

The Carroll County Board of Supervisors held their regular monthly meeting on, August 13, 2018 in the Board Meeting Room of the Carroll County Governmental Center.

Present were:

- Rex L. Hill
- Dr. Tom Littrell
- Phillip McCraw
- Robbie McCraw
- Joe Webb
- 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. Hill, seconded by Mr. Phillip McCraw, and passing, the Board convened a Closed Session for the discussion, as authorized by Virginia Code Section 2.2-3711 (A1, 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.

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

(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	Yes
Mr. Martin	Not Present

(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	Yes
Mr. Martin	Not Present

Mr. Robbie McCraw lead in invocation and pledge.

(Order)

APPROVAL OF AGENDA

Upon motion by Mr. Hill, seconded by Mr. Webb and passing, the Board approved the agenda.

VOTES

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

(Order)

CONSENT AGENDA

Upon motion by Mr. Hill seconded by Mr. Phillip McCraw 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	Yes
Mr. Martin	Not Present

(Order)

APPROVAL OF MINUTES

Upon motion by Mr. Hill seconded by Mr. Phillip McCraw and passing, the Board approved the minutes of the meeting on July 9, 2018.

VOTES

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

(Order)

SHERIFF

Upon motion by Mr. Hill, seconded by Mr. Phillip McCraw and passing, the Board approved an additional allocation for Community Policing for funds received from the sale of calendars in the amount of \$2650.00

VOTES

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

(Order)

SCHOOL CARRYOVER

Upon motion by Mr. Hill, seconded by Mr. Phillip McCraw and passing, the Board approved a carryover of \$82,000 for the extended school year grant.

VOTES

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

(Order)

SMART SCALE RESOLUTION

Upon motion by Dr. Littrell, seconded by Mr. Hill and passing, the Board approved the Smart Scale Resolution.

VOTES

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

(Order)

BRIDGE NAMING RESOLUTION

Upon motion by Dr. Littrell, seconded by Mr. Hill and passing, the Board approved the Dixon Bridge Naming Resolution.

VOTES

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

(Order)

SHERIFF CARRYOVER

Upon motion by Mr. Hill, seconded by Mr. Phillip McCraw and passing, the Board approved an additional allocation for carryover from unused funds in the Sheriff’s Department in the amount of \$193,169.03

VOTES

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

(Order)

MAINTENANCE CARRYOVER

Upon motion by Mr. Hill, seconded by Mr. Phillip McCraw and passing, the Board approved a carryover of the unexpended maintenance funds in the amount of \$38,000 to complete the restroom addition at the Visitors Center.

VOTES

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

(Order)

CENTRUYLINK – RICH SCHOLLMANN

Mr. Rich Shullman told that he wanted to share some information about Century Link and as part of his job he speaks with County Boards and works closely with Legislatures. He told a common question he gets is what can we do as a locality to help bring broadband to our communities. He told that he has worked with Centurylink for the past 12 years but has worked in the business for the past 20 years, used to be a regulatory lawyer for AT&T, spent some time with AEP and worked with Comcast. He told that he works with Government Affairs in Virginia which is mostly regulatory and legislative. I have also taken the lead on our broadband projects especially where we are looking for grant funding. I am not an engineer. When I came in 2006, we were Sprint and they decided to split the wireless and the landline and created Embarq. Since then they have acquired Quest and Level 3 so we provide local service to 37 states and they are the 2nd largest US provider to global business. On broadband we provide service with DSL and it uses the existing copper lines and it is slower than fiber. We are doing much faster speeds over DSL and if it has been updated and you are close to it. To get those speeds out everywhere you would have to do fiber and that is expensive. I don't know of anyone who has been able to get fiber out to the homes in rural areas. We have places where you have a phone but not broadband or if there is a device that has fiber and you are more than about 3 miles out you are not going to be able to get internet. Streaming video consumes about half of the bandwidth that is out there. So there are two areas where we don't have broadband. We have got all the low hanging fruit and part of his job is to find was to improve the business case. He told he looks for federal and state projects, he has used DHCD and Tobacco Commission. He told the problem with those is they are all about what is the biggest bang for the buck and I met with them last week and for us the customers who live 3 miles out or its too expensive to get fiber to the homes are not the biggest bang but they are the people who need broadband. We need to get the word to Richmond that we should be looking for the places who don't have any broadband. The government took all the money away from us to support voice network and created a broadband fund. This money allows us to partner using federal money reaching 50,000 homes in Virginia. As of the end of last year they got to 20,000 homes with 10/1 speeds and he showed a map in Carroll of where they have upgraded using the Connect America fund. We have another 30,000 to go before 2020 but he does not know where those will go yet. Our company is not particularly good at getting the word out when we update an area. I always get the question what can we do to bring broadband to our area, first we need help making the business case. Most of the time when I get a call to look at something the return on investment is 15-20 years and we are just not going to do that so the best way is to tap into those state funds. From the Tobacco Commission side they are interested in much faster speed. Just as a citizen, I recognize that we may not be the answer to everything. The last thing is setting reasonable broadband speeds. For the people who have nothing they would rather have 10/1 tomorrow than waiting 10 years for it to be faster. Earlier in the spring the company moved to a new dispatch system and it is particularly bad but they are doing a lot of work on it. Unfortunately, the system is not working how it is supposed to so there are some customers who are calling and being told it will be 30 days before someone can come fix the problem and we all know if you live in certain parts you may not have cell service. I have been doing on a daily basis, we get reports and he calls dispatch to get those moved up. If you can get those calls to Steve and he will get them to me. He apologizes for the poor service that the citizens are receiving because of the dispatch system.

