

At the regular meeting of the Giles County Board of Supervisors held on Wednesday, November 4, 2015, at 3:00 PM, in the Giles County Administration Office, 315 North Main Street, Pearisburg, the following were present.

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

## **CALL TO ORDER AND INVOCATION**

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

## **APPROVAL OF MINUTES**

***Mr. Baker motioned to approve the October 7, 2015 minutes and Mr. McCoy seconded. The motion was approved 5-0 as follows:***

***Voting Yes: Ms. Hobbs, Mr. Williams, Mr. Dunn, Mr. McCoy, Mr. Baker.***

## **VDOT REPORT**

Mr. Clarke began with maintenance items, explaining that equipment is being prepped for winter. He stated that brush cutting had been conducted on Rocky Sink Road and Lurich Road. There is continued patching and shoulder work on Route 460 in the Maybrook area and others, however he was uncertain of those specific areas. Mr. Clarke stated that in Maybrook the topping portion is being laid on the right lane near the bridge. He advised that pipework had been done on White Rocks Road and Rocky Mountain Road; and on-going work continues on various gravel roads. Mr. Clarke addressed the continuous slide occurring on Clendenin Road. He advised that a consultant has been brought in to do boring and investigate a different approach to stabilizing the road. Mr. Clarke also advised that they were in the process of putting together a contract for culvert replacement, he noted that a location on Clendenin Road would be included in this contract. He stated that he may need a letter from the county acknowledging the work being done and the closures associated with the work.

Mr. Dunn questioned the repaving on Route 460 in Pembroke, he felt that it was rougher than before. Mr. Clarke explained that the project wasn't complete and that he should see a significant difference when the capping was applied. Mr. McCoy stated that he hoped that the deep dig fixed the base problems. Mr. Williams requested brush cutting on Lucas Road and Spruce Run Road. He stated that Spruce Run Road also needs center line repair. Mr. Williams requested pothole patching on Route 635. Mr.

McKlarney asked Mr. Clarke about the proposed federal project on Route 635. He explained that as he understood it, something had changed with the funding and now there is a required local match up to twenty percent. Mr. McKlarney further explained that he is exploring the option to potentially use those funds for the drainage issues on there or for just a portion of the road. Mr. Clarke agreed that repurposing those funds would be in the best interest of the county. Mr. Williams advised Mr. Clarke that there is still a need for the GPS routing sign on Route 635/613. There was a brief discussion about the strong need for this signage.

Mr. Williams stated that county staff and VDOT staff have compiled a report of on-going projects that will be updated monthly. Mr. Williams requested the status of Penvir Bridge. Mr. Reed explained that applications for revenue sharing funds have been submitted and the next step is engineering. There was discussion about project funding. Mr. Williams requested an update on the Route 460/Route 635 deceleration lane project. Mr. Clarke stated that the design was almost complete and the resolution to use secondary and safety funds has been passed; it was just a matter of scheduling it, likely March. Mr. Williams requested an update on Skyview Lane. Mr. Reed advised that Mr. Chidester has sent the most current deeds to VDOT Counsel and are awaiting approval before moving forward. There is still concern that the legal paperwork is correct. There was discussion regarding the model agreement received by VDOT.

Mr. Williams advised Mr. Clarke that there has been rural addition requests from Mountainfield Road, Old Stage Road, Alpine Road, and Whitt Road. Mr. Williams asked for an update on revenue sharing projects, beginning with Springdale Road. Mr. Reed advised that he is working with VDOT on the agreement to locally administer the project, and has submitted documents to Thompson and Litton for design. Mr. Williams discussed Whitt Riverbend Park Road project. Mr. Reed explained that the application has been submitted to VDOT. Mr. Williams addressed rural rustic addition, Goodwin's Ferry Road, on the six-year plan. Mr. Williams discussed miscellaneous items, including sidewalks in Newport. He requested an update on the Route 730, Eggleston Road safety study. Mr. Clarke was under the impression that those had begun being installed. He was advised that they have not been installed. It was agreed that before the request was made for the speed limit to be reduced to 45 mph, they would see if the signs improved the conditions on the road. Mr. Williams requested an update on the speed study on White Pine Road, Mr. Clarke will look into it.

Ms. Hobbs addressed the two lane portion of road on Route 100 near Route 42, stating that the speed needs to be reduced to 45 mph. Mr. Clarke states that he can have them do a study. Mr. McCoy believes that the data supports the need for a reduction. Mr. McKlarney updated Mr. Clarke on his meeting with Mr. Fralin of the Commonwealth Transportation Board. He explained that they spoke to him about re-scoping the Route 100 project and House Bill 2. Ms. Hobbs advised that she would like to pass a resolution requesting the speed limit be reduced.

