenue. He asked for the Board's consideration.

Mr. Harry Frost told that he was speaking on behalf of the storeowners. He stated that it was up to each person to make up their mind on morality. He told that people were able to go into Galax and purchase alcohol on Sunday and asked the Board to consider this for the stores in Carroll County.

August 15, 2006

Mr. Jim Roack told that alcohol destroys families and homes and told that he had experienced alcohol in home and in service. He told that alcohol would be sold on week days but that Sunday was a family day and a day of rest the Lord had made. He told that he knew the economical standpoint but that Sunday should be kept as the Lord's Day and a family day. He told that he understood the business concern and the County's concern but stated that the County would never have enough money.

Mr. Mike Bolen told that he was a retired store owner. He told that he agreed with Mr. Roack in one respect but stated that every day should be family day. He told that it did not mean that these were bad people just because they have different views. He stated that he was in favor of Sunday alcohol sales due to the economics. He told that independently owned stores were at a disadvantage to begin with because they could not buy items as cheap as the chain stores and the profit margin was not as high. He asked the Board to allow the storeowners to be able to sell alcohol on Sunday.

Ms. Wendy McGrady told that she did not want to make this a personal issue and told that she did not drink. She told that it would benefit her store to be able to sell alcohol on Sunday. She told that she was losing business to Wythe County and that she was seeing a decline in sales of other things on Sunday. She told that this would help business.

Ms. Linda Smith told that her life has been affected by alcohol. She told that her father was an alcoholic and her brother died in an alcohol related accident. She told that 24% of Virginia vehicle crashes were alcohol related and that in 1999 the estimated cost for these crashes was \$1.4B in monetary costs and \$1.2B in quality of life loses. She stated that people who were not drinking but involved in alcohol accidents spent \$1.7B. She told that in one year alcohol takes more lives than the Iraq war. She stated that 60% of child abuse cases were alcohol related. She told that she was proud to be amongst the Christians and that she knew what alcohol brings. She told that when a store and a clerk were selling a 6-pack they were fronting the murder of someone's child and stated that it might be one of the Board member's children. She encouraged the Board to vote no.

Mr. Elliott Smith told that it was a joy to be here. He told that he appreciated the opportunity to speak and that he understood that the Board was looking for the best interest of the citizens. He told that he had been a Pastor for 15 years and had been in several alcohol related incidents over that time. He stated that never one time had he seen a store owner show up to give consolation for what had happened. He asked where the love of the store owner was then. He told that alcohol was more destructive than any other weapon and that it destroyed ethics and morals of people. He told that people wanted beer on Sunday because store owners had made it addictive. He told

August 15, 2006

that he understood personal responsibility and that he understood that business owners have the responsibility to sell but that business owners are also responsible for alcohol related deaths. He told that alcohol had a rightful place and that was in hell.

Ms. Janet Tate told that she was in favor of alcohol sales on Sunday. She told that she was not talking about a legal or moral issue. She stated it was legal to drink but it was illegal to drink and drive. She stated that as a clerk in a winery she was responsible for checking identification and for not selling to someone who had too much. She stated that there were health benefits to moderate drinking of alcohol. She told that she had a loved one who had an alcohol problem and enforcement was what helped him to stop. She stated that education is also important. She commented that people have the freedom to make the decision and the freedom of religious choice.

Mr. Jimmy Byrd told that he was the manager of the Cana Exxon. He told that with the start up of the lottery in North Carolina business had dropped 35% and that he was turning customers away every Sunday. He told that the Board needed to do what it could to keep revenue coming into Virginia.

Mr. Bob Miller told that he was Pastor of Open Door Christian Church and that he had decided to make Carroll County his permanent home due to what he had seen in the County. He told that it was left to the Board to decide who was going to profit and who was going to lose. He stated that he knew alcohol was accessible but stated that if it was made more accessible it would bring more loss to the citizens. He stated that the citizens would have to bear the brunt of the costs as things such as insurance costs increased and stated that doctors, hospitals, lawyers, life saving squads, garages, and even preachers would be more involved. He told that he knew the Board wanted to do what is best but suggested that this be put on a referendum and let the people vote. He stated that he loved the County and did not want to see anything done that would hurt it.

