

September 10, 2018

The Carroll County Board of Supervisors held their regular monthly meeting on, September 10, 2018 in the Board Meeting Room of the Carroll County Governmental Center.

Present were:

- Rex L. Hill
- Phillip McCraw
- Robbie McCraw
- Joe Webb
- Bob Martin
- Steve Truitt, County Administrator
- Nikki Cannon, Assistant County Administrator
- Steve Durbin, County Attorney

Mr. Robbie McCraw called the meeting to order at 4:31 p.m.

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

Upon motion by Mr. Martin, seconded by Mr. Hill, and passing, the Board convened a Closed Session for the discussion, as authorized by Virginia Code Section 2.2-3711 (A1, A3, A5, A8).

Mr. Durbin explained the reasons for entering Closed Session.

1. Discussion or 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.

3. 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.

5. 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.

8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. 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. Webb Yes
- Mr. Phillip McCraw Yes
- Mr. Hill Yes
- Mr. Robbie McCraw Yes
- Dr. Littrell Not Present
- Mr. Martin Yes

(Order)

COME OUT OF CLOSED SESSION

Upon motion by Mr. Hill, seconded by Mr. Phillip McCraw and passing, the Board came out of Closed Session.

VOTES

| | |
|--------------------|-------------|
| Mr. Webb | Yes |
| Mr. Phillip McCraw | Yes |
| Mr. Hill | Yes |
| Mr. Robbie McCraw | Yes |
| Dr. Littrell | Not Present |
| Mr. Martin | Yes |

(Order)

CERTIFICATION OF CLOSED SESSION

Upon motion by Mr. Hill, seconded by Mr. Phillip 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. Webb | Yes |
| Mr. Phillip McCraw | Yes |
| Mr. Hill | Yes |
| Mr. Robbie McCraw | Yes |
| Dr. Littrell | Not Present |
| Mr. Martin | Yes |

MRCSB

Ms. Sandy Bryant told that she is here to bring a resolution for a line of credit for MRCSB. She handed out a packet of information for your consideration. She told that they are required to have a certain amount of cash reserves on hand and as of right now they do not have a line of credit. She told that they have went before each locality with this resolution and this is basically a formality.

Mr. Truitt asked what happens if they default on the line of credit.

Ms. Bryant told that the State would be responsible.

Mr. Durbin told that we cannot take action on this until later in the meeting.

(Order)

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

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Mr. Durbin explained the reasons for entering Closed Session.

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5. 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.

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VOTES

| | |
|--------------------|-------------|
| Mr. Webb | Yes |
| Mr. Phillip McCraw | Yes |
| Mr. Hill | Yes |
| Mr. Robbie McCraw | Yes |
| Dr. Littrell | Not Present |
| Mr. Martin | Yes |

(Order)

COME OUT OF CLOSED SESSION

Upon motion by Mr. Hill, seconded by Mr. Phillip McCraw and passing, the Board came out of Closed Session.

VOTES

| | |
|--------------------|-------------|
| Mr. Webb | Yes |
| Mr. Phillip McCraw | Yes |
| Mr. Hill | Yes |
| Mr. Robbie McCraw | Yes |
| Dr. Littrell | Not Present |
| Mr. Martin | Yes |

(Order)

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VOTES

| | |
|--------------------|-------------|
| Mr. Webb | Yes |
| Mr. Phillip McCraw | Yes |
| Mr. Hill | Yes |
| Mr. Robbie McCraw | Yes |
| Dr. Littrell | Not Present |
| Mr. Martin | Yes |

Mr. Robbie McCraw lead in invocation and pledge.

Mr. Robbie McCraw told that most everyone knows we had an emergency situation arise
(Order)

APPROVAL OF AGENDA

Upon motion by Mr. Hill, seconded by Mr. Martin and passing, the Board approved the agenda as amended to include a resolution of support for MRCSB.

VOTES

| | |
|--------------------|-------------|
| Mr. Webb | Yes |
| Mr. Phillip McCraw | Yes |
| Mr. Hill | Yes |
| Mr. Robbie McCraw | Yes |
| Dr. Littrell | Not Present |
| Mr. Martin | Yes |

(Order)

CONSENT AGENDA

Upon motion by Mr. Hill seconded by Mr. Martin and passing, the Board approved the Consent Agenda, pulling out the resolution to be voted on separately.

VOTES

| | |
|--------------------|-------------|
| Mr. Webb | Yes |
| Mr. Phillip McCraw | Yes |
| Mr. Hill | Yes |
| Mr. Robbie McCraw | Yes |
| Dr. Littrell | Not Present |
| Mr. Martin | Yes |

(Order)

APPROVAL OF MINUTES

Upon motion by Mr. Martin seconded by Mr. Phillip McCraw and passing, the Board approved the minutes of the meeting on August 13, 2018.

VOTES

| | |
|--------------------|-------------|
| Mr. Webb | Yes |
| Mr. Phillip McCraw | Yes |
| Mr. Hill | Yes |
| Mr. Robbie McCraw | Yes |
| Dr. Littrell | Not Present |
| Mr. Martin | Yes |

(Order)

RESOLUTION

Upon motion by Mr. Martin seconded by Mr. Phillip McCraw and passing, the Board approved the resolution regarding the Southwest Virginia Training Center.

