

At the regular meeting of the Giles County Board of Supervisors on Wednesday, October 2, 2013, at 3:00 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 offered the invocation and led the Pledge of Allegiance.

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

APPROVAL OF MINUTES

Mr. Baker moved to approve the minutes of September 19, 2013. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

SCHOOL BOARD REPORT – TERRY ARBOGAST

Dr. Arbogast reported that attendance is currently at 2,458, which is an increase of 5 from August and an increase of 9 from the same time last year. Dr. Arbogast provided members with a listing of activities planned for October. He reported that all schools in the county have been officially certified as accredited by the Virginia Department of Education. Both high schools have been named as Blue Star Schools by WISE (Working in Support of Education). In order to be named a blue star school, the school must have a 75 percent passing test average where the majority of students in a named grade must participate or an 80 percent passing test average for the students participating. The program is a financial literacy certification, and each school will be presented with a banner by the McGraw-Hill Company at New York in November.

Dr. Arbogast also invited members to come visit Narrows Elementary Middle School to see the progress being made on that project. He indicated the project was approximately 80 percent complete. Mr. McCoy inquired which would be the next oldest roof out of all the school buildings. Dr. Arbogast related that he had requested an engineer to come look at all the buildings to determine the life expectancy of each roof. They will also be looking at the gas usage at NEMS prior to and after the new roof was constructed.

Mr. McKlarney related that a joint trip with the School Board to New River Community College was scheduled for November 6th. Transportation will also be coordinated with the school.

CONSTITUTIONAL OFFICERS

Sheriff Morgan Millirons presented information to members regarding recent and upcoming activities. He invited members to a retirement dinner for four individuals. The dinner will be held on October 27th starting at 1:00 PM. Sheriff Millirons reported there were 495 civil papers served, 6 felony arrests, 92 misdemeanor warrants served, 2 DUI arrests, and 145 traffic summons in September. Animal control picked up 36 cats and 31 dogs during the month. Sheriff Millirons also related that the inmate workforce had logged 317 hours for the month. However, time had not been submitted by the substitute officer for two of the weeks. The crew has begun cutting brush through the VDOT agreement. Mr. McKlarney stated that VDOT staff had been very complimentary of the work crew.

Sheriff Millirons offered suggestions to correct the issues with the animal shelter stating that he would like to have the hours posted on the gate and have it open three hours in the morning and three hours in the afternoon during the week and possibly some hours on weekend afternoons. He also suggested having a time clock installed for staff. Sheriff Millirons stated he would like to contact outside agencies for volunteers. However, he would like to make sure there is only one key available for volunteers and that he knows exactly who has that key. Ms. Hobbs suggested that rules and regulations be put in place for volunteers and ensure they are followed. Mr. Williams suggested that a county employee should be present any time the shelter is open. They also discussed manpower for the facility and the possibility of fees that could be imposed. Members felt the topic should be discussed further at a later date.

Sheriff Millirons provided numbers for July and August, including 61 drug indictments, and related that the River North Correctional Center will start taking inmates around the middle of the month. Mr. McKlarney related that he had received an email from the state Compensation Board regarding state responsible inmates. According to the email, the state is financially responsible for any inmate that has been convicted of a felony and has more than 12 months to serve on the date they are sentenced. Mr. Chidester stated that was not what the statute states but that the Compensation Board related an inmate would be state responsible once convicted of all charges. Mr. Chidester felt the key would be the monitoring of the bills to ensure the county does not get charged for those individuals.

Mr. Baker asked if the names of the indictments had ever been sent to the paper as they had in the past. Sheriff Millirons stated that the names had now sent to the paper. He also related that the records had previously been sealed. He was not allowed to send the names in to the paper until they were released. Mr. Baker asked what the difference was in this particular list of names that they were not sent to the paper when the indictments occurred as was previous practice. Sheriff Millirons stated he did not know what the differences in the lists were, but he was told he was not allowed to release the names until everyone was picked up. Mr. Baker related that he had received several phone calls questioning why the names had not been published as they had been in the past. Sheriff Millirons stated that the paper had the names now and hopes they will be in print soon.