Mr. Stacy Moran told that he owned the Dugspur Deli Mart and the Hillsville Deli Mart. He told that people have choices and responsibilities. He told that his choice was to compete as a small business and this was not just about alcohol but also about milk, bread, and other such items. He stated that he did take a personal responsibility and had signs in his stores for people to be carded and trained employees to stress the importance of underage sales. He told that he would be shut down if alcohol was sold to underage people. He told that he was not arguing whether this was right or wrong but was trying to stay in business. He told that there was a fight in Christiansburg a few years ago just to allow any sales on Sunday and now Christiansburg was growing. He told that he was not just talking about selling beer but talking about being able to compete and stay in business.

August 15, 2006

The Public Hearing was Closed at 10:55 a.m. but due to other citizens wishing to speak was re-opened at 10:56 a.m.

Ms. Mayetta F. Jones told that she was a retired teacher of 34 years in the Cana area. She told that she had seen lots of things that have happened at school because children were affected. She told that she was with her sister when she was killed by a drunk driver. She stated that she was 100% against alcohol because she had seen the results.

Ms. Marie Edwards asked the Board that before they voted to ask themselves how Jesus would have them to vote. She asked if they believed the Lord would bless the County if they allow Sunday sale of alcohol.

Ms. Mary Russell told that she was against alcohol in any form. She then read from the Bible from First James 1:5, First Timothy 4:11-12, and Proverbs 1:7, 20:1, and 23:29. She told that she sympathized with the store owners but there comes a time when people have to stand up for what they believe. She told that she knew what strong drink could do to families and it would be wrong to make it easier to get.

With no one else to speak, the Public Hearing was Closed at 11:06 a.m.

Mr. Evans told that he thought this issue belonged on a referendum but did not know if this was legal. He told that he was concerned about alcohol but was hearing the same arguments of finances versus morality. He told that he could see both sides but as an ex-trooper he knew what he had witnessed and he saw no good in it. He told that he had drank it himself and it only caused problems. He told that last year the Administrator of the Hospital had talked about problems with people not having insurance at the motocross track. Mr. Evans then stated that alcohol related incidents were the biggest problem for the emergency room. He told that there was a profit to be made but there was a price to be paid and he would not have that price on him. He told that the country could not see what alcohol has caused and that he would not be a part of putting it on the books. He stated that the nation was built on Godly Christians and not a bottle of alcohol and that morals and standards had been lost. He told that the Board is responsible to do what is best for the County and for the safety of the citizens. He commented that he had received several calls and all but one had been against this.

Mr. Jones told that he agreed with Mr. Evans and that it was time for Christians to stand up against this.

Mr. Early stated that this was not a morality issue and that it was not the job of the Board to legislate morality. He told that people fail to take responsibility for their own acts. He told that every beer can carries a Surgeon General warning. He stated that this was about leveling the playing field for

August 15, 2006

the store owners in the County. He told that people want to make one stop and it is not fair to not allow the sale of beer on Sunday. He stated that he intended to vote for it.

Mrs. Myers stated that the Town of Hillsville and the surrounding counties have this. She told that she did not like it and had been in the emergency room herself because of alcohol. She told that it was not a moral issue. She stated that she was for it in the County because it was not right to the business people.

Mrs. Nichols stated that people also came to this country for freedom of choice. She told that people could not be stopped from buying what they want. She told that the County and the store owners would benefit. She told that she only had two calls against this. She told that this was not morality issue and was a hard choice to make.

(Order)

REPEAL CARROLL COUNTY CODE CHAPTER 56

Upon motion by Mr. Early, seconded by Mrs. Myers, and passed, the Board repealed Carroll County Code Chapter 56 to allow for the sale of beer and wine on Sunday within the County.

Notes: Mr. Early, Mrs. Myers, and Mrs. Nichols voted Yes on the above motion.

Mr. Evans and Mr. Jones voted No on the above motion.

Mr. Martin Abstained on the above motion.

Discussion:

Mr. Evans asked what the legalities were for putting this on a referendum.

Mr. Dalton told that the Circuit Court would have to be petitioned to put this on the ballot. He told that it might be close or passed the deadline for getting this on the ballot for next year. He stated that only things allowed by the General Assembly could be put on a referendum and this possibly was not because it was in the County Code and the motion was to repeal Chapter 56 of the Carroll County Code.

Mr. Evans told that he would ask that until the Board knew if this could be put a referendum this issue be Tabled. He asked that this information be found out before the vote on this issue.

Mr. Early asked if this was the appropriate way to repeal Chapter 56.

