

At the regular meeting of the Giles County Board of Supervisors on Wednesday, March 6, 2013, at 3:00 PM in the Giles County General District Courtroom, 120 North Main Street, Pearisburg, the following were present:

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

## CALL TO ORDER/INVOCATION

Ms. Hobbs called the meeting to order. Mr. McKjarney offered the invocation and led the Pledge of Allegiance.

Ms. Hobbs invited anyone interested in speaking to the board to sign up and give the form to the secretary.

## APPROVAL OF MINUTES

***Mr. Baker moved to approve the minutes of February 6, 2013. Second by Mr. Dunn. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.***

## CONSTITUTIONAL OFFICERS

**Sheriff Morgan Millirons:** Sheriff Millirons reported on activities during February. His department served 709 civil papers, 4 DULs, and 85 traffic summons. He reported they did find several meth labs. That has increased from a couple years ago from one every 6-7 months to now hearing about one almost every day. He reported the department is still in good graces with DEA, who is paying for the clean up and State Police are doing the packaging. Ms. Hobbs noted that Montgomery County has to pay their own. Sheriff Millirons said he will continue to accept assistance as long as it is offered. Once someone starts cleaning a site, it is their responsibility to complete it. If they wait and allow the Meth Lab Team to begin the clean up, then they will follow it through to the end. Sheriff Millirons noted that he does not have people trained for this, so they leave it to the state.

The board members and Sheriff Millirons discussed the problem of meth and its increase and danger. These 'labs' deal with chemicals that are very dangerous if mixed and explosions are not uncommon. Mr. Williams said that the Duke Burn Center reported that 1 in 3 of their burn patients are from meth labs. They spent over \$300 million last year on uninsured patients in the burn center.

Sheriff Millirons continued his February report stating that 113 misdemeanor and 9 felony warrants were issued. The inmate work crew work 485.5 hours in February. Mr. McKjarney commented that they did an excellent job at the county administration offices. Sheriff Millirons asked if they would be able to add another inmate crew this spring. Mr. McKjarney said he thought so. Mr. McCoy commented this is one of the things that is working well. Ms. Hobbs asked if there was money in the Sheriff's budget to add another officer for this crew. Sheriff Millirons said there was not. Mr. Williams commented they need a bigger bus. Mr. McKjarney said there is one on the way.

Sheriff Millirons said he had been receiving bills on the 911 Dispatch Center equipment – things the IT person has ordered. Mr. McKjarney said those would be paid with the grant. He did not know the specifics, but there is about \$90,000 in the grant to pay for upgrades to the mapping system. The monitors/screens are paid under the grant. Ms. Hobbs told Sheriff Millirons to ask Ms. Franklin to check on those invoices for him. Sheriff Millirons also noted that fuel costs for his department are killing his budget. In addition to extraditions throughout the state, they are also doing 2 to 4 transports weekly. They only do those that are ordered by a judge or magistrate,

but that is still a significant number. He noted a lot of these are repeat people. Ms. Hobbs said unfortunately the board did not have any answers on this. She asked how people get into these facilities. Mr. Chidester said if they do not have insurance, St. Albans will transfer them to the state facility in Marion. Sheriff Millirons said often they are released in the morning and then his department may be transporting them back the same evening. Mr. Dunn said once they are admitted to a facility, the county is no longer responsible. Sheriff Millirons said that was true unless a judge or a magistrate issues an order. Mr. Chidester said that was correct. Mr. Dunn said they were not always issuing an order; sometimes the facility just calls and says we need to transport them. Sheriff Millirons said the last time he called to check on who signed the order, it was a judge. If that is the case, they do not have any choice except to transport them. Mr. McCoy asked if ACCESS is called and says they need to be transported, does the county do it. Sheriff Millirons said they did. He estimated that 90% of those evaluated by ACCESS are transports. Ms. Hobbs said she felt bad for the person going through this – especially the ones with real needs who are not just trying to work the system. And the one time the county fails to do what they should and that person harms someone, then the county's liability would go up. Sheriff Millirons agreed. That is part of the reason ACCESS usually recommends commitment for evaluation. Ms. Hobbs asked why the Rescue Squad or Ambulance Service couldn't help out. Mr. Chidester said the magistrate or special justice can designate someone else if appropriate, but they evidentially seldom think it is appropriate. Mr. McCoy thought the board asked Carilion Transport about that and they were not interested in doing it. Mr. McKjarney said they were not interested because they cannot get paid for it. Ms. Hobbs said she thought they were under contract to the county for EMS. Mr. McKjarney said that did not include hauling transports. Mr. Dunn said the law is the county does it or have a contract with someone to do it for us. Mr. Williams asked if any of the towns help out. Sheriff Millirons said they do – Rich Creek often does 4-5 a week.

