

At the regular meeting of the Giles County Board of Supervisors on Wednesday, January 9, 2013, at 3:00 PM in the Giles County General District Courtroom, 120 North Main Street, Pearisburg, the following were present:

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| Barbara Hobbs | Chairman (Central District) |
| Scott Dunn | Vice Chair (Western District Supervisor) |
| Richard McCoy | At-Large Supervisor |
| Larry Jay Williams | Eastern District |
| Paul "Chappy" Baker | At-Large Supervisor |
| Chris McClarney | County Administrator |
| Richard Chidester | County Attorney |
| Susan Kidd | Board Secretary |

CALL TO ORDER/INVOCATION

Mr. McClarney, Clerk, called the meeting to order. Mr. Bryan Reed offered the invocation and led the Pledge of Allegiance.

REORGANIZATION OF THE BOARD

Mr. McClarney, Clerk of the Board of Supervisors, asked for nominations for chairman for 2013.

Mr. Baker moved to nominate Ms. Barbara Hobbs for Chairman of the Board of Supervisors for 2013. Second by Mr. McCoy. There were no further nominations. Ms. Hobbs was confirmed as Chairman by a 4-0 vote with Ms. Hobbs abstaining.

Mr. Williams moved to nominate Mr. Dunn as Vice Chairman for the Board of Supervisors for 2013. Second by Mr. Baker. There were no other nominations. Mr. Dunn was confirmed as Vice Chairman by 4-0 vote with Mr. Dunn abstaining.

Mr. McCoy moved that the regular meeting of the Board of Supervisors be held on the first Wednesday of each month at 3 PM; a recess meeting will be set for the third Thursday of each month at 6:30 PM if necessary. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

Mr. McCoy moved that in the event a regularly scheduled meeting of the Board of Supervisors has to be cancelled due to emergency situations, weather, etc. they will reschedule on the same day and time during the following week with proper notification. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Baker, Mr. McCoy, Ms. Hobbs, Mr. Williams, Mr. Dunn.

Mr. Baker moved that the Board of Supervisors would adopt and follow Roberts' Rules of Order. Second by Mr. Williams. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

APPROVAL OF MINUTES

Mr. Baker moved to approve the minutes of December 5, 2012. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

VDOT REPORT – CHRIS PRICE

Mr. Price provided updates from the last meeting. Patching on Route 641/Olendenin has been completed, as well as filling potholes on Route 460. VDOT has completed machining on Route 639/Orchard Hill. Mr. Price said there was a request about standing water on Route 460. David Trump had arranged a meeting with the drainage group out of Salem but it was cancelled due to the flu. They will reschedule and try to resolve that soon. VDOT

is researching the right of way issues on the old Route 100 near Narrows where all the junk equipment is parked. Mr. Price said he had looked at that area and suspects it is on both VDOT and railroad right of way. If it is the railroad, they would take precedence. He will keep the board members posted.

Mr. Price said a letter from Delegate Yost was received asking them to look at speed limits on Route 460. The traffic group said that the limited access portion near Pearisburg due to an increase in crash and injury rates will be investigated. They will also re-evaluate the 50/60 mph near Glen Lyn and the 50 mph just west of Pembroke to determine if those speed limits are still applicable. They will provide the county with an update once the study is complete. There was also a request to look at a turning lane on Big Stoney Creek Road. Mr. Price said the preliminary estimate for that is \$250,000 including engineering, construction and administration. This is just an estimate and they suggested using revenue sharing for the project. Current traffic volumes do not meet the warrants for a turn lane, however, they indicate a turn lane would provide operational and safety improvements for the vehicles. Mr. Price noted that revenue sharing is 50% VDOT funds and 50% local funds. He said that system now works off tiers – the more a locality puts into a project, the higher it moves on priority. Mr. Baker said if VDOT would pay their 50%, the county could do the work for that amount. Mr. Price said they could look at the cost estimate and see what specific costs are. He said it could be locally administered as long as it is not limited access highway. Mr. Price said engineering costs do add up. There is an option to locally administer it and they can look into that. Mr. McKJarny asked for the county to be provided with a copy of the traffic study and rate of traffic needed to qualify for a turning lane.

Mr. Price said Mr. Clarke asked him to provide a six-year plan update. The six-year plan for 2013 – Route 638/Hill Top Road is allocated \$706,285. It looks as if it is funded to the estimate. Mr. Price talked to the design group this week and they expected to bid that late in 2013. Ms. Hobbs asked if they intend to set on the county's money for another year; that is ridiculous. The money is already there – in the budget. Mr. Price said the project manager is looking for this to be constructed in 2014. He will be working on them on all the projects for all the Salem District counties. There may be a chance to move that project up. Mr. Williams asked if that is something that could be locally administered. Mr. Price said he would check on that. Mr. McCoy said the county was told at the end of Clendenin that Hill Top was ready then. Now they are saying they need 18 months to design and advertise the project. Mr. Price said it is not that it would take that long but the design group in Salem is very short-handed. They have some new people in and are trying to prioritize. Mr. McCoy said they can only do so much locally but it seems if anything is going to be done, it will have to be that way. Ms. Hobbs said she did not understand the wait. The road is there and updates in the past have been to spray slurry mix on it. They do not widen or purchase right of way, so why is it taking years to engineer to put slurry mix down on a dirt road. Mr. Price said he did not think any work had been done on the design phase, but it is just getting to the project to start it. Ms. Hobbs asked who uses the money when it is not spent in the year. Mr. Price said it should not be spent anywhere else. Ms. Hobbs said it bothers her that projects here are all on hold and she drives through Montgomery County and they are planting more bushes. Mr. Price said he understood, but the way the group is set up for design is that different groups do different type projects. This is very preliminary and it may change. Mr. Baker said he hoped it changed. The people living there have been told one thing all these years and then the message from VDOT changes completely and it is not what the board has been told.