August 15, 2006

Mr. Dalton replied that it was an acceptable way to repeal Chapter 56.

OBSCENITY AND NUILITY ORDINANCE

Mr. Evans asked that a Public Hearing be held concerning an Obscenity and Nudity Ordinance.

Mr. Early commented that this was not the appropriate time to discuss this and that it should be brought up in Supervisors Time.

PUBLIC HEARING – PLAT REVIEW FEES

Mrs. Nichols Opened the Public Hearing at 11:25 a.m.

Mr. Larrowe told that the purpose of this Public Hearing was to hear public comment pertaining to the proposed adoption of plat review fees in the amount of \$150.00 per plat plus \$25.00 per lot on each plat for all plats reviewed by the Carroll County Planning Commission. He then opened the floor for comment.

With no one to speak, the Public Hearing was Closed at 11:26 a.m.

(Order)

APPROVE PLAT REVIEW FEES

Upon motion by Mr. Evans, seconded by Mrs. Myers, and passed unanimously, the Board approved adoption of plat review fees in the amount of \$150.00 per plat plus \$25.00 per lot on each plat for all plats reviewed by the Carroll County Planning Commission.

PUBLIC HEARING – LEASE OF LAND TO INDUSTRIAL DEVELOPMENT AUTHORITY

Mrs. Nichols Opened the Public Hearing at 11:28 a.m.

Mr. Larrowe told that the purpose of this Public Hearing was to hear public comment pertaining to the possible lease to the Carroll County Industrial Development Authority of undeveloped real property located on Farmer's Market Road and being a portion of the recreation park not currently used for recreational purposes. He then opened the floor for comment.

With no one to speak, the Public Hearing was Closed at 11:29 a.m.

August 15, 2006

(Order)

APPROVE LEASE OF LAND TO INDUSTRIAL DEVELOPMENT AUTHORITY

Upon motion by Mr. Evans, seconded by Mrs. Myers, and passed unanimously, the Board approved leasing to the Carroll County Industrial Development Authority undeveloped real property located on Farmer's market Road and being a portion of the recreation park not currently used for recreational purposes.

(Order)

APPROVE INDUSTRIAL DEVELOPMENT AUTHORITY APPOINTMENTS

Upon motion by Mrs. Myers, seconded by Mr. Martin, and passed unanimously, the Board appointed Mr. Clinton Willie and Mr. Randy Webb to the Carroll County Industrial Development Authority for a term beginning August 12, 2006 and ending August 12, 2010.

APPROVE CARROLL EMS BOARD OF TRUSTEE APPOINTMENT

By Board consensus, the Board appointed Ms. Linda Edmonds to the Carroll County EMS Board of Trustees.

APPROVE WORKFORCE INVESTMENT BOARD BUSINESS REPRESENTATIVE

By Board consensus, the Board appointed Ms. Glenna Myers to the Workforce Investment Board as the Carroll County Business Representative.

(Order)

APPOINT PIPERS GAP DISTRICT SOCIAL SERVICES BOARD REPRESENTATIVE

Upon motion by Mr. Evans, seconded by Mrs. Myers, and passed unanimously, the Board appointed Mr. Charles Sumner as the Pipers Gap District Representative to the Carroll County Social Services Board for a term beginning July 1, 2006 and ending June 30, 2010.

CITIZEN'S TIME

August 15, 2006

Ms. Lannie Hackler told that she was building a house in the area at the end of Old Wildcat Road. She told that she missed the meeting last month and explained that she was trying to get this road closed just prior to the bridge.

Mr. Jones asked if this would affect any other land owner.

Ms. Hackler explained that it would not and told that she had contacted the owner beyond her and they were willing to write a letter to the Board if necessary. She told that VDOT needs a turn around and this can be done before the bridge. She told that the area was known as drugspur and that things had been stolen. She told that she would clean up the area and after the weekend the trash is back. She stated that she was told last month that there were people who did not want the road closed but couldn't be told who.

Mrs. Nichols asked that this issue be put on the agenda for another public hearing in October and that all the landowners be notified.

Ms. Hackler stated that the Sheriff had come out but with 500 square miles in the County and only 3-4 deputies on each shift she did not believe that they would be able to protect the area.

