

December 12, 2006

The Carroll County Board of Supervisors held their regular monthly meeting on Tuesday, December 12, 2006 in the Board Meeting Room of the Carroll County Governmental Center.

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

Mrs. Myers called the meeting to Order at 9:08 a.m. and asked Mr. Hutchins to lead in prayer and the pledge of allegiance.

(Order)

#### **APPROVAL OF MINUTES**

Upon motion by Mr. Martin, seconded by Mr. Jones, and passed, the Board approved the minutes of their regular meeting held on November 9, 2006 and a joint meeting with the Carroll County Planning Commission held on November 9, 2006 as previously distributed to the members of this Board by its Clerk and as recorded in Minute Book No. 24 in the County Administrator's Office.

(Order)

#### **APPROVAL OF PAYROLL**

Upon motion by Mr. Martin, seconded by Mr. Jones, and passed unanimously, the Board approved the payroll for November 2006 and did authorize the Chairman and Clerk, along with Bonita M. Williams, Treasurer, to sign on the 15<sup>th</sup> and 29<sup>th</sup> days of December 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 CLEANING CONTRACT**

Upon motion by Mr. Evans, seconded by Mr. Hutchins, and passed unanimously, the Board approved the cleaning contract between Carroll County and the Southwestern Virginia Training Center.

December 12, 2006

(Order)

**ADOPT ENTREPRENEURSHIP PROCLAMATION**

Upon motion by Mr. Evans, seconded by Mr. Hutchins, and passed, the Board adopted the following Entrepreneurship Proclamation proclaiming February 24<sup>th</sup> through March 3, 2007 as Entrepreneurship Week:

- WHEREAS, Entrepreneurship is vital to Virginia's growth and prosperity; and
- WHEREAS, Most of the new jobs created throughout the United States in the past decade have come from the creative efforts of entrepreneurs and small business; and
- WHEREAS, The Partnership for the 21<sup>st</sup> Century Skills identified entrepreneurial literacy skills as one of the 21<sup>st</sup> century content areas critical to success in communities and workplaces; and
- WHEREAS, More than 70% of young Americans envision starting a business or doing something entrepreneurial as adults; and
- WHEREAS, A broad coalition of partner organizations in Virginia and throughout the United States are actively engaged in enhancing entrepreneurial opportunities through collaboration and cooperation with the National Consortium for Entrepreneurship Education; and
- WHEREAS, Encouraging youth to be excited about entrepreneurship, and working to expand the knowledge, skills and attitudes of Virginia's youth and adults to be SUCCESSFUL entrepreneurs are critical to the long-term growth of local communities, the state and the nation; and
- WHEREAS, Virginia's Career and Technical Student Organizations offer an array of programs, activities, and competitive events focused on entrepreneurship; and
- WHEREAS, The United States House of Representatives resolved to recognize the first annual National Entrepreneurship Week commencing in February on February 24, 2007; and
- WHEREAS, EntrepreneurshipWeek USA provides and opportunity to focus on the innovative ways in which entrepreneurship education can bring together the core academic, technical and problem solving skills essential for future entrepreneurs and successful workers in future workplaces:

December 12, 2006

NOW, THEREFORE, we, Carroll County Board of Supervisors, DO HEREBY PROCLAIM February 24<sup>th</sup> through March 3, 2007 as Entrepreneurship Week Virginia

IN WITNESS WHEREOF, I have hereunto set my hand, and cause the Great Seal of the State of Virginia to be affixed this \_\_\_\_\_ day of February, in the year of our Lord Two Thousand Seven.

(Order)

**APPROVE COUNTY DECAL DESIGN**

Upon motion by Mr. Evans, seconded by Mr. Hutchins, and passed unanimously, the Board approved using the "Blazing New Business Trails" logo on the County Decals beginning in 2007.

(Order)

**APPROVE EMPLOYEE CHRISTMAS BONUS**

Upon motion by Mr. Evans, seconded by Mr. Hutchins, and passed unanimously, the Board authorized an Employee Christmas Bonus of \$50.00 each for both full time and permanent part-time employees. The total amount for the bonuses would be \$3400.00.