Sheriff Millirons reported that four deputies will be in the Pipeline Drug Trafficking school at the academy next week. This trains them on what to look for on traffic stop as far as narcotics. Mason Boggess is also in the fourth week of training at Virginia Forensics Academy in Richmond. Mark Skidmore will be retiring in the fall and Mr. Boggess is training to replace him.

Sheriff Millirons reported that Animal Control picked up 49 cats and 42 dogs in February; ten dogs and one cat were returned to their owners. He reported that 11 dogs and 36 cats were picked up by rescue. Ms. Hobbs said as she understood it, once animals are picked up from the shelter that is all the county does for them as far as medical or anything. Sheriff Millirons said that was correct.

Mr. Baker asked Sheriff Millirons to check with Superintendent McPeak at the Regional Jail and ask if they consider applicants from all counties when they hire officers there. He understood there are 33 officers just from the City of Galax at the jail. Sheriff Millirons said he thought Giles had quite a few with several in school right now. He said they have a testing process and he did not know exactly what they look for. Mr. Baker said a lot of times certain groups get a copy of the test. He would like for the Sheriff to check on that. Mr. McCoy said that did seem like a lot from just that small city. Sheriff Millirons will check on that. Mr. McCoy said he also felt sure the per diem for the county will increase when the reserve fund gets to a certain point. It is just a matter of time because they have not cut any operation costs – they are just operating on reserves. Board members discussed the large cost of paying for prisoners at the regional jail. At the time the regional jail was built, Giles County was told their jail could not be brought up to standards. Mr. Williams said they were also told they would not pay anything for prisoners at the regional jail either. Ms. Hobbs said at the time they did not feel there was any choice; the bottom line is the state figured out how to dump more of their cost back on localities. Mr. McCoy said the bill is pushing towards \$1 million a year now.

## **VDOT REPORT – DAVID CLARKE**

Mr. Clarke reported that most of their efforts recently have been battling weather. They were able to grade and put stone on Prospectdale Road. He stated that other than just trying to keep ahead of the potholes and weather, they have not been able to do much. There is a lot of work that needs to be done on gravel roads. Mr. Clarke did report that the six-year plan public hearing is scheduled for March 21<sup>st</sup>. There is no more money than last year, but they are still required to hold a hearing.

Mr. Dunn asked about the status of the Route 219 bridge. Mr. Clarke reported the project was on schedule. He was not sure of the advertising date but they recently met with the Rich Creek Town Council about it. He thought the date might be this summer. Mr. Dunn asked if VDOT had a chance to look at Chaney Lane Bridge. Mr. Clarke said he would get the last inspection report and see what they said about the weight limit. Mr. Dunn reported that Conley Hollow Road was in very bad condition. There was a wreck last week and he has to tell the fire department not to try to come up that road. It needs maintenance – has some extremely deep ruts. Mr. Dunn said it was the worst he has seen in some time.

Mr. Williams asked about taking down the old steel bridge in Pembroke. Mr. Clarke said it may be tougher to get rid of it now. There used to be money in the six-year plan to demolish it. Mr. Williams said he thought there was \$100,000. He asked if they would give it away. Mr. Clarke said they would and would also help with the removal. Mr. Williams said it needed to be dealt with; it is an eye-sore. Mr. Clarke said at the time the thought was other municipalities were looking for bridges like that. If Mr. Williams know someone capable of removing it, Mr. Clarke asked him to have them contact VDOT. Mr. Williams asked if they were planning to use the Rural Addition money to upgrade the culvert pipe along Route 460 near Smith Hollow. Mr. Clarke will check on that.

Mr. McCoy thanked VDOT for replacing the guardrail near Celanese; it looks much better. He asked them to continue to work on the gravel roads – Green Valley, Lyda Lane, Kow Kamp and others. After all the snow and rain, those all need attention. Mr. McCoy asked about the 460 speed study. Mr. Dunn said VDOT had reported that they would not reduce the speed limit but would put up ‘maximum safe’ speed signs. Mr. McCoy said he thought the maximum safe speed was the speed limit. Mr. Dunn said VDOT seems to be saying the speed limit is 60, but you should only do 40.