***Mr. Baker made a motion to pass a resolution requesting VDOT to reduce the speed limit from 55 mph to 45 mph on Route 100 beginning at the Wabash Bridge***

***to Route 42, based on the four fatalities and fifty-nine accidents in five years. Mr. McCoy seconded the motion. The motion was approved 5-0 as follows:  
Voting Yes: Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker, and Mr. Dunn***  
[A copy of this resolution is at the end of these minutes.]

Mr. McCoy requested that pothole patching continue, as well as work on gravel roads before inclement weather. He praised VDOT's work on the tree cutting and their work on Route 460. Mr. Baker stated that the potholes on Route 460, just off the Pearisburg exits are very bad. He stated that State Line Road, near the substation and Route 460 west, near the Narrows red light have potholes that need repaired. Ms. Hobbs stated that Prospectdale Road, a gravel road, needs to be worked. Mr. Williams thanks Mr. Clarke for traffic control on water leaks. Mr. McKlarney thanked Mr. Clarke for VDOT employee community service. Mr. Reed thanked Mr. Clarke for the school bus signs.

## **SCHOOL BOARD REPORT**

Dr. Arbogast provided a calendar of events for November. Enrollment as of October 30, 2015 is 2,404, a decrease of 13 since September and a decrease of 33 since this time last year. He advised the Supervisors of recently released Department of Education accreditation status. Dr. Arbogast advised that 4 schools were officially accredited; Eastern Elementary, Macy McClaugherty, Narrows Elementary, and Narrows High School. He advised that Giles High School was partially accredited with a warn-pass rating in English. Dr. Arbogast pointed out the positive strides that had been made, noting that Giles High School's pass rates had improved; in Math from 66% to 79% and English from 71% to 72%. He noted that Eastern Elementary met all Federal Annual Measurable Objectives (AMO). Dr. Arbogast briefly discussed the Ag Lab and a proposed watering project. He invited the Board to view Mr. Ruppert's Ocean Project at Eastern Elementary.

## **NEW BUSINESS**

### **TOTAL ACTION FOR PROGRESS (TAP) IPR REPORT – MICHAEL THOMPSON**

Mr. Michael Thompson discussed the purpose of Indoor Plumbing Rehabilitation (IPR) Program and the criteria for projects that are completed through this program. He explained the regional approach that was adopted by Virginia two years ago and explained that TAP was awarded Region II, Giles is included in Region II. Mr. Thompson advised that one project has been completed in Giles County in those two years, there was a brief discussion about this project. He provided the Board with a summary of information to reference. Supervisors and Mr. Thompson discussed how projects were located, administered, and funded. He and the Board discussed the terms of eligibility, financing, and repayment. Mr. Thompson requested assistance in locating citizens in need, Mr. Williams stated that he was familiar with several citizens that could benefit.

### **VIRGINIA COOPERATIVE EXTENSION – JEANNIE LAYTON-DUDDING**

Ms. Layton-Dudding began by discussing the work that had been conducted as a unit. She thanked the Board for their attendance at the ice cream social. She followed-up by announcing future individual programming and future work. Ms. Layton-Dudding advised that Janice Gautier has been hired to assist Sara Burkett with student nutrition programs through February. She discussed upcoming Master Gardner training and various farmer training programs, to include a farm management series. Ms. Layton-Dudding announced that she is putting together a Virginia Quality Assured (VQA) cattle sale. She explained several research based projects that are ongoing and mentioned her work with the Ag Lab.

### **RESOLUTION IN SUPPORT OF KEEPING SOUTHWESTERN VIRGINIA TRAINING CENTER OPEN**

Mr. McKlarney referred to the resolution presented by Ms. Diane Webb on behalf of the Parent Advocacy and Advisory Council for South West Virginia at the October 22, 2015 meeting. He explained that staff has thoroughly researched the proposed closure, and it is staff's recommendation to pass a resolution recommending that the Southwestern Virginia Training Center not be closed.

***Mr. McCoy motioned to approve the resolution and Mr. Baker seconded. The motion was approved 5-0 as follows:***

***Voting Yes: Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker, and Mr. Dunn***

[A copy of this resolution is at the end of these minutes.]

### **PEPPER'S FERRY REGIONAL WASTEWATER TREATMENT AUTHORITY MOU**

Mr. McKlarney presented the annual *Memorandum of Understanding of Septage Service Outside of Service Area for Calendar Year 2016*. He explained that this allows our local septic haulers to haul septic waste to their plant. Mr. Williams would like a report showing who hauls to the facility and how much they haul, Mr. McKlarney advised that staff would obtain that.