Mr. Clyde Easter told that he was still having problems getting septic permits on 6 lots. He stated that Mr. Greg Gibson's job was one of the most important in the County because he can further or delay development. He told that the name of the Health Department should be changed to the State Health Department because it appears the County has no control. He told that Mr. Gibson has an attitude and there is a problem they can't work out. He stated that this was the first lots in the development to be turned down and that other lots since had passed and they were steeper and rockier. He told that Mr. Gibson's work was not consistent. He told that he did not know if he had been singled out or what but if Mr. Gibson was consistent he could accept it. He told that he previously had 4 buyers and 3 had put up a deposit but has since lost the buyers. He told that Mr. Gibson told him to come and tell the Commissioner he was not going to pay taxes on these lots. He told that the lots are cleared and that he is in the process of digging a trench all the way along the property. He asked the Board for help and stated that he believed something could be done.

Mr. Martin asked is there was an appeal process.

Mr. Larrowe told that he had talked with Mr. Ed Ridenbush and that he had indicated that Mr. Easter has never appealed the decision.

Mr. Easter stated that this would be a waste of time because they will go along with what Mr. Gibson says.

August 15, 2006

Mr. Evans stated that it seemed the County was getting raked over the coals. He told that the Health Department was short-handed and had 2 people doing the work of 4. He stated that the Board needed to write a letter to the Health Department asking that something be done on this issue as well as getting things done that would help the building process.

Mr. Larrowe told that there would be a building summit to get a comprehensive plan for building in the County.

Mr. Evans told that someone with authority should be here from the Health Department.

Mr. Larrowe told that the Health Department was behind by 200 permits and this meant that tax dollars were not being collected. He told that he had spoken with the Health Department and there might be a possibility of bringing in some people from other localities to help bring them current and then that would over load the Building Official office with inspections.

Mr. Easter told that he did not believe anyone was watching the office to see how they performed.

Mr. Larrowe mentioned the possibility of Mr. Easter using an AOSE, or certified soil evaluator, to determine septic usage for the property.

Mr. Easter replied that he had one come out and he said he had to go along with what Mr. Gibson said.

Mr. Early commented that in Pulaski County unless someone was building their own house the Health Department will not come out and the person has to use an AOSE.

It was a Board consensus for Mr. Larrowe to write a letter to the Health Department concerning these issues.

Mr. Todd McDonald stated that he had talked with the owner of Nancy's Fried Pies at the Fiddler's Convention and told that he would like to know why she was not in the industrial park. He then told the Board that to save tax dollars the Carter Home needed to be self-sufficient and stated that it was self-sufficient with the fund raisers. He told that the proposal given to the Board by Dr. Garrett cost the Board and was not different from the proposal he submitted that didn't cost the Board. He then spoke concerning conflict of interest and told that Mr. Larrowe was doing a great job. He told that the relationship of Mr. Larrowe with Crossroads and CTI had been discussed and that the bid that had been chosen was the one that should have been chosen.

August 15, 2006

He then mentioned the things Mr. Early was involved in and was voting on such as the Airport and motocross and stated he was not doing the things he was elected to do. He stated that Mr. Early should look at himself before coming down on someone else. He commented that Mr. Early sat on a Board that appropriates money to the Airport that does not benefit the entire County but just pilots.

Ms. Janet Tate told that she had volunteered for over a year at the Carter Home and was now the Treasurer. She told that \$1700 was made from the haunted house and that generally there was about \$500 per month made just to try to keep things going. She stated that she wanted to defend all the hard work by the committee.

REGIONAL INDUSTRIAL FACILITIES AUTHORITY

Mr. Larrowe told that he had attended a meeting with other economic developers on July 28 in Abingdon where there was a discussion concerning a study by graduate students at Virginia Tech. He told that The Economic Development Studio @ Virginia Tech was studying to link urban and rural economies in Virginia which would link southwest Virginia with northern Virginia. He told that the study by the class would let Carroll County know what was available. He stated that some funds were being requested and that Galax and Grayson wanted to be involved in this study and for the three localities the funds would be \$4000 divided between the three.

Mr. Evans stated that this was well worth the venture. He told that he knew how hard it was to bring in business and that in the past the talent of the County had been neglected.

(Order)

APPROVE PARTICIPATION IN THE ECONOMIC DEVELOPMENT STUDIO @ VIRGINIA TECH STUDY

Upon motion by Mr. Evans, seconded by Mrs. Myers, and passed unanimously, the Board approved participating in The Economic Development Studio @ Virginia Tech study linking urban and rural economies in the Commonwealth of Virginia and sharing in the \$4000 cost of this study along with Grayson County and the City of Galax.

