

May 12, 2008

The Carroll County Board of Supervisors held their regular monthly meeting on, May12, 2008 in the Board Meeting Room of the Carroll County Governmental Center.

Present were: W.S. "Sam" Dickson, Chairman
 David V. Hutchins, Vice-Chairman
 Andrew S. Jackson
 Wesley G. Hurst
 Dr. Thomas W. Littrell
 N. Manus McMillian
 Gary Larrowe, County Administrator
 Ronald L. Newman, Assistant Administrator
 James E. Cornwell, Jr., County Attorney

Mr. Dickson called the meeting to Order at 4:06 p.m. and asked Mr. Hutchins to lead in prayer and pledge.

Mr. Dickson told that VACO offers a program for Supervisor Certification and Mr. Hutchins is working on the last of the core classes. He told that Dr. Littrell has started the classes and told that they learn from the classes as well as other supervisors and it helps to know what other localities are doing. He told that Mr. Hurst and Mr. Jackson have searched out banking services that will save money and offer more services to the citizens. He told that it is a pleasure to work with a Board with diversified abilities.

(Order)

APPROVAL OF MINUTES

Upon motion by Dr. Littrell, seconded by Mr. Hurst, and passed unanimously, the Board approved the minutes of their regular meeting on April 14, 2008, minutes from a Special Meeting held on April 29, 2008, minutes from a Recessed Meeting held on April 30, 2008 and minutes from a Special Meeting held on May 6, 2008 as previously distributed to the members of this Board by its Clerk and as recorded in Minute Book No. 25 in the County Administrator's Office.

VOTES

Mr. Jackson Yes
Mr. Hurst Yes
Mr. Hutchins Yes
Mr. Dickson Yes
Mr. Littrell Yes
Mr. McMillian Yes

(Order)

May 12, 2008

APPROVAL OF PAYROLL

Upon motion by Dr. Littrell, seconded by Mr. Hurst, and passed unanimously, the Board approved the payroll April 2008 and did authorize the Chairman and Clerk, along with Bonita M. Williams, Treasurer, to sign on the 15th and 30th days of May 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.

VOTES

Mr. Jackson Yes
Mr. Hurst Yes
Mr. Hutchins Yes
Mr. Dickson Yes
Mr. Littrell Yes
Mr. McMillian Yes

(Order)

APPROVE BLIND CHILD SIGN

Upon motion by Dr. Littrell, seconded by Mr. Hurst, and passed unanimously, the Board approved placing a Blind Child sign on Epworth Church Road near the intersection of Dalton Drive in Cana.

VOTES

Mr. Jackson Yes
Mr. Hurst Yes
Mr. Hutchins Yes
Mr. Dickson Yes
Mr. Littrell Yes
Mr. McMillian Yes

(Order)

APPROVE PROCLAMATION – NATIONAL WOMEN’S HEALTH WEEK

Upon motion by Dr. Littrell, seconded by Mr. Hurst, and passed unanimously, the Board approved the following Proclamation declaring May 11 – May 17, 2008 as National Women’s Health Week:

May 12, 2008

Carroll County, Virginia
Proclamation

- Whereas, National Women’s Health Week was being initiated in the dawn of the new millennium by a coalition of public and private organizations dedicated to raising awareness of women’s health issues;
- Whereas, From that day forward National Women’s Health Week has occurred in the spring with an annual celebration held the week following Mother’s Day;
- Whereas, National Women’s Health Week is a celebration of women taking responsibility for their own health through greater knowledge and understanding;
- Whereas, National Women’s Health Week celebrates the efforts of national and community organizations working with partners and volunteers to improve awareness of key women’s health issues;
- Whereas, The Carroll County Board of Supervisors has chosen Carroll County, Virginia to officially launch our local efforts.

Now, therefore, I, ***Sam Dickson, Chairman*** on behalf of the ***Carroll County Board of Supervisors*** do hereby proclaim the week following Mother’s Day—Sunday May 11 through Saturday May 17, 2008—to be

NATIONAL WOMEN’S HEALTH WEEK

In the Carroll County, VA, I urge all citizens to participate in the activities planned hereforth.