(Order)

CITIZENS TIME

Ms. Maryann McCracken told you touched base on what my problem is, where I live we get no cell service and I am on oxygen and was told three to four weeks to be fixed. I still got a bill for the same amount but was without service for 29 days. I have to have a landline because I don't get cell service.

Mr. Schollman told that is exactly the issue he was discussing. My call tomorrow with the State Corporation Commission is to try to not have those assigned at 3 weeks out. Its not like we don't have the people to go out and fix it, it is with the system that we

have. If you have that problem or know of anyone with that problem call Mr. Truitt and they will call me. I pull over on the side of the road and send them in. You probably know your local techs and they are unhappy with what is going on as well. We need it faster, you can't have anyone calling and getting a 3 week turn around. Unfortunately, it is not just a Virginia issue. The CEO of the company knows about the problem and is pushing to get it fixed.

Unknown speaker from audience told that he knows the local technicians, 3 or 4 of them and they have been laid off so they can't come fix your phone.

Mr. Schollman told that he doesn't know the local techs. I know that there were some that were let go but the issue we are having right now is not a man power issue. I know you are not going to want to do it, but you need to get on the phone again and make sure that you get the credit. He told that he sees everyone that goes in each day and there is a credit amount and if there isn't someone messed up.

Ms. Kitty Daniel told she wants a telephone number that works and I will get a response. I threatened to fix my phone myself and they come fixed it. The technician told her that they are sitting there waiting on assignments, who gives them assignments.

Mr. Schollman told that there is a central place and they have the master software that figures it all out. Verizon is my provider and I have had two outages in the past year and they fix it the same day. We have moved to this new system but it is not working correctly. The problem is the system that I am telling you about and that is what they are working on. They are working to fix it very quickly.

Ms. Daniel told to tell that to her neighbor who has to hook up his pacemaker every night.

Mr. Schollman told again, if you get one like that call in and I will personally make sure that it gets done.

Mr. Jerry Felts told they lost service on August 8th and was told it would be August 25th before they could come out. The next day he saw a centurylink truck and stopped and they said it is not like it used to be and told that is unacceptable and came the same day and fixed it. Also, we have a daughter who is handicap and she has seizures and we are suppose to call 911 if it lasts more than 5 minutes so if that happens I know who I will be looking for. It seemed like the system was working but I don't understand a lot that you were saying. We can't get cell phone service.

Ms. Nancy Miles told they did have a contract person come Friday and there were two wires that are not connected and he is working here 3 months all the way to Wytheville. I would love to have 1.5 and .4 upload. It is inconsistent, I have been using a speed test and it goes from excellent to bad in minutes. The system has been overloaded. I don't like the inconsistency of the service. If you are watching a program on Netflix and the sound goes out.

Mr. Schollman told he is surprised you are even watching Netflix at that speed.

Ms. Miles told she has no cell phone service and they also have health issues.

