

August 12, 2013

The Carroll County Board of Supervisors held their regular monthly meeting on, August 12, 2013 in the Board Meeting Room of the Carroll County Governmental Center.

Present were: David V. Hutchins
W.S. "Sam" Dickson
Joshua A. Hendrick
Phil D. McCraw
Gary Larrowe, County Administrator
Nikki Shank, Assistant County Administrator
Jim Cornwell, County Attorney

Mr. Hutchins called the meeting to order at 3:30 p.m.

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

Upon motion by Mr. McCraw, 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 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.

VOTES

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

(Order)

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CERTIFICATION OF CLOSED SESSION

Upon motion by Mr. Hendrick, seconded by Mr. McCraw, 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	Absent
Mr. Martin	Absent

Mr. Dickson led in invocation and pledge.

Mr. Hutchins told that we have two Board members missing today, one who is tied up with school activities and Dr. Littrell is volunteering with the Boy Scouts do a hiking trip and he thinks that is commendable. He reminded everyone that the fair will be August 21 – 25. He told that it has grown each year and there is a lot more participation. He told that we really don’t know a timeline for the Woodlawn school disposition but we need to be thinking on how we can utilize it. He told that Mr. Dickson has mentioned using it for recreation activities and he knows there are other opportunities as well.

(Order)

APPROVAL OF AGENDA

Mr. Dickson told that on the Subdivision Ordinance he is not sure but thinks the Planning Commission has made some changes and asked if they had gotten us a list back yet.

Mr. Larowe told that they have not had a public hearing. He told that they did repeal the policies that they had put into place and they have been working on the bridge issues. He told that in the past they would have a public hearing and bring that back to us.

Mr. Dickson suggested that we table this until they are finished.

Mr. McCraw told that Mr. Dickson has the right idea and ask if they have to have the public hearing first.

Mr. Cornwell told that you can do it different ways. He told that they can give a list to the Board and then have a public hearing and other times they do the public hearing then bring it to the Board for consideration. He told that the Planning Commission does have the ability to recommend changes.

Mr. McCraw told that he agrees with Mr. Dickson.

Mr. Hendrick told that this has been on the radar for 3 or 4 months and if the Planning Commission brings something and the Board doesn't like it we will be back to square one. He told that he didn't want one of the Board members to want to change something that was coming from the Planning Commission and have to go back to the beginning.

Mr. Dickson told that he is not sure that he knows what is coming back from the Planning Commission yet. He told that he had one thing he wanted to add to about recreation.

Mr. Hendrick told that he would like to add delinquent taxes.

Upon motion by Mr. Dickson, seconded by Mr. McCraw and passing, the Board approved the agenda as presented with tabling Subdivision Ordinance and adding recreation and delinquent taxes.

VOTES

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

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(Order)

APPROVAL OF MINUTES

Upon motion by Mr. McCraw, seconded by Mr. Dickson and passing, the Board approved the minutes of the meeting on July 8, 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	Absent
Mr. Martin	Absent

(Order)

APPROVAL OF PAYROLL

Upon motion by Mr. McCraw, seconded by Mr. Dickson, and passed unanimously, the Board approved the payroll for August 2013 and did authorize the Chairman and Clerk, along with Bonita M. Williams, Treasurer, to sign on the 15th and 30th days of September 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	Absent
Mr. Martin	Absent

(Order)

CONSENT AGENDA

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

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes
Mr. Hutchins	Yes

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Mr. Dickson	Yes
Dr. Littrell	Absent
Mr. Martin	Absent

(Order)

FARMERS MARKET AGREEMENT

Upon motion by Mr. McCraw, seconded by Mr. Dickson and passing, the Board approved the Farmers Market Agreement. A copy of the agreement will be kept on file in the County Administrator's Office.

VOTES

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

(Order)

COMMITTEE APPOINTMENTS

Mr. Hendrick asked if the IDA appointment is done by district.

Mr. Hutchins replied no. He told that in some places there are more districts represented than others.

Mr. Hendrick told that he thought Mr. McCraw got to pick before.

Mr. Hutchins told that he made a recommendation.

Mr. Dickson told that it is his fault if we have an area that doesn't have a representative and we might need to look at it. He told that he knows we have to look at the population to.

Mr. Hendrick told that he was just asking and PSA is by district.

Mr. Dickson told that Social Services is by district also.

Upon motion by Mr. McCraw, seconded by Mr. Dickson and passing, the Board approved the following committee appointments.