Mr. Price noted that the county has \$176,838 in Rural Addition funds. Ms. Hobbs said that was allocated to various projects. She asked if any of those have been paid yet. Mr. McCoy said he thought the guardrail came out of that. Mr. Price said he thought the guardrail came out of the county allocation for traffic services in which there was \$320,818. Ms. Hobbs said she transferred the Central District Rural Addition funds to Hill Top Road. She did not know where this Rural Addition money came from but would like to know that.

Ms. Hobbs asked about Prospectdale Road and others off Route 100 that are unpaved. They needed to be graded, have dust control and gravel. Nothing was done to them in all of 2012. Mr. Price said he apologized that he did not have an update on that.

Mr. McCoy said the “tongue lashing” should be for Mr. Clarke because what he has been telling the board for the last few months is not what Mr. Price reported today. Also, on the gravel roads that Mr. Clarke said were too dry

to work on, there is rain coming next week. He hoped those roads would be high priority after the rain. Mr. McCoy said they did take gravel to Lyda Lane but could not really work it. They need to go back and do that if it rains. There are also potholes on Route 460 toward Pearisburg near Alpine Village – three large ones in row there. Mr. Price said he thought he hit those on the way over and would have them checked.

Mr. Williams said there is a large pothole on Big Stoney Creek Road just over the railroad tracks at the lime plant. On Zales Mill Road at Newport, on the Maybrook side before the first bridge, has a large rock that sticks out and several tires have been busted there. Clover Hollow needs trees and brush cut all the way through there. Mr. Williams noted that Route 639 off Clover Hollow stays washboarded on the hill. He asked if they could surface treat the hill to help prevent that; VDOT did something similar on other roads several years ago. He said there was also one coming out of Pembroke where the Canoe Livery is that needs the same.

Mr. Williams said they meet with VDOT and had looked into a decel/acceleration lane off Route 460 to Curve Road. It is \$27,000 for the study that has to be done. He asked if the board would request that the business owner and IDA would pitch in and do something on that. There are 77 houses and 3,000 acres of land and it really would help open that up. Ms. Hobbs asked if she could take a portion of the Rural Addition money if they are not starting on Hill Top for a couple years and put it on that. Mr. Price said he would check on that. Mr. Williams said the business owner did indicate he might help some on that.

Mr. Dunn said Stateline Road was paved last summer from Market Road to Possum Hollow – except for 2/10 of a mile at the end. He asked if there was a reason for that. Mr. Price said projects are set up out of the district office and he knew it did stop there and local VDOT office had asked the same question and did not get an answer. Mr. Dunn asked if the board could get an answer on that. If they do not go back and pave it, he asked they at least go back and do the shoulder work on it. Mr. Dunn asked if VDOT had a chance to inspect Chaney Road bridge. Mr. Price was not sure. Mr. Dunn said the weight limit is down and school buses and fire trucks cannot cross it. He has been told that concrete is falling out from under it and it needs to be looked at. Mr. Price noted that Route 605/Spruce Run Road was re-stripped. Mr. McCoy said he noticed that and it was in the middle this time.

SCHOOL BOARD REPORT – TERRY ARBOGAST

Dr. Arbogast reported that enrollment at the end of December was 2,475, an increase of 20 since November and increase of 40 since this time last year. He also shared a calendar of activities for January. SOL testing started this week and will continue into the next. The first semester ends on January 22nd.

Dr. Arbogast also shared that several Giles County students in both elementary and high school grades will be recognized at a luncheon at Virginia Tech for their work on a poster contest for Martin Luther King Day. The group is also still reviewing essays and should be notifying those winners at the end of the week.

Ms. Hobbs asked how flu season was affecting attendance. Dr. Arbogast that it was bad before the holiday break but things seem to be back to normal now. Mr. Baker thanked Dr. Arbogast for closing schools when they had the alert. Dr. Arbogast said he thought that was a good course of action and they should start installing security controls next week.

RESOLUTION FOR REDEVELOPMENT AREA IN TOWN OF PEARISBURG

Mr. McClarney introduced Chris Sterling who was present to answer questions concerning the redevelopment area in Pearisburg. Mr. Sterling said he was with the Virginia Community Development Corporation (VCDC) which is a non-profit organization based in Richmond. The organization has been in business about 20 years and works with HUD and localities on community development projects. They were involved in the Woodrum-Westview Project which was originally done in 1994. That is the old Western Hotel and the former Leggett building. Both properties in the Town of Pearisburg were renovated into apartments in 1994 and they now need capital improvements. The project for improvements will involve multiple sources with tax credits and loan

financing. One source of permanent funding is VHDA. The Western Hotel building contains both commercial and living space and VHDA has a prohibition about being involved in commercial buildings. To use their funding, VODC would either have to make condos out of the commercial space or get a resolution from the local government saying it is a redevelopment area. This is similar to what was done with the Shelton Project. However, only counties or cities are able to determine redevelopment areas – not towns. If the county passes this resolution it would enable them to have the renovation take place on the commercial space.

Ms. Hobbs asked if the majority of the renovations are updates rather than repairs. Mr. Sterling said the renovations include new cabinets, appliances, roofing, HVAC, and masonry. It also includes windows on the Woodrum building. Ms. Hobbs asked who actually owned those buildings. Mr. Sterling said they are owned by Oldtown Housing, LLC. The partners in that are VODC (the managing member) and there will be investors coming in to take advantage of the tax credits. VODC was involved in the original project on these buildings. Ms. Hobbs asked who receives the income; who collects the rent and where does it go? Mr. Sterling stated that it goes to pay the expenses and debt service from any financing. Ms. Hobbs asked if the 1994 project still had debt associated with it. Mr. Sterling said primarily what this would do is the debt service will be this VHDA loan. He said they have no plans to change the use of the building and will attempt to keep the current residents. They may have to move some around during the renovation but the buildings will be serving the same purpose they have for almost 20 years now. He noted that the Western Hotel has 9 units and there are 17 at the Leggett building. This renovation will not add additional units.