(Order)

**APPROVE LINE ITEM TRANSFER**

Upon motion by Mr. Evans, seconded by Mr. Hutchins, and passed unanimously, the Board approved the transfer of \$6448.22 from Animal Control line item 035010-6000 to Maintenance line item 043130-5410 for repairs at the animal shelter.

(Order)

**APPROVE SHERIFF'S OFFICE LINE ITEM TRANSFER**

Upon motion by Mr. Evans, seconded by Mr. Hutchins, and passed unanimously, the Board approved the transfer of \$150.00 from the Carroll County Sheriff's Office line item 031020-4300 Central Purchasing to line item 031020-7005 Drug Dog/DARE.

(Order)

December 12, 2006

**APPROVE SHERIFF'S OFFICE ADDITIONAL APPROPRIATION**

Upon motion by Mr. Evans, seconded by Mr. Hutchins, and passed unanimously, the Board approved appropriating \$10,000 to Sheriff's Office line item 031020-1039 DUI & DEA Compensation as funds expected to be received from DEA Compensation.

(Order)

**APPROVE INCLUDING ABSTRACT OF VOTES IN MINUTES**

Upon motion by Mr. Evans, seconded by Mr. Hutchins, and passed unanimously, the Board approved including the Abstract of Votes cast in the County of Carroll, Virginia at the November 7, 2006 General Election in the minutes for December 12, 2006.

(Order)

**APPROPRIATE CARROLL EMS SALARY REIMBURSEMENT**

Upon motion by Mr. Evans, seconded by Mr. Hutchins, and passed unanimously, the Board approved appropriating the reimbursement for salaries received from Carroll EMS to the following Emergency Services line items:

035050-1001	Salaries	\$20,511.36
035050-2001	FICA	\$ 2,141.34
035050-2002	VRS	\$ 5,787.14
035050-2006	VRS Insurance	\$ 700.68
035050-2010	Health Insurance	\$ 8,059.20

(Order)

**APPROVE SOCIAL SERVICES LINE ITEM TRANSFER**

Upon motion by Mr. Evans, seconded by Mr. Hutchins, and passed unanimously, the Board approved the transfer of \$167.10 from Social Services Undistributed VPA Expenses line item 053020-5799 to VPA PR Processing Fee line item 053020-5899.

(Order)

**APPROPRIATE SURPLUS AUCTION PROCEEDS TO VEHICLE PURCHASE**

December 12, 2006

Upon motion by Mr. Evans, seconded by Mr. Hutchins, and passed unanimously, the Board approved appropriating \$2900.00 received from the surplus auction to Vehicle Purchase line item 011010-9020.

(Order)

**APPROVE CARROLL EMS TRANSFER**

Upon motion by Mr. Evans, seconded by Mr. Hutchins, and passed unanimously, the Board approved the transfer of \$29,760.19 from Carroll EMS line item 032030-7007 to Emergency Services Salaries & Wages line item 035050-1001.

(Order)

**APPROVE BOARD RESERVE LINE ITEM TRANSFERS**

Upon motion by Mr. Evans, seconded by Mr. Hutchins, and passed unanimously, the Board approved the transfer of \$30,000 from Volunteer Fire Department Equipment Loan line item 032020-7003 to Board Reserve line item 011010-7006, and did approve the transfer of \$22,548.18 from Board Reserve line item 011010-7006 to the following line items:

012020-2006	VRS Insurance	\$800.58
012020-3005	Maint. Of Equipment	\$1,154.32
012030-2006	VRS Insurance	37.66
012040-3003	Legal Fees – Other	113.50
012050-2006	VRS Insurance	49.92
012090-2006	VRS Insurance	574.48
012100-2006	VRS Insurance	137.02
012130-2006	VRS Insurance	158.54
013020-1003	Salaries & Wages Part Time	85.25
013020-2006	VRS Insurance	63.60
021010-2006	VRS Insurance	22.60
022010-2006	VRS Insurance	200.04
022020-2006	VRS Insurance	32.22
022020-5803	Workshop Registration	222.00
031020-2006	VRS Insurance	1,936.10
034010-2006	VRS Insurance	730.92
035010-2006	VRS Insurance	29.20
035010-5504	Travel Expense	95.29
042020-2006	VRS Insurance	180.38
042030-5415	Miscellaneous	91.60
043010-2006	VRS Insurance	80.50
043110-2006	VRS Insurance	159.74
043160-2006	VRS Insurance	593.40