NRRWA – Gary Larrowe
MRCBSB – Mary Coulson

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IDA – Richard Sowers and Andy Jackson
MRPDC Executive Committee – Gary Larrowe
Farmers Market Management Committee – Dr. Allen Straw, Travis Marshall and Roger King

VOTES

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

(Order)

SHERIFF ALLOCATION

Upon motion by Mr. McCraw, seconded by Mr. Dickson and passing, the Board approved an allocation and appropriation in the amount of \$143.22 to the Sheriff's Office from insurance recoveries for one of the Sheriff's vehicles to cover vehicle supplies.

VOTES

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

(Order)

NATURAL GAS SUPPLIER

Upon motion by Mr. McCraw, seconded by Mr. Dickson and passing, the Board approved Texican as the sole source Natural Gas supplier from the Patriot Natural Gas Line.

VOTES

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

(Order)

ADJUSTED BUDGET/HVAC PROJECT

Upon motion by Mr. McCraw, seconded by Mr. Dickson and passing, the Board approved the adjusted budget for the HVAC project.

VOTES

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

(Order)

NIMS RESOLUTION

Upon motion by Mr. McCraw, seconded by Mr. Dickson and passing, the Board approved the resolution below.

BE IT RESOLVED by the Carroll County Department of Emergency Management as follows:

WHEREAS, at the request of the President, the Department of Homeland Security has developed the National Incident Management System (NIMS) for the purpose of unifying and coordinating all emergency responders' efforts during disasters; and

WHEREAS, the Department of Homeland Security has directed all Federal, State, Territorial, Tribal, and local entities involved in emergency response to adopt NIMS; and

WHEREAS, the Governor of the Commonwealth of Virginia has similarly endorsed NIMS by proclaiming it the official basis for management of incident response in Virginia; and

WHEREAS, the NIMS will enable responders at all levels to work together more effectively and efficiently to manage domestic incidents no matter what the cause, size or complexity, including catastrophic acts of terrorism and natural disaster; and

WHEREAS, Carroll County Department of Emergency Management currently uses the Incident Command System (ICS) as referred to in NIMS; and

WHEREAS, Carroll County Department of Emergency Management recognizes the need for a single Incident Management System to be used by all local agencies and disciplines;

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BE IT THEREFORE RESOLVED, that Carroll County Department of Emergency Management adopts the National Incident Management System. That this system will be used at all mitigation, preparedness, response and recovery plans and programs.

VOTES

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

(Order)

CCHS PROJECT TRANSFER

Upon motion by Mr. McCraw, seconded by Mr. Dickson and passing, the Board approved a transfer to the IDA in the amount of \$282,672.50 for the CCHS project. These funds will be reimbursed to the Board once the loan is closed.

VOTES

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

(Order)

PERSONNEL POLICY CHANGES/ANNUAL LEAVE

Upon motion by Mr. McCraw, seconded by Mr. Dickson and passing, the Board approved the changes to the Personnel Policy regarding annual leave.

VOTES

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

(Order)

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PERSONNEL POLICY CHANGES/DRUG PLAN

Upon motion by Mr. McCraw, seconded by Mr. Dickson and passing, the Board approved the changes to the Personnel Policy regarding the Drug Plan.

VOTES

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

(Order)

PHASE III/HVAC UPDATE – DENNIS COLE

Mr. Cole brought two pieces of pipe that came out of the High School. He told that there are two full dumpsters full of pipe like this and it is typically covered with insulation so you don't see it. He told that the piece he showed is fairly typical of what they pulled out. He told that they were able to recycle almost everything including the insulation. He told they have completed almost 90% of the demolition and they have cleaned up the wiring in the ceiling. He told that on August 2nd they were at 50% complete and today it is over 90%. He told that they have started reinstalling pipe in the broilers. He told that pipe two inches and bigger will be welded and anything smaller will be screwed in. He told that in the cafeteria they wanted to make sure that they were out of the area before school started so the kids did not have to brown bag lunches. He told that prior to the food being delivered they had completed all of the piping in those areas and put up the ceilings. He told that the area is finished other than the painting. He told that they received approval from the Health Department to bring food in. Mr. Cole told that they received all of the temporary air conditioning units and they were able to about 60 units and they were able to negotiate. He told they also had 2 four ton units that they used for the orientation and staff meetings. He told that they will be picked up today. He told that when you plug up 60 units you end up blowing breakers so it has been a challenge but they will get through it. He told that they are going in the classrooms so the kids should be fine. He told that they are on point with pay apps and the contractors start tomorrow working from 4 p.m. to as late as midnight.

Mr. Dickson told that he knows in the shop area they took the air conditioner out about 4 or 5 years ago and they are telling him on the new system they are being replaced with a lesser number because they had about 6 heaters to have a quick recovery when they opened the large doors. He asked if Mr. Cole could check to see if the BTU's on the design is close to what they had.

Mr. Cole told that normally on something like that they would look at the space size and he knows that the heaters that are in there now are basically the same heaters that

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they have had since day one and the new heaters are more efficient and have a greater output than the existing ones which is probably the reason they reduced but he will confirm that they have the same amount of heat.

