

June 3, 2019

The Carroll County Board of Supervisors held a meeting on, June 3, 2019 in the Board Meeting Room of the Carroll County Governmental Center.

Present were:

Rex L. Hill  
Dr. Tom Littrell  
Bob Martin  
Phillip McCraw  
Robbie McCraw  
Steve Truitt, County Administrator  
Steve Durbin, County Attorney

Mr. Rex Hill called the meeting to order.

Mr. Robbie McCraw led in invocation and pledge.

Mr. Hill said very seldom do we get to do Memorial Day, and I just ask you all to think about all of the veterans that have passed as we go forward in the future. We don't have that meeting, so we miss Memorial Day.

### **PUBLIC HEARING – PROPOSED FY20 BUDGET/TAX RATES**

Mr. Hill opened the public hearing at 6:01 to hear comments on the Proposed FY20 budget and tax rates.

Mr. Robbie McCraw said he thinks it is just a line mistake, look over on page 13. It looks like there is a line shift in there.

Mr. Truitt said I fixed all of that stuff today on the one I sent you.

Mr. Robbie McCraw replied I printed it off today, and it is still there. It starts under Senior Citizen Programs, and it goes almost all the way through to the end.

Mr. Truitt replied okay.

With no one else to speak, the public hearing was closed at 6:03 p.m.

(Order)

### **PUBLIC HEARING – NON-USER FEE**

Mr. Hill opened the public hearing for the non-user fee at 6:03 p.m.

Ms. Judy Jones said, I would like before I say anything, could we get like an overview of the water rates that was published in the paper. Is there maybe some explanation about clarification about that?

Mr. Hill asked if we can do that?

Mr. Durbin said the public hearing tonight is on two alternative ordinances, one would be to readopt the ability for the PSA to have mandatory connection and non-user fees but it will put caps on the PSA's ability to do so. It would be no more than 45% of the minimum user who is connected and using from the system. The other alternative would be to postpone the effective date of the repeal of the chapters listed in water and sewer. As far as the proposed rate schedule that you are asking about, that is going to be a public hearing held by the PSA. The proposed rates are not available today. The Board does not regulate those.

Mr. Hill asked if that answered the question?

Ms. Jones asked you will be voting on that so should I wait and speak to that at the next public hearing?

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Mr. Hill replied yes. Today we are just having a public hearing to listen to input, and as far as I know unless there is a motion, I don't think there will be any votes on it today.

Mr. Truitt said unless council objects, Jessica is here; she could very briefly review the rates so you can understand the rates even though that is not part of the meeting. If it helps people to understand the meeting itself better, it might not hurt to spend 5 minutes doing that.

Mr. Hill asked if you want to do that Judy?

Ms. Jones replied that would be good, but then I may still speak.

Ms. Montgomery said the rate committee was formed of myself and Steve Truitt and Dana was in on those meetings. Mr. McCraw and Rex sat in on a couple of those as well as Joe Webb. As far as the PSA goes it was Keith Meredith and Doug Winesett. Keith is here also from the PSA. We looked at the rates, and what we wanted to do as a rate committee was to just treat everyone equally and fairly along the whole system. The rates that have been proposed; the rate committee worked several meetings in order to come up with these. We wanted to lower the minimum so that way people could conserve water and it would help those that just live alone. We lowered that minimum from 2000 to 1000 gallons, and we lowered that rate from \$28 to \$18.90. When you are going up to the next 1000 gallons, we were at \$6.60 per thousand after that minimum and we have pushed that to \$9.45 so that way the more water you use, the more you are paying. This gives people the chance to conserve at that cost to be able to pay for their water gallon per gallon. This is also affecting the commercial as well, and we have taken the water mandatory and wanted to use the non-user change that clarified that from mandatory because mandatory means we are making you hook up to clarifying that definition to be non-user. In this case we would take and lower that amount from \$28.00 down to \$6.00, a much more fair number. We also sent these to USDA RD to review, and they said it all looked fair and reasonable as well to them. We did something similar to sewer as you can see, from \$28.00 from 0 to 2000 and it will be \$22.00 from 0 to 1000. Lowering that minimum will be able to help out some of the folks that live alone and don't use very much water. Does that help clarify?

Mr. Hill replied thank you Jessica.

Ms. Jones said I guess what you have mentioned about our non-user fee that was repealed and effective July 1, are you saying that is what might be changed tonight to not be effective July 1<sup>st</sup>?

Mr. Hill replied we have several options, we can keep as is repealed, or we can vote on it to allow the regulation to go back the way it was with some modification in separating water and sewer. I think there are some misconceptions of how that was, it was kind of confusing on those regulations.

Mr. Durbin said it will place a cap on the amount that a non-user is charged.

Mr. Hill said we have options to do all those things. We can delay, vote or keep as it is at this point which would be expiring July 1. It will be next week when that vote occurs. Is that clear as mud?