Mr. Williams moved to approve the resolution for a redevelopment area in the Town of Pearisburg for the old Western Hotel and Leggett Buildings. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

PROPOSAL FOR CHANGES TO GENERAL DISTRICT COURT BUILDING

John Mills introduced Mr. Mark Swecker from Thompson and Litton. He was present as a result of the concerns that have been shared with the board and the building office about the security flow and holding capacity in the Timberlake Building (General District Court). Mr. Mills said at the time of construction this building complied with every applicable building and other code in place. However, as with everything, the court system has experienced a great increase in activity. As a result of this, people are becoming more aggressive and it has prompted the necessity to look at the building and the way it flows. There is a need for more capacity in holding cells and a change in the way people get to the facilities. Mr. Mills said they have met with the people who use this building – the Sheriff's office, clerk of the court, judge, and bailiffs – to get their input and feedback and have them involved in this process. He said that Mr. Swecker would present the details.

Ms. Hobbs asked how many prisoner days/hours were they talking about for the holding cells. Mr. Mills said he did not have that information. Mr. Chidester said it just depended on the docket that day. Ms. Hobbs asked what determined if the cells were adequate for the number of prisoners and was this just because of restroom facilities. Mr. Mills said prisoners have access to a restroom but the way the building is configured it allows activities to take place that should not. The public has access to the same restrooms and that leads to a situation where something could happen. Mr. Dunn said it involved problems with contraband, security issues, etc. The prisoners do not need to use the same facilities as the public. Mr. Chidester said the prisoners also have to be taken through the public area to get to the courtroom. That is through the area where people are waiting and have not yet gone through the metal detector. He said there are easily 5-6 inmates on a court day and it can go as high as 10.

Mr. Swecker said he met with the people Mr. Mills mentioned and reviewed their concerns. The three most critical issues were (1) prisoner access to the restroom, (2) getting prisoners from the holding area to the courtroom, and (3) cell capacity. The original construction anticipated they would hold one or two inmates. Across the state, correction rates have increased primarily due to drug issues. At one report, Mr. Swecker was told that a cell had at least 12 people in it – at least for a short period of time. From those initial meeting, Mr. Swecker took the time to develop three concept lay-outs to fix those issues. The first two options look at how

they can revise and renovate the existing holding area into basic client/attorney rooms. They could do that and increase holding capacity and provide access to toilet facilities in each cell and use one of the client/attorney rooms with the other becoming a holding cell. Those options solve the holding cell issue but would not solve the access to courtroom problems.

Mr. Swecker said the third option was to build a new holding area as a small addition adjacent to the courtroom, connecting it to the fire door to provide direct access. The jail could park a van next to the addition and bring prisoners up the steps into holding cells and from there directly into the courtroom. Mr. Swecker also looked at the capacity they could achieve with this option. Based on the Virginia State Courthouse design guidelines, they could house 10 male inmates and 4 female inmates and they would also have toilet fixtures in that area.

Mr. Swecker passed out plans for a fourth option which was a hybrid of the third one. Ms. Hobbs asked if they could just switch with the judge's quarters and use that space. Mr. Swecker said they maybe could rearrange and do that but could not get enough room to get the extra capacity. This option takes the existing client/attorney area and makes it available for other functions that the court may need. Mr. Swecker explained their proposal to construct an addition on the side of the courtroom where the stairs are. There would be a separate entrance for prisoners to be taken to either holding or client/attorney rooms without passing through the public area. It also creates an emergency egress and access for the judge to come into the courtroom. Mr. Swecker said with the grade in the parking area at this building, they also had some "bonus" space that could be utilized as a secure parking area for the judge. It also includes additional storage/janitor space. Mr. Swecker also provided a drawing showing a site plan of how this would fit into the parking area. He said this would leave 18 feet between the addition and the Sheriff's Office. They would only have to relocate a few parking spaces.

Ms. Hobbs said before they got further into the discussion, she would like to know what this is going to cost. Mr. Swecker said because it is very conceptual – and they could fine tune in more detail if the board desired – but it would average about \$150 per square foot for a commercial facility. Because this is a small construction project, it could go as much as \$200 per square foot. All of the masonry construction and the additional security would cause the costs to increase. Mr. Swecker said they are recommending if the board chooses to pursue this, that they include a budget figure of \$350,000 – that only covers the cost of construction. Ms. Hobbs commented that there is a lot to think about with this proposal. Mr. Swecker agreed and said they have to consider the level of security. If they go with all the bells and whistles from a security standpoint, they would be talking about even more. He said the existing holding cells do look like they have held up well over the years. Mr. Mills added that he instructed Mr. Swecker to be very conservative with the figures he shared with the board and that until the project is bid and those are received, they cannot know the actual cost of this. Mr. Mills said he simply wanted the board to see these proposals and wanted Mr. Swecker to give them the worst case scenario.

Mr. Williams said it seemed that it would be better to use part of the basement of this same building. Mr. McKJarney said court services is using part of that. There are only about 2 offices open right now – on the opposite end of the building. Mr. Mills said the part immediately under the courtroom is used for health department records. Ms. Hobbs asked about the hallway down the opposite side of the courtroom. Mr. Mills said they looked at that but it would give prisoners direct access to the judge. Mr. Swecker said he was here to do whatever the board instructed him. Mr. Williams asked if the county would have to pay for all of this. Mr. McKJarney said there may be some funds. Mr. Dunn said there was some discussion on that so they were not sure.

Ms. Hobbs noted the primary reason for having this report now was to get the information before the board starts into the budget. Mr. Swecker said this is one idea. If there is some other space, they can look at it and try to work out something. They did try to work out all of the issues in this plan. Most other options worked out two of the issues, but it was difficult to find something to address all three. This does solve all three but comes at a larger price tag.

Mr. Dunn said they are not really short on floor space but it is just laid out wrong. If the building were reversed with the court on the other end and clerk on this end, it would work. Mr. Swecker said that is the way it was originally laid out and for some reason it was changed. Board members thanked Mr. Swecker for his report.