PUBLIC COMMENTS

Ms. Sue Ratcliffe related that she and her husband had owned property on Dogwood Lane since 1999, and they currently reside in North Carolina. They are preparing to build a home on the property and came in for Labor Day to find out that the rates had been raised to install a water meter. Ms. Ratcliffe requested that the Board waive the rate increase in this instance, since she and her husband were unaware of the rate increase. Ms. Hobbs stated that many other people had already been charged the increased rate and did not feel it would be fair to lower the rate for this instance. She further stated that the increased rate barely covers the cost to the county to purchase and install a water meter. Mr. Williams felt that the county should have informed her about the increase, since she lived out of the area and already had a zoning permit in place. Ms. Hobbs stated that the public hearing on the rate increase had been advertised as required.

Mr. Williams moved to approve the rate reduction of a water meter installation for Ms. Ratcliffe. Second by Mr. Dunn. Motion failed (2-3). Voting YES: Mr. Dunn, Mr. Williams. Voting NO: Ms. Hobbs, Mr. McCoy, Mr. Baker.

SKY VIEW LANE

Mr. McKlarney reported he had received information regarding the language they would like to have in the right of way acquisition documents for Sky View Lane. He indicated the next step would be for the county to get a survey conducted and establish lines. After that is completed, the acquisition of land can begin. Members discussed the possibility of setback issues. Mr. McKlarney indicated a survey would ensure there would be no setback problems in the future with this project.

MISCELLANEOUS VDOT ITEMS

Mr. McKlarney related that VDOT drainage engineers had met with Mr. Dean Reed regarding the drainage issues on his property on Spring Street. Members discussed the project at Hilltop, which is expected to go out for bid in January 2014, as well as the Route 219 Bridge, which should be out for bid this month. In addition, members discussed the Ripplemead Bridge project. The project does not appear to be moving forward and the lane closure has not been moved back to Route 635 as requested. Mr. Williams stated that the property owner in Pembroke that was having drainage issues on his property had obtained permission to fix the problem himself. Ms. Hobbs stated that VDOT had not been up to look at Old Church Road to look at the road width problem, and residents on that road would like to know what is happening to correct the issue.

SEWER ISSUE

Mr. McKlarney related that there has been a sewer issue in the Doe Creek area. Workers had flushed the lines to do some line replacement, and gases had escaped with some of it coming out into people's homes. He stated that flapper devices have been ordered to be installed on the lines. He further stated that the residents should have been informed about the work, and he hopes the devices will resolve the problem.

LITERACY VOULUNTEERS OF THE NRV

Ms. Janet Kester presented information to members regarding the literacy volunteers program. Ms. Kester indicated that the program had recently been streamlined in an effort to

serve more people at a lower cost. She stated that there were many volunteers that give time to the program, which helps to make it successful. Ms. Kester reported that there are currently three Giles County participants in her program. Ms. Kester stated she is attempting to rebuild and make new connections and is attempting to raise community awareness. She discussed a partnership with New River Community College where the literacy volunteers will be able to utilize space and grants relating to outreach, digital literacy and addressing dyslexia in adults. She gave members a brochure and encouraged them to refer anyone who needs services.

NATIONAL 4-H WEEK PROCLAMATION REQUEST

Ms. Cora Gnegy presented Mr. Corey Falls a state 4-H Southwest District Investor and the former President of the 4-H Teen Leadership Club. Mr. Falls read the proclamation and requested approval from the Board.

Mr. McCoy moved to proclaim the week of October 6-12, 2013, as National 4-H Week in Giles County. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

PLANNING COMMISSION RECOMMENDATIONS/ACTIONS

Mr. Ross presented the recommendation from the Planning Commission to approve the proposed amendment to Section 711.02 (Area Requirements for Public Water/Sewer Facility Lots) of the Giles County Zoning Ordinance.