Mr. Baker asked if VDOT had hired any employees lately. The guy on the grader during the snow was working alone. With employees out in the snow, that is dangerous. Mr. Clarke thought they were advertising for two soon. Mr. Baker said the grader was broken down and the guy was working on it with no one flagging or anything. Mr. Clarke said they just did not have enough people to put two on every job. Mr. Baker asked VDOT to look at filling the potholes on the ramp going onto Route 460 from Pearisburg.

Ms. Hobbs asked about VDOT’s letter to Creed Taylor; she felt Mr. Cary threw the county under the bus on that one. The letter did not say what this board had stated on the situation out there. If the road is in the public system, it is not the Taylor’s property. Mr. Clarke said it was because the state simply had an easement to maintain a roadway. They do not claim any right-of-way and it is like that on most gravel roads. Ms. Hobbs said when she mentioned an upgrade on Prospectdale Road, she was told they wanted more width and if they could not get it donated, they would not do the road. She asked why it was different on this one. If VDOT is doing the upkeep on a road, how can a person put a fence on part of that property. Mr. Clarke said that is really two questions. If VDOT is going to pave a gravel road and only has a 30 foot easement, they would require 40 or 50 feet of right-of-way. A construction project is an opportunity to get right-of-way. That is usually the desire of the county because there are more requests than funds to pave gravel roads. The county does have the choice in either case to condemn the property – VDOT could appraise it, buy it and build the road. They tend not to like to do that on those types of projects because it uses a lot of funding and there are other places they can work where people will donate it. Mr. Clarke said not many counties want to go that route of condemnation on unpaved roads. Ms. Hobbs asked how long Mill Dam Road had been in the system. Mr. Clarke said since 1932 – the original time the state took over roads. Mr. Dunn said as a condition of the easement, they should not be able to block the easement. Mr. Clarke said that was correct. Mr. Dunn said Mr. Taylor has blocked an easement then. Ms. Hobbs said they put a fence on part of the easement. It is a safety issue of two cars being able to pass. Mr. Clarke said that happens a lot on gravel roads with a 30-foot easement. It is usually places that are not traveled every day and people put up fences not realizing how close to the road they can go. If VDOT can maintain the road without making them move the fence, then they do that. If it becomes a problem and they have to have it moved, then they can. He said he felt everyone would agree that if VDOT doesn’t go around policing and making everyone move their fence, it is better. Ms. Hobbs said if there is a problem in bad weather and two cars cannot pass without one backing up and the fence is part of this problem, why is that not an issue.

She also asked why Mr. Cary put all of the blame back on Mr. Clarke and the Board of Supervisors by saying that Mr. Taylor doesn't know anything about this when Mr. Clarke has repeatedly tried to contact him and he would not return the calls. Mr. Clarke said he thought Mr. Cary was trying very hard to get a meeting with everyone. In looking through the files, they were not aware of the history there. Ms. Hobbs said she felt he threw the board and Mr. Clarke under the bus. It did not mention anything in the letter to Mr. Taylor about the fence or that Mr. Clarke had repeatedly tried to contact Mr. Taylor and he would not make himself available. Mr. Clarke said they did need to find out – and there is still some question about it -- whether VDOT has the right even within the 30 foot easement to do whatever operations they want. The 30 foot easement is to maintain the roadway but not to improve it. The Taylors say that widening the spot is an improvement. Ms. Hobbs said the only reason it needs widened is they have narrowed it with the fence. Mr. McCoy said with a 30-foot easement two cars should be able to pass. Mr. Clarke said the easement is for the entire roadway including ditches. There are very few cases of a gravel road being 30-foot wide. There may be a 30-foot easement to maintain a 10-foot road. If they widen a 10-foot road to a 14-foot road, then they are not maintaining but making an improvement. Mr. Dunn asked if they notified Mr. Taylor in writing that the fence is on the easement. Mr. Clarke said they have not done so recently but have in the past. Ms. Hobbs asked if this was a dead issue and nothing would be done. Mr. Clarke said it was unless they get permission to do the work. Ms. Hobbs said she did not see why they need permission if VDOT has an easement. Mr. Clarke said they are on someone else's property performing things that are not in the easement. Mr. Hobbs said there is a lot of rock out there. If there is a slide and rock comes down into the road and covers half of it, can VDOT move the rock slide that came off that property. Mr. Clarke said they could because it was maintenance of the road – but widening is considered an improvement. Ms. Hobbs said the only alternative people out there have is to go to VDOT Safety and ask them to look at the road for an unsafe condition. Mr. Clarke said he did not think the district administrator had been out there. Ms. Hobbs said he wrote the letter but she felt sure he had not seen the county or the road. Mr. Williams said they should ask him to look at it. Mr. Clarke said he thought he would be open to that. Mr. Dunn said he had a similar discussion about Burton Road. Even if the owner removes the fence and says widen it, VDOT cannot do it because it is a widening project. Ms. Hobbs said they did not want to widen the whole road – just a pull off so cars can pass. Mr. Dunn said on Burton Road, they were going to donate the land but VDOT still could not put in a ditch or widen the road. Ms. Hobbs asked Mr. Clarke to have Mr. Cary go out there and look at this problem. Mr. Dunn said he had a question about all roads in general; what steps does the board need to take so VDOT can make them safe and can widen them. Mr. Clarke said it was a matter of funds used to do it. If it is something small (\$100,000), it could be put in the six-year plan and done the next year. Mr. McCoy said unless they condemn the property or someone donates it, they cannot widen this road they were discussing. Ms. Hobbs said there are already ill feelings among the folks out there because of a court case.