DEPARTMENT REPORTS

Kevin Belcher, Public Works: Mr. Belcher presented a written report to board members. He noted that roughly six million gallons of water has been accounted for with recent efforts to find customers who were not being billed. They discovered about 25,000 gallons last week and feel they found about 10,000 this weekend in five fire hydrants in Marlville. Mr. Belcher said the hydrant problems are probably a result of the crew draining the water off through the hydrants from time to time – over time these can develop leaks if even a tiny rock is in the seal. Mr. Williams said he realized Mr. Belcher was doing a good job on this, but asked what could be done to stay on top of this. Mr. Belcher said that was a good question. What they have learned is that people who are not paying a normal bill – there is a big change in the mindset of the people working in the office – because before if someone calls, they are headed down the road to try to help them. Now, all of a sudden they are talking about places that are not paying bills. They are developing a list where they have individual addresses that are inactive, water flat, etc. and are actually going out and checking those. They are locking those out and in some cases taking the meter out so there is no way they can hook up. This is a really big change in the mind set for the guys working out there. They have uncovered a lot of these. Mr. Williams said that sort of answered his question but he still wondered in the future how they would stay on top of it. It looks like someone will have to constantly check this. Mr. Belcher said the expertise to extract these files from Brites does not exist in this county. They are using a guy from Lynchburg who worked for Brites for 10 years to mine that data, pull it out and put it into Excel. Then they cross-reference those addresses with the 911 addresses and plot them on a map. He showed the board a map that had an example of inactive water customers – people who may have had water in the past and now are not paying a non-user because there is no one there. Mr. Williams asked if Mr. Belcher was working on a way to try to come up with some way to track this. Mr. Belcher said he was – this has been a big undertaking.

Mr. Dunn asked if the 6.1 million gallons was just covering 2 months. Mr. Belcher said no – an example was at Ram Wayside they found a meter 400,000+ gallons and it had never been a customer. That could cover 15 years. Mr. Williams asked if it was mandatory to connect within 300 feet. Mr. Belcher said it was or to pay a non-user fee. Mr. Williams asked if sewer connection was mandatory. Mr. McKarney said it was or pay a non-user on that also. Mr. Williams said he thought that within 300 feet sewer connection was mandatory. He thought that was put in place when Pembroke did the sewer line and the board had to pass a resolution that made it mandatory within 300 feet. Mr. McCoy said they did not do that with county customers when they extended the sewer to Eastern. Mr. Reed said the subdivision ordinance says if there is extreme hardship on the landowner then they do not have to connect – if they have to install a pump station, etc. Otherwise, they have to connect or pay a non-user bill. Mr. Belcher said he thought that fee for non-user was about \$19 a month.

Mr. Williams asked if the ones they are catching were they enforcing it – sending them a bill. Mr. Belcher said he was. What has been difficult is someone who has been at a residence for 10 years and has not been getting a non-user bill and suddenly one shows up. That requires some explaining. Mr. Dunn said he has discussed with Mr. Belcher before and wondered about how many of these problems are with rental property. Mr. Belcher said it was hard to determine that – for one trailer park the total owed is more than what has ever been collected. They probably knew that going in but did not have a lot of options. The people needed water, there were 19 connections and the well was gone. It is incredibly complicated to keep up with it though. Mr. Dunn said that is a problem – people will live in one trailer this month and move to a different one next month. He said at some point the landlord should be held responsible. They could add it to the rent or whatever, but the county is losing money giving away free water. They need to be addressing this. Mr. Belcher said there are people with multiple properties and when he takes a look at refunds and rental properties – it gives them a lot better idea of where to look. Mr. Williams said that has been discussed with PSA and the trash bills.

Mr. Belcher said the Walnut Road Water Project has been stubbed out and they are ready to go with VDH and VDOT approving the plans. They need to get materials and have bid for those. Four bids were received. Mr. Belcher said this will serve approximately 15 residences.

Mr. McCoy moved to approve material bids for the Walnut Road Water Project as presented to the board by Mr. Belcher. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

Mr. Belcher noted that they plan to use 6" pipe to Goodwin's Ferry and 4" to the top of the road. He has \$205,000 from SERCAP to do that.

Mr. Belcher's written report updated the board on the 460 Corridor water line replacement (plan with the Health Department) and emergency supply for Powell Mountain. The remainder of the Ripplemead SERCAP funds has been transferred to this project.

On the Rt. 673, Penvir bridge, Mr. Belcher indicated that two firms were interviewed for professional services on this project. Staff recommended Thompson and Litton be awarded the work. Their sub-contractor, Schwartz and Associates, is very familiar with the bridge and what could potentially be done to minimize funds required for the project. They will try to use two piers in the water and stay within the area of the one-lane bridge. The Department of Historic Resources has asked for additional information to determine that it is not a historic structure.

Mr. Dunn moved to approve negotiations with Thompson and Litton on the Rt. 673, Penvir Bridge project. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

Mr. Belcher said the master water drawings have turned out to be a large project. They are also working on as-built drawings of the water system and it has turned out pretty good. Some good things have come out of it. Ms. Hobbs asked how many master meters did the county have in association with the towns. Mr. Belcher noted meters at Fairview Acres, Rt. 100, Lurich, Marlville, and one at Direct Sports. Those are calibrated once a year. Ms. Hobbs said she recalled that the Town of Pearisburg has some set up with two meters at Fairview Acres. At one time there was a concern of double billing there.

Mr. McKjarney, in response to Mr. Williams earlier question, reported that in 2007 an ordinance was passed requiring connection to the county sewer unless the residence had an approved septic system. Mr. Williams said the old ordinance said they had to connect within 300 feet. Mr. Chidester said the new ordinance states that also but exempts residents with an existing good system and they pay the non-user. Mr. Williams said back in the 90's it was mandatory to connect. Mr. Chidester said this would supersede that one.

Mr. McKjarney encouraged the board to ask any questions they may have on the proposed water policy changes. Mr. Williams asked if the connection fee for water had been increased. It had been doubled from \$750 to \$1,500. Mr. Belcher said using 4 hours of time it costs \$1,140 including materials and equipment to set a meter. Mr. Williams asked if they left in there that people could buy the materials and county would put them in. Mr. Belcher said they did. Mr. Williams said he thought that was a little high but if it barely covers the materials then it was okay. He asked if there is a fee if water is turned off for non-payment and they have to turn it back on. Mr. Belcher said that fee is proposed to increase to \$100. If someone puts their own in and the county inspects it the fee is \$20. Mr. Williams said it should be more than that – it costs more than that to send someone there.