Mr. Williams moved to approve the recommendation from the Planning Commission to approve the proposed amendment to Section 711.02 (Area Requirements for Public Water/Sewer Facility Lots) of the Giles County Zoning Ordinance. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

Mr. Ross presented the recommendation of the Planning Commission to approve the special exception request submitted by Ms. Eva Garver and Kelly Auten within the RRA-1 (Rural Residential/Agricultural) Zoning District pursuant to Section 603.02-2 of the Giles County Zoning Ordinance to allow for a Private Seasonal Camp or Retreat. Ms. Hobbs expressed concerns regarding people doing things without getting the proper permits.

Mr. McCoy moved to approve the recommendation from the Planning Commission to approve the special exception request submitted by Ms. Eva Garver and Kelly Auten within the RRA-1 (Rural Residential/Agricultural) Zoning District pursuant to Section 603.02-2 of the Giles County Zoning Ordinance to allow for a Private Seasonal Camp or Retreat. Second by Mr. Dunn. Motion approved (3-2). Voting YES: Mr. Dunn, Mr. McCoy, Mr. Baker. Voting NO: Mr. Williams, Ms. Hobbs.

Mr. Ross presented the recommendation of the Planning Commission to approve the proposed amendment to Section 302.12 (Automobile Graveyard) of the Giles County Zoning Ordinance.

Mr. Dunn moved to approve the recommendation from the Planning Commission to approve the proposed amendment to Section 302.12 (Automobile Graveyard) of the Giles County Zoning Ordinance. Second by Mr. Williams. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

Mr. Ross presented actions from the Planning Commission to request joint public hearings regarding the following on October 17, 2013, beginning at 7:00 PM:

- 1) Proposed Amendment to Section 4-1 (Plat Required – Approval Before Sale) of the Giles County Subdivision Ordinance.
- 2) 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.
- 3) Special Exception within C-1 (Conservation) District to Section 701.03 of the Giles County Zoning Ordinance to allow for a modification to height restrictions.

Mr. Ross informed members that the special exception for recreational development was for Riverview Campgrounds who would also like to add a few sites. There was some discussion as to a previous application for special exception on the same property. Members were in agreement to hold a joint public hearing on the items indicated.

Mr. McCoy asked about the status of the proposed rate increases. Mr. Chidester suggested looking at the option of imposing a penalty fee along with the increased application fee for a special exception, so there is a consequence to disregarding ordinance. Mr. McCoy felt the fee and penalty should reflect the cost of the work that has to be done in order to get things into compliance. Mr. Ross stated that he had discussed an increase of \$1,000 with the Planning Commission, but the Commission felt that an increase to \$500 was sufficient. However, he indicated he would take the penalty fee concept to the Planning Commission to get its recommendation.

Mr. Reed presented the recommendation of the Planning Commission to approve the Charles R. Johnson, Sr., Estate plat for a 352'x352' lot. He noted that the adjustment would bring the lot into compliance for residential zoning.

Mr. Baker moved to approve the recommendation from the Planning Commission to approve the Charles R. Johnson, Sr., Estate plat for a 352'x352' lot. Second by Mr. Dunn. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

NEWPORT VOLUNTEER RESCUE REQUEST

Mr. McKlarney presented information regarding a request from the Newport Volunteer Rescue for the donation of a surplus vehicle. Ms. Hobbs asked how many requests had been received. Mr. McKlarney stated requests had been received from Newport, Rich Creek and Newport, and all had requested the 2006 Ford. Mr. McCoy felt that the county office should keep the best vehicles and surplus older ones. Mr. Williams expressed concern that the fleet of the Sheriff's Office was so large. After some discussion, members agreed to hold off on any new surplus approvals and inventory the vehicle list to be considered at a later date.

