

At the regular meeting of the Giles County Board of Supervisors on Wednesday, May 1, 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 McKlarney	County Administrator
Richard Chidester	County Attorney
Susan Kidd	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 addressing the board to sign up and give the form to the secretary.

APPROVAL OF MINUTES

Mr. Baker moved to approve the minutes of April 3, 2013. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

VDOT REPORT – DAVID CLARKE

Mr. Clarke reported VDOT was working on brush removal of storm debris. They have also done some pothole patching on Route 100 and will be doing more after they complete the paving near Staffordsville. VDOT has taken advantage of the good weather to do machining and stone on gravel roads – Powell Mountain, Eggleston River, Spring Valley and a couple others. It is now getting close to time to mow.

Ms. Hobbs asked when they would start work on Hill Top. Mr. Clarke said the road is being designed now. It will be a while before any actual work is started but that is the only one on the six-year plan right now. He will send a sample six-year plan that would put back maybe the last two projects that were removed. These would not get money until the last three years of the plan but they can start engineering work on them. Ms. Hobbs said the board used to get a report with the six-year plan – and it was updated every year – showing what had been spent on each of those projects. They always overlapped. While they were working on one, they were doing engineering and right-of-way on the next one. Mr. Clarke said they have not given out that type of construction plan and they also have not had the money to start any type of significant engineering work on a project. Hopefully, with the additional funds that were allocated and money accumulated from other projects, once they decide which is the next unpaved road the board wants to do then they can start that process again. He explained that it is not just the funds, but they just don't have the staff at the residence to do it. They don't have that capacity even in the Salem office and are putting a lot of that out to consultants, which drives up the cost. Ms. Hobbs agreed and said often it brings in someone who doesn't know anything about roads in this area. Mr. Clarke said it was good to have the money back in the budget but it is a challenge to get the work done for that money now that they have been through a period of cutting back on staff. He said there is nothing that would speed that along unless the county wants to locally administer one of those projects – and they are already doing one.

Mr. Dunn asked about the paving schedule on primary roads. Mr. Clarke said they were doing Rt. 100 and some on Rt. 460 on the Pearisburg by-pass. They are doing no surface treatment this year because they did so much last year. He said he could get the schedules out to the board. They will do some slurry, no surface treatment and probably a little secondary paving. Mr. Dunn asked if they would pave the by-pass east-bound. Mr. Clarke said not all of it. Mr. Dunn noted Route 219 is in bad shape; Mr. Clarke said it was not on the paving schedule. Mr. Dunn said the standing water on Route 460 west of the truck entrance at Celanese covered the entire turn lane, the left and right lanes. VDOT guys were there and thought the drain was open, but there is

some issue there. He also said west-bound at the rough spot near Celanese, there is no shoulder. The new guardrail has already been smashed up with a car that dropped off the shoulder on the right. That is about the 4th accident because of that problem. Mr. Clarke will check on that. Mr. Dunn said just past that is a drainage issue – cars cannot pull off and there are actually cattails growing in the ditch. Mr. Dunn asked if they would be able to finish paving the last quarter-mile of State Line Road. Mr. Clarke said he did not know why those limits were on there but would take a look. Mr. Dunn said if they did not pave it, at least fix the shoulders because they are back to passing a vehicle on the grass.

Mr. Williams talked about the supplemental list in his packet. Ms. Hobbs said that is the list of roads removed back to 2001. Mr. Williams said a lot of those have already been done. Ms. Kidd said that list was just created as roads were removed. Mr. Williams noted that only Penvir Bridge and Hilltop were on the current six-year plan. Ms. Hobbs asked if additions were for projects two years from now. Mr. Clarke said more likely three years. He said Darnell Mountain and Celestial Heights were probably the two to go back. Mr. Williams asked if there was still time to discuss this some before adding anything. Ms. Hobbs said things change over the years and they can still discuss it. Mr. Williams said he had a request in the Western district. On the Rural Addition money for Sky View Lane, Mr. Williams was under the impression that it was on the plat that it would not be improved. Mr. McKlarney said he did not know; they never got that far with it. Mr. McCoy said he remembered it was pulled for some reason. Ms. Hobbs said she thought it was a right-of-way issue. Mr. Williams said he thought there was something on the plat that they have to wait 20 years. Mr. McKlarney thought that was the road further west – Avery Street – not Sky View. Mr. Dunn said he would like to get an estimate on what Sky View would cost to bring it up to standards. Mr. McKlarney asked if that could be locally administered and Mr. Clarke said he thought it could. He said most of the preliminary work on Rural Addition is county's anyway. Then the county presents the plat to VDOT for construction once the right-of-way and easements are taken care of. Mr. Dunn said the biggest complaint was when they went to Piney Mountain and put culverts in – all the water is shooting down on Sky View Lane. All the water comes off Piney Mountain to Mr. Thompson's farm and then off Sky View. Mr. Williams said there have also been more houses put in there. Mr. Dunn agreed and said they had a problem on Route 61 and put in a 36" culvert and it probably needs a 54" or more. He said if the county does their part, can VDOT do their part like they did at Penvir Road with putting the water where it needs to go when it gets to Route 61. Mr. Baker said that was discussed a few years ago and they would not do it. There was some reason they stopped that. Mr. Clarke said he did not know why. Mr. McKlarney said there was an upgrade there within the last 5 years. He said the problem was there is less than \$200,000 in the Rural Addition fund and he did not think that was enough for Sky View. Mr. Williams said he thought the estimate was about \$150,000 a few years ago. He asked Mr. McKlarney to look into it and see if there is any way they can work on that.