***Mr. McCoy motioned to approve the agreement and Mr. Baker seconded. The motion was approved 5-0 as follows:***

***Voting Yes: Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Baker, and Mr. Dunn***

### **REQUEST FOR STREET CLOSURE: TOWN OF PEARISBURG ANNUAL CHRISTMAS PARADE – DECEMBER 6<sup>TH</sup>**

Mr. McKlarney explained the Town of Pearisburg is seeking street closure for December 6<sup>th</sup> for the annual Christmas Parade.

***Mr. Baker motioned to approve the request by the Town of Pearisburg for street closure and Mr. Mc Coy seconded. The motion was approved 5-0 as follows:***

***Voting Yes: Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Dunn and Mr. Baker***

## **PUBLIC COMMENTS**

Mr. Ronald Jones – Mr. Jones spoke in opposition of the private seasonal camp or retreat on Caboose Lane. He referenced specific sections and definitions in the Zoning Ordinance that he believed to be supportive of his opposition. Mr. Jones discussed with Mr. John Ross, Zoning Administrator, why he chose to recommend this application for approval to the Planning Commission. Mr. Jones addressed the current character of the neighborhood and the existing layout of the applicant property. He expressed concern about issuing two conditional use permits. Mr. Jones advised that he believed that it could evolve into a campground. He stated that people have tried to improve the area from a campground to a neighborhood.

Mr. Jones voiced concern over Mr. Ross' ability to monitor conditional uses. Mr. Williams inquired about review requirements. There was a brief discussion about conditional use reviews and the various conditions, etc. that can be placed upon approval. Mr. Jones is most worried about the long term effect and hopes that the Board will consider not approving this request.

Mr. Larry Akers – Mr. Akers spoke in opposition of the private seasonal camp or retreat on Caboose Lane. He stated that the character of the neighborhood was not one of a campground; noting that the all lots consistently have one structure, one camper, or are vacant. Mr. Akers advised that it is his understanding that there are no lots that have more than one unit on them. He believes, in accordance with the Zoning Ordinance, that the community should be a factor in deciding approval. Mr. Akers specifically requested that the application be denied.

Mr. Tim Myers – Mr. Myers spoke in opposition of the private seasonal camp or retreat on Caboose Lane. He reiterated the statements of Mr. Akers and Mr. Jones, stating that it does not fit the character of the neighborhood.

## **OLD BUSINESS**

### **PLANNING COMMISSION RECOMMENDATION – JOHN ROSS**

#### **CONDITIONAL USE PERMIT – SECTION 601.05-18: PRIVATE SEASONAL CAMP OR RETREAT – JAMES ALBERT CHILDRESS, AGENT**

Mr. Ross referenced the memo included in the Board packets. He advised that the Giles County Planning Commission voted to recommend approval of a requested Conditional Use Permit pursuant to Section 802.04 of the Giles County Zoning Ordinance after consideration of the criteria evaluation listed in section 802.04-5. Mr. Ross explained that the request is for a *Private Seasonal Camp or Retreat*, Section 601.05-18, and is specifically to allow two camping units to be placed on the property for more than thirty (30) days in a calendar year for personal use. He advised that the property is identified

as tax parcel 42-1-A and is addressed as 678 Caboose Lane in Pembroke, and is located in the C-1 Zoning District. Mr. Ross explained that the property is owned by Law Enforcement Retreat LLC, with James Albert Childress acting as agent.

Mr. Williams stated that he has visited the area and it is a mixed area. There was a discussion about the number of lots in the area and surrounding areas with multiple structures on a single lot. Mr. Ross advised that there have been six other Conditional Use approvals on that road in the past. Mr. Williams doesn't believe that allowing two units to a single lot is in keeping with the current character of the neighborhood or what has been done in the past. Supervisors discussed past approvals and the best way to move forward. Mr. Dunn stated that in this instance, imposing conditions in response to the neighbor concerns may be the best way to resolve the issue. Mr. Ross advised that the Planning Commission's recommendation was conditional upon compliance with all other applicable ordinances; floodplain, zoning, setback, etc. Mr. McCoy stated that there were existing differences in this neighborhood that are not found in a traditional neighborhood such as weekend homes and short term rentals. There was further discussion about the character of the neighborhood and possible conditions.

***Mr. Williams motioned to allow one camper on the property with the existing structure.***

Mr. Williams questioned Mr. Chidester about the condition of Conditional Use Permit terminating upon the sale of the property. Mr. McCoy requested to table the motion until legal consultation could be discussed in executive session. Mr. Williams withdrew his motion.