Mr. McClarney confirmed that VDOT was going to have their geologist look at a rock on the road at Pembroke they had discussed. Also, he confirmed that they would have someone take a look at the estimate for the Curve Road interchange.

**Dean Reed:** Mr. Reed said he was coming to the board about Spring Street again. He had a complaint that had not been dealt with for six years. VDOT sent two people to talk to him and Bobby (his neighbor) about donating land and they did. Mr. Reed took them at their word that they were going to take care of the water draining down the road. VDOT came over and ran the water off Bobby but did nothing to his property. Instead of running it on the other side of the road, they ran it uphill and backed it up on Mr. Reed's property.

Mr. Reed said during the past week when it rained, it flooded his basement. He said he had never been treated like this before. He felt he got a dirty deal. He has been to the board before begging them to do something but they haven't. Ms. Hobbs asked who requested that Mr. Reed donate property to them. Mr. Reed said it was a lady and a man from VDOT. Mr. Dunn asked which way the water was coming. Mr. Reed said it was on the other side of the road and they moved the storm drain over on him. Mr. Baker said this is the storm water coming off Suttle's Trailer Park. Mr. Reed said he was away when the work was done or he would have said something then. There was just a little stream running through there. He said he would hate to go to court for something the county let VDOT do to him. Mr. Dunn asked Mr. Clarke if he was familiar with this situation. Mr. Clarke said he had not been there recently. Mr. Williams said Mr. Reed has been dealing with this for years and he thought it

was fixed years ago. Mr. Reed said he put \$750 in shrubs and the water washed them all off. The state came in and put rocks where the shrubs were to try to stop the water. He said he did not think he should be treated that way. Mr. Williams asked if there is somewhere else the water could be put. Mr. Dunn asked if there was a big drain at the top of the street. Mr. Reed said there was a big water drain on his side and piled a bunch of rocks around it. It is pitiful to look at. Mr. Williams said he was sure Mr. Clarke would take a look at it. Mr. Dunn asked if it was as simple as just moving the drain pipe. Mr. Baker said it was more involved than that. VDOT came right off Mr. Reed's driveway and helped the other two homeowners but did nothing to help Mr. Reed's property. They re-routed everything for the other two homes but nothing for Mr. Reed. Mr. Reed said he would not have given the land if he had known what they were going to do.

Ms. Hobbs asked if the land he gave VDOT and the land where they put the rocks was the same property. Mr. Reed said it was. They ran the water up the hill to keep it off the other side and put it on his side. Bobby said when the VDOT folks came by and asked for 10-15 feet of land, the person doing the project for VDOT walked up the street to the end of Spring Street where it goes into Trailer Park Road. They said they would go up the left hand side and put in a big drain pipe with three drops – one at the top of Trailer Park Road, one at the middle of Spring Street and one at the end of Spring Street. They actually put in another also. But, VDOT went to Mr. Reed's property and then crossed the road – that was never mentioned. It was shown they would go under Trailer Park Road and put a drop in there to catch the water from the trailer park. The water lays there like it always did. Mr. Reed said that is because they ran it uphill.