Mr. McCoy said he hoped they would continue to work on gravel roads – it has been a rough winter. He asked Mr. Clarke to look into an issue on the passing lane on the Ripplemead Bridge. After a hard rain, that lane is covered in water and it is difficult to handle a vehicle when you hit it (on the west-bound side). It may be drains stopped up or something, but it is a real hazard.

Mr. Baker said where the four-lane on Route 100 ends (near the new guardrail) there are some bad potholes in that area. Also, on Route 460 on the back of the hospital property are also some problems that need repaired fairly quickly.

Ms. Hobbs said there is a situation in the White Gate area where there is an industry manufacturing out-buildings and it is located on a gravel road (Old Church Road). Tractor-trailers and large trucks come in and out of there often. She asked if there was any grant funding for industry to get that road paved. Mr. Clarke said it would not be enough industry to qualify for Industrial Access Funds. It could be done with Revenue Sharing. Ms. Hobbs said the county doesn't have any money for half. She said the residents have a problem and she asked for suggestions on what could be done. The road was not too bad right now, but they have not moved any buildings recently. She asked if it could be graded more often. Mr. Clarke asked how long a section of road this was. Mr. McKlarney said it was less than a mile. Mr. Williams asked if the owner would help pay for the Revenue Sharing. Ms. Hobbs said she understood the owner was not even here; someone else is running it for him. Mr. Clarke said they work through the county on Revenue Sharing, but they did not care where the county comes up with their half. Ms. Hobbs said the other issue is the road is not very wide and she was not sure how they handle it when they meet a tractor-trailer on that road. She asked Mr. Clarke to get an estimate for that

road. Mr. Clarke said he would and they might want to put it in the six-year plan as a budget item. If it is an easy road to pave, it might be able to be done fairly low cost. Mr. Williams also reported that on Rt. 635 below the Lime Plant, the new culvert has settled about 2". It needs to be looked at.

TRANSPORTATION OPPORTUNITY FUNDS

Mr. McKlarney updated the board and Mr. Clarke on submission of an application for Transportation Opportunity Funds (TPOF) for industrial access. This is for the Celanese project that did not meet the Industrial Access standards. It will be for the turning lane improvements on Rt. 460 near Celanese. Mr. Clarke was not aware of these funds. Mr. McKlarney said it seemed very few people were aware of it; it is through the governor's office.

SCHOOL BOARD REPORT – SCOTT MEADE

Mr. Meade reported that enrollment increased by three students from the March 31st number. That is also an increase of 24 from this time last year. He shared a calendar of school events with board members. Mr. Meade reported on the VoTech competition in state championships. There were several winners from Giles County. He also congratulated winners from Giles High who competed in the FBLA State Conference. They are eligible to compete in the National Conference in June. Ms. Hobbs commented our school system is doing something right; there is a lot of positive news.

Mr. Meade informed board members that the county art show will be at Narrows High on May 6-9. He also noted the county had two finalists in the McGlothlin Award contest. There are only six in the region and two are from Giles County. Pam McDonald of Macy was the overall winner.

Mr. Meade reported that they have formed a School Safety Team with representatives from the Sheriff's office, SROs, principals and school board. They meet monthly to discuss safety procedures. This is a pro-active approach to assess safety in the schools.

Mr. Mills shared with board members that he met with Mr. Williams at the VoTech Center earlier this week. There was a gentleman visiting there who is in charge of the \$150 million project at Celanese. He was there to view the facilities. He stated that Black and Vetch, a global company, has worked throughout the US and this VoTech center is in the top 3 of any he has viewed. Mr. Mills said the Board of Supervisors, the School Board and citizens of the county working together have produced that wonderful facility.

DEPARTMENT REPORTS

Bryan Reed, E&S/Subdivision Agent: Mr. Reed reported that since the switch was made to metal sign posts, he has replaced only 3 of the over 300 that have been installed. This is much improved from the fiberglass signs and wooden posts. They cost is a bit more for the metal, but it has paid off. Mr. Reed said he had only addressed one new house in the past quarter. He has reviewed and approved 9 subdivisions. There have been 2 E&S site inspections and no storm water permits.

Mr. Reed attended Certified Virginia Planning Commission training in Richmond and also spent two days in Pulaski at the final portion of the Plan Review Certification. He will be taking an exam next week to have a combined Administrator Certification for E&S.

Mr. Reed reported the county has been handed storm water oversight. The state has allowed an opportunity for grant money for this. The county has been awarded \$19,721 for setting up the local storm water program. Some of the things required are to prepare a model ordinance, get agreements with towns, and get the basics of the program going. Mr. Chidester and Mr. Reed worked with the model ordinance provided by DCR and changed that for Giles County. Mr. Reed gave copies of that to the board members for their review and discussion at a future meeting. This program is being handed down to Giles County from the state and the towns have the option of doing their own program and asking the county to do it for them. All towns in Giles County, with the exception of Pearisburg, have requested the county manage their storm water programs. Mr. Reed has contacted Pearisburg but has received no response.