VOTES

| | |
|--------------------|-------------|
| Mr. Webb | Yes |
| Mr. Phillip McCraw | Yes |
| Mr. Hill | Yes |
| Mr. Robbie McCraw | Yes |
| Dr. Littrell | Not Present |
| Mr. Martin | Yes |

(Order)

COMMITTEE APPOINTMENTS

Mr. Phillip McCraw told that he would like to recommend Greg Hawks to replace David Williams on the Planning Commission.

Upon motion by Mr. Hill, seconded by Mr. Webb and passing, the Board appointed Mr. Greg Hawks to the Planning Commission.

VOTES

| | |
|--------------------|-------------|
| Mr. Webb | Yes |
| Mr. Phillip McCraw | Yes |
| Mr. Hill | Yes |
| Mr. Robbie McCraw | Yes |
| Dr. Littrell | Not Present |
| Mr. Martin | Yes |

(Order)

RESOLUTION FOR MT. ROGERS

Mr. Truitt told that MRCSB were here earlier tonight and they had to go on to Galax so we were a little flexible with scheduling to accommodate their schedule. Basically the MRCSB is required to have on hand 2 months' worth of expenses and they just about have that much money in the bank but because they have ongoing projects they really don't have sufficient funds in place to cover that requirement.

VOTES

| | |
|--------------------|-----|
| Mr. Webb | Yes |
| Mr. Phillip McCraw | Yes |
| Mr. Hill | Yes |

Mr. Robbie McCraw Yes
Dr. Littrell Not Present
Mr. Martin Yes

(Order)

CITIZENS TIME

Mr. Benny Robinson told for the record I am Benny Robinson and I live in the Pipers Gap district. Two things I would like the record to show, regarding the nonuser fee issue. I am not clear from the minutes of the last meeting precisely what the public hearing intends to address. I am under the assumption be it right or wrong that the notice for public hearing set for the October meeting will be for citizens to comment and to be heard. To speak either for or against the repeal of the non-user fee ordinance. And to be clear that is repeal and not amend. I have read and reread the minutes and that message is not well defined. Wording of this public notice is of utmost importance. However, I am alerted to the statements made by Mr. Durbin's recommendation that the county get RD's and I am assuming that to be USDA Rural and Urban Developments approval in writing before the county proceeds. I am not sure that USDA would respond to such in writing, that may not be the protocol for concurrence with this agency. As I have come to understand with discussions with USDA that may be completely unnecessary as long as the loans are in and remain in good standing. I think I have addressed that once before here in this meeting. Second item, I have heard much regarding the process the PSA goes through in soliciting users for water and sewer projects. That is, from the PSA as well as from citizens. What I hear is not always in consensus as a matter of fact it is pretty widely separated. I am of the understanding that these projects shall be self-supporting, meaning that they must pay their own way. Given that parameter I believe it filling and proper that for each new project being considered that the PSA shall come before the public in open forum and before committing the county to any financial exposure and meet the following criteria; demonstrate the systemic cost/benefit analysis of each project, make known the number of subscribers as well as number of nonusers, expected payback period and break even point for the project on its own merit, disclose any and all revenue sources being sought, loan guarantees, grants applied for, county exposure, and identify any shortfall or perhaps maybe an overages, perform financial risk analysis, identify any encumbrances, declare any subjective assumptions, reveal any provisions of revenue streams which do not contain expiration clauses and dates such as the non-user ordinance on the books today. I am sure you are aware it goes infinitum. Lastly, if it cannot demonstrate each individual project is self-supportive, by default call for a public hearing before committing the County to further debt or laying the burden on individual taxpayers. Let's make this a closed ended process so we never have to go down this road again and I thank you. And by the way in order for the record to be correct I'd like to give you a copy.

(Order)

SUPERVISORS TIME

Mr. Webb told he is glad to see this many people out tonight again and I want to thank our Sheriff's Department and our EMS Department for the emergency thing and we are trying to save citizens property and lives looks like we may be doing it again this week if the weather man is right. There is a lot of work behind the scenes that they take care of but they've got citizens welfare in existence of doing it. Alost of people think it was unnecessary but if that had of broke we would have had trouble. I want to thank our staff for the job they do, it is never ending. It is not one night a month kind of like ours is. Constantly I have been in their office seeking information trying to learn what this job is all about. I want to thank the citizens, I hear you and I promise you we are working on it. I know there is all kinds of information coming and we want to do it right this time. We should never go down this road again and I want to fix it. Its amazing what I have learned in the last nine months. I have 40 more meetings but who is counting. I have got into something that I never knew I would be involved it but I want to help the people of this County.

Mr. Phillip McCraw wants to thank everyone for the time and efforts you put in. The presentation Mr. Robinson made was right to the point and he has put in a lot of research and I want to thank the ones that we work with, they all keep us informed and on the right track. Emergency Personnel and Sheriff and all the ones that work for us day and night, I appreciate them. I have certainly been opposed to non user fees ever since it has been in, I have never supported that and still don't. I hope that we can get it nailed down and a solution to end it.