Mr. Williams said he understood there was a big problem with people running up a big bill and the water is turned off, and then someone else in the household comes in and puts the water in their name – and that might happen two or three times on one house. He asked what could be done to stop that. Mr. McKjarney said about all they could do would be make the land owner responsible. If someone signs up saying they want water in

their name, they would need to prove it is their home. Mr. Williams asked about payment plans for bills that are as high as \$8,000 and then they are still running up a bill for their water they are using. Mr. Belcher said there are payment plans with the Treasurer for that much. Ms. Kidd noted that in order for someone to have a payment plan, they also have to keep their water bill current. If they fall behind, then the payment plan goes away and they owe the whole amount. Mr. Williams said he understood times are hard but they need to try to collect what is due. Mr. McCoy asked if they could hold that meter "hostage". If there is an outstanding balance on that address, then it would not be turned back on until payment is satisfied – no matter who applies for it. Mr. Chidester said it would work for rental properties because they could not rent until they furnish water. He said they have been through this with the board and PSA and no one wanted to do it. The answer for water, sewer, trash etc. is to make the landlord provide it. PSA was not politically willing to do this because too many members have rental property. Mr. Williams said at one time the board voted against it when the land owners came in. Mr. Chidester agreed that the vote runs through both groups. Mr. Williams said something needs to be done because there are thousands of dollars being lost. Mr. Chidester said if someone is living in a house we could ask them to provide a copy of the lease or a letter from the landlord in their name and only allow it to be in the name of the lease holder. That way either the person who owns the rental or the actual person whose name is on the lease would be the only people who can apply for water. That may eliminate the issue with different residents in the same house making application. Mr. Williams said the Town of Pembroke has a requirement before they turn the water on that the landlord has to sign off on it. He agreed they should make people show they are leasing the property either with a lease or a letter from the landlord. Mr. Chidester said that is not really a change of policy – it is an administrative change to require landlord verification. Mr. McCoy said that would not get the past-due balances paid but it would eliminate putting it in another name if they don't pay their bill. Mr. Belcher said most of the proposed changes are a result Gina Franklin's interaction with the public and things she sees on a recurring basis. There may be a number of other things like what they have been talking about that could be included. He asked if it was okay to have payment plans for water. Mr. McCoy said he thought so because at least you are getting something and they have to pay the current bill.

Mr. Belcher reported that the PSA Solid Waste Billing project has been done with Mr. Houck and they are trying to find people who were not receiving a bill. It has been quite complicated but he felt some good things would come out of this. Mr. Houck is going out and trying to verify all of these in the field.

RIPPLEMEAD TANK LOT – PROPOSED SALE

Mr. Belcher indicated that Gary Harless is interested in this property where the old Ripplemead tank is located. He is willing to pay the previous high bid that was accepted -- \$2,500. He has given the county a check for \$100 and would like to bring 10% to hold it and pay the remainder in 90 days or whatever the board agreed to. Mr. Baker noted that this was bid out and the high bidder never followed through on payment. Mr. Williams asked if the county was going to take the old tank down. Mr. Belcher said the county was not. The cost was prohibitive to do that. Mr. Williams asked if the tank had lead paint on it. Mr. Belcher said he did not know.

Mr. McCoy moved to approve sale of the Ripplemead tank property to Gary Harless for the previous bid amount of \$2,500. Mr. Harless will pay 10% down with the balance due in 90 days. Second by Mr. Baker. Approved 4-1. Voting YES: Mr. Dunn, Mr. McCoy, Ms. Hobbs, Mr. Baker; Voting NO: Mr. Williams.

Mr. Williams said if there is lead paint on it, they need to take care of the problem. Ms. Hobbs said the property is sold "as is". Mr. Williams said if there is a problem, they need to deal with it and not pass it on. Mr. Williams said he just felt they should deal with it.

FAIRVIEW HOME – CRAIG COUNTY

Mr. Belcher presented a letter from Craig County asking to get out of their agreement/ownership of Fairview Home. Craig County has not had anyone there for 20 years. Mr. Belcher indicated they have paid most of what they were supposed to. He said Craig County is proposing to walk away with a 1% equity interest for a period of

five years. Ms. Hobbs asked why they would want that. Mr. Belcher said he was not sure – they want 1% of the potential sale of the property. Mr. McClarney said also if they would have a resident that needed to go there, they would retain some ownership. Mr. Butch Mullins said at one time there was discussion of selling Fairview Home. Mr. Chidester said he understood that if it were sold they would still get 1% of the net, but their consent would not be required. Ms. Hobbs asked if the 1% was free or would they have to pay back the expenses incurred during those five years. Mr. Mullins said 1% ownership was for five years beginning June 30, 2011. Mr. Belcher said he was concerned that all the owners have to agree for things to happen there. If they maintain 1% ownership for five years, they could potential veto any action. Ms. Hobbs asked if they were proposed to give them the 1% equity without them paying anything in those interim years. Mr. Dunn said he thought their original request was they just wanted out. Mr. McCoy said they did want out, but they also wanted a check for their part of the equity in it. They were told no and are now asking for 1% for five years. Mr. Belcher said the operational side of Fairview is based on actualization. The capital side is based on ownership so they would have 1% of the capital cost they have to pay. Mr. Chidester said with the equity they are saying they realize they can only use the 1% ownership interest if the property were sold. They would be out as an owner. Mr. Mullins said this is probably the most painless agreement they were going to get. If it doesn't go this way, it may end up in court. He said at one point Craig County did have a lot more ownership than this 1%. They are already about one and one-half years into this and he knew of no discussion on sales of the property. Ms. Hobbs asked who gets their shares. Mr. Belcher said if this is approved, the shares would be distributed to owners based on their percent of ownership. Mr. McCoy said this might be the best deal. Mr. Mullins said Craig County is just concerned because they are not using the home but are still liable for it.

Mr. McCoy moved to approve the agreement for Craig County's withdrawal from Fairview Home as presented in their letter of December 17, 2012. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Dunn, Mr. Williams, Mr. Baker, Mr. McCoy.