Mr. Reed asked if the board would charge the towns for taking care of storm water. Mr. Baker and Mr. McCoy felt there should be some charge. Mr. Reed pointed out the fee structure suggested by DCR for sites (based on size) for storm water permits. There is a 'department portion' of the fee. It basically says that 28% of the suggested fees have to be sent to DCR – there is no county control over that amount to be charged. Mr. Reed said the board needs to decide if they are going to charge the towns to manage the programs and what that fee is. Since 28% goes to DCR, he suggested charging the towns 28% for each job/site disturbed in the towns. Ms. Hobbs said each of the citizens in the town who applies for the permit will be paying this fee too. Mr. Reed said that was correct. She asked if he was suggesting charging the government for the administration of the program, because if the person in the town who applies for it, they would pay the same fee a county person would pay. Mr. Reed said that was correct. Mr. McCoy said that was correct, but the town cannot do the work to issue the permit. The towns would have to pay the county for managing their storm water program. Ms. Hobbs asked if they are just looking for administrative costs. Mr. McCoy said that is what he was thinking – to help offset what it costs to manage this program. Mr. Dunn said the state (DCR) gets the 28% regardless, but they also said the county does not have to go with the suggested fees. Mr. Reed said that was correct – the fees are suggested but the portion going to DCR has to be paid by someone. If the person getting the permit is not charged that amount, then the county is still responsible for sending the full amount to DCR.

Mr. Dunn said the fees for an acre or less are not too bad – and that is about the average home site. But then the acreage jumps from 1 acre to 5 acres and fees go to \$2,700. Mr. Reed said this was sort of getting ahead of things, but anything less than one acre does not have to have a storm water permit. He said right now they don't have all the answers. The more he looks into it and talks to others, neither does anyone else. Attorneys throughout the Commonwealth are sending questions out – the state put the cart before the house. However, as a county we have to put these regulations into effect by next June, so staff is trying to be proactive in getting things set up to do this with the information we have now.

Ms. Hobbs clarified that less than one acre does not have to have a storm water plan. But, they have to pay \$290, do not get a permit, and the state gets \$81. Mr. Reed said that category is in there – he thought – if a large subdivision has a permit with a storm water plan for all of the acreage. The developer paid the fee. As each individual lot in that subdivision is sold off (and is less than one acre) that is where the \$290 fee comes in. Mr. Reed said that is to the best of his understanding. Ms. Hobbs said that is double-dipping.

Mr. Dunn asked with the new regulations and the current rate of growth in the county how much time Mr. Reed estimated it would add to his job. Mr. Reed said they have not stipulated inspections, but on E&S he is required to inspect every two weeks or after every run-off producing event. In the spring, that could be every day. Typically on E&S he does 5-6 visits and the associated paper work – he estimated 10-12 hours per site. Mr. Dunn said he agreed the towns should pay something for the county providing this service. However, his main concern was this was a potential growth killer. He didn't want to add another \$2,700 permit on to a house that is being built if the county doesn't have to. He understood the state would get their portion, but he wanted to know what it was actually costing the county to do our part but not gouge the citizen in the process. He felt they just needed to research this more and find out what that amount is.

Mr. McClarney said this fee is the most ridiculous permit fee around. The citizens of the Commonwealth should be up in arms when they realize what the state has done to them. This is a fee that is going to be more than their building, zoning, septic, etc. fees combined. They also have to have a plan, so they will have to get help to do that, which adds even more to the cost. And for all of this – they get absolutely nothing. It is so they can discharge water off the roof of their house and out of their yard. Mr. Mills said besides the money, this will make the process so cumbersome that it will increase the costs by stretching projects out by months. The county building department prides itself on getting people processed and started quickly on their building projects. As a result of these regulations, they will be forced to stretch the county's process out by months. Mr. Dunn said that is part of what he was asking – is the county going to be in the position of having to hire extra personnel or allow for overtime to meet these guidelines. The board needs to know where things stand on this as far as resources. Mr. Reed said he was not trying to put them off but that is why he brought this up today. The county has roughly 13 months to get these types of things worked out.

Mr. Williams asked if they had held any discussions with the towns on what they want to do. Mr. Reed said he had phone calls with Glen Lyn, Rich Creek, Narrows and Pembroke. They did not discuss the county charging for it because he did not know what to tell them. Mr. Williams said no more than was going on, it was ridiculous for the county and each town to have an official and go through all the training. He hoped the county would work with the towns and they need to pay their fair share. Mr. Reed said the program has a lot of holes in it. The program will go into effect in June 2014, but the certification/training process – if similar to E&S – takes almost a year to accomplish it. DCR has not even set any training dates for storm water yet.

Mr. McCoy said they were pushing for an extension on this through the General Assembly. Delegate Yost said they tried to do that but it failed. They will try again next session, but right now it is set to become effective in June 2014. Mr. Williams said they need to try to work with the towns if possible for the sake of the residents.