Mr. Clarke said Spring Street was not a state road. The project was to bring it into the state system. Mr. Reed said he gave them land because they were going to take care of the water and he trusted them. Mr. Dunn said he also had complaints from Mr. Buckland who lives on the other side. The road is not set up right. He asked if Mr. Clarke could take a look at it and see what needs to be done to fix the drainage issues. Mr. Clarke said it may be beyond maintenance issues. They would have to put it on the six-year plan. Mr. Baker said Mr. Browning had issues there at his house all the time too. Mr. Dunn told Mr. Reed that he represented the Western District and that he would do everything he could to get this fixed for him. Mr. Reed said he appreciated that. Mr. Dunn asked Mr. Clarke to let him know what he needs to do.

## **SCHOOL BOARD REPORT – TERRY ARBOGAST**

Dr. Arbogast reported enrollment at the end of February to be 2,464, which is a decrease of 7 from this time last year. However, that is still an increase of 24 from last year's figures. They hope to retain that number through the end of March. Dr. Arbogast also shared activity calendars for March with board members. He shared information on students participating in vocational skills competitions stating that 21 students placed either 1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup>.

## **NRV PLANNING DISTRICT COMMISSION – KEVIN BYRD**

Mr. Byrd shared information on the NRV Planning District Commission which was formed 43 years ago by local governments in the NRV to provide services to the local governments. The PDC primarily provides technical assistance to their members – regional/local studies, grant writing/management assistance, etc. The board is unique in that they have an elected official from each member jurisdiction. They also have very broad enabling legislation that allows them to do some unique things. Mr. Byrd pointed out that the handout listed projects the PDC has assisted Giles County with recently – from writing and administering grants, assistance with data for the Comprehensive Plan, to coordinating student participation in a project to educate on the dangers of drinking and driving. On the latter project, Mr. Byrd reported that students at Narrows High School produced a video that is on the PDC website. They had a 'pre-prom fashion show' and the principal felt it was so good he had them do it for the entire student body.

Mr. Byrd said they worked with the Home Consortium in the past year. The support to Giles County this past year resulted in funds being divided between Narrows for downtown revitalization with apartments over the town hall and half to the assisted living project in Rich Creek. They have also worked with the NRV Wireless Authority of

which Giles County was a founding member. This will allow 186 miles of fiber from Wytheville to Botetourt County. Part of that is along Route 100 and they hope to be live with that in March to increase internet services. One other regional project Mr. Byrd mentioned was the website 'ExploretheNewRiverValley.com' and he encouraged board members to visit that. This is a regional tourism website Giles County had advocated for. It has been up for two years now and the volume of use is increasing.

Mr. Byrd pointed out some features on the New River Valley Livability Initiative. This is a three-year regional planning process and they are about two years into it with plans to complete it in December, 2013. It has an extensive out-reach program associated with it in order to learn as much about the communities as they can – about current conditions and what future needs may be there. A draft of this report was issued earlier and they feel they are seeing some good work in areas of needs and trends. Mr. Byrd said this has been a unique opportunity to bring the community together to talk about issues they are having. A lot of people are doing things, but not doing them together, so they have been able to introduce those folks to each other along the way. The interim report was released in September, 2012. Mr. Byrd reviewed some of the key things this report found. In Giles and Pulaski Counties they saw a decrease in the working population – projected over the next 20 years. The other side of that is growth in aging populations which often brings an increased need for services while the tax base is shrinking. Ms. Hobbs asked if the figures are actual or based on analysis of a small group. Mr. Byrd said the information was a mix of historical trends and more recent population figures. VTJ was called upon to help with the analysis of this. Of course, there will be influences that will impact those figures. However, across the region they are seeing the 'baby boom' generation retiring and some areas have that affecting population and some do not. Another key thing was the housing stock – 40% of that is over 30 years old. Mr. Byrd said he felt that represented a unique opportunity for the home building community to do some retro-fitting – particularly in the area of aging household members. They have compared approximately \$5,000 per month for an assisted living facility compared to \$5,000 cost of modifying a bath in homes to enable people to stay there longer. They are also projecting about 10,000 new homes in the next 20 years in the New River Valley. It is expected that 8,000 of those would be in Montgomery with the remainder in Floyd, Giles and Pulaski. They want the local banking community to be aware of that information and that there is a need for home improvement or construction loans.

