

At the recess meeting of the Giles County Board of Supervisors on Thursday, October 17, 2013, at 6:30 PM in the Giles County General District Courtroom, 120 North Main Street, Pearisburg, the following were present:

Barbara Hobbs	Chair (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 McKlarney	County Administrator
Richard Chidester	County Attorney
Missy Bray	Board Secretary

CALL TO ORDER/INVOCATION

Ms. Hobbs called the meeting to order. Mr. McKlarney had the invocation and led the Pledge of Allegiance.

Ms. Hobbs announced that citizens may sign up with the secretary to speak during the public comment or public hearing sections of the meeting.

APPROVAL OF MINUTES

Mr. Baker moved to approve the minutes of October 2, 2013. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

NRV REGIONAL JAIL REPORT – TODD MARTIN

Mr. Todd Martin updated members on a recent meeting at the New River Valley Regional Jail. For the month of September, Giles County had 141 inmates and 53 arrests with a total jail population of 1,393. There were no resignations during the month.

Mr. Martin reported that there had been no inmate movement since the opening of the River North correctional facility. It is anticipated the facility will be receiving approximately 25 inmates per week with full capacity expected by the end of November. Mr. Martin related that there are still some inmates on the billing that are not being shown as state responsible. Mr. Chidester responded that the county has some concerns regarding lag times in arraignments as well as incorrect data input, which could be causing some issues with the billing. Mr. Williams asked if another inmate crew had been obtained. Mr. McKlarney stated that another staff person was in the training process to accommodate an additional crew.

VRS HYBRID PLAN

Ms. Rhonda Tickle updated members on the VRS Hybrid Plan. Ms. Hobbs expressed concerns on state-mandated changes and the cost to localities. Ms. Tickle related she had received an email from VRS before the meeting extending the deadline on a final decision to December 2, 2013, and changing the employer rate for localities from \$.91 to \$.60. However,

the rate is only guaranteed for six months. The VACo compatible rate of \$.79 is guaranteed for three years. Ms. Tickle advised that if the county decides to stay in or opt out, the county will still be required to provide disability coverage to new employees starting January 1, 2014. Mr. McKlarney stated that most counties are going with VACo and opting out the VRS plan, and that many basic questions had not yet been answered. Ms. Tickle provided the new rates set forth in the email from VRS. Ms. Hobbs expressed concerns over the differences in rates for localities compared to school systems. Ms. Tickle related that the lower rate for school systems was due to a lower number of disability claims as well as a smaller income base. She felt that the state was attempting to alleviate disability claims through VRS. In addition, Ms. Tickle stated that hazardous duty employees, such as police officers, would not be under the new plan due to LEOSA that is already in place. She related that current employees will have the option to opt into the new plan if they chose to do so. Ms. Hobbs requested that Ms. Tickle gather more information and bring back to members before a decision is made. Members were in agreement. Mr. McKlarney stated that the big issue is going to be sick leave since current employees earn sick leave time and those hired after January 1, 2014, will only have short- and long-term disability. The FMLA will also vary between plans.

TRUCK BIDS

Mr. McKlarney related that truck bids had been received from Newberry Ford, Shelor Motor Mile and Duncan. With the following results:

- Newberry – \$44,536
- Shelor - \$49,604
- Duncan – Package incomplete

Mr. McKlarney recommended accepting the bid from Newberry Ford.

Mr. McCoy moved to accept the truck bid from Newberry Ford for the amount of \$44,536. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

ALPINE WATER

Mr. Williams reported that he had found three residents so far in Alpine Village that would be willing to hook onto county water. Ms. Hobbs asked if the one resident that wants to hook to it now would be willing to pay for a bigger line. Mr. McCoy asked if funding could be obtained as was previously done for the Walnut Road area. Mr. McKlarney indicated that there is some Health Department money that will be looked into as well as looking for other funding sources. Mr. Williams stated there were 13 houses in Alpine Village, and he had talked to 5 of them. He stated he will be going back to speak with the remainder of the residents in that area. Ms. Hobbs inquired about the wells the residents there are currently using. Mr. Williams stated that the wells had a good amount of water but the quality of that water is bad due to iron content.