Mr. Reed said there are several other things they need to look at with the towns. What do they want to charge towns for this? What is the county's fee schedule going to be for a single-family dwelling disturbing more than one acre? Mr. Williams said Mr. Reed was going to have to give the board an estimate. They don't want to over charge but they need to pay for the time/training involved. Ms. Hobbs asked if that included building a road or driveway. Mr. Reed said it does – anything that disturbs land. Agriculture is exempt and timber is controlled by the Department of Forestry.

Mr. Reed asked if the board wanted to stick to the DCR schedule or develop their own for large-scale subdivisions. There is no flexibility on the 28% of their suggested fee, but they can decide on anything else that will be charged. The board has to decide if this is an unfunded mandate or will they charge people to cover the costs. Mr. Reed said people need to know this is not coming from the board – it is coming from the state. Mr. Williams said they could use the suggested fees for a year and then see where that stands. Ms. Hobbs suggested lowering them to begin with if it doesn't cost that much to do it. Mr. Dunn said it would depend on whether they come back and add regulations on the number of inspections required, etc. Until they know that, it will be hard to determine how much time they will spend on each permit.

Mr. Mills said staff did ask the question of what happens if the county just ignores it. The answer was that it would be extremely unpleasant for the county. It is just another unfunded mandate from the state. Mr. Reed said they also need know what they want to charge for commercial development storm water fees. He said he was not looking for answers today, but asked the board to be thinking about it. Mr. Dunn said he thought it would depend on the site size. If the project requires Mr. Reed to be there more often – like a Wal-Mart project – and the fee is larger versus a half-acre lot for a single-family dwelling. Mr. Williams said they just need to charge enough to break even. Whoever is doing the project should pay the bill.

Mr. Reed also notified the board that on June 25th DCR will be merged in DEQ. This is going to make this program very 'black and white' with no gray area. Ms. Hobbs said the county will be dealing with the state DEQ department when this gets underway. Mr. Reed said that was correct. Board members will review this information and discussion will continue at future meetings. Ms. Hobbs asked Mr. Reed to think about rough estimates of cost before they discuss this again.

Mr. Reed said the county can no longer operate like they have been doing – pushing the permits and requirements through to help people get started in a very timely manner on their construction. If a storm water plan is required, they are looking at 60 days from the time they receive it to review it. You would have to back up a few weeks from that to get an engineer on site. The window from wanting to start construction to actually getting the permits approved could be much longer. Ms. Hobbs said that is exactly the kind of information the board needs to get out ahead of time to the public.

John Mills, Building/Maintenance: Mr. Mills said staff has met and are planning to work with this storm water thing as expeditiously as possible and still comply with the regulations. He noted there are more regulations coming also. This is the interchanges in the energy code. He has voiced concerns at all the meetings he has attended but it falls on deaf ears. This is going to add costs to building for people. This is not something that the county can ignore. He understood that local building departments would be audited. The federal government is pushing these regulations. Mr. Mills was told if the county was not in compliance it could affect funding on other things. Ms. Hobbs asked what was the biggest change they were looking at on this. Mr. Mills

said this is a 'green approach' with the building envelop getting tighter and tighter. The irony is that as the regulations tighten the building envelop, it gets so tight they have to bring in fresh air.

Mr. Mills said Ms. McCoy on his staff has worked very hard to meet deadlines. Contract services were bid out and bids were due back last Friday. Mr. Mills also commented that Joe Goorskey has done an excellent job as the new building inspector. He is very enthusiastic and a good part of the team. He has already received one of the certifications and is aggressively working toward the others. Mr. Mills said he had cautioned Mr. Goorskey during the interview process that one of the unpleasant parts of the job was dealing with unsafe structures. Unfortunately, he has been dealing with several right away. There are several cases slated for court because they have not been able to get compliance.

Mr. Mills said good news during this economic downturn, especially in residential construction, the county was fortunate to have some commercial construction to carry through. There are 12 single-family dwellings going on now – this is the best they have seen in some time. He said it was difficult to deal with the fact that things are finally turning around and now we are hit with the regulations. The energy code is already being phased in and will be fully implemented in 2016. Ms. Hobbs said they need to let people know ahead of time. Mr. Mills said they will; they offer things for contractors to let them know about these things.

Mr. Mills commented that the maintenance crew is doing an excellent job. They are first-class. They do anything they are asked and do it well. Mr. Mills said they are continuing to utilize any resource available. He commended the Sheriff's Department and Mr. Meredith in coordinating the inmate labor. The services they provide have been excellent and there has not been a single incident. They already have them scheduled through the summer. They were instrumental in getting the ADA work done.

Mr. Mills said they have been working in conjunction with the school system, Social Services, Goodwill and others on the JOBS program. He felt it would be a good thing for the students in the county. The Tech Center has developed an application and they are being distributed through the schools. Hopefully, they will have a meeting with any interested businesses to bring them up to date on the program. They also plan to hold a meeting with the parents of the students.

CONTRACT SERVICES

Mr. Mills said they received good bids. A few went up but only slightly. There were several categories in which they received no bids. Those will be re-bid. Mr. Williams said on the mowing, they have a request from Newport to mow the park for them. He asked about the possibility of the inmates doing that. They could do the park, covered bridge and the school (rec center). Mr. McCoy said that contract is per occurrence. Ms. Hobbs asked if they automatically mow or wait for Mr. Mills to request it. Mr. Mills at first it was automatic, Mr. McKlarney asked him to change that so now it is by request on the 'per occurrence' ones. Mr. Williams said they would have to purchase a mower. Mr. McKlarney said they purchased two push mowers.