In testimony whereof, I have hereunto set my hand and caused to be affixed the Seal of Carroll County, this 12th day of May 2008.

Sam Dickson, Chairman
Carroll County Board of Supervisors

May 12, 2008

VOTES

Mr. Jackson Yes
Mr. Hurst Yes
Mr. Hutchins Yes
Mr. Dickson Yes
Mr. Littrell Yes
Mr. McMillian Yes

(Order)

APPROVE PROCLAMATION – EMERGENCY MEDICAL SERVICES WEEK

Upon motion by Dr. Littrell, seconded by Mr. Hurst, and passed unanimously, the Board approved the following Proclamation declaring May 18- May 24, 2008 as Emergency Medical Services Week:

Carroll County, Virginia

EMS Week Proclamation

To designate the Week of May 18-24, 2008, as Emergency Medical Services Week

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

May 12, 2008

THEREFORE, I, *Sam Dickson, Chairman of the Carroll County Board of Supervisors, Carroll County*, Virginia in recognition of this event do hereby proclaim the week of May 18-24, 2008, as

EMERGENCY MEDICAL SERVICES WEEK

With the theme, EMS: Your Life is Our Mission and I encourage the community to observe this week with appropriate programs, ceremonies and activities.

In **Carroll County, VA**, I urge all citizens to participate in the activities planned hereforth.

In testimony whereof, I have hereunto set my hand and caused to be affixed the Seal of Carroll County, this 12th day of May 2008.

Sam Dickson, Chairman
Carroll County Board of Supervisors

VOTES

Mr. Jackson Yes
Mr. Hurst Yes
Mr. Hutchins Yes
Mr. Dickson Yes
Mr. Littrell Yes
Mr. McMillian Yes

(Order)

APPROVE RESOLUTION – NEW RIVER REGIONAL WATER AUTHORITY

Upon motion by Dr. Littrell, seconded by Mr. Hurst, and passed unanimously, the Board approved the following RESOLUTION APPROVING AN AMENDMENT TO THE SERVICE AGREEMENT AMONG THE NEW RIVER REGIONAL WATER AUTHORITY, CARROLL COUNTY, WYTHE COUNTY AND THE TOWN OF WYTHEVILLE:

RESOLUTION APPROVING AN AMENDMENT TO THE SERVICE AGREEMENT AMONG THE NEW RIVER REGIONAL WATER AUTHORITY, CARROLL COUNTY, WYTHE COUNTY AND THE TOWN OF WYTHEVILLE

May 12, 2008

It is hereby RESOLVED that:

1. An Amendment to the Service Agreement dated June 1, 2006 (the "Service Agreement") among the New River Regional Water Authority (the "Authority") and the County of Carroll, the County of Wythe, and the Town of Wytheville, and consented to by the Carroll County Public Service Authority, is hereby approved, to the end that it is recognized and agreed that

(a) the term "Initial Bonds" as used in the Service Agreement shall mean and include the Authority's \$13,565,000 Water System Revenue Bond, Series 2006, dated May 8, 2006, and, as and when issued, its Water System Revenue Bond, Series 2008, expected to be issued in June 2008 in an amount not to exceed \$2,300,000; and

(b) the date for the System to be operational is extended from June 30, 2008, to August 1, 2009.

Each of the Chairman and Vice-Chairman is authorized to execute and deliver the Amendment to Service Agreement, with such changes, insertions or omissions as may be approved by the officer executing the Amendment, whose approval shall be evidenced conclusively by the execution and delivery of the Amendment.

2. Each such officer is authorized to execute and deliver on behalf of the Authority such other instruments, documents or certificates, and to do and perform such things and acts, as he shall deem necessary or appropriate to carry out the transactions authorized by this resolution or contemplated by the Amendment, and all of the foregoing, previously done or performed by such officer, are in all respects approved, ratified and confirmed.