Mr. McCraw told that it looks like we have been sitting on a ticking time bomb.

Mr. Cole replied you have. He told that the reality is the pipe could have gone at any time and the contractors were pulling pipe down with their hands.

Mr. McCraw told that this is far beyond a necessity.

Mr. Cole told that he believes it is and you could have waited maybe another 60 days.

Mr. Hutchins told that it is interesting he has heard some comments out in the community about how we might be squandering some dollars and maybe it wasn't necessary. He told that he thinks anyone that saw the pipe would quickly realize that it was an accident waiting to happen.

Mr. Cole told that it truly was and he takes pictures as we go along and some of the pipe coming off the boiler itself looks just like that and it is very fragile. He told that it is well worth it and an endeavor that needed to happen.

Mr. Hutchins told that when the school renovation committee was put together some years back he looked at some of the pipe then and it was in pretty bad shape.

Mr. Dickson thanked Mr. Cole for taking him on a tour because he had some concerns about safety and it is completely safe.

Mr. Cole told that they had the building inspector who also represented the fire marshal identify anything that was unsafe and they corrected it immediately.

DELINQUENT TAXES

Mr. Hendrick told that we have the list and the next step is publication, correct.

Mr. Cornwell told that the State Code allows the Board to publish the list in the newspaper. He told that he suggests checking back with the Treasurer to make sure that some of the people have not paid before advertising. He told that you would advertise the list in the newspaper and they give them 30 days after that to give them an opportunity to pay before it is turned over to him. He told that they are going to try to start on the ones that are falling off on January 1st and if he doesn't have enough time they are going to fall off anyway.

Upon motion by Mr. Hendrick, seconded by Mr. McCraw and passing, the Board approved to authorize to publicize the list of all that have not paid and 30 days after advertising authorize Mr. Cornwell to begin collections.

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VOTES

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

Mr. Dickson asked if we needed to put a deadline on getting those names back.

Mr. Cornwell told that it needs to be quick and hopefully she can give it back to us quickly.

(Order)

RECREATION

Mr. Dickson told that he is on the District III Board and you have seen the vans that run around the county picking up seniors. He told that they are in the process of replacing all of the vans. He told that they all have 120,000 miles or more on them but most of them are in good shape. He told that they are going to offer them to localities first so we should be getting a list soon about it. He told that the Recreation department has tried to establish some activities for seniors and they have done well. He suggested that we look at the possibility of purchasing one for Recreation if we can get it at a reasonable price. He told that he has talked with the Recreation Commission and they are in favor.

Upon motion by Mr. Dickson, seconded by Mr. Hendrick and passing, the Board approved to purchasing a van from District III if it is less than the blue book value or average wholesale.

Mr. Hutchins told that there are times that they would like to go somewhere as a group and we need to have a means to do that. He told that he would add that if we can work it out in the budget.

VOTES

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

(Order)

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PUBLIC HEARING – NATURAL GAS RATES

Mr. Hutchins told that we did this once but we needed to adjust the rate due to some information that was received. He explained the purpose for the public hearing and opened the public hearing at 5:33 p.m.

With no one to speak, the public hearing was closed at 5:34 p.m.

Upon motion by Mr. Hendrick, seconded by Mr. Dickson and passing, the Board approved the Natural Gas Rates as presented.

VOTES

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

(Order)

BUDGET COMMITTEE APPOINTMENT

Mr. Hutchins told that Mr. Littrell and Mr. McCraw both expressed an interest to serve on the committee again. He told that Mr. Hendrick asked if we could have three on the committee. He told that we normally publicize the meeting anyway.

Mr. Dickson asked if you have a meeting and still operate with two.

Mr. Hutchins told that if you had two it would still be a quorum.

Mr. Dickson asked who they usually meet with and asked how many is on the School committee because we sometimes meet with them.

Mr. Larrowe told that they only have two.

Mr. Hutchins told that we will have three on the Budget Committee – Dr. Littrell, Mr. McCraw and Mr. Hendrick and they will publicize when they are meeting.

(Order)

COMMONWEALTH ATTORNEY – NATHAN LYONS

Mr. Hutchins told that he has heard a lot of positive things about day reporting and he is glad that Mr. Lyons is here.

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Mr. Lyons told that he is here to answer any questions you have about the program and so far they have had 12 to enter the program and 1 successful completion and the others are still serving out the sentence. He told that we are probably going to have one failure at this point which is normal; you usually have a 10 to 15% attrition rate. He told that right now the money saved is a little over \$90,000. He told that the sentences that they had is 60 days up to 12 months. He told that last Friday was the 90th day of the program running. He told that the realization even with attrition is probably around \$300,000 annually. He told that there is one person in charge of the program and they hope to keep 25 to 30 people in the program at a time. He told that the program is not designed for everyone but so far it has been a success. He told that the one failure had obligations to another state and we don't have any control over that. He told that the first week he was in the program were excellent.