December 12, 2006

071010-2006	VRS Insurance	47.34
071010-5103	Water for Office	21.00
071050-5101	Electrical Services	176.88
073020-2006	VRS Insurance	37.18
073020-5604	Payments to Reg. Library	13,603.73
083060-2006	VRS Insurance	88.20
091500-5799	Undist. General County Cks.	866.00
091500-5899	Credit Card Fees – Wachovia	158.99

(Order)

### **APPROVAL OF CLAIMS**

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board approved the County General Claims as presented this day and as evidenced by check numbers 83679-83873 and the Carroll County Industrial Development Authority claims as presented this day and as evidenced by check numbers 1659-1660.

Mr. Early stated that when the lodging tax was increased it was designated for tourism and told that he would like to see a report showing what has come in and where it is going in tourism.

Mr. Larrowe stated that it was shown in the budget where the money was going in tourism and the proposed lodging tax revenue was shown.

### **CITIZENS TIME**

Mr. Ray Melton stated that he was speaking on behalf of all senior citizens and asked that a letter be drafted to the SCC opposing the electric increased. He told that he owned two places and at one the bill had gone from \$62 to \$98 and at the other had gone from \$21 to \$113.

(Order)

### **MOUNT ROGERS COMMUNITY SERVICE BOARD APPOINTMENT**

Upon motion by Mr. Martin, seconded by Mr. Evans, and passed unanimously, the Board appointed Mr. Nathan Lyons to the Mount Rogers Community Services Board for a term beginning January 1, 2007 and ending December 31, 2009.

December 12, 2006

Mr. Larrowe told that there was interest from Mississippi in Cana Rescue 5. He recommended pricing this unit at \$145,000 and responding to the RFP issued from Mississippi.

(Order)

**AUTHORIZE DISPOSITION OF CANA RESCUE 5**

Upon motion by Mr. Evans, seconded by Mr. Jones, and passed unanimously, the Board authorized disposition of Cana Rescue 5 at a price of \$145,000.

Mr. Larrowe informed the Board that Mr. Dallas Garrett was working with 105 companies and stated that the goal had been 100 companies.

Mr. Larrowe told that the fence had been built on the Guynn property and that the tree bid was ready to go out. He told that he had visited the Guynn's concerning the signage and they were interested in a small sign on the property that had been purchased from them rather than the entire industrial park.

Mr. Larrowe then told that there had tremendous sickness but that the turnout had been good for the legislative dinner on November 30. He told that there was more participation than expected for the Crooked Road Christmas craft show and concert. He told that the Crooked Road kiosk was now in place at Harmon's and explained that for people to use it they pull up to it and turn their radio to the station and it gives information on the Crooked Road. He then told that 22 people had attended the broadband 101 meeting.

Mr. Larrowe told that DHCD had awarded a \$100,000 Community Technology Planning Grant for Carroll County, Grayson County, Galax, and Crossroads. He told that associated with that was a \$40,000 grant for non-traditional economic development and stated that Carroll County, Grayson County, and Galax would each contribute \$5000 over the next two years as the match for this grant. He told that the Regional Industrial Facilities Authority seemed to be the place to house these grants. He told that RIFA was looking to increase their activities significantly and told there would be a meeting on December 15 at Crossroads. He told that Carroll County seemed to have the ears of Richmond, the Governor, and the Secretary of Commerce and Trade. He told that DHCD had asked that Dr. McBride be a member of RIFA due to his involvement with Crossroads and he asked the Board's recommendation.

(Order)

**APPOINT DR. OLIVER MCBRIDE –REGIONAL INDUSTRIAL FACILITIES AUTHORITY**

December 12, 2006

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board appointed Dr. Oliver McBride to the Regional Industrial Development Authority.