COURTHOUSE BIDS

Mr. McKlarney related that bids had been received for the paneling removal and cleaning at the courthouse building. The bids were as follows:

- AA Environmental - \$20,433
- WACO, Inc. - \$18,770

E. Luke Greene - \$27,950

Mr. McKlarney stated that the consultant had recommended WACO, Inc. He concurred with that recommendation. Mr. McKlarney related that due to subterranean conditions and an elevated spore count, the consultant felt it would be best to remove the paneling. Mr. Williams asked if the courthouse maintenance funds could be used for this project. Mr. Chidester stated the project would fall under courthouse maintenance. Ms. Tickle stated that account was used up completely every year and more besides.

Mr. Baker moved to accept the bid from WACO, Inc. for work at the courthouse in the amount of \$18,770. Second by Mr. Dunn. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

PAYMENT OF WARRANTS

Mr. McCoy moved to appropriate funds in the amount of \$625,887.79 for payment of warrants as presented. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. Baker, Mr. McCoy.

SCHOOL BOARD APPROPRIATION

Mr. Baker moved to appropriate \$2,114,156 for the school board for November, 2013. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. Baker, Mr. McCoy.

SOCIAL SERVICES APPROPRIATION

Mr. Baker moved to appropriate \$225,000 for Social Services and \$130,000 for CSA for the month of November, 2013. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. Baker, Mr. McCoy.

APPOINTMENTS

Mr. Baker moved to re-appoint Mr. Ernie Miller to the Agricultural Advisory Committee. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. Baker, Mr. McCoy.

PUBLIC HEARING – PROPOSED AMENDMENT SECTION 4-1, GILES COUNTY ZONING ORDINANCE

Ms. Hobbs opened the public hearing. Mr. Ross presented information regarding wording changes to Section 4-1 (Plat Required – Approval Before Sale) of the Giles County Zoning Ordinance. The change removed language from the ordinance “or offer for sale”.

Ms. Hobbs asked for comments or questions. Hearing none, the proposed amendment was sent back to the Planning Commission for recommendation, and the hearing was closed.

PUBLIC HEARING – SPECIAL EXCEPTION – RRA-1 TO ALLOW FOR A RECREATIONAL DEVELOPMENT

Ms. Hobbs opened the public hearing. Mr. Ross presented information regarding a special exception within RRA-1 (Rural Residential/Agricultural) Zoning District pursuant to Section 603.03-3 of the Giles County Zoning Ordinance to allow for a recreational development. Mr. Ross related that a recent review of the campground policy revealed Riverview Campground was not in compliance and had not obtained special exception for expansion into the county. The campground had been operating in the town for some time and had unknowingly expanded over the county line. Ms. Hobbs asked if a special exception had been applied for many years ago. Mr. Ross stated that he had researched but had only found an application for a parcel of land that was contingent upon transfer, which did not go through. There was discussion regarding a trailer that was being used as an office in the campground that some members recalled had applied for special exception. Mr. Ross stated he was unaware of that application. Mr. Glenn Harman stated that particular application was brought before the Board prior to his purchase of the campground. Mr. Ross stated there are currently 34 sites, and the request was made to add 8 more. He stated that Mr. John Meade had called regarding a sewer issue at the campground. Mr. Ross had spoken with Mr. Buddy Kast at the town and was told the town would have to look at the pump station if more sites were added. Mr. Harman had received an updated permit with the Virginia Department of Health.

