

May 13, 2013

The Carroll County Board of Supervisors held their regular monthly meeting on, May 13, 2013 in the Board Meeting Room of the Carroll County Governmental Center.

Present were: David V. Hutchins
W.S. "Sam" Dickson
Dr. Tom Littrell
Joshua A. Hendrick
Phil D. McCraw
Ralph "Bob" Martin
Gary Larrowe, County Administrator
Jim Cornwell, County Attorney

Mr. Hutchins called the meeting to order at 3:31 p.m.

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

Upon motion by Mr. Dickson, seconded by Mr. Hendrick, and passing, the Board convened a Closed Session for the discussion of personnel, disposition of real estate, prospective business, investments, legal matter, as authorized by Virginia Code Section 2.2-3711(A1).

Mr. Cornwell explained the purpose for entering Closed Session as listed below. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board.

Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific

May 13, 2013

legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

CERTIFICATION OF CLOSED SESSION

Upon motion by Mr. McCraw, seconded by Mr. Dickson, and passing, 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

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

May 13, 2013

Mr. Dickson led in invocation and pledge.

Mr. Hutchins told that he attended the VACo Board Of Directors meeting last weekend and most members west of Charlottesville represents at least 7 to 10 localities and then you have places like Fairfax who have 4 members and Prince William has 2 members. He told that rural Virginia is often not represented.

(Order)

APPROVAL OF AGENDA

Upon motion by Mr. Hendrick, seconded by Mr. McCraw and passing, the Board approved the agenda as presented.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

APPROVAL OF MINUTES

Upon motion by Mr. Dickson, seconded by Dr. Littrell and passing, the Board approved the minutes of the meeting on April 8, April 15 and April 22, 2013 as previously distributed to the members of this Board.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

APPROVAL OF PAYROLL

Upon motion by Mr. Dickson, seconded by Dr. Littrell, and passed unanimously, the Board approved the payroll for May 2013 and did authorize the Chairman and Clerk, along with Bonita M. Williams, Treasurer, to sign on the 15th and 30th days of June 2013

May 13, 2013

of 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. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

CONSENT AGENDA

Upon motion by Mr. Dickson, seconded by Dr. Littrell and passing, the Board approved the Consent Agenda.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

SCHOOL

Mr. Hutchins told that not included in your packet is an additional appropriation consent item to appropriate additional funding to the school system and it reads; security upgrades to include front door camera systems located at the entrance of each school with a buzzer system, the monitor will be placed in the main office and shall have recording capability and swipe card access on selected doors that allow access to individuals with the access card. The system will also have ability to tell who accesses the building and when. He told that this is coming out of our county appropriation budget line item 5105000 for the sum of \$250,000 and that has already been discussed and the money had already been worked on.

Upon motion by Mr. Dickson, seconded by Dr. Littrell and passing, the Board approved an appropriation in the amount of \$250,000 for the security upgrades at the schools.

VOTES

Mr. Hendrick	Yes
--------------	-----

May 13, 2013

Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

SHERIFF'S ALLOCATION

Upon motion by Mr. Dickson, seconded by Dr. Littrell and passing, the Board approved an allocation in the amount of \$300 to be used to purchase drug literature for the DARE program.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

AIRPORT TRANSFER

Upon motion by Mr. Dickson, seconded by Dr. Littrell and passing, the Board approved a transfer of \$5521.52 from the Twin County Airport LGIP to the Twin County Airport.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

NATURAL GAS TRANSPORTATION RATE

Upon motion by Mr. Dickson, seconded by Dr. Littrell and passing, the Board approved the Natural Gas Industrial Transportation Rate below.

May 13, 2013

(Order)

EMS PROCLAMATION

Upon motion by Mr. Dickson, seconded by Dr. Littrell and passing, the Board approved the Proclamation below.

National EMS Week is May 19th - 25th and this year's theme is "EMS: One Mission, One Team". Emergency Medical Responders career and volunteer work as one team having responded to 5,092 emergency medical calls in 2012. This is an increase of 800 calls for service since 2011 averaging nearly 14 EMS calls each day that are responded to by both our career and volunteer personnel. All Carroll County EMS providers train many hours and perform as professionals working hard to provide adequate emergency medical services for our citizens. This proclamation is to recognize all emergency medical personnel who provide these services in Carroll County.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

PHASE III UPDATE – DENNIS COLE

Mr. Cole told that we have rejected the terrazzo floor at the High School and have asked the contractor to replace it. He told that the work on that will start around June 10th and they will also be doing some concrete work at the same time. He told that they are still working on warranty items and the final pay application is in.