DEPARTMENT REPORTS

Roger Houck, Public Service Authority: Mr. Houck reported that the main issue PSA has been dealing with is the river withdrawal project. Thompson and Litton was selected and they are in negotiations for a price with them. Mr. Houck reported he has heard very little concerning the Narrows/Pearisburg law suits. Pearisburg did ask for and received the revised copy of the PER for the Alternate Water Source Evaluation.

Mr. Houck said three pump stations are being rewired for transfer switches that will allow generators to be placed there to transfer water in case of an interruption in electrical service. They are negotiating with rental companies for a generator. PSA will work with the county on the new generator at the East End pump station and may be able to save some money. PSA did get three quotes on a generator but they are very complicated and may take some work to understand all the details.

Mr. Houck said PSA is continuing to work on billing issues – solid waste does not have a meter that can be cut off for non-payment. They have found at least 700 addresses that have issues – not all of those are getting a bill – some are PO boxes. For example, one they checked recently was an address where a house had been torn down. However, a new house had been built behind it. Another instance PSA was told no one lived in the house after the owner passed away, but several trips by the house indicated that someone was there. Solid waste is difficult to enforce but they are working on it. Anyone who has not been receiving a trash bill will get one retroactive to December, 2011. Mr. Dunn mentioned selling bags to residents instead of charging a bill. If they don't have a marked bag, then it would not be picked up. Mr. Houck said then the trucks would drive by and leave trash setting out that would be along the roadway – or people would take it to the dumpsters. Mr. McCoy said that would increase the litter problem. Mr. Houck said trash pick-up and clean-up events have made a difference that is evident when the Ramps and Roads or Renew the New events are held. There is a lot less trash.

Steve Taylor, Day Report Program: Mr. Taylor reported that Day Report has had a better year in 2012 than in 2011. From July through December there were 22 new referrals and 33 were active at the end of December.

The total number for 2012 was 55 with 47 of those being new referrals. Mr. Taylor said there were 11 successful completions this year, 2 withdrew due to having to attend mandatory DOC classes. Community service hours from July through December were 295 – most of those worked at the Christian Mission. Through November, the savings from the Day Report Program was \$133,643.63 – an increase primarily because of the increased number of clients.

Mr. Taylor reported that during 2012 clients were in the following categories:

- 45% were employed while in the program
- 5% were in continuing education
- 9% returned to jail
- 20% were disabled
- 18% were unemployed

He stated that he felt this program was making an impact. Ms. Hobbs said it looks good that 45% are employed. Mr. Williams agreed that looks very successful and commended Mr. Taylor for his work with the program.

John Mills, Building/Maintenance Official: Mr. Mills thanked board members for their support during the past year. He also expressed appreciation for their patience and support in his department's efforts to hire a building inspector. There were numerous excellent candidates and it was a difficult decision. Mr. Mills felt the choice they made was very wise in hiring Mr. Joe Goorsky for that position.

Mr. Mills reported that the roof on the law building has been awarded to a contractor and work should begin on January 16th. His department will be notifying everyone on that street of the work so they can be aware of what is going on.

Mr. Mills said his report to the board includes all the maintenance for both county and school buildings for the past six months. His office continues to utilize all the resources at their disposal. It is noted on the report where prisoner labor was used to complete projects. There are also notations for projects that were done to comply with code and government requirements. Mr. Mills and his staff will be meeting with Olanese on their upcoming project. This is a very positive thing going on there and they will work with them in whatever way they need to.

Mr. Mills called the board members' attention to the HOME Consortium. Giles County is a member of this group. Every three years the board is required to vote to continue being a member or to withdraw. Mr. Mills said this group membership is a good deal for Giles County. The Consortium is on a five-year cycle so the county gets more money at once to do work with. Giles has already benefited from this and used some of those funds to complete a project in Narrows to do some housing above the new town offices. This is very nicely done and a great example of a private/public partnership. They are also working on something in Rich Creek on the assisted living facility. As a result of participation in the HOME Consortium, the county has received about \$550,000 and they have also used those funds to leverage more money and may have come close to doubling the money. He said he hoped the county would continue participating in this Consortium. Ms. Hobbs asked if the assisted living facility in Rich Creek was part of the nursing home or a separate facility. Mr. Mills said originally it was proposed to be part of the nursing home, but it is now a separate operation. It will be located across the street from the nursing home. Mr. Mills noted that the other representative to this group from Giles, Mr. Howard Spencer, has resigned from that board. The supervisors need to appoint another representative to serve. Mr. Mills also needs to be reappointed. He felt it was important to continue to have two members from Giles County on this board.

Mr. Baker moved to reappoint Mr. John Mills as a county representative on the HOME Consortium Board. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Dunn, Mr. Williams, Mr. Baker, Mr. McCoy.

Mr. Mills said his department has been busy on a lot of projects. He has a great staff and they are growing as a team.

John Ross, Zoning Official: Mr. Ross thanked board members for allowing him to have the opportunity to serve as Zoning Official since September. He reported that the Planning Commission had one amendment and one special exception; there were no rezoning requests for the quarter of September through December. Two rezoning requests are in process and will have public hearings on January 24th. Mr. Ross said they are working on digital zoning maps and will use those to cross reference to the paper maps. This is a much better system. He said Mr. Reed has been instrumental in doing that and he appreciated his help. He noted that the Planning Commission will be considering three special exceptions and two potential text amendments at their January meeting.

Mr. Ross noted that the BZA is current on membership now. They did have one variance request concerning an ADA ramp at the Eggleston United Methodist Church. That variance was approved. Mr. Ross is working with two cell tower co-locates that are in process. He also met with Celanese concerning future land use designations. The Zoning office has received 6 complaints and added another one yesterday that they are investigating. They are also working with the building department in training Mr. Goorsky. Mr. Goorsky is doing very well and picking up on things quickly. He is studying on his own at home also and asking good questions. Mr. Ross reported that three of the single-wide mobile home permits were withdrawn for the unzoned area in Glen Lyn.