VRS HYBRID PLAN

Ms. Tickle presented information to members regarding the upcoming VRS Hybrid Plan. Under the new plan, all new employees commencing employment on or after January 1, 2014, would be required to participate in the hybrid plan. The plan also creates a disability program for local employees participating in the hybrid plan, which the county would be required to provide. With the implementation of the new hybrid plan, the finance department will be required to maintain six different retirement plans making it increasingly difficult to manage. The change in payment may also prove to be difficult, since the payment plan will be required twice a month where the payment plan currently in place is paid on a monthly basis. Ms. Tickle gave details of the new plan and comparisons to others. Ms. Tickle also indicated there is an alternative for the short- and long-term disability portion to opt out of that with VRS and provide it through a different vendor. Members discussed various options and will bring the item back to the next meeting. Ms. Tickle asked that members send her any questions they have regarding the plan.

CITIZENS TELEPHONE COOPERATIVE AGREEMENT

Mr. McKlarney updated members on the service agreement with Citizens. The plan will provide internet service to several locations with an option to add more at a later date. It will also allow direct connection between the Sheriff's Office, Treasurer's Office and the Administration Office. Mr. McKlarney indicated it would greatly enhance the digital service to these offices.

Mr. McCoy moved to approve the agreement for internet service with Citizens Telephone Cooperative . Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

WOLF CREEK RURITAN

Mr. McKlarney related he had received a request from the Wolf Creek Ruritan Club. The club is constructing a walking trail on their property and requests the use of a piece of equipment to assist with the project. Mr. Dunn related that he had approved \$2,500 to assist from his parks budget. Members felt it would be better to have a county employee operate the equipment for them. Mr. Williams suggested it might be something that Overland would want to assist with as well.

Mr. McCoy moved to approve the use of an employee and equipment to assist with building a walking trail at the Wolf Creek Ruritan Club . Second by Mr. Baker. 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 \$702,417.36 for payment of warrants as presented. Second by Mr. Baker.

Discussion: Mr. Williams inquired about the charges for the old hospital and Wheatland. Mr. McKlarney indicated the charges were for some HVAC work at the old hospital and landscaping at Wheatland.

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

APPOINTMENTS

Mr. Baker moved to reappoint Mr. Butch Mullins to the Fairview Home Board of Directors. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

Mr. McCoy moved to reappoint Mr. Paul Baker as an alternate to the Agency on Aging Board. Second by Mr. Williams. Approved unanimously (4-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy. Abstaining: Mr. Baker.

Mr. McCoy moved to reappoint Mr. John Peek to the Agency on Aging Board. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

Mr. Williams moved to reappoint Mr. Mark Givens to the Agricultural Advisory Committee. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

Mr. McCoy moved to reappoint Mr. Kevin Belcher to the Fairview Home Board of Directors. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

DRY HYDRANTS

Mr. Williams related he had received a request from Eggleston for some assistance with installing dry hydrants in Eggleston. He stated it should not cost much to get them completed with so few parts to be used. Ms. Hobbs asked if the Board could take it under advisement. Mr. Williams agreed.

MISCELLANEOUS

Mr. Williams inquired about the prescription plan he received information on and asked if it would be good for the county. Mr. McKlarney indicated he would give the information to Ms. Gail Vaught to see to check into for the seniors. He also related that Ms. Vaught would begin having meals in Newport for seniors one day a month starting in November.

Mr. Williams requested to get a quote on a tractor with a 10 foot mower indicating the county needed something to keep up with all the mowing. Members were in agreement to obtain a quote.

Ms. Hobbs related that she had received an invitation to a Local Government Leaders Reception on October 7, 2013, at the Governor's mansion in Richmond but indicated she

would not be able to attend. She also related that she had received an invitation to a meeting with the New River Land Trust on October 24, 2013.

EXECUTIVE SESSION

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

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. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

No further business was introduced. Ms. Hobbs adjourned the meeting until the recess meeting scheduled for Thursday, October 17, 2013, at 6:30 PM in the General District Courtroom.

APPROVED:

Chairperson

ATTEST:

Clerk