Mr. Cole told that at the Intermediate School they have just finished reconciling the PO and tax information. He told that they have agreed to an amount to be paid back to us for the difference in three change orders that still remain out.

Mr. Hutchins told that we have talked about the HVAC and have looked for some funds. He told that we were in need of some drawings and he thinks that is in the works.

Mr. Cole told that the drawings are supposed to be ready next week and they we should have everything we need besides the money to go to bid.

HVAC – IDA

May 13, 2013

Upon motion by Mr. McCraw, seconded by Mr. Martin and passing, the Board approved to direct the IDA to move forward as quickly as possible with the HVAC and to appropriate the plan cost.

Mr. McCraw told that as everyone knows this is not going to be paying a new engineering plan, but updating what the current plan.

Mr. Dickson asked if we wanted to put an amount with this.

Mr. Hendrick replied it would just be for fixing the plans.

Mr. Larrowe told that the estimate on that would be approximately \$30,000. He told that most of that work is with engineering and not necessarily with architectural work. He told that is an estimate.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

Mr. Martin made a declaration that he is a Public School employee and does not affect him more than anyone else and he is able to vote conscientiously.

Mr. Dickson made a declaration that he is a Public School employee and does not affect him more than anyone else and he is able to vote conscientiously.

(Order)

EMPLOYEE RECOGNITION

Mr. Larrowe told that we have been working on the Natural Gas and in the process we have also been working with the State Corporation Commission who highly suggested and warranted that we needed a pipeline manager. He told that we put out a position description that was almost unachievable with the amount of expertise that was necessary. He told that we did have some applicants for that and have the person that was chosen with us today, Mr. Earl Hagee. He told that Mr. Hagee started working when he was 12 and has 19 years of experience in utility construction all over the Commonwealth. He told that he is certified and we are very proud to have Earl. He told that he has more knowledge of the gas line project than anyone and he has been in the trenches because he was working for the contractor that was putting the line in. He told that he and Mr. Hagee met with the State Corporation Commission this past week. He told that Mr. Hagee will end up doing very well for us.

May 13, 2013

Mr. Hagee told that he is a native of Pulaski and it is good to be able to stay home and work for a change. He told that he has traveled since he got out of high school so it will be great to be on this side of the fence post for a change. He told that he greatly appreciates the opportunity to work for Carroll County.

Mr. Hutchins told that he appreciates it and welcome aboard.

LOOSE ANIMAL ORDINANCE

Mr. Cornwell told that this is not an ordinance about dogs and cats. He told that this would affect animals that are trespassing such as cows, goats, sheep, etc and also from roaming on public highways. He told that this does not apply until the owner has a second violation. He told that he drafted it to see if you wanted to go to Public Hearing or not.

Dr. Littrell asked if there is a time limit between the offenses.

Mr. Cornwell told that he did not place one in there but you could consider doing that. He told that it would be hard to keep up with that.

Dr. Littrell asked if it is two different animals do you still get a ticket.

Mr. Cornwell told that if your cow gets out the first time and your horse gets out the second time you still get a ticket.

Mr. Martin asked if it was better to go in this direction than it would be to go fence out/fence in.

Mr. Cornwell told that the Animal Control Officer was looking for some way to do this instead of the fence in/out.

Upon motion by Mr. Martin, seconded by Mr. Hendrick and passing, the Board approved to hold a Public Hearing on the Loose Animal Ordinance on June 10, 2013 beginning at 5:30 p.m. or as soon thereafter as possible.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

Mr. Martin told that there is a good chance that this will be like what happened in Shorts Creek several years ago when a cow got out and got hit and nobody claimed it.

(Order)

SIX YEAR ROAD PLAN PUBLIC HEARING

A Public Hearing on the 2013-2014 Secondary Construction Budget Priority List and Six-Year for fiscal years 2013-2014 to 2018-2019 for Carroll County was held at the Carroll County Governmental Building on March 13, 2013. The public hearing was opened at 5:32 pm.