Mr. Ross reported that numbers were down for September through December, but increased overall for the year. He also thanked Mr. Stewart Hazelwood for his assistance in filling in while Mr. Ross was assuming duties for zoning and looking for a replacement for the building department.

Adam Harman, Wellness Center/Castle Rock: Mr. Harman reported that revenues for the Wellness Center were about \$80,000. Expenditures were approximately \$88,000, and he was not pleased to report that loss. That is for six months. Ms. Hobbs said there was still time to make that up. Mr. Harman said he compared this to last year and the expenses were down from about \$100,000. Mr. McClarney noted that the Wellness Center is getting ready to get into their busy season so he was not too concerned.

Mr. Harman shared copies of reports on Castle Rock with board members. Mr. Baker asked why so much is not being paid. Many of those people are still playing. Mr. Harman said some have cancelled their membership and not actually playing any longer. Mr. McCoy said there are some on that list that have been playing though. Mr. Harman said they are requiring them to pay green fees if they play. Mr. Williams said some of the people who owe dues are county employees. He asked Mr. Chidester if they can collect that from their check. Mr. Chidester said the Treasurer would have the authority to withhold that from their pay using a garnishment. Mr. Williams felt that is what they should do. Mr. Chidester said one thing they could do is if someone drops membership but is in arrears on payment, then they do not play under any circumstance until they pay what is owed. Of course, keeping up with that is the problem.

Mr. Williams moved that if a member at Castle Rock is in arrears on membership fees, then they are not allowed to play golf at Castle Rock until those fees have been paid up to date. Second by Mr. Baker.

Discussion: Mr. McCoy said he agreed but said he wondered if it might cost the facility some green fees money from people who are in arrears and were playing and paying those. Mr. Williams said it might but a lot will just pay their bill. Mr. Harman said letters were sent to those people who owe dues and he has also talked to some personally. He felt if they are behind on green fees then they should not be allowed to play.

Mr. Williams amended his motion to include that the fees would be in arrears over 90 days. Mr. Baker amended his second. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Dunn, Mr. Williams, Mr. Baker, Mr. McCoy.

Mr. Harman asked about those who cancel their membership but still owe money. Board members told him to send them a letter requesting the remainder of the fees. Mr. Harman reported that revenue at Castle Rock through December was \$121,221.75 and expenditures were \$225,319. This December was one of the best in

some time for revenue. The expenditures seem to be a bit lower than last year also. Mr. McKlarney said the revenues were down \$30,000 and expenditures by the same amount. Ms. Hobbs said it looks like another \$200,000 subsidy year. Mr. McKlarney noted that April through June will be good months and play/revenues should pick up. Mr. Harman said other things he is trying to plan for the busy season at Castle Rock were more youth options and a ladies' scramble to encourage more women to play there. Ms. Hobbs said if they concentrate on youth, then young people can be encouraged to continue to go there in the future.

Bryan Reed, GIS/Subdivision: Mr. Reed said he has only done 9 new addresses and that sort of gives information on economy in the county. He provided members with a report of detailing those 9. He reviewed and approved 12 subdivision plats but none were more than 2 lots. Mr. Reed said he has ordered and assembled 12 street signs. Of those, he has installed 7 and delivered the other 5 to VDOT. VDOT does all of the green signs and that is a great help. There are currently five sites that Mr. Reed is inspecting for E&S compliance. Two other sites were closed out during this quarter. Those have to be inspected once a week or after any significant rainfall – although there is no definition of significant rainfall. Any time it rains enough to produce run off, Mr. Reed inspects the sites. Mr. Reed said single family dwellings are covered by the owner signing an “agreement in lieu of” and he had six of those. He does not have to inspect those unless the building inspector notifies him of some issue, then he follows up.

Mr. Williams asked who monitors the logging operations. Mr. Reed said that was under the Forestry Department. There is no local control on those. Mr. McKlarney said logging operations are completely exempt from county ordinances and rules. The State Department of Forestry handles that.

Chris McKlarney, Administration/IDA: Mr. McKlarney supplied members with a written copy of his report. He noted several items do need board action. On the 911 Facility Upgrade, Thompson and Litton will provide engineering services. There is a copy of their proposal in the board's information also. Mr. McKlarney requested approval to begin the process for a cost of \$15,858. Ms. Hobbs asked what that would do. Mr. McKlarney said they would study the potential sites for 911 Dispatch Center. They will first sit down with the Sheriff's department and dispatch and decide on the square footage that is needed. Then they will look at various sites with that information in hand and see where it fits. Ms. Hobbs clarified that this does not involve any construction at this point. Mr. McKlarney said it did not.

Mr. McCoy moved to approve the engineering/architectural services for 911 Dispatch Center with Thompson and Litton for a cost not to exceed \$15,858. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Dunn, Mr. Williams, Mr. Baker, Mr. McCoy.

Mr. McKlarney noted that John Davis will be giving the board a full report on the radio system upgrades when everything has been installed. The new system for dispatching was operating on December 20th and the other components should be ready by the end of January. The Powell Mountain site will be taken down and the equipment and generator moved to Peters Mountain. Monroe County has asked about locating inside our building on Peters Mountain. That building was constructed with the idea that Monroe, the railroad or state police might want to lease space there. Mr. Chidester will be drafting something for Monroe County and bring back to the board for review. This could offset some of the cost on this tower.

Mr. McKlarney reported that the Department of Game and Inland Fisheries has awarded a grant for boat landing upgrades for the facilities at Bluff City and Ripplemead (Whitt-Riverbend). This grant was submitted jointly with the Town of Pearisburg. He said he also appreciated PSA installing trash cans at the boat ramps. The New River Resource Authority paid for those and he expressed appreciation for Mr. Baker representing the county on that board.

Mr. McKlarney said that Mr. Duncan is working on the Brites software upgrades. Ms. Hobbs asked if that would stay with Brites. Mr. McKlarney said when they upgrade, they will be looking at all alternatives. They are also working with Pulaski on this. The new fiber along Route 100 will give the county the ability to share software. They could purchase one license and share it between the two counties.