Mr. Larrowe told that he and Mr. Hutchins would be meeting with EDAC on December 13 to discuss document management, told that there would be a Waste-to-Energy meeting on December 18 at 9:00 a.m. in the conference room, and told that the next Board meeting would be January 9, 2007.

Mr. Early thanked VDOT, DMV, and the Administrator's Office for looking into the complaint at Laurel Fork and told that as far as he was concerned that had come to an end.

Mr. Martin stated that it was a sad day when VDOT has to regulate junkyards when they don't have the money to work on secondary roads.

#### **HILLSVILLE EMS**

Mr. Joe Roma, Emergency Services Coordinator, told that he had met with the Hillsville Town Manager and they had reached an agreement on mutual aid. He told that the Town has agreed to pay any costs associated with getting Hillsville Rescue Squad back up and have agreed to pay \$3000 toward radio maintenance.

Mr. Evans asked if Mr. Roma was comfortable with this agreement.

Mr. Roma replied that it was a good agreement.

Mr. Dalton asked if the agreement spelled out protocol.

Mr. Roma told that Hillsville would get two 30-second tones and then the call would go to Carroll EMS. He told that the Town had agreed to the protocol with ALS1000 and that since Hillsville would not be billing this would allow Carroll EMS to bill for ALS1000. He told that if a Carroll EMS ambulance responds and a patient is transported it will be on the Carroll EMS ambulance.

It was Board consensus to adopt the Agreement.

Mr. Martin told that he had people asking why Mr. Roma was going to all the calls. He told that he had an employee at HES needing help and Mr. Roma had responded. He stated that the complaints are full of bologna. He told that Mr. Roma was there to help and that he appreciated him being there.

December 12, 2006

Mr. Early told that he was concerned with the speed of emergency vehicles in Town. He told that at the bottom of the hill going toward the VFW the vehicles were traveling in excess of 60 mph. He stated that they were running too fast and that he was concerned someone was going to get killed.

Mr. Roma told that he would look into this.

Mr. Evans told that Mr. Roma had given suggestions concerning EMS and that the Board should set a work date to go through those suggestions.

Mr. Early asked why this could not be done at the next meeting.

Mr. Roma stated that it would take a long time.

It was Board consensus to hold a meeting on January 16, 2007 at 5:00 p.m. to review the suggestions for EMS.

Mr. Larrowe informed the Board that VACo had brought back a figure for the wrecked ambulance and told that Libby Lineberry was looking at the cost of an ambulance to replace the one that had been wrecked.

Mr. Roma told that VACo had discussed between \$84-85,000.

#### **BUILDING OFFICIAL APPEALS COMMITTEE**

Mr. Hutchins presented the Board with a copy of USBC Section 119 and suggested that this be used as the guidelines for the Building Officials Appeals Committee and suggested that this committee be appointed at the next meeting.

Mr. Early asked why the appointments could not be made now.

After discussion, it was Board consensus to wait until next month to make the appointments to the Building Official Appeals Committee.

Mr. Evans asked if Mr. Dalton could review this section and make recommendations.

Mr. Dalton told that he had reviewed this section and that there had to be at least 5 members with one member to be an experienced building, one to be an RDP, and one to be an experienced property manager.

Mr. Hutchins stated that the Board did have the option of contracting with another locality that has a Committee.

#### **BUSINESS APPRECIATION**

December 12, 2006

Mr. Martin stated that small businesses were the heart of the community and the nation.

Mr. Larrowe announced that the Board would be honoring V & H Heating and gave the following history:

### V & H Heating

V&H Heating was established in January of 1971 by Larry Hill and his father Clyde Hill at the Corner of Woodlawn Road and Coulson Church Road in Woodlawn. After 35 years in business the business is still in the same location. In the beginning, operations were installing and repairing oil furnaces, guttering and plumbing. After Clyde Hill retired and sold his stock to Larry in the mid 80's, the plumbing was phased out and the guttering was phased out in the early 90's.

In the late 70's V&H began installing and repairing heat pumps and air conditioners. Mr. Hill is pleased that he has been a GE Trained Dealer since the early 70's and only installs quality equipment.