Ms. Sharon Dalton told she pays \$136 a month and June 27th the phone went out and they dropped my bill \$10 and when the technician plugged it back in it was still popping and cracking. I kept my phone for 12 days and it went out again and the projected date is August 21st. My online bill today was \$20 less with no service. Being without service for 31 days is not fair.

Mr. Schollman told to make sure you call tomorrow and they will get the information to me. On your credit, it's a real pain to do it but they should give you the credit for 31 days. On broadband speed, we are not adding any new customers. If you leave your house and someone comes in we are probably not going to give them broadband because we don't want to overload the system.

Mr. Benny Robinson told this is 2018 not 1893, we had better phone service 100 years ago than we do today. I appreciate you coming to day to listen to what the people have to say. I'm not going to go over what all of these people have had to say. I have got to know the technicians by name and about 3 weeks ago they was at my house once a week every week. Here is what I think is the problem, sir. You have an infrastructure in place that one of these days you guys are going to dust off your hands and say so long, we don't need this anymore because it is irreparable. Where I live, where he lives, the church at the end of the street there is not a monument on that street that the technicians haven't told me has been struck by lightning numbers of times and they are becoming irreparable. I know you are the only game in the town so I told him about a month ago that we have to find a way to make centurylink successful because it is the only game. You can forget Hughes Net, I won't even go there and I am so afraid your management is going to step up and say so long we don't need this anymore. The cost benefit analysis is not there. The other thing I wanted to ask you, are you aware of how centurylink has outsourced its repair service. When you get on the phone I can get someone in Guatemala, I could get somebody in Mexico, I could get somebody in Indiana and many of the times you cannot understand these people. I am maybe mislead and if I am someone correct me, I though dial up service, especially dial tone service is in fact regulated to a response time much more than we are b being quoted. Someone needs to be looking into the State Corporation Commission but I am glad you are here.

Mr. Schollman told that is the world he lives in, the legislative side we are not going to put up our hands and walk away because we are required by the law to provide voice service. We are called the carrier of last resort. In some places where there is cell phone service under the law we can say we don't have any desire to service that because there is cell phone service but in places where there is no cell phone service we have a requirement. That is not something that we can do.

Mr. Robinson said you said earlier if someone moves out you may not provide service.

Mr. Schollman told that is broadband, I am talking about voice, your access to 911. Broadband is not regulated at the state level. If you notice we don't charge you more for broadband because no one else provides it. The rate is the same across the US. There used to be a whole list of response time and those don't exist anymore. It now says respond within a reasonable time, is 3 weeks a reasonable time no but that is why I am here.

Mr. Truitt told on the broadband side, everywhere on the map that is red is very difficult to get grant funding.

Mr. Schollman told they got rid of that, it is no longer in the law. He told that was one of his great accomplishments. He told in 2019 there is \$4 million in grants but that is not a lot of money. Trenching fiber is a very expensive proposition. The problem we have is making our rural projects attractive enough to beat some of the other projects. There may be some of the areas where you need to be looking at wireless.

Mr. Phillip McCraw told that he has called and it was 3 weeks out to be fixed and it wasn't someone from Carroll County.

Mr. Schollman told that those calls go all over the place. We have hired 30 additional contract folks to come in to get rid of the back log.

Unknown speaker told he understands what everyone else is saying. He was in the military and had one of the first bag phones in Argentina. Centurylink is the only one around here, I don't have the privilege to go to Comcast. You guys run this area. There is a lady that is in town and still has crappy service. I would love to go wireless but this is a mountinness area and cell service bounces off the top. When are we going to fix this, my technician told me to call someone in North Carolina and they can get to it faster. We all would like to have an answer.

Mr. Schollman told the call he is on tomorrow, hopefully he will get some answers. He told the system was put in place over a year ago. I wish I could tell you what the problem is and what it takes to fix it but he is hoping to know the answer tomorrow.

Unknown speaker told that she lives in town and lives within a mile of the telephone building. I have lived in my home since 1971 and her problem is she gets static on the line and now if it rains there is popping and cracking and the internet goes down. Over the last 20 years she has had technicians come and the problem is at a box down the street so she has been getting bandaid service. Our infrastructure is out of date and she would like to have good telephone service.