The road at Cascade Industrial Park has been completed but has not yet been accepted into the state system. VDOT is in the process of reviewing. The county has also made application for Industrial Access funds on the Celanese project.

Mr. McKJarney reported that the Rich Creek Day Care Facility has been initiated by the Town of Rich Creek now. This is on property across the street from the nursing home. This is managed through Jonika Casper's group – Virginia Mountain Housing. Mr. McCoy asked if there was enough money left over from the Narrows project to do it. Mr. McKJarney said there was with additional DHCD grant money. Mr. McCoy asked why they were requesting \$100,000 in support from IDA. Mr. McKJarney said they asked the IDA for funding when they did not have any money yet – they needed funds to move on the property. IDA asked for additional information and they never came back with that. He understands that the project is moving forward though.

Renovations have started at Mountain Lake and they should be ready to open in the spring. Mr. McKJarney also pointed members to the county web site which has recently been upgraded in conjunction with the Live/Work initiative. The tourism group is preparing a new Visitor Guide this should be available for the board to review in late January.

Mr. McKJarney has been working with the Forest Service on getting a grant application to look into dry hydrants in the Big Stony Creek area. The county does intend to apply for those grants to provide those. He asked if the board was okay with making that application – cost will primarily be time to complete the application. Ms. Hobbs asked who checks and maintains those. Mr. Williams said the fire departments check those and keep them up.

Mr. McKJarney reported that he spoke with VDOT on the possibility of putting a ramp from Route 460 to Curve Road. The first step is a traffic impact analysis and study. The cost of that alone is about \$27,000. Ms. Hobbs asked if IDA has any funds to help with that. Mr. McKJarney said he shared this with the IDA and they also plan to ask for assistance from the business located on Curve Road. Ms. Hobbs said if this project was proposed with revenue sharing, she was not really in favor of using that. The more the county assumes of VDOT's work, the more they will put on the county. Mr. McCoy said he agreed that they probably don't save anything, but with revenue sharing they could get some projects done.

Mr. McKJarney shared audit information on assets with original date acquired and value and the depreciation. This shows IDA debt service – original amount and current balance. It also detailed the monthly revenues from rentals and the cash balance as of December 31st. If board members wanted additional information, Mr. McKJarney said he would make that available.

Mr. Williams asked if the IDA owned the old Social Service building in Pembroke. Mr. McKJarney said that is owned by the Board of Supervisors, but they asked the IDA to try to market it for them. Mr. Williams said he may have someone interested in it. He asked the board to figure out what they need to ask for it. Mr. McKJarney said the building is for sale now -- the board asked the IDA to dispose of it. They could probably negotiate with a buyer now.

RESOLUTION – HEALTHY RELATIONSHIP AWARENESS MONTH

Mr. McKJarney presented a resolution from the Giles Adult Youth Partnership asking for February to be declared "Healthy Relationship Awareness Month".

Mr. McCoy moved to approve the resolution that February be declared Healthy Relationship Awareness Month. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Dunn, Mr. Williams, Mr. Baker, Mr. McCoy.

HEALTH DEPARTMENT AGREEMENT

Mr. McCoy moved to approve the agreement with the NRV Health Department for Giles County at a cost of \$123,500 to the county. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Dunn, Mr. Williams, Mr. Baker, Mr. McCoy.

The board discussed working with the space in the Health Department to come up with an option for the changes for district court. Mr. Dunn said the judge is open to doing what the board feels it can afford. The clerks' felt that adding \$350,000 to the building doesn't necessarily improve security. He felt there were other aspects that could be looked at. This project went from trying to get toilets in the holding cell to \$350,000 worth of building. Mr. McCoy said there is space downstairs but they just need to figure out how to use it. Mr. Dunn said there are some low cost changes that would increase security. The metal detector needs to be at the main entrance – not in front of the courtroom door. The front door of the building needs to be locked so it can only be opened from the inside or put an alarm on it. There are things that can be accomplished with some compromise. It could be as simple as moving the judge's office, but the clerk would have to give up the existing file storage room. Mr. McCoy said if the judge is agreeable, then they may have to learn to live with moving the file room. Mr. Dunn said he did not feel they needed to build a \$350,000 addition to get the needed security. There are a lot of other options and alternatives.

PAYMENT OF WARRANTS

Mr. McCoy moved to appropriate \$474,576.36 for payment of warrants dated December 20, 2012. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Dunn, Mr. Williams, Mr. Baker, Mr. McCoy.

Mr. McCoy moved to appropriate \$508,062.23 for payment of warrants dated January 9, 2013. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Dunn, Mr. Williams, Mr. Baker, Mr. McCoy.

EXECUTIVE SESSION

Mr. McCoy moved to go into Executive Session as permitted by Virginia Code 2.2-3711 A(1) Personnel, A(7) Legal, and A(30) contracts. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Baker, Mr. Williams, Ms. Hobbs, Mr. Dunn, Mr. McCoy.

Mr. McCoy moved to certify that in the closed session just concluded, the Board discussed nothing except the matters specifically identified in the motion to convene and lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. Second by Mr. Baker. Approved unanimously by roll call vote – Voting YES: Mr. Baker, Mr. Williams, Ms. Hobbs, Mr. Dunn, Mr. McCoy.

MISCELLANEOUS DISCUSSION

Mr. Williams asked the board to consider another appointment to the Workforce Development Board to work on the programs that put people to work. Mr. McCoy said he had looked at the report on the inmate work program and they have done hundreds of hours of work. Ms. Hobbs agreed and said it was work on things that otherwise would have had to go undone.

Mr. Williams reported that the Town of Pembroke is trying to put new lights at the ball field. AEP gave them a quote of \$19,000. He noted they may be asking for recreation money to help with this. Ms. Hobbs said Mr. Williams can allocate the Eastern District recreation money to them. Mr. Williams said a lot of kids from out of town participate in their programs too.

No further business was introduced. Ms. Hobbs adjourned the meeting until the recess meeting scheduled for Thursday, January 24, 2013, in the General District Courtroom.

APPROVED:

Chairperson

ATTEST:

Clerk