## **QUARTERLY DEPARTMENT REPORTS**

### **GIS/E&S/VDOT – BRYAN REED**

Mr. Reed advised that most of his report was given during Mr. Clarke's time. He stated that he will continue to maintain the VDOT project list. Mr. Reed reported that four new structures had been addressed, one subdivision plat approved, and three new street signs. He provided an update on ongoing erosion and sediment projects.

### **ZONING – JOHN ROSS**

Mr. Ross referenced the summary sheet provided, it included Zoning Permits issued from August 1<sup>st</sup> to October 27<sup>th</sup>. He updated the Board on recent cell towers that have gone online and others in progress.

## **EXECUTIVE SESSION**

***Mr. McCoy moved to go into executive session as permitted by Virginia Code 2.2-3711, A (7) consultation with legal counsel. Mr. Baker seconded the motion. The***

***motion was approved 5-0 as follows:***

***Voting Yes: Ms. Hobbs, Mr. Williams, Mr. McCoy, Mr. Baker, and Mr. Dunn***

***Mr. McCoy moved to return to open session and he certified that in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information act cited in that motion. Mr. Baker seconded the motion. The motion was approved 5-0 as follows:***

***Voting Yes: Ms. Hobbs, Mr. Williams, Mr. McCoy, Mr. Baker, and Mr. Dunn***

## **OLD BUSINESS**

### **PLANNING COMMISSION RECOMMENDATION – JOHN ROSS**

#### **CONDITIONAL USE PERMIT – JAMES ALBERT CHILDRESS, AGENT**

Mr. Ross restated the Planning Commission's recommendation to approve the Conditional Use Permit to allow two campers be placed on the property for more than thirty (30) days in a calendar year for personal use. He advised that the property is identified as tax parcel 42-1-A and is addressed as 678 Caboose Lane in Pembroke, and is located in the C-1 Zoning District. Mr. Ross explained that the property is owned by Law Enforcement Retreat LLC, with James Albert Childress acting as agent. He advised that the motion to recommend approval is conditional upon compliance with all applicable ordinances.

***Mr. Williams motioned to grant the Conditional Use Permit to allow for one camper on the lot, in addition to the existing dwelling, staying consistent with the existing neighborhood of having no more than two dwellings or structures on a single lot; conditional upon compliance with all other applicable ordinances.***

***Seconded by Mr. Dunn. The motion was approved 4-1 as follows:***

***Voting Yes: Mr. Williams, Mr. McCoy, Mr. Baker, and Mr. Dunn***

***Voting No: Ms. Hobbs***

## **PAYMENT OF WARRANTS**

***Mr. McCoy motioned to approve \$821,148.42 for County Appropriations and Mr. Baker seconded the motion. The motion was approved 5-0 as follows:***

***Voting Yes: Ms. Hobbs, Mr. Williams, Mr. McCoy, and Mr. Baker, Mr. Dunn***

## **APPOINTMENTS**

***Ms. Hobbs motioned to appoint Mr. Mike Riggs, pending his acceptance, as the Central District Representative to the Emergency Services Committee and Mr. Baker seconded the motion. The motion was approved 5-0 as follows:***

***Voting Yes: Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Dunn and Mr. Baker***

***Mr. Williams motioned to appoint Mr. Larry Reynolds, as the Eastern District Representative to the Emergency Services Committee and Mr. Baker seconded the motion. The motion was approved 5-0 as follows:***

***Voting Yes: Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Dunn and Mr. Baker***

***Mr. Dunn motioned to reappoint Mr. Lee Blaker as the Western District Representative to the Industrial Development Authority and Mr. Baker seconded the motion. The motion was approved 5-0 as follows:***

***Voting Yes: Mr. Williams, Ms. Hobbs, Mr. McCoy, Mr. Dunn and Mr. Baker***

## **PLANNING COMMISSION DIRECTION**

Mr. Dunn requested that the Planning Commission revisit Conditional Use Permits and campers and address the concerns that have been expressed.

## **NACO MEMBERSHIP**

Mr. McKlarney inquired if the Board would like to continue their membership with the National Association of Counties, he advised that the dues are \$600 annually. After a brief discussion,

***Mr. McCoy made a motion to continue membership and Mr. Williams seconded the motion. The motion was approved 4-1 as follows:***

***Voting Yes: Mr. Williams, Ms. Hobbs, Mr. McCoy, and Mr. Baker.***

***Voting No: Mr. Dunn***

## **ANNOUNCEMENTS**

Mr. Williams updated the other Supervisors on information from the forum that was held.