Mr. McCoy said he knew they had issues with the pest control company and the low bid was the same company. He asked if there was anything that could be done about that. Mr. McKlarney said he thought they would have to be disqualified prior to bidding. Ms. Hobbs asked about not having a pest control contract; just calling if they are needed. Mr. Mills said they need to have a schedule for pest control to prevent infestations. He felt if they didn't come monthly the problems would be worse. He agreed with Mr. McCoy that he was not pleased with this company though. They often fail to respond when called and sometimes things are so crucial, Mr. Mills has had to call another company to come in. Mr. Chidester said they could take steps to bar them from the bidding process.

Mr. McCoy moved to accept the current bids for contract services and to exclude the exterminating contract pending further investigation by the county attorney and to re-bid the three categories in which there was no response. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

PUBLIC COMMENTS

Victoria Jordan Stone: Ms. Stone made comment about the proposed zoning exception on the shooting range proposed for Clover Hollow. The National Rural Historic District designation of Newport was not mentioned at the public hearing. It was officially designated in December, 2003, after 3-4 years of effort by a lot of residents. Ms. Stone gave statistics on the land use and history of this area. This is an official recognition by the U.S. government of cultural resources worthy of protection. She noted this was an honor for Giles County and it deserved protection from this proposed shooting range. That would be inconsistent with the historic character of the community.

WILLIAM FREEMAN

Mr. Williams noted that former supervisor, William Freeman, passed away this week. He was a supervisor from 1996 until 2000. Mr. Freeman's service will be held at Quantico Military Base on May 19th. Mr. Williams asked and the board members and public observed a moment of silence in honor of Mr. Freeman and his service to Giles County and to his country. Ms. Hobbs said Mr. Freeman often gave her a rough time, but she still had a lot of respect for him.

PLANNING COMMISSION RECOMMENDATIONS

AMENDMENT TO ZONING ORDINANCE – PARKING SPACE DIMENSIONS

Mr. Ross said this amendment was unanimously recommended for approval by the Planning Commission. It would reduce the current minimum of 10' x 20' to 9' x 18' for parking spaces.

Mr. Baker moved to accept the Planning Commission's recommendation on reduction of minimum parking space dimensions. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

SPECIAL EXCEPTION REQUEST – OUDOOR FIRING RANGE/TRAINING FACILITY

Mr. Ross reported that the request for a special exception permit to allow a commercial or service establishment – specifically an outdoor firing range and training facility for property owned by Betsy Link was unanimously (with one abstention) recommended not to be approved.

Mr. Baker moved to accept the Planning Commission's recommendation to deny the request for a special exception for an outdoor firing range because it does not fit the character of the existing neighborhood. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

SPECIAL EXCEPTION REQUEST – PRIVATE SEASONAL CAMP OR RETREAT – DEBORAH WEBB

Mr. Ross stated that the Planning Commission unanimously (with one abstention) recommended approval of the special exception request of Deborah Webb with the condition that Ms. Webb is not allowed to rent out this property. Ms. Hobbs said she understood this building is not satisfactory for living purposes. However, Ms. Webb said she might live in it for a while if she sold her house. Mr. Ross said Ms. Webb did say that. Ms. Hobbs asked if this recommendation would be compatible with that. Mr. Williams said it would be if she met building code. Mr. McCoy said that is the reason for the private seasonal camp request. Mr. Ross said it could not meet the standards to be classified as a single-family dwelling. She has met Health Department requirements. Ms. Hobbs asked Mr. Ross if this was satisfactory. Mr. Ross said it was as a primitive structure and not as a single-family dwelling.

Mr. Dunn moved to accept the Planning Commission's recommendation for a special exception for Ms. Webb for a private seasonal camp or retreat on the condition that she is not allowed to rent the property. Second by Mr. Williams. Approved unanimously (5-0). Voting YES: Mr. Dunn, Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker.

Mr. McCoy said he did not have any problem with the motion, but it is one of those exceptions that the county cannot enforce.

DECAL FEE DESIGNATED FOR EMERGENCY SERVICES

Mr. McCoy moved to approve transfer of the funds from the portion of the decal fee that was designated for emergency services to the Sheriff's Office to pay for the radios. The amount is approximately \$25,000 and will be paid in the current budget year. Second by Mr. Baker.

Discussion: Ms. Tickle asked if that was to be part of the new budget year. Mr. McCoy it was. Ms. Hobbs asked if that was in the current year. Mr. McCoy said the money is there but it will be used after July 1. Mr. McKlarny said they do not need a transfer of this year out of the fund. This year's funding will be applied to next year's purchases. Before the purchases can be made, they have to know the funding is available and will be transferred over. Ms. Tickle said she just needed approval to do a transfer after July 1 then. Ms. Hobbs asked why they needed to approve this if it was not until next fiscal year. Ms. Tickle said it has to be approved before they can make a purchase. Before the purchase order is issued, she has to have approval from the board that allows them to use those funds.

Mr. McCoy withdrew his motion. Mr. Baker withdrew his second.