Mr. Schollman told he would love to know who or the name of the person that seemed like they didn't care. You see me here and you know the technicians out in field care. The people on the phone are just taking your information and trying to get it dispatched. I know language is an issue unfortunately the way the business is that's where the calls are going to. If you are without a service you get a credit. You have to go through the process of calling in though. Until the dispatch system is fixed call because I am able to get around the system.

Unknown speaker told if you will look at your phone bill there is a universal service tax that everyone pays and that is money to be used to provide services to people.

Mr. Schollman told that it is CALF money now. We pay for the repairs out of what you pay on your phone bill. That is part of the problem the company has the millions of dollars they had to repair is gone. We haven't raised our rates since 1994 so if you are a standalone voice customer that hasn't changed. Part of it is going to take the expansion of cellular. They are working on first responder coverage across the country.

Unknown speaker asked how much a technician makes.

Mr. Schollman replied, I have no idea.

Unknown speaker told that each speaker has said they are paying about \$100 for service per month and just with the people in the room that is \$56,000 a year and obviously you are making money because we are all paying and we don't even get the credit when we don't have the service. You are pocketing more money than you are putting out. This is not working. If we are going outside of our own country and we still don't have enough money, the story doesn't match.

Mr. Schollman asked if she was referring to building out broadband.

Unknown speaker replied you said for one mile was \$100,000. I don't know how many people live here but per month and per year, just here if you are making all this money and you are making enough money in just this one area.

Mr. Schollman told he does that every day and the payback to do that is almost 15-20 years. I gave you the figure for fiber, not the rate to install it or the equipment.

Unknown speaker told me you can't tell me your business is not making money and it is costing more than is coming in.

Mr. Schollman told they are a public company you can pull up the information. I am here to tell you that when it comes to building broadband networks they don't make financial sense to build.

Unknown speaker told the internet is not the big issue. They need a landline that is operational.

Mr. Robbie McCraw told that is a sore spot with a lot of people is not having a phone that works. I am no longer a centurylink customer, I had that luxury but many people don't have an option.

Mr. Schollman told that 90% of his calls are for voice and we tell the internet customers we will get to you when we can and get the voice customers up first. I look for elderly people and no cell service.

(Order)

NON-USER FEES – STEVE DURBIN

Mr. Durbin told over the past few months the Board has gotten inquiries from citizens who are not happy with the mandatory connection/non-user fee. You asked us to reach out to Rural Development and give direction on what can be done. At the time the PSA did the financing, there were a number of options one would have been to ask the County to issue general obligation bonds which count as debt against the County and would require a referendum for the voters and because it counts as debt it would limit the county's ability to borrow in the future. That was determined to not be feasible and that was not the way they decided to go. Another option would be to establish enough capacity agreements with the IDA agreeing to purchase enough capacity to satisfy the debt obligation, that would come out of general county revenues and would be supported by property taxes and that was also not the path chosen. The PSA and County settled on a financing scheme with Rural Development where the minimum number of users required and supplemented by capacity agreements and with the federal government to be satisfied that we could repay it was required to have a minimum number of users and a component of that was a mandatory connection/non-user policy and that was included in the letter of conditions. You don't have to choose this method but if you do mandatory connection was required and that was included in the grant component as well. Most of these projects had a significant grant with it, Cliffview alone has \$880,000 in grants, \$900,000 for Coon Ridge, \$564,000 for Exit 1 and there are a number of others. In order to get the grants the agreement contained a provision where RD would review and approve our rate structure. In discussing it with RD we can modify the rate schedule and I would recommend the PSA prepare some proposals because we have heard so much feedback. The concern is if you shift away from mandatory connection the money is going to have to come from somewhere else, there is no way around it. That is something that the PSA and County can do in cooperation with RD, any proposed change to the rate structure I would recommend consult with RD and get approval in writing before we finalize any changes.

Mr. Truitt told given the tremendous amount of flexibility you described, just about everything now is different. We need to come up with the fairest solution possible.

Mr. Durbin told going back 15-20 years what we have received from RD has not always been identical.

Mr. Hill told you mentioned grants, are you saying grants and loans.

Mr. Durbin told there are loans that we have to pay back and in addition to that we received grants. As long as we stay in compliance that money never needs to be paid back. We don't need to get into a position where we have to pay back the grant as well.

Mr. Webb asked if the PSA sets the rates.

Mr. Robbie McCraw replied yes.