Mr. Larrowe reported on the trip to Joppa, Maryland and told that the Solid Waste Authority was looking at the possibility of a waste to energy facility to extend the life of the landfill. He then told that there was a meeting with the Wytheville Community College President to discuss a curriculum that could

August 15, 2006

help attract industry to the area and told that there would be another meeting held on September 7. He told that there would be a Building Summit with meetings held on August 22, September 5, and September 18 to discuss ways to improve the building permit process. He then told that Congressman Boucher had held a meeting to discuss broadband internet in the area. He told that a steering committee for this had been formed.

SIX-YEAR SECONDARY ROAD PLAN PUBLIC HEARING

By Board consensus, the Six-Year Secondary Road Public Hearing will be held on October 10, 2006 at 6:30 p.m. in the auditorium of Carroll County High School.

Mr. Larrowe then told that Dr. Dallas Garrett had a Business Plan Workshop scheduled for August 25 in the Board Room for persons interested in learning more about business plan development. He then told that he had received a letter from the SCC concerning natural gas distribution and a public hearing to be held for Atmos Energy to include Carroll County in their service area.

Mr. Early asked if there was any promise of service with the franchise agreement.

Mr. Larrowe told that they would serve as the interest grows but told it would be up to the County to build the lines for service. He then told that the Department of Game and Inland Fisheries had offered a no cost lease to the building at the fee fishing area and let the County find someone to operate this or the County could operate it. He told that normally 8600 licenses are sold per year and the operator gets \$1 per license. He told that there was also discussion about opening up the entire area to horseback riding, trails, and other such activities.

(Order)

CLOSED SESSION – PURSUANT TO VIRGINIA CODE SECTION 2.2-3711(A1,A3,A5,A7)

Upon motion by Mrs. Myers, seconded by Mr. Martin, and passed unanimously, the Board convened a Closed Session at 12:47 p.m. until 2:15 p.m. for the discussion of personnel matters relating to the performance of specific personnel, the discussion of the disposition of real property where public discussion would be detrimental to the County's position, the discussion of a prospective business where no public announcement has been made of the business or industry's desire to locate or expand in the County, and for the

August 15, 2006

discussion of legal matters involving threatened litigation as authorized by Virginia Code Section 2.2-3711(A1,A3,A5,A7).

(Order)

CERTIFICATION OF CLOSED SESSION

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

WHEREAS, the Carroll County Board of Supervisors convened a Closed Session on 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.

SUPERVISOR'S TIME

Mr. Evans presented a copy of the Wythe County Obscenity and Nudity Community Standards Ordinance and requested that the Board hold a Public Hearing at the next meeting for the same Ordinance for Carroll County. He stated that there were things that could happen that the County is not protected from and this is one of them. He told that a similar Ordinance had been enacted by several southwest Virginia counties recently.

Mr. Evans then made a motion, with a second by Mr. Martin, to hold a Public Hearing on this matter. The motion was then rescinded.

Mr. Early told that it was good to have controls for certain behaviors but told that when Dr. Chandler was here he had said it was best to do this type stuff in a larger context such as zoning. He stated that this was a form of zoning and asked that a Public Hearing be held on zoning.

August 15, 2006

Mr. Dalton commented that this Ordinance could not be taken care of completely with zoning. He told that Dr. Chandler was talking about businesses that sell items such as books, magazines, etc., and told that with zoning there could be more protection.

Mr. Evans commented that this would say that certain businesses could be in certain areas.

Mr. Dalton stated that the Board could put limits on the time, place, and manner of where things could be done or items sold.

Mr. Early asked if the Public Hearing to discuss this was different from what would be discussed in a zoning Public Hearing. He stated that the Ordinance needed to be tweaked to meet Carroll County's needs. He suggested that the Board review the Ordinance and make suggestions to Mr. Dalton. He then asked if the Supreme Court had not ruled on the freedom of speech and nudity.

Mr. Dalton told they had but this Ordinance applied to nudity in person.