Mr. McCoy moved to approve that the portion of the decal fee designated for emergency services be utilized when they are needed for radio equipment. This amount is not to exceed the amount of the funds available. Second by Mr. Baker. Approved 4-0. Voting YES: Mr. Williams, Mr. Baker, Mr. McCoy, Ms. Hobbs; Mr. Dunn-abstain.

PAYMENT OF WARRANTS

Mr. McCoy moved to appropriate funds in the amount of \$467,877.01 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.

APPOINTMENTS

Mr. Baker moved to appoint Dave Rundgren to the HOME Consortium Board to replace Mr. Spencer who resigned. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. McCoy, Mr. Baker, Ms. Hobbs, Mr. Dunn, Mr. Williams.

Mr. Dunn moved to reappoint Susan Kidd to the New River Valley Community Action local board for a two-year term ending June 30, 2015. Second by Mr. Williams. Approved unanimously (5-0). Voting YES: Mr. McCoy, Mr. Baker, Ms. Hobbs, Mr. Dunn, Mr. Williams.

Mr. Williams moved to reappoint Scott Dunn to the New River Valley Regional Police Academy for a one-year term ending June 30, 2014. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. McCoy, Mr. Baker, Ms. Hobbs, Mr. Dunn, Mr. Williams.

Mr. Dunn moved to reappoint Roger Browning to the Giles County Planning Commission for a four-year term ending June 30, 2017. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. McCoy, Mr. Baker, Ms. Hobbs, Mr. Dunn, Mr. Williams.

Mr. McCoy moved to appoint Gina Franklin as Secretary for the Emergency Services group. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. McCoy, Mr. Baker, Ms. Hobbs, Mr. Dunn, Mr. Williams.

Mr. Dunn moved to appoint Fred Hackney to replace Mr. Lovely who resigned from the Planning Commission. Mr. Hackney would complete Mr. Lovely's term through June 30, 2014. Second by Mr. Baker.

Discussion: Mr. Ross noted that Mr. Hackney would be on both the Planning Commission and the BZA. Mr. Law is on both boards as well and only one Planning Commission member is allowed to be on the BZA. Mr. Chidester said the BZA meets infrequently and the Planning Commission meets at least monthly. Discussion was to make the Planning Commission appointment effective June 15th so it would begin after the BZA hearings that are already scheduled.

Mr. Dunn amended his motion to make Mr. Hackney's appointment to the Planning Commission effective June 15, 2013. Mr. Baker amended his second. Approved unanimously (5-0). Voting YES: Mr. McCoy, Mr. Baker, Ms. Hobbs, Mr. Dunn, Mr. Williams.

Mr. Williams moved to reappoint Brian Squibb to Giles RACES for a term through February 28, 2015. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. McCoy, Mr. Baker, Ms. Hobbs, Mr. Dunn, Mr. Williams.

Mr. Dunn moved to reappoint Robert Allen Givens as the Alternate to the New River Valley Airport to fill a two-year appointment ending December 31, 2014. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. McCoy, Mr. Baker, Ms. Hobbs, Mr. Dunn, Mr. Williams.

Mr. Williams moved to reappoint Jill Williams to the New River Community Action local board contingent upon her acceptance. This is for a two-year term ending June 30, 2015. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. McCoy, Mr. Baker, Ms. Hobbs, Mr. Dunn, Mr. Williams.

ANNOUNCEMENTS

Mr. McKlarney announced that the National Day of Prayer service would be held on the Courthouse lawn on Thursday, May 2nd at noon. The Chamber of Commerce Banquet is Friday, May 3rd at 6 PM at Mountain Lake Lodge.

Mr. McKlarney reported he attended Mountain Lake's grand opening event today. There have been a lot of changes made there and he invited board members to go up and take a look.

MOWING SERVICES

Mr. Williams said if the sheriff agrees to do that mowing, the board would have to purchase a riding mower. It is too much to do with push mowers. He requested that funds to purchase a riding mower be taken out of the Newport Recreation money and money the board allocates to the others who want the mowing done. Ms. Tickle said Newport Rec has not used their money for mowing for a while. They used to, but have not for some time. Mr. McCoy said the county did it last year; he asked if Newport Rec paid the county for it. Ms. Tickle said she still had money due Newport Rec this year.

Mr. Dunn said if the board purchases a mower, could they do the mowing at the old hospital and the Wellness Center. Mr. Williams said they are trying to save money so why not have the inmates do all they can. Mr. McCoy noted the park will take a lot of mowing. Ms. Hobbs asked if they have to buy a mower and keep it up, it may end up costing more than they pay someone to mow it. She asked if there were restrictions on what inmates can do. Mr. Williams said they have been weed eating and cutting trees and brush. Mr. Dunn said they are under constant guard and the only request was they not be allowed to work at the school when students are present.

Mr. Williams moved that if the Sheriff approves, the inmate work crew will mow for the county this summer where feasible. If a mower needs to be purchased, it will come out of the recreation money for

the areas being mowed. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. McCoy, Mr. Baker, Ms. Hobbs, Mr. Dunn, Mr. Williams.