Mr. Hutchins told that the cost savings is more than adequate to fund the position.

Sheriff Gardner told that it is and they would like to find more jobs.

Mr. Hutchins told that he has heard some positive things. He told that something hit his mind and it has nothing to do with this conversation but several months ago there was a conversation by the Board, he thinks Mr. Martin brought it up about a conflict of interest and asking you to look at it as it dealt with the County Administrator. He asked if anyone ever came to him and asked him to do that.

Mr. Lyons told that Mr. Larrowe requested a conflict of interest based on a real estate transaction. He told that since he oversees his office he contacted the Circuit Court Judge and within a week or so he got an order for a special prosecutor from Dickinson County and that office issued an opinion 3 or 4 weeks ago. He told that they did not find a conflict of interest. He told that he received a courtesy copy of the letter and also one to the Circuit Court Judge and he hopes that he sent a copy to Mr. Larrowe.

Mr. Hutchins told that he was just curious to see what happened. He told that there had been a lot of discussion about it and a lot of things in paper about it so Mr. Larrowe was the one that asked for it.

Mr. Lyons told that Mr. Larrowe submitted a binder of materials with a historical timeline and some letters. He told that he didn't go through that because he oversees the day to day physical plant operations of where his office is located so he contacted the Circuit Court Judge.

Mr. Dickson asked if the offenders come in and report to the supervisor and if we don't have work for them do they still have to stay all day.

Mr. Lyons replied yes. He told that if we don't have work we try to contact some other service provider.

Mr. Dickson told that it sounds like a good program.

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Mr. Lyons told that they have enjoyed the program and it gives the court another alternative to use plus we get the cost savings. He told that there is a classroom element to it and they hope to give them some life skills so they don't come back. He told that usually every court date they pick up two to three.

(Order)

CITIZEN'S TIME

There was no one to speak during citizen's time.

(Order)

SUPERVISOR'S TIME

Mr. Hendrick told that he is good.

Mr. McCraw told that it is a pleasure to be here. He told that it seems a little naked up here but it has been a productive meeting.

Mr. Dickson told that he had a citizen ask that he deliver a letter to the Board and read the letter from Warren Reavis that is below.

The information I verbally received from Radford University is that the President salary of Radford University for the current year is \$304,814.00. I was told 150 thousand was from state funds, with the remaining balance from private funds.

I have also been told the President of Radford University received a \$1 million dollar bonus for signing a five year contract.

Controls could be put in place to keep the Presidential Salary at a reasonable amount, for all Virginia Universities with all excess funds, private and public, being directed to help reduce student tuition.

If this logic is reasonable, the concern could be expressed by each county, town, and city governmental agency.

If this logic is not reasonable, please provide me a written statement of explanation.

Mr. Dickson told that he suggested that Mr. Reavis write a letter himself but he felt like the Board would be better.

Mr. McCraw told that he thinks we need to take this under advisement.

Mr. Dickson ask that we put it back on the agenda because he wants a response.

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Mr. Hutchins told that the Board of Visitors determines the salary. He told that we could voice a concern but anything past that might be considered meddling in their business.

Mr. Dickson told that we don't fund Radford only Wytheville.

Mr. Hendrick told that his concern is they would take it as meddling. He told that his tuition went up 60% while he was a Va. Tech so he could give everyone more to gripe about.

Mr. Dickson told that he didn't want them to retaliate against our citizens.

Mr. Dickson told that Mr. Martin was supposed to bring this up tonight but he was the second one that was called so he will talk about it. He told that Shockley Old Timey Days would like the Board to help with the cost of advertising. He told that they want us to advertise on the radio and he can get 40 spots for \$600.

Mr. Larrowe told that the Shockley Old Timey Days is a private function and we have others such as Kanawha Valley. He told that this would be setting precedence by doing this. He told that we do help out through Facebook and Tourism and we have had people out there working in the past.

Mr. Cornwell told that we can't use public funds to support a private activity. He told that we can help through Tourism.

Mr. Dickson told that we need to ask Tourism to continue to make efforts to promote this.

Mr. Larrowe told that they already add it to the events and they work closely with Tourism.

Mr. Hutchins told that this week is the Vaco Steering Committee Meetings and there will be more than three members present. He told that he has mentioned it the last two meetings as well. He thanked everyone for being here.

(Order)

ADJOURNMENT

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

VOTES

Mr. Hendrick	Yes
Mr. McCraw	Yes

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

(Order)

Chairman

Clerk