Mr. Byrd said they also found that commuting patterns were interesting throughout the region. In all counties, except Montgomery, they are outputting over 50% of the population on a daily basis – they are going somewhere else to work. The good part is only 20% of the regional population travel outside the region. There is a strong inter-region commuting pattern. Questions raised are how much of the money is staying to be spent in the region/county and also the cost of that commute on households. People having to commute further for lower wage jobs have a big impact on low income households.

Education was also highlighted – particularly how to better connect the K12 education system with the workforce needs. Not everyone needs to go to a four-year college to be employed. However, Mr. Byrd said there is a need to connect those folks to the right set of skills for the jobs that are available. There have been a lot of conversations going on about that recently in the NRV.

The final point was related to community health. Giles County was higher than the state average in all five of the categories listed. The substance abuse figures are available as well if the board would like to have those. Mr. Byrd said the growing cost of diabetes is a concern for communities as well. Looking at the positive things going on, Mr. Byrd pointed to the agricultural programs in Giles County. There is an interest in getting more young people involved in farming and keeping that as a viable career choice.

Mr. Byrd said a lot of this information was collected through outreach to groups like Literacy Volunteers of NRV, various churches, and others. The next step is to do one more outreach effort through on-line surveys. They will be bringing laptops and pads to people who do not have access to computers in various communities. They will also have a paper version for people who prefer that. Feedback will be asking for a ZIP code so that information might be helpful to specific counties. That should be complete by December, 2013 and finish up the livability project.

Mr. Byrd said the PDC had been working on an agency assessment. That began this past summer and worked with members on what they do well, what they don't and what they want to see for the future. A draft report was submitted last month and a final should be to jurisdictions soon. It seems to be focusing on the effectiveness of communications between what is done on a regional scale and getting that back to members. One of those is getting minutes of the PDC board meetings out to members so they can see what is happening. They also worked on the annual report and made it easier to read, and they have revised their website as well. The PDC wants to serve the members better and is open to comments.

Mr. Baker pointed out a statistic in the report Mr. Byrd provided that said the death rate in Giles County from prescription drugs is higher. He asked where that figure came from. Mr. Byrd said the data source was National Public Health with data they collected from hospitals. Giles County has a rate 4 times higher than the state average. Mr. McClarney said he appreciated the work PDC is doing. The county has a good partnership with them, and they are doing a lot of good grant work.

## **PLANNING COMMISSION RECOMMENDATIONS**

Mr. Ross presented the Planning Commission's recommendations on the items heard at the February 21<sup>st</sup> public hearing.

### **PAPER TO DIGITAL ZONING MAPS**

*Mr. Williams moved to accept the Planning Commission recommendation to go from paper to digital format for zoning maps. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.*

### **REZONING REQUEST FROM C1 TO R1 – HOUSTON AVENUE, GLEN LYN**

*Mr. McCoy moved to accept the Planning Commission recommendation for approval of the rezoning from C1 to R1 for a portion of property located along Houston Avenue in Glen Lyn. Second by Mr. Baker.*

**Discussion:** Ms. Hobbs asked what the Planning Commission's conversation on that subject was. Mr. Ross said there was conversation about Mr. Crawford being able to utilize his building for other purposes instead of those in R1. The current use is grandfathered in. What he was doing prior to C1 becoming effective will be able to continue.

*Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.*

### **SPECIAL EXCEPTION FOR TWO-FAMILY DWELLING – CAROL GRAY, ANGEL'S REST SUBDIVISION**

Mr. Ross reported that the Planning Commission recommended that this request for a special exception be denied. Ms. Hobbs asked what that was based on. Mr. Ross said they did not feel that it fit into the character of the neighborhood.

*Mr. Williams moved to accept the recommendation of the Planning Commission to deny the request for a special exception to allow a two family dwelling. Second by Mr. Baker. Approved 4-0 with one abstention. Voting YES: Mr. Dunn, Mr. Williams, Mr. Baker, Ms. Hobbs; Mr. McCoy abstained because he was not present at the public hearing on this matter.*

### **SPECIAL EXCEPTION FOR COMMERCIAL/SERVICE ESTABLISHMENT – EARL J. SHEEHAN, JR.**

*Mr. Baker moved to accept the Planning Commission recommendation to approve the special exception request to allow for a commercial or service establishment (firearm repairs/sales) for Earl J. Sheehan, Jr. Second by Mr. Williams. Approved 4-0 with one abstention. Voting YES: Mr. Dunn, Mr. Williams, Mr. Baker, Ms. Hobbs; Mr. McCoy abstained because he was not present at the public hearing on this matter.*

## GILES YOUTH ADULT PARTNERSHIP REQUEST

Ms. Hobbs stated that she could see the good of this program (GYAP) but didn't understand why they wait until the middle of the budget session to request funds. She recommended that any requests coming between budgets be held and considered for the next budget cycle. Mr. Williams asked how much this was. Ms. Hobbs said the amount was not the issue. The fact that it is out of budget and the county does not have the money is the issue. If it is approved, then they have to find some place to take it from. The request is for \$250. It is a small amount but all of those small requests add up. Ms. Hobbs suggested holding and considering during budget.