Public Hearing was opened with Mr. Dan Huff serving as moderator, with the following opening remarks:

This hearing is being held today, March 13, 2013, at 5:32 P.M., in accordance with Housebill 1041 passed by the 1977 session of the General Assembly and in specific, Section 33.1-70.01 Code of Virginia, which requires the joint effort of the County Officials and the Department of Transportation personnel for the tentative commitment of estimated available secondary construction funds, beginning with Fiscal Year 2013-2014. A copy of the proposed Six-Year Plan and priorities for the proposed secondary construction budget for 2013-2014 have been available for public viewing at the county building; and a copy is on display here.

After receiving your requests, the Board of Supervisors and the Virginia Department of Transportation Personnel will finalize the Six Year Plan.

Currently the top six priorities are:

- The Route 620 – 4 lane project, near Exit 19. Scheduled to be advertised in the late summer of this year.
- Route 802, Waterberry Road – Has been advertised and is scheduled to begin construction this year.
- The next two roads are proposed new additions to the draft plan, RT. 735, Pridemore Road, and Rt. 799, Crestwood Road. Starting this year, a new unpaved road account is being added in which these funds can be applied to unpaved roads with traffic counts of greater than 200 vehicles per day. Pridemore and Crestwood Roads are the only qualifying roads. Starting in 2017, these unpaved road funds can be applied to roads with traffic counts greater than 50.
- Route 690 – Brushy Fork Road. Remaining from last year plan
- Route 793, Sherwood Road. Remaining from last year plan

Upon the completion of the opening remarks, the following comments were received: Route 935 – Citizen Troy Chappell requested that improvements, in the form of hard surface, be performed on Route 935, Appleton Road. He provided a petition (attached) with 8 signatures of property owners along Route 735. David Lee Jones also filled out an attendance call in regards to Route 935, but did not wish to speak.

Route 663 – Citizen Elmer E. Goad requested that improvements be performed on Route 663, River Road. Many of Mr. Goad concerns were related to the constant flooding along this road, and requested that the road be built up, along with raising existing drainage pipes.

May 13, 2013

Route 817 – Citizen Olen Gallimore spoke on the condition of Route 817, County Road. Much of the surface treatment had failed, and he brought a sample and delivered it to the Board.

With no other citizen requested to speak, the floor was opened up to questions from the Supervisors.

Supervisor Hendricks questioned how the new transportation plan funding was going to be affected with the federal allowances. VDOT indicated that the current allocations in the SSYP do not include any federal funds, and this funding will be included in the overall statewide six year plan.

Supervisor Dickson was concerned that input from the supervisors were not sought for the two new projects that were proposed to be added to the draft plan. VDOT responded that the two roads were the only roads that qualified for this year (2013-2014) unpaved road funding, and those projects should be added, or the funding would go to other counties. Chairman Sam Dickson asked about the construction date for the Waterberry Rd project.

VDOT responded that the notice to proceed is July 21, 2013.

With no further questions, the Board of Supervisors approved the 2013-2014 Secondary Six Year Plan. Public meeting was closed at 5:53 pm.

Upon motion by Mr. Dickson, seconded by Mr. Martin and passing, the Board approved the 2013-2014 Secondary Six Year Plan.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

SUBDIVISION ORDINANCE REVISIONS PUBLIC HEARING

Mr. Newman told that the Planning Commission has been working on proposed revisions to the Subdivision Ordinance and he went over what those revisions are and described examples as to why they were looked at for the revisions.

Mr. Hendrick told that on the bridges and the tendency is to lean away from stating a rating or weight limit.

May 13, 2013

Mr. Newman told that the thought is if we stated it we would be getting ourselves into the business of designing the bridge and the associated liability.

Mr. Hendrick told that his concern is what if someone has an engineer to do a 10,000 pound bridge and they can get their car over it but when a fire truck comes it will be to big.

Mr. Cornwell told that the Planning Commission can look at that and bring it back next time.

Dr. Littrell told that just because it has been inspected does not necessarily mean that it is safe for all weigh limits and maybe we require posting the weight limit so large vehicles do not try to go over it.

Mr. Hutchins told that our goal is not to make it so restrictive but to provide for safe passage for emergency vehicles so we may want to look at that. He asked Mr. Cornwell if we have a public hearing today and then come back and put a limit there, does that negate our hearing.