3. This resolution shall be effective immediately upon its adoption.

VOTES

Mr. Jackson Yes
Mr. Hurst Yes
Mr. Hutchins Yes
Mr. Dickson Yes
Mr. Littrell Yes
Mr. McMillian Yes

(Order)

May 12, 2008

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

Upon motion by Mr. Hutchins, seconded by Mr. McMillian, and passed unanimously, the Board convened a Closed Session at 4:14 p.m. until 5:55 p.m. for the discussion of personnel, for the discussion of disposition of real estate where public discussion would be detrimental to the County's position, for the discussion of a prospective business or industry where no public announcement has been made concerning the business or industry's desire to locate or expand in the County, and for the discussion of legal matters pertaining to threatened or pending litigation as authorized by Virginia Code Section 2.2-3711(A1), (A3), (A5), (A7).

VOTES

Mr. Jackson Yes
Mr. Hurst Yes
Mr. Hutchins Yes
Mr. Dickson Yes
Mr. Littrell Yes
Mr. McMillian Yes

(Order)

CERTIFICATION OF CLOSED SESSION

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

WHEREAS, the Carroll County Board of Supervisors convened a Closed Session this date pursuant to an affirmative recorded vote and on the motion to close the meeting in accordance with the Virginia Freedom of Information Act;

WHEREAS, Section 2.2-3711(D) of the Code of Virginia requires a certification by the Board of Supervisors that such Closed Session was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Carroll County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the Closed Session to which this certification applies, and (II) only such business matters as were identified in the motion by which this Closed Session was convened were heard, discussed, or considered in the meeting to which this certification applies.

VOTES

May 12, 2008

Mr. Jackson Yes
Mr. Hurst Yes
Mr. Hutchins Yes
Mr. Dickson Yes
Mr. Littrell Yes
Mr. McMillian Yes

CITIZEN'S TIME

Mr. Paul Lindsay told that he is here again because of an important issue to him. He asked the Board to make a decision rather than pass it on to the Court System. He told that he has reviewed and tried to find where the right of way is and he can't find it. He told that he doesn't know how the Board can maintain that the right of way is still active if no one knows where it is. He told that the Board is giving the neighbor who is vindictive the right to use the right of way and the neighbor had a chance to buy the property at fair market and didn't. He told that the neighbor has 1000 ft. access as well as off of Chantilly without using the 300 feet through the Lindsay property. He told that he is asking the Board to take responsibility of making a decision. He told that he came to Carroll County for peace and quiet. He stated that the neighbor does not need 300 feet that is his driveway when the driveway comes within 12 feet of his front door.

Mr. John Tandy told that he has been a neighbor for 10 years. He told that the Board has the authority and ability to abandon the right of way. He told that it would be a hardship on the Lindsay's if a short section is not abandoned. He told that during the prayer Mr. Hutchins asked God to help them do the right thing so he was asking the Board to do the right thing.

Mr. Clyde Easter told that he is here on behalf of the citizens concerning the tax increase. He told that the big numbers are very impressive and asked the Board to look at the expenditures and the income of the County and to see if the County can't tighten the belt and cut spending. He told that the citizens get the feeling that they are not represented or listened to and they have about had it with tax increases. He asked how much had been lost with Amerlink so far. He told that \$500,000 was discussed for doing a study on the schools and a farmer could tell what needs to be done. He told that if there was good maintenance on the buildings such as the high school the County would not need to replace them.

Mr. McMillian told that the Board has looked at the budget and made it a point to dissect many departments. He told that if there was money that could be cut that they cut it. He told that it is amazing that Carroll County is operating the way it is with the staffing in some departments. He noted that the Board did not approve the \$500,000 study money.

May 12, 2008

(Order)

BURIAL OF ANIMAL ORDINANCE

Upon motion by Mr. Hutchins, seconded by Dr. Littrell and passing unanimously, the Board approved to adopt State Code 18.2-510 Burial of Animals as a County Code.