***Mr. Williams moved to approve \$250 for Giles Youth Adult Partnership for Family Resource Day.***

**Discussion:** Ms. Hobbs asked where they were going to take it from. Mr. McKJarney said there was nothing in contingency at all. Ms. Hobbs said anything that happens – the heat pump for the Timberlake Building, a roof for the Law Building – those things were not in the budget. Mr. Williams said he thought things were coming in a little better than they thought. Ms. Hobbs said they budgeted and took that into consideration. Mr. Williams said they took in a little more than they spent according to the audit. Ms. Hobbs said they budgeted that. Mr. McKJarney said they had to budget \$350,000 of general funds this year to balance the budget. Mr. Williams said they keep talking about these kids and can't give them \$250. Ms. Hobbs said this is about bullying. Mr. Williams said that is where a lot of this starts.

***Mr. Williams's motion died for lack of a second.***

***Ms. Hobbs moved that any request for money that is outside of budget be considered during the upcoming budget talks. Second by Mr. Dunn. Approved 4-1. Voting YES: Ms. Hobbs, Mr. Dunn, Mr. Baker, Mr. McCoy; Voting NO: Mr. Williams.***

## CELANESE INTERSECTION

Mr. McKJarney provided board members with a sketch of a proposed industrial intersection at Celanese. The application for industrial access funds was denied based on Celanese being the owner of the entire frontage along Route 460. Mr. McKJarney said they have been made aware of another program – Transportation Partnership Opportunity Fund (TPOF) – that is managed by the governor and is used for economic development projects. They do plan to make application immediately for \$724,000 in grant funds. The total project for this intersection is \$1,951,781 – with Celanese picking up the remainder of construction costs. He asked the board to allow them to make application for these funds.

***Mr. Baker moved to allow application to be made for TPOF funds in the amount of \$724,000 for the Celanese intersection. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.***

## WALNUT ROAD PROJECT

Mr. McKJarney said the Public Works crew has done an incredible job. Two guys this past week laid 300 feet of line. They are getting ready to start the connections. Mr. McKJarney presented the request to reduce the connection fee to \$100 for 60 days to encourage people to connect. LM households will pay no connection fee. This project was constructed with 100% grant funds.

***Mr. Baker moved to reduce the water connection fee for households on the Walnut Road Project to \$100 for the first 60 days. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.***

## ANTIQUÉ VEHICLES

Mr. Dunn said under the abandoned/junk vehicle ordinance it states the vehicle has to be licensed, titled, and inspected in order not to be considered a junk vehicle. Mr. Ross said it has to have a current Commonwealth inspection. Mr. Dunn said antique vehicles are not required to be inspected and he wondered if the wording on the ordinance could be changed to reflect that. Mr. Ross said it would require a text amendment to the Zoning Ordinance. Ms. Hobbs asked what the problem was with the way the language read now. Mr. Ross said as the Zoning Ordinance currently read, if someone had five antique vehicles not required to display an inspection sticker, they would technically be in violation of the Zoning Ordinance. The ordinance states they must display a current Commonwealth inspection sticker. Mr. Chidester said the same thing could be applied to farm use vehicles. Mr. Dunn said maybe it could be worded differently. Mr. Chidester said it probably should say that vehicles are required to have valid license tags and be inspected if that is required for that vehicle. Mr. Ross asked what would prohibit someone from paying title fee on antique tags to put a bunch of vehicles there. Mr. Dunn said if they want to pay title, taxes and tags on every vehicle in the junk yard, then he guessed they could. Mr. Chidester said to get tags – even if it is antique – you have to show you have insurance or pay the uninsured motorist fee of \$400. Mr. Chidester said you could also say it has to be capable of being operated on a roadway. He suggested that he and Mr. Ross work on that language. Ms. Hobbs suggested they work on that and have the Planning Commission look over it.