PEMBROKE SURPLUS PROPERTY

Mr. Williams received a request from Mr. Stump about the Pembroke property – old Social Services property. Haz Mat would like to have the lot beside that old building and finish the foundation and use it to house their trucks. Ms. Hobbs asked what happens if the IDA comes up with a buyer who wants the whole lot. She felt that would be a decision for IDA. Mr. McKlarney said the building belongs to the Board but they asked IDA to deal with it. Mr. McCoy asked if they would have to convey anything to Haz Mat or could they just build on the county property. Mr. Williams said any building there would belong to the county. Ms. Hobbs said they should at least discuss it with the IDA. There was discussion on the existing building and the need to either gut it or tear it down. Board members agreed to take the request to the IDA.

BUDGET SUPPLEMENTS AND TRANSFERS

SUPPLEMENTS AND TRANSFERS

Ms. Tickle said there was \$21,486 of the total supplement amount of \$186,827.06 that did not have off-setting revenue. This amount is for the retirement incentives offered last year. All other amounts have off-setting revenue. Ms. Hobbs asked if there were reserve funds to cover that. Ms. Tickle said there have not been reserves since 2008 when they started cutting everything to keep from raising taxes. Ms. Hobbs thought the auditors made the county budget an amount to cover things like that. Ms. Tickle said it is a percent of budget that they are not allowed to go below but they do not carry a reserve. It is listed in the audit as a liability and there has to be enough money on hand to cover that projected liability.

Mr. Dunn moved to approve supplements in the amount of \$186,827.06 for the FY2012-13 budget. Second by Mr. Williams.

Discussion: Mr. Williams asked about the Rescue Squad listing under additional funding. Ms. Tickle said that is money given to them. They are supposed to reimburse any additional funds given to them from the sale of the lot. Mr. Dunn asked if there was a total that had been paid to the Rescue Squad. Mr. McKlarney said the total is \$15,000.

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

Ms. Tickle noted the transfers were basically moving between budget lines. The case manager for the inmate work program was in a salary line and the auditors requested all contract employees be moved from compensation lines to contract services lines.

Mr. Dunn moved to approve transfers as presented in the amount of \$323,473.70. Second by Mr. Williams. Approved unanimously (5-0). Voting YES: Mr. McCoy, Mr. Baker, Ms. Hobbs, Mr. Dunn, Mr. Williams.

BUDGET DISCUSSION FY2013-14

Mr. McKlarney stated that the school and county employees are in the budget for a 2% increase. The state is going to fund 3% for constitutional officers and comp board employees. There is 4% in there for everyone for VRS and an additional .75% to cover the additional taxes on the VRS portion. So the totals are either 6.75% or 7.75%. Mr. Williams asked if the county is matching the comp board increase. Mr. McKlarney said they do not have to match that, but they do have to match the Governor's increase to school employees with .8% of the total 2% increase. Mr. McKlarney said the 4% to everyone is given to employees but they have to send that back to the state to pay their VRS. That is why they added .75% to help cover the additional taxes on the 4%. Ms. Hobbs asked if that was for one year only or from now on. Mr. McKlarney said that was from now on. Mr. McCoy said that takes care of VRS. Ms. Hobbs said it was not common to cover those costs forever. Ms. Tickle said the .75% is only this year. Mr. McKlarney said it is added to their salary though. Ms. Hobbs said she

was referring to covering the cost of retirement. Ms. Hobbs said the board started paying the employee portion one time in lieu of a raise. Gradually it has come back the other way. Mr. McKlarney said the board did 1% for the VRS last year and 4% this year bringing it to 5% total. Ms. Hobbs asked if the employee never has to pay that. Mr. McKlarney said the employee gets it this year, but they have to pay 5% toward their retirement from now on. Ms. Hobbs said then every raise after this year will not include +5%. Mr. McKlarney said this was only for this year. Mr. Williams noted that new hires have already been paying the 5%.

Mr. Dunn said several of his constituents asked him to convey their thanks to the board for the new insurance for both school board and county. This has helped a lot of people. Mr. McKlarney said there have been a lot of concerns expressed but for families it is a much better deal. Mr. Dunn said everyone appreciates the raise and the lower insurance costs. Mr. Baker said everyone appreciates no tax increase also. Mr. McKlarney said the rates are certainly better on this company for insurance and they hope they will perform well.

Ms. Hobbs asked why there was an increase in the budget for the **Electoral Board**. Ms. Tickle said the State Electoral Board is mandating the same increase as constitutional officers. They may only receive 2%, but Ms. Tickle and Ms. Altizer were not able to get that information from the state yet. They will only receive what the state mandates and the other will remain in the budget.

Ms. Hobbs asked about \$6,900 for equipment lease that was taken out of the budget for the **Clerk of Circuit Court**. Ms. Tickle said all contract services and telephone services were moved out of the independent budgets into the building maintenance budget. Ms. Hobbs said then this is not a level funded budget for departments. Ms. Tickle said moving that allowed them to have all contracts in one place and to know what they are paying for them. Ms. Hobbs said they would not know as expenses go along what departments go over budget. Ms. Tickle said normally the budgets do not go over on contract services because they are set amounts and she can track that. They moved the telephone to building maintenance because of the new system going in and they are not sure of the savings until that gets started. This makes it easier to track the savings. Ms. Hobbs said if you take salaries out of it and the department is still getting the same money as last year with those two items removed, then it is not level funded by department. Ms. Tickle said the only increases are salary and benefits. Mr. McKlarney said that amount is significant because of the 4% for VRS. Ms. Hobbs said she took salaries out and looked at it. Ms. Tickle said they did not increase any of the things numbered 3000 or below; they were all level funded. Ms. Hobbs said she took the contract price out but the bottom line was the same. Ms. Tickle will check on that.