Ms. Jones replied pretty much mud because non-user fee, we thought that was gone. It was repealed effective next week or July 1<sup>st</sup>. It just sounds like now that it is a new name, but it is the same song and dance. Just because water and sewer is available does not give anyone the right to charge a fee. It wasn't right when it was initiated. You guys were convinced seven months ago to repeal it, and you did. I really can't see why it is being resurrected. As far as availability, you really don't have the right to charge someone a fee. I compare that to Comcast and CenturyLink. You sign up for Comcast, and you get a bill. CenturyLink is also available, so you are going to get a bill from them if everybody gets on this bandwagon of billing people because something is available. It is just not right, and I would hope you would certainly stick to what was done seven

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months ago. It was repealed, the non-user was repealed, and I hope that will just be the last we hear of it. Whether it is available, or non-user or whatever, it is not fair to charge someone a fee when you are not getting a service. That is what this available fee is going to be, \$6.00 or whatever. We are not getting a service for it, so it is a tax, it is not a fee because we are not getting a service for it. I would hope that you all would not vote to continue with the non-user fee.

Mr. Robert Patton said I would like to speak in opposition of the non-user fee also. I know it is just \$6.00 and I know it sounds vague, but you know you start with \$6 and the next thing you know it is \$12. If you are not receiving a service, you shouldn't have to pay it. I just feel like it is, I don't know, I just can't imagine people doing that. I know they worked on this rate schedule, and I know they worked on it hard and tried to come up with an answer but that's not the right answer. We have got to come up with something better than that. You are wanting to promote your man-made water to the public, and I can't see it promoting it when you are doubling what you are charging to install a meter from \$1250 to \$2500. You are trying to promote something, and you are doubling the price to install it, I just can't understand how that is promoting.

Mr. Benny Robinson said I rise this evening to comments on the alternative ordinances. Again, confusion abounds. As few understand the intent of this or the motive, it seems to me like this is right out of Nancy Pelosi's playbook, let's pass it so we can see what is in it. Come on guys. Allow me to be direct, a convenience fee is just new terminology for non-user fee, and I'll promise you Judy and I did not talk ahead of time. Establishing language to define the exclusive service area, I simply interpret as clean up language of ill-conceived past practices. We do not support a convenience fee for the opted out 79 non-users identified in the November repeal, primarily from Mr. Hill and Mr. Phillip McCraw's districts. A \$6.00 convenience fee represents for these 79 households a revenue of \$474. Is that what it takes to keep this solvent? An amusing definition of convenience, freedom from discomfort. This ordeal has been anything but freedom from discomfort for all of us. This proposal hammers discomfort, not only for 79 non-users, but people who have done everything to exclude themselves from this overreaching and misappropriated in this application of law. This board, I want you to listen carefully, this board has verbally admitted in this room that the non-user fee was wrong and admitted your future direction on new projects as obtaining a yes-no signature to remove any doubt to customer percentages which I consider to be an exemplary business practice. More telling, the repeal of this non-user fee has not yet taken effect, and you are proposing alternatives, really. Four of the six members on this board voted to repeal the non-user fee provision. Are you waffling? Where do we get our trust? 1200 people signed a petition that I delivered in this board room indicating that they believed charging for goods not delivered was wrong, in fact evil. Do you just ignore 1200 people? You have ignored lessons learned that these are not revenue generators. Taxes are revenue generators. You are ignoring the 79 non-users who were never canvassed door to door in a policy defined by the USDA, admittedly another PSA failed attempt of project fiscal soundness. You are failing; you are failing to delineate between users who really use the water, consumers, residential and commercial, zero non-users, non-users who signed the contract obligating themselves to the PSA and 79 non-users who made no obligation to the PSA. Victims of failed administrative policy. The non-user fee was illegal, unbiblical, unethical, then this convenience fee continues down the same path, illegal, unbiblical and unethical. It was this non-user fee that engaged us, and we are not going away. So, I urge you to table this, get help, get some help, get some financial modeling help and some administrative planning help that can help you work your way out of this predicament. This is symptomatic that talent and skills are non-existent. Do not allow precedent setting ordinances which would allow utility companies to charge convenience fees if their electric or telephone or gas pipes or airwaves, we are in a new technology world here, are near your residence. Table this, you guys need to go back to work. Vote no on this and go back to the drawing board.

Mr. Hill closed the public hearing at 6:20 p.m.

(Order)

**CLOSED SESSION – PURSUANT TO VIRGINIA CODE SECTION 2.2-3711**

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

VOTES

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

Mr. Hill said we can release staff and council will take minutes once we return. We will just be returning to adjourn.

(Order)

**COME OUT OF CLOSED SESSION**

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

VOTES

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

(Order)

**CERTIFICATION OF CLOSED SESSION**

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

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Mr. Martin                      Yes

Announced holding a Closed Session at an undisclosed location and an undisclosed time for the sole purpose of interviewing candidates for Chief Administrative Officer.

(Order)

**ADJOURNMENT**

Upon motion by Dr. Littrell, second by Mr. Martin and passing, the Board adjourned.

VOTES

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

(Order)

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Chairman