VOTES

Mr. Jackson Yes
Mr. Hurst Yes
Mr. Hutchins Yes
Mr. Dickson Yes
Mr. Littrell Yes
Mr. McMillian Yes

WASTE INDUSTRIES

Mr. David Duke, Waste Industries, told that they have a need for a change in the commercial rate. He told that they have not increased commercial rates since 2004 and asked for a Public Hearing to consider an increase.

(Order)

AUTHORIZE PUBLIC HEARING

Upon motion by Dr. Littrell, seconded by Mr. Hurst, and passed unanimously, the Board authorized a Public Hearing for June 9th for an increase in commercial rates for Waste Industries.

VOTES

Mr. Jackson Yes
Mr. Hurst Yes
Mr. Hutchins Yes
Mr. Dickson Yes
Mr. Littrell Yes
Mr. McMillian Yes

(Order)

COURTHOUSE LEASE – HISTORICAL SOCIETY

May 12, 2008

Mr. Dwight Compton discussed Section 3 concerning breach of contract and discussed Section 10.1, the right to correct alleged breaches and discussed Section 14. He told that in April 2005 the Historical Society entered into a lease for 50 years for the Old Circuit Court Clerk's Office and wanted to make sure there are two leases and they are not both rolled into one.

Mr. Ron Hall told that the Historical Society does not ask for money but the Board pays for the heating and electricity. He told that they average about 5000 visitors per year and about 70% of those are out of state. He asked the Board to consider the minor modifications to the lease.

(Order)

APPROVE MODIFICATION TO COURTHOUSE LEASE

Upon motion by Mr. Hurst, seconded by Mr. Hutchins and passing unanimously the Board approved the minor modifications to the lease.

VOTES

Mr. Jackson Yes
Mr. Hurst Yes
Mr. Hutchins Yes
Mr. Dickson Yes
Mr. Littrell Yes
Mr. McMillian Yes

Notes:

Mr. Hutchins suggested 10.1 be for 30 days.

Mr. Hall told that they would have no problem with 30 days.

Mr. Dickson told that he appreciates the work that they do and the Board didn't really like the 50 year lease, but it was two different leases.

ADMINISTRATOR'S TIME

Mr. Larowe told that the budget process would start on July 7th for next year.

Ms. Smith told that the revenue and expense summaries show variances and they show the % for next year. She told that budget process would be revamped for next year.

May 12, 2008

Mr. Larrowe told that May is clean up month. He told that the Recreation property was shown on April 21st and the proposals are due on May 22. He thanked Dr. Littrell and Faye for holding the social at Old Crank's museum. He told that he attended the Broadband meeting at VA Tech and attended a Waste to Energy conference in Roanoke. Mr. Larrowe stated that he met with DGIF concerning the Crooked Creek Fee Fishing Area and also met with the Tobacco Commission. He told that he met with a group from Fancy Gap with Ward Armstrong in Fancy Gap concerning water and sewer. He told that Gerald Goad will be joining us again this year and he will graduate from VA Tech in December. He told the upcoming meetings. Mr. Larrowe told that Howard's Barber Shop would have their grand opening on May 22nd at 10:00 a.m. and that he would be in Central America from June 25 – July 4th.

SUPERVISOR'S TIME

Mr. Jackson thanked everyone for coming. He told that he thinks the Board is getting things done and going in the right direction.

Mr. Hurst thanked everyone for coming. He told that the Board is working hard on the budget and told that they do realize the responsibility and the accountability for spending. He asked Ms. Smith and Mr. Larrowe to look at the PSA banking system and told that they are working on getting infrastructure in place to offer services to citizens.