## **PAYMENT OF WARRANTS**

***Mr. McCoy moved to appropriate funds in the amount of \$474,996.19 for payment of warrants as presented. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.***

## **RECREATION FUNDS**

Mr. Williams said Pembroke received bids for the lights at the ball field and low bid was \$11,800 plus the wiring. They will probably have to rent a bucket truck and some volunteers are going to help with the work. The town council put \$10,000 into that and Mr. Williams asked if the board could give \$4,000. Ms. Hobbs said Mr. Williams had that much left in his recreation fund. Mr. Williams was not aware there was additional rec money left besides the park funds. Mr. McCoy said some of it went to Newport Recreation for the mowing. Mr. Williams will talk to Ms. Tickle about what was remaining. Mr. McKjarney received information from Ms. Tickle that each district had \$6,000 in recreation money. Mr. Williams has only spent \$2,000 so far and has the remainder left.

## **FOREST SERVICE ROADS**

Mr. Williams said Forest Service was still planning on closing roads. Mr. McKjarney, Mr. Williams and Mr. Baker met with them yesterday to look at some of those. The roads they are looking at are the one to the fire tower, Bailey's Gap, and Seven Mile Road. They only have \$110,000 for 14 counties – that is all the maintenance money they have. Ms. Schiffer said if they could get volunteers to help cut brush and other things, then they would postpone the closing for a year. Mr. Williams said the county has never spent any money on the road to the tower where the county has equipment. He felt at least they should allocate money to work on that one and then get volunteers to work on the others. It would take some labor and equipment for a couple days and stone to put on it. Ms. Hobbs said if they do that, will they have four-wheelers running over it. Mr. Williams said they do not allow four-wheelers on it.

Mr. McKjarney said the county would have to commit personnel and equipment to this but he could not estimate how many and how long. Ms. Hobbs asked if the personnel had the time. Mr. McKjarney said they may have a little time between finishing up Walnut Road and starting the Pembroke project. That would be the best time for them to do it. Mr. Baker said July and August would be the best time. They are having a meeting tomorrow to talk to the hunters and others about cutting brush and things. Mr. Baker said if the county doesn't do something, the roads will be closed. Mr. Dunn said before he could vote to commit the county resources, he wanted to see how many volunteers came out. Mr. Williams said he was only talking about the county spending money on the

fire tower road (Butt Mountain). Mr. McCoy said they did need to be able to get to that. Ms. Hobbs suggested they see what happened at the meeting with volunteers on March 7<sup>th</sup>. Mr. McKjarney said the brush cutting is the biggest issue. Mr. Baker said Giles is the only county trying to do something like this. None of the other counties have even offered.

## EXECUTIVE SESSION

***Mr. McCoy moved to go into Executive Session as permitted by Virginia Code 2.2-3711 A(1) Personnel 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. Dunn. Approved unanimously by roll call vote – Voting YES: Mr. Baker, Mr. Williams, Ms. Hobbs, Mr. Dunn, Mr. McCoy.***

## SOCIAL SERVICES

Discussion on children in foster care through Social Services indicated there are about 50 at any given time. Mr. Williams said it seems that reimbursements are slow coming sometimes. Mr. McKjarney said some of the agencies are slow to send invoices and that puts reimbursement behind. However, Ms. Nipper was able to generate a report in about 30 minutes, so someone is definitely keeping up with it.

Mr. Williams said on CSA for 50 kids there was about \$500,000 per month spent. Ms. Hobbs said the supplement approved last month was 100% state funds – it will all be reimbursed to the county. Just one kid last month cost \$20,000. Mr. Chidester said there was another that he thought cost around \$40,000. They keep trying to move the ones who had to be in therapeutic care to regular homes as they progress. However, it is difficult because people around here are not taking foster kids as much anymore. Mr. Williams said they need to campaign for it – he sees billboards advertising for foster parents for Pulaski County – and they are on billboards in Giles! Mr. Dunn said a lot of people see what these kids are coming from. Things in their home are very rough and people just don't want to take it on. Mr. Chidester said court services also takes kids who are delinquents and who they don't want to deal with and sends them to Social Services. They have fought that and one of those is the \$20,000 per month charge.

No further business was introduced. Ms. Hobbs adjourned the meeting until the recess meeting scheduled for Thursday, March 21, 2013 at 6:30 PM in the General District Courtroom if needed.

APPROVED:

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
Clerk

March 6, 2013