Mr. Cornwell replied yes because that change was not advertised. He told that we could adopt what was advertised and do the other changes at a later public hearing.

Mr. Hutchins opened the Public Hearing at 6:07 p.m.

Mr. Gorden Devries told that he purchase property off of Commonwealth Road. He told that in November 2012 the Board changed the right of way to 40 feet and he wanted to see 20 acres of his land but he can't do that because he doesn't have the right of way. He told that his neighbor has 60 acres and they can't sell any either because they don't have the right of way. He told that it is a hard ship for a lot of people. He told that he is asking for it to be reconsidered and when you make an ordinance make it affective that day.

Mr. Martin asked if the 40 feet is based on State right of way.

Mr. Devries replied yes and it used to be 20 feet and it was changed. He told that he has 29 feet and even tried to buy a little from the neighbor but he doesn't want to sell. He told that if they had known when they bought the property they could have had 40 feet.

Mr. Martin asked if it is legal to make it retroactive.

Mr. Cornwell told that it is not retroactive, when it went into effect it was from that day on.

Mr. Devries told that if you are going to make an ordinance make it effective from that day forward.

May 13, 2013

Mr. Cornwel told that is what we did.

Mr. Phillip McCraw told that he appreciates the Board thinking about changing the subdivision ordinance and with the comprehensive plan and the growth tiers it makes it to where you can't grow anything agricultural. He told that the reason he opposes that is because it was not the desire of any of them to get into it and to get out of it you have to have a plat drawn which costs and their rights are taken away from them and he doesn't know if the Board realizes that or not. He told that they took the right to farm agricultural protected, can't do a ag or forestry district in a growth tier and you cannot do a conservation, which he is not interested in but other people in the county are. He told that when you define freedom it is liberty and unrestricted use that they lost. He told that there is the cost of a survey and then what is the tax going to be on the 100 feet we take out and are they still going to get farm deferred. He told that he talked with Mr. Larowe some time back and he was unaware of the fact of what the growth tier took away from us. He told that Mr. Newman told the Planning Board in September that we had a complaint against them and they would hire an attorney and come clear but they would have an attorney to pay. He asked why they cannot be took out of the backwoods and took out of the growth tier and put back in agricultural. He told that if growth tier is right for them then give it to everybody.

With no one else to speak the Public Hearing was closed at 6:14 p.m.

Mr. Hutchins told that they will not be acting on this today. He told that he appreciates all that have been here to speak.

(Order)

FY14 COUNTY BUDGET

Upon motion by Mr. McCraw, seconded by Dr. Littrell and passing, the Board approved to adopt the budget as presented this evening with total revenues and expenditures equaling \$39,112,605 for the general fund and \$15,000 for the law library fund, and that you appropriate the amounts presented by department. With the previous adoption of the school budget on April 22, 2013 in the amount of \$39,656,597, the total FY2014 County General, School Operating and Law Library fund budgets are \$78,784,202.

Mr. Hendrick asked if we give money to Mt. Rogers.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

May 13, 2013

Mr. Dickson made a declaration that he is an employee of the Schools but this does not affect him more than anyone else and he is able to vote contentiously.

Mr. Martin made a declaration that he is an employee of the Schools but this does not affect him more than anyone else and he is able to vote contentiously.

Mr. Hendrick told that his wife works for Mt. Rogers so he has to declare an interest but it does not affect him more than anyone else and he is able to vote contentiously.

(Order)

TAX RATE

Upon motion by Dr. Littrell, seconded by Mr. McCraw and passing, the Board approved to adopt the calendar year 2013 tax rates of \$0.680 per \$100 assessed valuation of real estate, \$1.60 per \$100 assessed valuation of tangible personal property, \$0.80 per \$100 assessed valuation of farm machinery class of personal property, \$2.30 per \$100 assessed valuation of merchant's capital, and \$1.30 per \$100 assessed valuation of machinery and tools, as advertised and heard at our public hearing on April 22, 2013.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

TALL STRUCTURE DISCUSSION

Mr. Hendrick told that he would like to tell everyone his opinion. He told that we have been talking about it for a while and he has taken what was presented and made revisions on what he likes. He told that he doesn't see it as his position to say if it is viable or not. He told that the discussion is a property rights issue and a large portion of the county is against zoning and this is restrictive. He told that the draft was restrictive and it eliminated any project. He told that the changes were not specific to Stoots Mountain and if utility scale windmills are going to be in this county this is what he would like to see.