Mr. Evans then discussed some letters pertaining to the Mayberry issue at the Airport. He told that a letter had come down from Terry Page with the FAA concerning federal funds that are needed for the Airport. He told that there was a motion by Mr. Tom Jones for the Airport Commission Chairman, Attorney, and the Airport Manager to go to Washington to discuss this with Mr. Page. He then discussed the possibility of an illegal meeting of Mr. Brown, Mr. Coomes, Mr. Bartlett, and others from the Commission. He told that the Airport Commission had 90 days to come up with a plan and 90 days to implement the plan and told that the FAA found no fault with Mr. Mayberry. He stated that the Board should hear about this through the County representative Dr. Littrell.

Mr. Evans then made a motion, with a second by Mr. Jones, to reduce the funding for the Airport to \$500 per month until the above issue is resolved to show the displeasure of the Board. The motion was later rescinded.

Mr. Early told that there were always two sides of every issue. He told that it was announced in a public meeting that the group was going to Washington. He told that Dr. Littrell would come and make a report to the Board. He stated that Congressman Boucher was involved with this issue and that solutions were being sought. He told that it would be more harmful to the Airport if funding were pulled and stated that the Commission was going to resolve the problem.

Mr. Jones asked if the money could be pulled back since it had been approved in the budget.

August 15, 2006

Mr. Evans stated that he did not know of any other way the Board had any control other than with the money.

Mr. Early stated that there were several things going on at the Airport such as an air show and two businesses that were flying in that were looking for a place to locate their business.

Mr. Evans told that he wanted to see the Airport run in a way to be inviting to the public and stated that this would not be seen without the FAA money.

Mr. Early told that the Commission was working on this and that they would not do anything to jeopardize the FAA funding.

Mr. Dalton told that before money was withheld from the Airport advice was needed from the auditor. He told that this month's check would go because it had been approved and suggested the motion could be renewed next month.

Mr. Evans stated that he would withdraw the motion until next month and stated he was not getting anywhere with the Airport. He encouraged the Board members to attend the Commission meetings. He then asked Mr. Larrowe to have a meeting with the managers of the other localities to discuss the problems at the Airport to determine what needed to be done to go forward.

Mr. Early told that there was a motion a few months ago that the Board voted down.

(Order)

APPROVE MANAGER'S MEETING –DISCUSSION OF AIRPORT ISSUES

Upon motion by Mr. Evans, seconded by Mr. Jones, and passed, the Board authorized Mr. Larrowe to meet with the managers of the other localities to discuss the problems at the Airport.

Notes: Mr. Early and Mr. Martin voted No on the above motion.

Mr. Martin stated that he objected to Fries being a part of this meeting if they were not contributing. He then asked where Mr. Mayberry lived and asked when the Pipers Gap District went to Galax and Independence. He stated that if as much time was spent on County business as it was on Mr. Mayberry and the Airport it would be good. He told that he knew several

August 15, 2006

members of the Commission and he had respect for them. He stated that nothing was accomplished by rehashing the Airport over and over.

Mr. Evans stated that what was accomplished would be known if the Airport did not get the FAA funding.

Mr. Martin told that the most damage done toward getting federal money was Carroll County not putting up the \$15,000 to get \$1.5M from Congressman Boucher.

Mr. Early commented about someone being concerned about federal funding who wouldn't put up \$15,000 to get federal funding. He stated that the managers meeting would serve no purpose. He stated that the Commission was working on a solution to the problem and that the representative would come to the Board to discuss this. He told that the new charter would tie representation to funding.

Mrs. Nichols asked when the Commission would have a decision.

Mr. Early stated that he was not on the Commission but he thought it would happen at the next meeting.

Mr. Evans commented about Mr. Early being able to give the time when this meeting would be held to discuss this and asked when this had been discussed. He told that he was just asking that people hired by the localities look into the issue.

Mr. Early told that there had not been any closed meetings to discuss the issue and told that it was his intuitive thinking that the Commission would come up with a solution.

Mr. Larowe commented that the other localities might not want this meeting.

Mrs. Myers suggested that Mr. Larowe meet with Dr. Littrell and also asked that Dr. Littrell attend the next Board meeting.

Mr. Evans told that he was not asking that Dr. Littrell be at all the Board meetings but that by phone or e-mail he notify the County Administrator of issues.

Mr. Early stated that the County had a \$60M debt and a \$60M budget and they were squabbling over \$25,000 for the Airport. He told that one individual had caused the problems and was the cause of wasted time by the Board. He stated that he had people who have told him they would not locate a business here due to what the Board has done and stated that the Board

August 15, 2006

should be ashamed. He then told that he objected to the way one Board member put pressure on another Board member during the vote.