Mr. Webb told he would like to see PSA come up with some solutions where we stay in compliance and relieve the situation with non-user fees.

Mr. Robbie McCraw told the suggestion was made that the Chair and Vice Chair of both Boards get together and see what we can come up with. We have to do this in the right process even though we don't necessarily agree with the way that it was done. We need to make sure we get approval to do it the right way.

Mr. Durbin told RD was very helpful and they are willing to help us.

Mr. Robbie McCraw told we don't need to put any more financial burden on the County.

Mr. Durbin told before rates could be changed it would require PSA to hold a public hearing.

Mr. Truitt told that it is possible that we would need to have a public hearing to change the legislation.

Upon motion by Mr. Hill, seconded by Mr. Phillip McCraw and passing, the Board approved to hold a public hearing in October concerning this issue. That will give us time to look at what can be done.

VOTES

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

(Order)

COMMITTEE APPOINTMENTS

Upon motion by Mr. Hill, seconded by Mr. Phillip McCraw and passing, the Board appointed Lanette Thomas to the Social Services Board.

VOTES

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

Upon motion by Mr. Phillip McCraw, seconded by Mr. Webb and passing, the Board appointed Laura Taylor to CPMT.

VOTES

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

Mr. Robbie McCraw resigned his position with CPMT.

Upon motion by Mr. Phillip McCraw, seconded by Mr. Webb and passing, the Board appointed Rex Hill to CPMT.

VOTES

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

(Order)

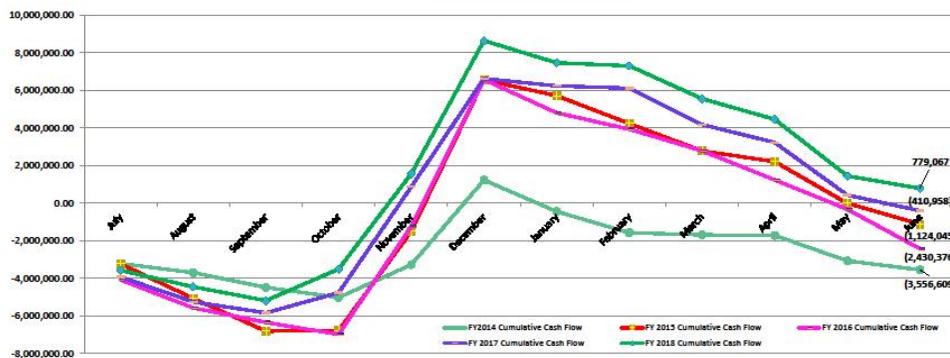
August 13 2018

YEAR END FINANCIAL REPORT

Ms. Cannon told that she will be presenting a financial overview of how we finished 2018 and this should be relatively good news. We finished very well and she reviewed the PowerPoint below.



Cash Flow Analysis



Difference in Budget expenditures

- ▶ Total Difference \$41.5 M vs. \$42.9 M = \$1.5M increase
- ▶ Public Assistance -\$ 1.2M increase
- ▶ Care of Prisoners - \$0.3M increase

While there was a \$1.5M increase in the Budget, the actual expenditures only increased by \$641,580 over the original budget.

Why increase of only \$641K in Expenses

- ▶ 3 Positions eliminated during the year
- ▶ Capital improvement projects postponed
- ▶ Economic Development not expended
- ▶ Departments going without

Revenues

- ▶ Collection and reporting falls under the purview of the County Treasurer.
- ▶ Observations – Collected \$1.4M more than original budget
- ▶ General Property Taxes up \$166K
- ▶ Fines and forfeitures up \$350K
- ▶ CCFR Collections up \$230K
- ▶ CSA Collections up \$530K
- ▶ Federal Public Assistance up \$118K

Observations

- ▶ County Administration would like to see the positive cash flow continue
- ▶ Continued critical review of expenditures
- ▶ Analysis of unfilled positions
- ▶ Treasurer's continued efforts for collection of delinquent taxes. DMV stops for collection of delinquent personal property tax, currently being pursued by Treasurer.
- ▶ Budget variances issues stemmed from situations entirely outside of the control of County Administration.

Mr. Hill asked if that was that were done after the other things came in.

Ms. Cannon replied yes and I think that we have always tried when we are faced with situations try to make accommodations. It has been a trying 4 or 5 years. As QSCB has come along we have had to get creative with cutting the County budget.