Mr. Cornwell told that he has no problems with any of the changes that Mr. Hendrick has made and told that this is up to the each of the Board members. He told that none of the definitions were changed. He told that he has to put something on the table to have a start.

May 13, 2013

Mr. Martin told that with all due respect to Mr. Hendrick whom he has nothing but respect for, he scribbled down a bunch of things and what is zoning. He told that there are 7000 60 watt lines that go through the county and the last time he looked you can't go in there bulldozing around and do anything you want to. He told that Appalachian has all of these lines that cross mountains and you are restricted on what you can do there. He told that there are phone poles as well then you have gas lines and they won't let you take a D8 and plow up new ground around it. He told that from working in the school system he learned when working on the trail not to dig up Indian pottery. He told that the places where you can put a windmill are laid out in an I. He told that there will not be windmills on the Blue Ridge Parkway and the subdivision ordinance gets into zoning in some ways. He told that if you can't build on the parkway and interstate 77 is part of it then most falls on Stoots Mountain or Poplar Camp Mountain. He told that on Poplar Camp Mountain is the Wythe/Carroll line and he doesn't think we need to be making decisions for Wythe County. He told that it may not be zoning but it isn't free and clear use of your land and he doesn't see where Carroll County needs the windmills and he sees no benefit coming from them.

Mr. McCraw told that Mr. Hutchins has gotten ill so he will be taking over.

Dr. Littrell told that we have been talking about this a long time and as far as he is concerned the Tall Structure Ordinance from the beginning in his opinion has been a trogan horse to prevent wind turbine farms from ever occurring in Carroll County. He told that over the last several months he has done a survey of Pipers Gap citizens and to date he has not been able to find anyone who is opposed to wind turbines and have found several that have questions and most felt like it would be a good thing for the county particularly if there is an increase in revenue. He told that he has some things from Dr. Miles based on 100 megawatt project and he said this one would be about 1/3 of this. It can be expected to generate the following benefits; 70-100 construction jobs, 6-8 operator jobs, \$350,000 to \$500,000 annual payments to landowners, \$500,000 to \$1 million in tax revenue. He told that this is a projection and the future is renewable energy. He told that we do lack zoning in the County and the ordinance is touching on spot zoning. He told that restricting tall structures will have consequences down the road and the ordinance does not address decommissioning which is very important when the towers are no longer in use. He told that we can look at the model ordinance that has already been done and it addresses all of the things that we have been talking about. He told that the ordinance we have now is addressing the wrong issue.

Mr. Dickson told that he agrees with Dr. Littrell and he is not sure that this ordinance is right for Carroll County. He told that the citizens do not want zoning and he has reservations. He told that if it was less restrictive and still allow turbines in certain areas. He told that we do need alternative sources of energy.

Mr. Hendrick told that when this first come up he sent copies of the model ordinance to everyone and it is not applicable without zoning. He told that setbacks are about the only things we can do and that is what he has emailed Dr. Miles about.

May 13, 2013

Mr. McCraw told that he is a firm believer than people should be able to do what they want with their land. He told that there would be safety concerns that would probably need to be address but other than that he couldn't support the restriction of peoples land. He asked the Board if Mr. Cornwell needs to look back over this or do we need to drop it.

Mr. Martin told that it is time to put the dog down, either vote or don't.

Mr. Hendrick asked that we not vote today because we said at the last meeting that we would not take action.

Mr. McCraw told that was what we said plus our Chairman is not here. He told that we will discuss this again next month and maybe put an end to it.

Dr. Littrell asked if there is any way we can have an ordinance that does away with the tall structure and concentrates on the safety issues that need to be addressed.

Mr. McCraw told that would be the only type of ordinance that he would consider supporting that was from a safety aspect.

Dr. Littrell made a motion that we revisit the Tall Structure Ordinance and rather than try to restrict or prohibit, address safety issues instead.

Mr. Hendrick told that he would second the motion but it is kind of the same motion we made four months ago and do we need to be more specific. He told that he might amend the motion to include some of the changes.

Mr. Cornwell told that the main problem is the model ordinance calls for the issuance of a special use permit and those exist in counties that have zoning. He told that there is no provision in the statue that he has been able to find. He told that there are 8 jurisdictions in Virginia that do not have zoning. He told that when you go to Richmond and tell them that we don't have zoning they tell you that you do not have any options because you have no control.