The business employees 11 people including Larry's wife Linda who joined the firm in October of 1978 and also their daughter Candi who joined in August 2002. Harvey Smythers has been employed by the Company since 1976.

Larry is very proud of his employees and the excellent quality and efficiency of work that they do for the Company.

Mr. Larrowe presented Mr. Larry Hill with a Certificate of Appreciation.

Mr. Larrowe then announced that the Board would be honoring The Dawn Auction Company and gave the following history:

### **The Dawn Auction Co. Inc.**

The Dawn Auction Co. began in 1978 as a partnership with Richard Alderman & Dennis Ward. A lot of people have asked over the years how the Company got its name. Richard and Dennis were standing in front of a Bank early one morning to open an account where they borrowed money and needed to make a

December 12, 2006

decision on what name to use for the account. They determined that it was a “new business” and the “dawning of a new day” thus The Dawn Auction Co.

The first auction conducted was a Bankruptcy liquidation of Bluefield Church Furniture Co. in Galax, VA The auction was conducted with borrowed equipment, no experience, very little knowledge and was successful by the grace of God. Dwight Compton a young attorney new in town was the Bankruptcy Trustee and did not know better than to give the auction to these young fellows.

Some years later Dennis bought out Richard’s interest in the Company and it is now a corporation. The Company has 12 employees several of which are part time. The Company has been blessed over the years to assist local Schools, Civic Organizations and individuals with Fund Raising efforts in excess of \$600,000.

Mr. Larrowe presented Mr. Dennis Ward with a Certificate of Appreciation.

Mr. Larrowe then announced that the Board would be honoring The Carroll Christmas Fund and gave the following history:

#### The Carroll Christmas Fund

At the Dawn Auction Co., Inc. annual meeting in 1997 the employees decided that they would like to do something to give back to the community. It was then that the idea of The Carroll Christmas Fund began to provide food boxes for families who were less fortunate at Christmas. That first year they were able to deliver 64 boxes to needy families in our area. In the past 9 years it has been incredible how all parts of the community come together including churches, fire departments, rescue squads, boy/girl scouts, civic organizations, businesses, individuals to make this possible. Last year in 2005 the Carroll Christmas Fund delivered food to over 330 families and provided food, clothes, etc. to over 450 children.

Mr. Larrowe presented Mr. Dennis Ward a Certificate of Appreciation.

#### **PUBLIC HEARING – LAND TRANSFER TO IDA**

Mrs. Myers called the Public Hearing to Order at 10:08 a.m.

Mr. Larrowe explained that the Recreation Department needed upgrading and that there had been discussion on how to do this. He stated that this land had commercial value. He told that the process could be expedited if the land was transferred to the IDA and stated that this was the intent of this transfer. He then opened the floor for comments.

December 12, 2006

Mr. Robin Whittington, Chairman of the Carroll County Recreation Commission, told that he wanted to make sure it was known that the Recreation Commission has no objection to moving the park. He told that the ball fields were not handicap accessible and that the pool needed work. He told that the Commission would like to make sure that the County received a decent price for the property and did not give it away. He told that the money should be kept to have a better recreation facility. He told that this would help tourism as parents and grandparents came to watch the children and stated that if they came from far enough away they would stay in the motels and eat at the restaurants. He told that the Commission would like to hire a consultant pretty soon to determine what needs to be built.

Ms. Connie Beamer stated that she was represented a group of citizens of Carroll County. She read the following:

Public Notices were Not LISTED ON INTERNET on Chillsnet, Galax Gazette or Carroll News or the Parks & Recreation Department Website. We believe that the reason being is they didn't want opposition on the subject.

The Dec 1<sup>st</sup> Public Notice was so vague that no one would have questioned what the transfer was about to start with. They would have thought that the transfer was a legality. Not that it was being dissolved and tax payers money was being squandered and or used for other personal gain such as the case with Amerlink.