Mr. Hill asked if she would explain what QSCB is.

Ms. Cannon replied Qualified School Construction Bonds for the school. We have a payment of roughly \$1.5 million every year in debt service because it was financed for 10 years which is a very accelerated payback.

Mr. Robbie McCraw asked where the jail is trending this year, is it up.

Ms. Cannon told that it is, the first bill was \$189,000 so a little ahead of what is budgeted.

Mr. Robbie McCraw told he knows CSA is as well, they are directly related.

Ms. Cannon told it is unfortunate. A great example is trying to invest in prevention and one of the things you end up robbing is you have to take away some of the programs that might prevent some of the situations. It is a national crisis.

(Order)

DELINQUENT TAX UPDATE

Mr. Durbin handed out copies of our proposed advertisement. As of August 10th the total delinquent taxes collected was \$135,013, total administrative fees \$1020 and total we have been able to disburse to the County is \$74,641.97. The total # of properties we are working on is 275. Total paid in full is 31 properties. The next step is to order advertisement on all properties not paid or on contract on August 22nd. We will be advertising and ordering title work on properties and be filing suits to sell. We will continue to collect on contracts.

(Order)

CITIZENS TIME

Mr. Benny Robinson told I prepared this so I am at least going to go through it. I was expecting some feedback from the PSA meeting tonight and none forthcoming. Your talk with Mr. Hilt echoes mine almost entirely but I would like to say this, he is very easy to work with and is very informative. Don't please, this is a request don't be encumbered by doing something quickly. I have had two subsequent conversations with him since last meeting and I can tell you he has given me some good counsel that there may be an easy way through this. I am not going to tell you how to do your business, that's your job. We went down the wrong road in 2008 for some reason and I think that was expediency, let's not go down the wrong road again. Mr. Chairman and members of the Board I am Benny Robinson you know me well I open up with an olive branch from our last meeting toward a suitable end to the non-user fee ordinance, a regulation that is long overdue for an appeal. I would like to discuss why non-user fee needs to be repealed and secondly the less than subsidy contention that non-user fees are acceptable because we pay for the common good of all the county schools and roads thus making non user fees fitting and proper. Last meeting when I spoke to you about this subject I told you that I believe that it is unconstitutional, not biblical and unethical. I'd like to extend that conviction. I have been assured that the USDA information pertaining to the mandatory non user fees as I was challenged on last meeting has since been validated and I thank Mr. Truitt for that effort. First for the unconstitutional issue, research since the last meeting has made me even more convinced, I have adapted this from my study. There are at least 3 amendments that I believe has language pertaining to this matter, the 9th, the 14th and the 5th. Freedom of choice is a fundamental right. The 9th amendment eludes to it and the 14th amendment enforces it. The 14th addresses many aspects of citizenship and the rights of citizens. The most commonly used and frequently litigated phrase of the 14th amendment is equal protection under the law. Appellate courts have made note that they are fundamental rights existing before and outside the constitution while some rights are memorated in constitutional amendments for special protection. Other rights exist without being enumerated. It is the 9th amendment that emphasizes this. If you will bear with me I would like to read you section 1 of the 14th amendment. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws, emphasis added. The takings clause of the 15th amendment may likewise be something that a body needs to grapple with. This on the surface appears to be a legislative taking of property be it money without judicial due process. I said this was non biblical, simply put the Bible instructs us not to steal. Merriam Webster defines stealing as to take the property of another wrongfully and especially as a habitual or regular practice. I guarantee that none of you would consider yourselves thieves. I consider this non user fee nothing less than disguised stealing. When government begins taking from people without services or goods being delivered it is no longer a government of the people, it is no longer a constitutional republic. I said this was unethical. Ethics is defined as the discipline dealing with what is good and bad and moral duty and obligation. I'll add to that, doing what is legal may not always be ethical that comes from many many years of ethics training that I endured. Just as a little side note as an affordability issue this kind of government ordinance is inflationary by nature. As time moves forward, as PSA