Mr. Martin asked if Floyd County has adopted anything yet.

Mr. Cornwell told that Floyd tabled it and it has not been back. He told that if he could figure out how to regulate the use of land without having an ordinance that regulates the use of land he would give it to us.

Mr. Hendrick told that if a company wants to do a project, they submit an application with DEQ that is all they have to do. He told that then all they have to do is call Mr. Larowe and have him sign a letter saying it abides by all local land use regulations. He told that the short answer is yes because we have none, then they can put a turbine 5 foot from the property line and that is what he does not want to happen. He told that he would rather have fewer turbines in the right places and it is restrictive. He told that he has

May 13, 2013

talked with the potential company and this thing is nowhere close to getting off the ground. He told that they are still trying to figure out how much money they want to put into this project. He told that he wants to emphasize that this ordinance is not project specific; it is for the whole county that was spurred by a whisper of a potential project.

Dr. Littrell told that on page 4 it talks about having a building permit and asked if we can regulate it through that.

Mr. Cornwell told that in counties that have zoning you have to get a permit and you cannot get a building permit until you have a zoning permit.

Mr. Hendrick told that only other potential was the energy legislation and you still run into zoning.

Mr. Cornwell told that you can always adopt zoning and have the entire county in one zone and then you can do anything you want except put a wind turbine without a special use permit.

Mr. Martin told that he is convinced that people in his area, the majority of them don't want windmills but he is also convinced that the same bunch would come hang you for zoning. He told that he thinks we are wasting our time looking at it again and we are trying to put a square peg in a round hole. He told that he would like to vote to eliminate it and be done with it.

Dr. Littrell withdrew his motion based on the County Attorney's opinion.

Mr. Martin made a motion that we do not adopt the Tall Structure Ordinance.

Mr. Dickson told that is going against what we said we were going to do.

Mr. Martin withdrew his motion.

Mr. McCraw told that we would visit this again next month.

(Order)

CITIZEN'S TIME

No one was signed up to speak.

SUPERVISOR'S TIME

Mr. Martin told that he would like the Board to adopt a resolution that recognizes Woodlawn School and its operation. He told that it could be general recognition of the history and he will leave that up to Mr. Larowe and the Chairman.

May 13, 2013

Dr. Littrell told that he appreciates the frank discussion on the tall structure ordinance.

Mr. Dickson told that we should have two children at play signs left and a lady would like one placed at Country Woods. He asked Mr. Newman to check on that.

Mr. Hendrick told that he doesn't have any problems with the changes in the subdivision ordinance but asked if any one feels like we should do away with the Class B subdivision. He told that we do not have any problems selling land and he doesn't think that all roads have to be up to VDOT standards.

Mr. Hendrick requested the financials for the last three years for the Wired Road. He told that he had a request from a citizen about the funding and he would like to see the revenue and expenditures for the last three years.

Mr. McCraw told that Mr. Hutchins is feeling under the weather and he has big shoes to fill. He told that he is glad that everyone came out tonight.

(Order)

PUBLIC HEARING AUTHORIZATION

Upon motion by Dr. Littrell, seconded by Mr. Hendrick and passing, the Board approved to schedule a public hearing to transfer parcel #2 on the map to the Town of Hillsville on June 10th at 5:30 p.m. or as soon thereafter as practical.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Absent
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

POOL FEASIBILITY STUDY

Upon motion by Mr. Dickson, seconded by Dr. Littrell and passing, the Board approved to move forward on negotiations with the pool feasibility study.

Mr. Hendrick asked what the right price is.

May 13, 2013

Mr. Dickson told that it will be up to the County Administrator to determine but he thinks it will be around \$30,000.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Absent
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

ST. PAUL ROOF

Upon motion by Mr. Hendrick, seconded by Mr. Dickson and passing, the Board approved to modify the CIP in July 2013 to appropriate funds for the roof at St. Paul in its entirety.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Absent
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

ADJOURNMENT

Upon motion by Mr. Hendrick, seconded by Mr. Dickson and passing, the Board adjourned.

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Absent
Mr. Dickson	Yes
Dr. Littrell	Yes
Mr. Martin	Yes

(Order)

May 13, 2013

Chairman

Clerk