Mr. Williams asked if there are any people living in the campers. Mr. Harman stated that he knew of four campers that were being used for residences. He stated they were mainly older individuals who could not afford upkeep on homes. Ms. Hobbs expressed concern that there were children living there at one time and a school bus used to stop at the campground. Mr. Harman stated that was prior to him owning the campground. Mr. Williams expressed concern that the campers would not be safe for someone to live in without proper permits and inspections. Mr. Harman stated he had obtained all required building permits. Mr. Ross stated he had found building permits for electrical services. Mr. Ross stated that if they are there for more than 180 days, the campers must be tied down or must be kept licensed and tagged in order to move them if needed. Mr. Williams felt that the campers should be subject to the rules in order to be safe. Mr. Ross stated that campers would not fall under building code. Mr. Dunn asked if any of the people living in the campers were in the county. Mr. Harman stated there was one. Ms. Hobbs stated that a residency permit could not be issued for a camper. Mr. Ross concurred with that statement.

Mr. Dunn stated there had been no problems or issues with the campground. Mr. Baker asked if the town would be looking at the sewer. Mr. Ross related that Mr. Kast had stated the pump station would need to be evaluated prior to any new sites being added. Mr. Baker and Mr. Williams expressed additional concern regarding the campers being used as residences. There was discussion regarding campers meeting code and that the issue takes place in more than one campground in the county. Mr. Ross stated the campers would meet flood plain ordinance if they kept the tags, inspection and insurance current so they could be moved if needed. Ms. Hobbs suggested that the county try to work with them to see what can be done.

Ms. Hobbs asked for additional comments or questions. Hearing none, the special exception was sent back to the Planning Commission for recommendation, and the hearing was closed.

PUBLIC HEARING – SPECIAL EXCEPTION TO ALLOW FOR MODIFICATION TO HEIGHT RESTRICTIONS

Ms. Hobbs opened the public hearing. Mr. Ross presented information regarding a special exception within the C-1 (Conservation) District to Section 701.03 of the Giles County Zoning Ordinance to allow for modification to height restrictions. He related that Little Stony, Inc. had applied to allow for a tower to be built on the property by the National Ecological Observation Network (NEON). The planned height of the tower is to be 94 feet. The current height restriction is 35 feet. Ms. Diana Scott informed members the tower, if allowed, would be used to gather data that would be published and used for things such as scientific studies. She related that NEON has 60 towers currently in place across the country and the Mountain Lake site was selected due to its path along the Appalachian Mountains. The path NEON is looking at along the mountain range would go from Massachusetts down to Alabama. The proposed project is in collaboration with the University of Virginia. Ms. Scott stated that the tower needed to be that height in order to be at least ten feet above the canopy of the forest to collect data. Ms. Hobbs questioned how the data would be used. Ms. Scott responded that the data would be published, so it could be used for a variety of research such as environmental, long-term forestry, land management, or animals.

Mr. Christian Thompson from NEON related that the tower was being built as a temporary structure and would be removed after eight to ten years. Mr. Williams asked if the tower could be utilized for other things such as emergency services or repeaters. Mr. Thompson said that NEON had not allowed other uses for the towers due to interference with data collection sensors. He also related that there would be a small instrumentation shed near the base of the tower. Mr. Thompson stated that the tower might be able to be seen from higher elevations. However, the tower is painted to reduce visibility. NEON plans to have staff at the tower to monitor the site and data every two weeks.

Mr. Clayton Dolinger questioned if Federal permits had been obtained, since the land was considered wilderness area. Ms. Scott responded that Federal permits had been obtained as well as EPA and the Virginia Department of Historical Resources. She stated that the land was under conservation but was not considered wilderness area. Mr. Dolinger stated that he had a neighbor that had requested permission to repair a spring in that area and had been denied.

Mr. Avery Dolinger asked how close the tower was allowed to be to a subdivision and presented a copy of the plat for the subdivision where he lives. He stated that the tower was going to be built 200 yards from where he lives and he would have to see it when he goes outside on his property. He asked if the tower could be moved a higher location. Mr. Thompson responded that he would take the concerns back to NEON, however, a lot of work had gone into selecting the most viable location for the tower to collect the best data. Mr. Dolinger stated he just did not want to be able to see the tower. Mr. Williams suggested that NEON look to see if they can find another location stating that with 1,500 acres, there should be adequate space. Ms. Hobbs asked for additional comments or questions. Hearing none,

she closed the public hearing and sent the special exception back to the Planning Commission for a recommendation.