Ms. Hobbs asked why **Juvenile Detention** almost doubled this year. Mr. McKlarney said it was based on utilization and there are more people over there. Ms. Tickle said she thought they used a five-year average. Ms. Hobbs asked if the fees had been increased. Mr. McKlarney said they had not. Ms. Hobbs asked about the line under **Medical Examiner** that listed Payment for Medical, Dental, Hospital. Ms. Tickle said she was not sure; it has been like that forever. The only thing coming out of that is the coroner fee. She will correct that so the line will read correctly.

Ms. Hobbs asked why there was money in **Indigent Burial**. She knew they had them but only if the body is unclaimed. Ms. Tickle said she left it in case they have one. Mr. McCoy said it could be left because they do have one from time to time. Mr. Williams said the funeral homes just take care of many of them. Mr. McKlarney said the county sometimes opens graves for the funeral homes and they take care of the rest.

Ms. Hobbs asked why **Fairview Home** got an increase when everyone else is level funded. It was not much, but she did not want to set a precedent. Mr. Williams said they probably had to pick up more when Craig County got out. Mr. Chidester said the ownership share for the county increased. Ms. Hobbs said that was on capital; this increase is in operations. It was not that she did not support Fairview Home but wanted to know why they increased. Ms. Tickle said she had the documentation and would send it to Ms. Hobbs.

Ms. Hobbs asked why they were cutting chemical and fertilizer at **Castle Rock** if fertilizer costs were increasing. Mr. Williams said fertilizer costs have come down. Ms. Hobbs said not from \$25,000 to \$7,900. Mr. McKlarney said they doing their best to keep costs down there. Ms. Tickle said that line will definitely be over budget. It is where they took the \$17,000 out to balance expenditures with their revenues. That is the only line item big enough to take it out of.

Ms. Hobbs asked about the **Miscellaneous budget – Line of Duty VRS**. Ms. Tickle said that is state funding for people injured in line of duty – it is insurance the county is required to pay.

Ms. Hobbs asked about **Forfeited Assets – Checks Issued**. The amount is \$23,000 and she wondered what it was for. Ms. Tickle said it was listed there because it is how much money they expect to put in the asset forfeiture fund. She budgeted the full amount so she would not have to come back for a supplement; there is off-setting revenue on the other side. She will put that in the correct line as it happens.

Ms. Hobbs asked about \$325,000 on **Eggleston Water** and if the board has agreed to anything on that. Mr. McKlarney said if there is off-setting revenue for it then it will happen. Ms. Hobbs said there have been no other additions or deletions from the budget that was presented to them on April 18th. Ms. Tickle said she removed the \$3,000 out of Extension Service for the VISTA volunteer, and increased the RC&D fund as requested. That is what the board requested at the last meeting.

Ms. Hobbs asked if the board was willing to go to public hearing at the current **tax rates**. Mr. Williams said it was irresponsible not to look at an increase. Ms. Hobbs said if they raise taxes, they would just spend more money. Mr. Williams said they should at least raise taxes to cover the amount they are giving employees. They cannot continue to do this year after year. Ms. Hobbs said they would have to let people know that next year they will have to increase it. The governor has already raised the state tax in Virginia and the economy has not improved. Ms. Hobbs said she was concerned about the people. Mr. Williams said he was too but he felt they needed to do a couple cents now. Ms. Hobbs said she thought they could stay the same this year and do 5¢ next year. Mr. McKlarney said knowing that, they could survive this year but it will take at least a five cent tax increase next year to meet their obligations. Mr. Williams said if they look at all they have done, it was irresponsible not to do a few cents increase. Ms. Hobbs said she was not irresponsible. She was holding on the bottom line. Mr. Williams said reassessment will kick in another year and they will have to look at more increase. Ms. Hobbs said if they collect more this year, it will be spent and they will still have to increase it next year. Mr. Williams said they have already spent it and need to put it back in there. He asked how much the raises cost the county. Mr. McKlarney said \$134,000 on the county side and \$575,000 on the schools, less about \$350,000 that the state will pay. Ms. Hobbs said they have a balanced budget except for the amount they have to dig into reserves for. Mr. McKlarney said that total is about \$358,102. They do have off-set this year because they do not have to make a payment on the refinancing this year. That is for one year only and next year that payment kicks in. Mr. Williams said they will have to increase next year just to keep the same services. Ms. Hobbs said she has thought about this for a long time and checked her figures.

Mr. Baker moved to advertise the budget for public hearing on May 16th at 7 PM with no tax increase. Second by Mr. McCoy. Motion was approved by a vote of 4-1. Voting YES: Mr. Dunn, Ms. Hobbs, Mr. Baker, Mr. McCoy; Voting NO: Mr. Williams.

No further business was introduced. Ms. Hobbs adjourned the meeting until the recess meeting scheduled for Thursday, May 16, 2013 at 6:30 PM in the General District Courtroom.

APPROVED:

Chairperson

ATTEST:

Clerk

May 1, 2013