This public hearing is being held on Tuesday morning at 10:00 AM when the vast majority of CC Tax Payers affected by such a motion are at their work place and unable to attend doesn't show that our Board of Supervisors are doing what is in the best interest of the Public. Not to mention that this is being held in the dead of winter when the ball fields are not in use and we can't easily reach those 5000 plus citizens directly affected by their use of this facility.

This discussion should be tabled to a future date, time and location where more citizens will have the opportunity to view their opinions and feelings on how this should be handled and to a room that holds more than 50 people.

Some money from the sale of this property could be set aside to cover expenses such as surveys, advertising the property for sale, topography maps and a Certified Commercial Appraisal of the property to help the IDA or County Maximize their profit potential from the sell of this land. However the Citizens feel that the remainder of the proceeds should be set aside exclusively for the construction of New Parks & Recreation Facilities throughout the County to better serve our families and those with special or handicapped needs.

December 12, 2006

The following are some suggestions which have been brought to my attention by citizens for areas which they feel would be suitable for New Parks & Recreation areas.

The property located behind the existing St. Paul School Grounds which joins HWY 52, the Old Sylvatus School which was supposed to become a Community Center but never has and the Lambsburg Community Center which has very old out dated and unsafe playground equipment and has adequate room for Ball Fields.

There are several other pieces of property located throughout Carroll County in Woodlawn, Laurel Fork, Fancy Gap, Dugspur and Pipers Gap just to name a few which would be available or possibly could be donated to serve the communities those citizens are located in.

The Citizens feel that there should be a group of Citizens formed to oversee these projects and to ensure a safety net for how the spending of this money is handled. Someone needs to hold the County or the IDA Board accountable for these funds so they do not get misappropriated as has been the case with so many of our County assets in the past.

With no one else to speak, the Public Hearing was Closed at 10:15 a.m.

Mr. Jones stated that a new recreation park was needed and that it would be good for all districts to have one.

Mr. Martin told that he had not heard anyone on the Board say anything negative about recreation. He told that this made it easier to relocate the recreation park and that the Board was trying to look down the road.

Mr. Evans told that he agreed with Mr. Martin. He told that it was the Board's intention to move forward and told that something nice was needed that was beyond Felt's Park and something that could hold large crowds. He told that a plan was needed and asked that the Recreation Commission come forward with a plan. He told that the County needed to start with one facility but needed to look at all districts. He told that he agreed that citizens should be involved with oversight.

(Order)

**APPROVE TRANSFER OF PROPERTY TO INDUSTRIAL  
DEVELOPMENT AUTHORITY**

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board approved the transfer to the Carroll County Industrial Development Authority of real property adjacent to the farmer's market retail

December 12, 2006

area and being a portion of tax map number 82-A-65B located at the Southwest Virginia Farmer's Market but not including the current farmer's market retail operations, and real property identified as tax map number 82-A-62 located on Farmer's Market Road and being further known as the Carroll County Recreation Park and Old Social Services Building site.

Mr. Early told that he agreed basically with what had been said and stated that this was long overdue. He told that he wanted to see a world class facility and to look at satellite facilities.

Mr. Larry Collins, Recreation Park Director, told that what was needed was ball fields, playgrounds, and walking areas.

Mr. Jones commented that Saint Paul needed lights.

Mr. Collins told that at least one field at each site needed lights.

Mr. Hutchins told that Brush Creek needed something.

Mr. Early stated that a study needed to be done and that some money from the sale needed to be earmarked for this study.

Mr. Evans agreed that a study was needed.

Mr. Larowe informed the Board that the IDA had voted to accept the property and had approved an aerial topography and engineering study to be done on the property. He told that action was well underway to do things that would create money that could be used toward a new facility.

Mr. Manus McMillian, PTO President at Saint Paul, told that the children at Saint Paul had worked hard to raise funds to purchase playground equipment. He told that he had coached so he knew what ball fields and picnic shelters mean to an area. He stated that very few people knew the impact of this hearing and told that he had 300 signatures on a petition and these people were concerned that plans be had for a new facility. He asked if there would be a 2 year lag before there would be grass on the fields and stated that it takes time to do things. He told that he did not want a void in time between when one facility was done away with and another built. He told that the children at Cana have done without for a long time. He stated that the Recreation Park was a valuable piece of property and asked if an appraisal had been done so the County would know what it was selling or giving away. He told that there needed to be accountability for what was being done and that there needed to be a plan. He told that the goal was for the betterment of the taxpayers. He stated that everyone has a valuable stake in this and that it did not need to be handled lightly.