ENGINEERING SERVICES PROCUREMENT

Mr. McKlarney requested that members allow procurement for engineering services in order to develop a capital improvement plan for buildings and facilities. Prices will be brought back to the Board for deliberation.

Mr. Dunn moved to move forward with procurement of engineering services for development of a capital improvement plan. Second by Mr. Williams. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. Baker, Mr. McCoy.

EXECUTIVE SESSION

Mr. McCoy moved to go into Executive Session as permitted by Virginia Code 2.2-3711(A)(30) Contracts (Timberlake Building – discussion of terms or scope of the contract, because public discussion would adversely affect our bargaining position or negotiating strategy vis-à-vis the vendor), and 2.2-3711(A)(3) Property (acquisition of real property for public purposes). Second by Mr. Baker. Approved unanimously (5-0 by roll call vote). Voting YES: Mr. Baker, Mr. McCoy, Mr. Williams, Mr. Dunn, Ms. Hobbs.

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 (5-0 by roll call vote). Voting YES: Mr. Baker, Mr. McCoy, Mr. Williams, Mr. Dunn, Ms. Hobbs.

BIDS FOR TRACTOR

Mr. McKlarney advised members that the Public Works Department was in need of a new tractor and requested to move forward with bids.

Mr. Baker moved to move forward with procurement of bids for a tractor for Public Works. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. Baker, Mr. McCoy.

TIMBERLAKE BUILDING BIDS

Mr. Williams moved to move reject the bid received from W. G. Simmons Co. Inc. for restroom installation in the Timberlake Building. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. Baker, Mr. McCoy.

ANNOUNCEMENTS

Ms. Hobbs informed members of the VDOT 6-Year Plan hearing scheduled for October 30, 2013, at Northside High School in Roanoke. Members discussed the need for attendance in order to bring up the need for the completion of the four-lane on Route 100 and the bridge on Route 219.

Mr. McKlarney informed members that VDOT had agreed to provide traffic control, a dump truck and a chipper as well as train the inmate workforce to run the chipper.

Ms. Hobbs reminded members of the CCAP mixer at The Bank on October 29th, and Mr. McKlarney reminded members about the Intergovernmental Meeting in Rich Creek on October 28th. In addition, Mr. McKlarney reminded members about the New River Community College visit on November 6th. NRCC will provide lunch and then conduct a tour. Mr. Williams related that the PSA would be holding an open meeting with the Town of Pearisburg on November 12th; both attorneys will be in attendance as well.

Mr. Williams inquired about the status of the animal shelter. Ms. Hobbs stated that the Board had previously agreed to working with the Sheriff to make changes. There was discussion regarding the suggestions made by members at an earlier meeting. Mr. Dunn asked about the status of the report of the animal shelter from the state. Ms. Hobbs felt that most of the items had been addressed. Mr. McKlarney stated that he would have to respond to the findings. Mr. Williams stated that it was requested that the Animal Control Officer improve enforcement on animal tags. He felt that enforcement of this ordinance would make owners more responsible for their animals. Mr. McCoy felt it would be good to draft a Memorandum of Understanding with the Sheriff regarding the shelter so that everyone know what the rules and expectations are.

Mr. McKlarney related that there had been some vandalism at the old hospital building during the week. He had received a call that the Sheriff had two suspects in custody.

No further business was introduced. Ms. Hobbs adjourned the meeting. The next meeting is scheduled for Wednesday, November 6, 2013, 3 PM in the General District Courtroom, 120 North Main Street, Pearisburg, Virginia.

APPROVED:

Chairperson

ATTEST:

Clerk

October 17, 2013