Mr. Early told that a person running a profitable business in Galax had told him they would not place a business in Carroll County. He then told that he was waiting on answers as to why DMV or VDOT was not enforcing the laws on junk cars on the side of the road. He asked what was going on with placing cameras to look at roadside dumping.

Mr. Larrowe told that the Department of Forestry was still working on fire suppression.

Mr. Early asked what the new rates were for the Cannery.

Mr. Larrowe told that he had those in his office and reported that the Board would start getting a report on the Cannery.

Mr. Early made a motion, with a second by Mr. Martin, for Mr. Larrowe to come up with a plan to make the Cana Trash site break even. There was a tie vote on the motion with Mr. Early, Mr. Martin, and Mrs. Myers voting Yes and Mr. Evans, Mr. Jones, and Mrs. Nichols voting No.

Mr. Jones stated that the days should be looked at rather than the rates.

Mr. Evans stated that he was for this breaking even but that there were other departments such as recreation that were not breaking even. He stated that all aspects should be looked at where the County was losing money.

Mr. Early stated that recreation provides a service to the youth. He then told that a lot of promises were made when the Guynn property was purchased and asked when the trees would be planted and the fence built.

Mr. Larrowe told that this had been discussed with the IDA and that fall was the time to do this.

Mr. Early told that the Guynn's were promised the industrial park would be named the Guynn Industrial Park.

Mr. Larrowe stated that he was not aware of this.

Mr. Early stated that he had sent it to him in an e-mail. He told that he had a problem with something Corbin Stone had said about not recommending twice per year tax collection. He asked that Mr. Stone be at the next meeting to tell why it was not in the best interest of the County to collect taxes twice per year.

August 15, 2006

Mr. Evans stated that he had no desire to hear this again.

Mr. Early stated that this could be in person or in writing as to why he felt this way.

Mr. Larrowe stated that he would probably come but would charge for this whereas he might do it by letter or e-mail and probably would not charge.

Mr. Early told that on Saturday the Governor and Senator Allen had flown into the Airport. He told that his company opened their building for the pilots to lounge and was glad to do it but it was embarrassing that the Airport did not have facilities to show hospitality. He told that he went to the Poor Man's Dinner and not another one from this Board was there while other localities had their members there. He told that it was a wonderful event that should be attended. He then stated that the Board should fund the Twin County Chamber of Commerce and told that they would not help Carroll County at this time.

(Order)

AUTHORIZE COMPREHENSIVE PLAN TO INCLUDE PROVISION FOR ZONING

Upon motion by Mr. Early, seconded by Mr. Martin, and passed, the Board directed the Planning Commission to complete the Comprehensive Plan including a provision for a zoning ordinance.

Notes: Mr. Evans and Mr. Jones voted No on the above motion.

Mr. Evans asked if the Planning Commission would be asked to spend a lot of time again redoing the Plan.

Mr. Newman responded that if it was not completed in one meeting it would be in two meetings.

Mr. Evans stated that this would be delegating what can be done and where.

Mr. Dalton told that there were layers of zoning. He told that if a zone was industrial all things below that could be done. He told that if a zone was residential that things above that could not be done unless it was re-zoned.

Mr. Early stated that he was only asking that a provision be in the Plan and then the Board would go through the education process to discuss the pros and cons of zoning.

August 15, 2006

(Order)

APPROVE CHILDREN AT PLAY SIGNS

Upon motion by Mr. Martin, seconded by Mrs. Myers, and passed unanimously, the Board authorized the placement of Children At Play signs on Route 52 at 9415 Popular Camp Highway and 10,100 Popular Camp Highway, and at the intersection of Evergreen Street and Edgewood Drive and the intersection of Maple and Lynn Street, with funds taken from the secondary road construction funds.

OLD DUGSPUR SCHOOL

Mrs. Myers stated that something needed to be done concerning the old Dugspur school building and asked that the Committee meet again. She told that she would like to have Mr. Martin on this Committee. She then told that guardrail or posts needed to be put on Water Plant Road.

(Order)

ADJOURNMENT

Upon motion by Mrs. Myers, seconded by Mr. Jones, and passed unanimously, the Board adjourned at 3:40 p.m. until their next regular monthly meeting.

Sharon F. Nichols, Chairman

Ronald L. Newman, Assistant Clerk