Mr. Hutchins thanked Carroll County for allowing him to participate in the Supervisor Certification. He told that he is pleased to know that the budget process will be starting early and told that it is important for the citizens to know what each cent on the tax levy is supporting. He told that it is great to have Gerald Goad back and suggested increasing his role. He told that he continually hears complaints about the apparent lack of consideration by the Health Department concerning well and septic permits and advises citizens to call their State Representatives. He told that he is passionate about the PSA meeting on May 21, but he may not be able to be there. He suggested that Mr. Larrowe turn off the internet and his blackberry while on his trip.

Dr. Littrell thanked the County for allowing him to go to the Supervisor Certification as well. He told that each locality has unique problems, but they also have common problems. He told that he has been on site of the right of way through the Lindsay property. He told that without records to indicate where the right of way is it would be hard to tell. He told that right now the driveway is in the path. He told that the Board has worked hard on the budget to save dollars and they are listening to the citizens. He told that he has had people tell him to raise the levy to allow for growth. Dr. Littrell asked that Mr. Goad make the Crooked Creek Fee Fishing Area more public since the County is running the concessions.

May 12, 2008

Mr. McMillian thanked everyone for coming and told that he appreciates the input and suggestions. He told that the Board is very open minded when it comes to doing what is right for the County. He told that the budget is not an easy task.

Mr. Dickson told that the Board has looked at the budget and is looking harder. He told that there is probably money that needs to be changed but that will be a different story with Ms. Smith working on it. He welcomed Gerald Goad back and told that he is expecting good things and told that he will keep the public informed.

OLD ROUTE 701 ABANDONMENT

A motion was made by Dr. Littrell and seconded by Mr. Jackson to abandon 300 feet on the Lindsay property.

VOTES

Mr. Jackson Yes
Mr. Hurst No
Mr. Hutchins No
Mr. Dickson Yes
Mr. Littrell Yes
Mr. McMillian No

Note: No action was taken due to the tie vote.

Mr. Hutchins told that this is a real problem, but it is not identifiable. He told that until the Board can identify it, they can't close it.

Mr. McMillian told that until he knew exactly where the right of way was that he can't feel right about voting for it.

(Order)

AIRPORT RESOLUTION

Upon motion by Dr. Littrell, seconded by Mr. Hurst and passing unanimously, the Board approved to adopt the following resolution:

VOTES

Mr. Jackson Yes
Mr. Hurst Yes
Mr. Hutchins Yes

May 12, 2008

Mr. Dickson Yes
Mr. Littrell Yes
Mr. McMillian Yes

Dr. Littrell stated that the Twin County Airport was formed by an Act of the General Assembly in 1964 and there are 7 commissioners.

**RESOLUTION REQUESTING THE TWIN COUNTY AIRPORT
COMMISSION
TO REVIEW CHARTER AND MEMBERSHIP**

WHEREAS, the Twin County Airport Commission was created and chartered in 1964 to provide air transportation to the region for commercial and economic opportunities and for recreation;

WHEREAS, the Twin County Airport and the Twin County Airport Commission have been an integral part in the economic development of the region in the past, for the present, and will have an even more important role for the future;

WHEREAS, the Carroll County Board of Supervisors recognize that the Twin County Airport Commission has made many positive strides toward airport improvements including widening the runway, re-paving the runway, establishing a partial back taxiway, installation of the fuel center, and attracting a corporate business hangar.

NOW, THEREFORE, BE IT RESOLVED, that the Carroll County Board of Supervisors, in an effort to be assured all steps are taken toward positive economic growth, ask the Twin County Airport Commission to conduct an analysis of its own governing structure including representation, monetary contributions, voting rights, and all other necessary functions; and

BE IT FURTHER RESOLVED, that the Carroll County Board of Supervisors request that the Twin County Airport report the results of this review to the Carroll County Board of Supervisors by October 1, 2008.

(Order)

May 12, 2008

ADJOURNMENT

Upon motion my Dr. Littrell, seconded by Mr. Hutchins, and passed unanimously, the Board adjourned at 7:00 p.m. until June 9, 2008 at 4:00 p.m.

W. S. "Sam" Dickson, Chairman

Ronald L. Newman, Assistant Clerk