Mr. Hill thanked everyone for being here tonight and to staff for all the work that they do. Over the next several days we need to be prepared, we don't know what we are going to get. We may have to help out our neighbors. Mr. Robinson brought up some very good points. I think we should think about any time we have debt there should be a referendum for the citizens to vote on not the Board and that includes, PSA, Board Projects and Schools and I may bring that up to discuss.

Mr. Martin thanked the Town and all the County services that were involved in the gun show. I took all working together making it successful. I would like to see at the next Board meeting to review the County Fair. The good news is it was the most successful and it keeps growing. The bad news is it keeps growing and growing. I am going to talk with Kevin and basically the concerns, for the first time was lack of parking. You had some people who were waiting 45 minutes to an hour to find a spot and second we need to stretch out where the fair is and add about 10 acres to it. A lot of these people who are active in making that thing go are like myself and about 70 years old instead of 20. A problem is getting younger people involved. I would like to see us take a look, I have some solutions but I don't have a million dollars to take care of it. Thank all of the County employees and volunteers for making it so successful. I am confident that our fair will be top rated at the state again. It has grown beyond Carroll. We have a County Fair that is growing and I would like to see it placed on the agenda. I would like to see a committee established on it and I would like to see Rex on there.

Mr. Webb told I would like to thank all the people who help with the County fair and I would like to see something done for them even if it is just a pat on the back. I would like to see them here next month.

Mr. Martin told we go from a horse show to lawn mower race to a horse pull and I don't see how they do it. We could charge more but you can't take your family anywhere and have them participate for \$5.00. The exhibits have gotten bigger. My granddaughter and some of her buddies spent two nights there.

Mr. Roger Roop told he thinks there is some misconception about the parking.

Mr. Robbie McCraw told it is a great thing for the County and something you don't see anymore. The admission fee is one of the best things we do so everyone can enjoy it. I want to reiterate what Joe said, we are working on the non-user fees and do it the right way and make everyone happy. I think we are trying to get someone from USDA to come to our next meeting when we have the Public Hearing. The October meeting we have on the 16th and it will be the 15th on a Monday.

Upon motion by Mr. Hill, seconded by Mr. Martin and passing, the Board will hold the October meeting on October 15, 2018.

Unknown citizens asked if that would be the same as PSA.

Mr. Robbie McCraw replied yes, and that is actually why we are doing it.

Unknown citizen replied so we can expect a vote then on the non-user.

Mr. Robbie McCraw responded, probably not a vote that night.

Unknown citizen asked when we can expect one.

Mr. Robbie McCraw replied when we get enough information to make the decisions.

Unknown citizens asked the PSA and the Board is on the 15th.

Mr. Robbie McCraw replied yes.

Mr. Phillip McCraw asked if we were having the papers do the notice.

Mr. Robbie McCraw replied yes.

Mr. Roger Roop asked if anyone has contacted USDA to see if they will have a representative here.

Mr. Robbie McCraw told that Steve has been working on that.

VOTES

| | |
|--------------------|-------------|
| Mr. Webb | Yes |
| Mr. Phillip McCraw | Yes |
| Mr. Hill | Yes |
| Mr. Robbie McCraw | Yes |
| Dr. Littrell | Not Present |
| Mr. Martin | Yes |

Ms. Cannon asked if we could note that the Pumpkin Festival will be on September 29th beginning at 11:00 as well as the Chili Shootout.

Mr. Martin told he doesn't know if Travis Jackson, he doesn't work with the financing anymore.

Mr. Robbie McCraw told that we need someone from USDA. Benny has talked to someone from USDA and I have talked to someone from USDA, Steve has talked to someone and it seems to me that we are all being told something that is not exactly the same. I think we should hear it from the horse's mouth and we should hear directly from a representative from USDA.

Mr. Robinson asked what is it that you are looking for him to say.

Mr. Robbie McCraw told I want him to explain this stuff to me. I want him to tell me what his requirements are because I know what you have been told but what I was told by USDA in Washington is a little bit different than what we have been told from Mr. Hilt. There is just some conflict with things and I think everyone is due the due diligence.

Mr. Roop asked if there is an office in Wytheville so we don't have to go to Richmond or Washington.

Mr. Hill replied there is.

Mr. Roop responded can one of you call them.

Mr. Truitt told that we have done that. You asked if we have asked someone to come to the meeting yet and the answer is no, not yet but I have been with them several times.

Mr. Roop told you have not talked to them personally to ask if they would come to the meeting, correct.

Mr. Truitt replied not yet.

Mr. Roop told that is understandable.

(Order)

ADJOURNMENT

September 10, 2018

Upon motion by Mr. Hill, second by Mr. Phillip McCraw and passing, the Board adjourned.

VOTES

| | |
|--------------------|-------------|
| Mr. Webb | Yes |
| Mr. Phillip McCraw | Yes |
| Mr. Hill | Yes |
| Mr. Robbie McCraw | Yes |
| Dr. Littrell | Not Present |
| Mr. Martin | Yes |

(Order)

Chairman

Clerk