December 12, 2006

(Order)

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

Upon motion by Mr. Martin, seconded by Mr. Hutchins, and passed unanimously, the Board convened a Closed Session at 10:35 a.m. until 11:03 a.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 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 Mr. Martin, seconded by Mr. Hutchins, 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 this 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**

(Order)

**AUTHORIZE LETTER TO STATE CORPORATION COMMISSION**

December 12, 2006

Upon motion by Mr. Evans, seconded by Mr. Jones, and passed unanimously, the Board authorized writing a letter to the State Corporation Commission showing discontent with the recent rate increase.

Mr. Evans presented an updated Sexually Oriented Business Ordinance and told that this was a better Ordinance than what the Board had looked at before and stated that over time changes could be made.

Mr. Dalton stated that the Board was concerned about adult businesses. He told that people have a right to sell books and magazines, and to show movies and told that the Board did not want to infringe on people's rights but stated that they could regulate the time, place, and manner these things are shown. He told that the Ordinance the Board had last month just restated the Virginia Code and stated that the Ordinance from Roanoke County was better. He stated that several counties use an Ordinance similar to the one from Roanoke County.

Mr. Dalton reviewed the Ordinance and told that page 1 contained the things the Board was concerned about and the reasons for taking these actions which included protecting the health and well being of the citizens. He told that page 2 contained reasons and statistics and page 5 contained the definitions. He told that page 7 addressed the permit requirements and stated that he had met with the Commonwealth's Attorney, the Sheriff, and Mr. Evans and told that the Sheriff agreed that the permitting process should go through the County Administrator's Office. He told that page 9 concerned the revocation of a permit and that page 12 addressed the judicial review and inspection of the premises. He told that violations of this Ordinance would be a Class I misdemeanor. He told that the last two pages contained additional language that would be incorporated into the Ordinance.

Mr. Early asked if having a Zoning Ordinance would allow for placing limitations on the location of these businesses and address Mr. Evans' concerns about Churches and Schools.

Mr. Dalton told that his research had shown that in the absence of a Zoning Ordinance the Board could not limit the location but told that he is still reviewing this issue. He told that if there were a Zoning Ordinance all the provisions of the Sexually Oriented Business Ordinance would apply and then the Board could state where these businesses were located.

Mr. Early told that this would take care of a lot of the concerns but told that many things get grandfathered when zoning is enacted.

Mr. Evans stated that he did not think the County would see zoning and told that something needed to be done.

December 12, 2006

Mr. Dalton agreed that this Ordinance was needed now by establishing some controls.

Mr. Early stated that the Ordinance regulates what the business can or cannot do but zoning would regulate the location of the business.

Mr. Jones commented that the \$500 fee should be raised to \$5000.

Mr. Dalton stated that he chose \$500 because that is what he had found as the highest amount in other localities Ordinances.

Mr. Hutchins asked if this was going to be the same permit fee for other groups.

Mr. Evans told that this was needed to put in some controls.

Mr. Dalton told that a business would be told that the County had an Ordinance when they called. He told that the Board had the right to set permit fees based on what is being done and what work goes into it.

Mr. Early asked that a clean copy be supplied to the Board before the Public Hearing.

Mrs. Myers asked that the Board receive a clean copy and then have the Public Hearing.

Mr. Evans commented that this had dragged on for a long time.

(Order)

**AUTHORIZE PUBLIC HEARING – SEXUALLY ORIENTED  
BUSINESS ORDINANCE**

Upon motion by Mr. Evans, seconded by Mr. Martin, and passed unanimously, the Board authorized holding a Public Hearing concerning the proposed Sexually Oriented Business Ordinance.

Mr. Hutchins asked if the Board could have a copy of the Ordinance by December 19.

Mr. Dalton replied that it would be out by then.