expenses escalates you will be obliged to raise nonuser fees. It's a never ending paradox, another reason for repeal. Second I want to address the anecdotal example where schools and roads were used as a way of making the non-user fee for the common good thus passing the county reasonableness test to charge this fee. My desire is to counter what I believe is flawed rational. All citizens pay for schools whether we have a child attending or not that is factual. However, in the case of these 79 households being charged non user fees, they pay their real taxes, they pay their personal taxes just as everybody else whether they have a child in school or whether they use all the roads. The exception never the less is they pay them but over and above they pay the additional non user fee. Simply because there is a water main in the front of their home and they did not choose to subscribe. This at best is void to any logic and to these households an added monthly budget expense with nothing to gain from it. Allow me to regress for a moment, earlier speaking to the ethical issues let's make a hypothetical supposition that these 79 non users all happen to be an ethnic or racial minority, just how long do you think that would hold up in today's appellate courts. In closing the non-user fee ordinance must be repealed and never see the light of day again. I thank you for giving me this hearing thank you for hearing me and I also thank you for your service but let's also stop disgracing our Constitution.

Mr. Tim Haynes thanked the Board for taking time out to hear me tonight. I own a piece of property on Epworth Church Road but there is no abandoned State Road down through there. I contacted the Resident Engineer, Lisa Hughes and she said I would need to come to the Board and have them give me that property. My land encroaches it in all directions. I'm paying taxes on it and I've got a surveyor says its mine but technically it's not mine and she said it would be up to the Board and she would go along with your decision to revert that over to me. I have maps and picture of it if you need to see it.

Mr. Robbie McCraw told I think we need to have a little more information about it.

Mr. Durbin asked if this is an old abandoned road.

Mr. Hayes replied yes that the state done away with.

Mr. Durbin asked if he is asking the Board to abandon it.

Mr. Haynes replied yes and revert it back to my ownership. My land encroaches on both sides.

Mr. Durbin asked if he had filed a request with the County for abandonment. I believe this Board has adopted a road abandonment policy.

Mr. Haynes told he is just going by what the Resident Engineer informed him. She said just go before the Board.

Mr. Durbin told that there is a policy in place and steps you have to follow.

Mr. Truitt asked if he got a letter from Ronald Newman about this.

Mr. Haynes told he cannot remember.

Mr. Truitt told I think you did about 8 months ago.

Mr. Haynes told I just need to get it straightened out because that old road there is people wanting to park on it.

Mr. Truitt told that it is more complicated than you are making it. There are issues with some of the neighboring properties. You may follow the request to abandon the road if you wish as we told you several months ago or you can go see Judge Geisler and let him sort it out, which is actually what I would recommend you do.

Mr. Haynes told the only thing he needs someone to do, he doesn't want to be liable when somebody is taking drugs down there and the get hurt being out on the land

according to his deed. I don't want to be liable for something that somebody else done and I don't even own the property.

Mr. Truitt told if you have people trespassing on your land I would suggest taking it up with the Sheriff.

Mr. Haynes told we have done that avenue also.

Mr. Robbie McCraw asked if it was evident that there is a road still there.

Mr. Haynes told I am mowing it, it is grass.

Mr. Truitt told the right of way is still there and there are other properties involved.

Mr. Haynes told they adjoin past this.

Mr. Durbin told this Board can't act until the application has been made under the road abandonment policy. You can either do that or if you have a dispute with people coming on your property then go to Circuit Court.

Mr. Haynes told they are going through on my other property.

Mr. Durbin told there is no action that can be taken tonight.

Mr. Robbie McCraw told that Mr. Newman will get you a copy of the policy.

Mr. Robert Mabe told he agrees 100% with what Benny is saying. I don't have a meter, no water, no nothing and yall keep beating a devil around the bush not doing anything. This has been going on over 10 years and that is a long time. About a guy's funeral we went to the other day, Nick, he worked here and I think to myself he has passed away and yall just keep letting it go on and go on, there ain't no sense in it. When you know you are in the wrong back up and do something about it. And just like the lady read in the newspaper you just block that out. It just hurts to think how you are doing and sometimes think you are trying to put sewer in and make it mandatory just like you say the water was but it wasn't mandatory. Now you are trying to put a sewer system in there and I live 10 miles away from here near Laurel School. I don't even live in Carroll County within this area. If it was yalls place you wouldn't want to pay it either. I don't think it is right, I think it is stealing and I don't think you should have to pay for anything where they take you money for no reason.