## **ADJOURN**

Ms. Hobbs stated there was no further business and adjourned the meeting. The next meeting is scheduled for Thursday, November 19, 2015 at 6:30 PM, in the General District Courtroom, 120 North Main Street, Pearisburg, Virginia.

**APPROVED:**

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**Chair**

**ATTEST:**

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**Clerk**

Larry "Jay" Williams  
Eastern District Supervisor

Barbara Hobbs  
Central District Supervisor

Scott Dunn  
Western District Supervisor

## County of Giles



## Board of Supervisors

315 North Main Street  
Pearisburg, Virginia 24134

Paul "Chappy" Baker  
At-Large Supervisor

Richard McCoy  
At-Large Supervisor

**RESOLUTION  
GILES COUNTY BOARD OF SUPERVISORS  
REQUEST POSTED SPEED LIMIT OF 45 MPH  
ON ROUTE 100-PULASKI GILES TURNPIKE (FROM THE INTERSECTION OF BIG ROCK ROAD  
SR 692 TO THE INTERSECTION OF WALKERS CREEK VALLEY RD SR 42)**

**WHEREAS**, 59 accidents have occurred on this section of highway from 2010 to 2015,

**WHEREAS**, 4 fatalities occurred during the above mentioned time span,

**WHEREAS** the Virginia Department of Transportation will provide and place such signs upon resolution by the Board of Supervisors,

**BE IT RESOLVED** that the Giles County Board of Supervisors requests that Pulaski Giles Turnpike be posted for a maximum 45 MPH speed limit from the intersection of Big Rock Road SR 692 to the intersection of Walkers Creek Valley Road SR 42.

Adopted at a meeting of the Giles County Board of Supervisors held on November 4, 2015.

	Voting For	Voting Against	Abstain	Absent
Hobbs	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
McCoy	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Baker	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Dunn	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Williams	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>

Attest: Chris McKlarney  
Chris McKlarney, Clerk

Telephone (540) 921-2525

Fax: (540) 921-1329

Larry "Jay" Williams  
Eastern District Supervisor

Barbara Hobbs  
Central District Supervisor

Scott Dunn  
Western District Supervisor

## County of Giles



## Board of Supervisors

315 North Main Street  
Pearisburg, Virginia 24134

Paul "Chappy" Baker  
At-Large Supervisor

Richard McCoy  
At-Large Supervisor

RESOLUTION IN SUPPORT OF KEEPING  
SOUTHWESTERN VIRGINIA TRAINING CENTER (SWVTC) OPEN  
PRESENTED BY PARENT ADVOCACY & ADVISORY COUNCIL (PAAC)

**WHEREAS**, Southwestern Virginia Training Center, an Intermediate Care Facility, opened May 3, 1976, and currently serves approximately 124 individuals with Intellectual and Developmental Disabilities. Their profound levels of medical/behavioral challenges require 24 hour care in a structured environment. PAAC maintains such services, including medical and dental care.

**WHEREAS**, the Department of Justice cited the Commonwealth of Virginia for not providing enough community options for persons with disabilities. The 2012 Settlement Agreement did not require Virginia to close four for their five Training Centers, this was an Executive Decision made by Virginia's former Governor McDonnell.

**WHEREAS**, there is support from the citizens of Galax, the Counties of Grayson and Carroll, as well as Senator Bill Carrico, Delegate Jeff Campbell, and Delegate Israel O'Quinn to keep this facility open.

**WHEREAS**, the City of Galax and the Twin Counties have embraced SWVTC residents with open hearts allowing them to participate in social activities and events. Hundreds of volunteers are involved with SWVTC, encouraging socialization with non-disabled peers.

**WHEREAS**, SWVTC is the second largest employer in Carroll County and will have a negative impact on the local economy, including the City of Galax.

**THEREFORE, BE IT RESOLVED**, that the Giles County Board of Supervisors recognizes the importance of the Southwestern Virginia Training Center remaining open to serve the most vulnerable of Virginia's citizens; and asks for Governor Terry R. McAuliffe to reconsider the decision made by his predecessor to close the Center.

Adopted this 4<sup>th</sup> day of November, 2015 by the Giles County Board of Supervisors.

	<u>Attendance</u>	<u>Vote</u>
Barbara Hobbs	<u>Present</u>	<u>YES</u>
Larry Jay Williams	<u>Present</u>	<u>YES</u>
B. Scott Dunn	<u>Present</u>	<u>YES</u>
Paul Baker	<u>Present</u>	<u>YES</u>
Richard McCoy	<u>Present</u>	<u>YES</u>

Attest:   
Chris McKlarney, Clerk

Telephone (540) 921-2525

Fax: (540) 921-1329