Mr. Early told that the Board had been given a copy of the Comprehensive Plan and stated that there needed to be a Public Hearing.

December 12, 2006

(Order)

**AUTHORIZE PUBLIC HEARING – COMPREHENSIVE PLAN**

Upon motion by Mr. Early, seconded by Mr. Evans, and passed unanimously, the Board authorized holding a Public Hearing at the next meeting concerning the adoption of the proposed Comprehensive Plan.

Mr. Early distributed copies of an article from the Winston Salem Journal concerning development in Ashe and Alleghany counties and told that this was coming to Carroll and Grayson counties. He told that the article discussed the need for zoning and told that the only thing separating Carroll County and zoning was educating the people about zoning. He told that this education process needed to be started.

Mr. Early then stated that the Board needed to appoint PSA members that are not Board members. He told that he was resigning from the PSA effective at 5:00 p.m. today and that he nominated Mr. Sam Terry as the Laurel Fork representative to the PSA.

Mr. Dalton stated that the Board needed to appoint someone to fill the unexpired term to December 31, 2007. He told that parliamentary procedure wise the Chair needed to entertain nominations.

Mr. Early stated that he had spoken with Mr. Terry and that he was willing to serve. He commented that Mr. Terry was a cornerstone to the community.

(Order)

**APPOINT MR. SAM TERRY – LAUREL FORK REPRESENTATIVE TO PSA**

Upon motion by Mr. Early, seconded by Mr. Hutchins, and passed, the Board closed nominations and appointed Mr. Sam Terry to the Carroll County Public Service Authority to fulfill the unexpired term of Mr. Early beginning December 12, 2006 and ending December 31, 2007.

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

Mr. Evans stated that the County was in the situation with Hillsville and that Mr. Terry's son sits on the Town Council and he would have a problem with that.

Mr. Martin stated that the budget would be coming up and asked that things be designated where the Board has no choice. He told that the Board needed to focus on the things they have control over. He told that Dr. Garrett was a key

December 12, 2006

guy involved with industry and stated that it was not known when he might hit a home run. He then told that he was looking at the New River/Mount Rogers Workforce Investment Board Annual Report and that Carroll County was similar to Galax and Grayson County.

Mr. Larrowe informed the Board that there would be a joint meeting with Galax and Grayson County during the first part of March.

Mr. Martin stated that the County was looking at different ways to go with solid waste. He told that Wythe County hauls their trash to Tennessee and stated that might work for Carroll County. He commented that someone like Hill's Trucking might haul the trash as they are going after a load of coal.

Mr. Martin then stated that citizens had told the Board there were problems with communication. He told that he done a survey at Hillsville Elementary and was told he wasn't communicating good. He stated that the Board needed to do a better job communicating with the citizens.

Mr. Hutchins told that when he was appointed he was asked if he was going to appoint someone to the PSA. He told that he had talked with Mr. Dalton and that Ms. Nichols term runs through December 31, 2007 and therefore he did not have an appointment.

Mrs. Myers wished everyone a Merry Christmas.

### **CARROLL COUNTY HISTORICAL SOCIETY**

The Board visited the Old Courthouse to tour the historic museum and have lunch provided by the Carroll County Historical Society.

Mr. Joe Pickett, Historical Society President, welcomed the Board and gave the following report of activities:

Welcome

Things are busy here at the Museum with various Projects underway. We have had on average 300 to 350 visitors a month at the Museum; and have found that about 70% of those are out of town.

We are beginning a project to develop programs for our school children.

We are currently participating in a Museum Assessment Grant. This will help us identify areas in which we need to improve.

We wanted to invite you for lunch and to see the Museum to show our appreciation for your support. Without your help this would be just another

December 12, 2006

empty building. We are excited about the future and look forward to working with you to preserve and present the rich heritage of the people who called Carroll County "Home".

(Order)

**ADJOURNMENT**

Upon motion by Mr. Evans, seconded by Mr. Hutchins, and passed unanimously, the Board adjourned at 1:30 p.m. until their next regular monthly meeting to be held January 9, 2007.

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Glenna Myers, Chairman

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Ronald L. Newman, Assistant Clerk