(Order)

SUPERVISORS TIME

Mr. Webb told he wants to thank people for attending and bringing these issues to us. I would like to address the last gentleman that spoke, we hear you and we are working on it we are not beating around the bush. If you heard our attorneys report we have got to get to the bottom of it. It was done years before most of this board and we are trying to find out what we can do to eliminate that legally. We can't do it tonight and it may be another month or two but we are on top of it. Please bear with us, we are not trying to cover it up. Thank our staff, County Administrator and County Attorney. I started January and a lot of these issues are coming up and I didn't have a clue but I promise you that I hear you and I will work for you. We are facing a lot of issues and I am proud to see the report tonight that we are back on the right track.

Mr. Phillip McCraw thanked everyone for coming. I am sorry you have to come with issues, I have been bothered by it for years and I don't like the non-user fee. It was an agreement that was made by previous people and we are working to try to get out from under it if we can without sticking the County with more payback. I hope we are wise enough to stay out from under stuff like that.

Mr. Hill thanked everyone for coming out. Looking back on what I have heard tonight, its to bad we couldn't run the internet through the water lines. I don't mean to make light of this and we did pass and will have a public hearing on it in October. I hope that gives us sufficient time until we can all get information back from the PSA and see what we can work out in that area because it is a stickler for a lot of folks and mostly in my district. Hopefully we can solve the problem, I know Robert you have been here ever since I can remember fussing about it. Thank staff for everything and I am tickled to hear about or financials and how they look at this time.

Dr. Littrell told it was good to have a room full of folks and it was enlightening to have our Century Link representative here and I think I have had an outage out in my home twice this summer and I was told they would be there on the 14th of September. I was glad to see our financial situation is going in the right direction and I hope Bob continues to recover from surgery and the McCraw family keeps healing.

Mr. Robbie McCraw thanked everyone for being here. Rex made a statement under his breath a little while ago, we can guarantee a full room when we are talking about roads, water or internet service. I love the input we get. If we are not told about situations we don't know about them lots of times. As much as we like to stay involved with what is going on, if citizens don't let us know then we don't know. I thank staff for everything that they do they put a lot of time and effort into everything that they come across daily. They don't come here and sit and don't do nothing, they get beat up pretty bad sometimes. There is something I want to ask staff to do with this smart road thing. The highway department needs to do something about Lambsburg Road, it has got to have some attention its becoming a very high safety issue. Anytime the interstate shuts down GPS sends people on Lambsburg. It's a very dangerous road if you don't travel it every day and it can be very hazardous.

Mr. Truitt told if it is a safety issue it is different than smart scale so we will look at it.

Mr. Robbie McCraw told it has not been mowed, there are trees down that is encroaching along the roadway side and I'm like everyone else if I'm going down I don't want to crowd over to the edge because I don't know how close the edge is. I know that it was made a scenic byway and when that happens they don't put a lot of funds into it. Unfortunately when 77 shuts down that becomes a major highway. I've had several people come to me particularly and complain about our parking situation out front. People that visit the facility and I think we need a committee, can I appoint a committee with out having to do anything to look into this.

Mr. Truitt asked if the problem is that there is not enough parking.

Mr. Robbie McCraw told that I think what they are seeing is there are more employees parking on the front rows.

Mr. Truitt told he doesn't think we need a committee, he will just give people spots further away.

Mr. Robbie McCraw told I know for a fact because I know the vehicle that there is a school employee that parks on the right hand side on the very front row.

Mr. Truitt told that we can figure it out.

Mr. Robbie McCraw told he would be greatly appreciate it. I know some of Social Services park on the first row, maybe designate the first two rows across as visitor parking only.

Mr. Phillip McCraw told they have stopped the trucks from coming down 52 because of the school buses, I'm glad they did I'm all for it but you realize the beer trucks, Sowers Constructions, Blue Ridge Concrete all them boys got tractor and trailers and the only way they can get back across is Brushy Fork or Flower Gap. Neither one you cannot hold a tractor trailer on your side of the road then they come through them curves.

Mr. Robbie McCraw told those are the kind of issues that have slipped by over the years and we have not paid any attention to but they are safety issues that need to be addressed. I know that secondary roads don't get the attention that a lot of the major roads do.

(Order)

ADJOURNMENT

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

VOTES

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

(Order)

Chairman

Clerk

August 13 2018