

At the regular meeting of the Giles County Board of Supervisors held on Wednesday, September 2, 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)
Richard McCoy	At-Large Supervisor
Paul "Chappy" Baker	At-Large Supervisor
Chris McKlarney	County Administrator
Richard Chidester	County Attorney
Missy Bray	Finance Department
Anna Welch	Board Secretary

### **CALL TO ORDER AND INVOCATION**

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

### **VDOT REPORT**

VDOT has currently been working on cutting brush and Mr. Clarke explained both Big Stony and Spruce Run Road are complete. Route 618, Collins Road, Kow Camp Road, and Springdale Road are in process. Mr. Clarke stated the major patch work along Route 460 is in process and explained this is an extensive project. He stated the drain issue on North Street in Rich Creek is currently being repaired. The drain issues on Route 219 are complete and VDOT is doing some general mowing. VDOT plans to replace the drain pipe on Route 613.

Ms. Hobbs allowed those with public comments regarding VDOT to speak while Mr. Clarke was present.

Mr. Kenneth Johnston – Mr. Johnston addressed the Board and VDOT regarding Blankenship Mountain Road in Narrows. Mr. Johnston feels the road used to be smoothly paved and now it has a surface of tar and gravel. He explained the gravel is unsafe for drivers and feels the value of his property will also decrease. Mr. Johnston explained it is difficult to walk or run on and it also damages his vehicle as well as his neighbor's vehicles. Mr. Johnston feels he is paying the same amount in taxes and should receive the same road conditions as when he purchased the home. Mr. Johnston stated he has been contacting VDOT and the issues have not been resolved. Mr. Clarke explained this is a means of preventative maintenance and he will look into the issue to make sure the correct material is being used for treatment.

Mr. Rob Hart – Mr. Hart is a resident on Blankenship Mountain Road in Narrows. Mr. Hart explained his concerns with the road and stated that until 3 or 4 years ago it was like driving on a new road. He also has safety concerns and explained the paint is

chipping off of vehicles. Mr. Hart wanted to know who is ultimately responsible for these types of decisions and Ms. Hobbs explained VDOT decides which roads to repair. Mr. Clarke explained he does not have an answer this evening regarding the surface treatment of Blankenship Mountain Road but he would look into this and advise the residents as quickly as possible.

Mr. Ernie Miller – Mr. Miller addressed the Board regarding a decision made at the November meeting concerning the speed limit on Route 100. He asked for the results of the speed study and Mr. Clarke stated no changes were made at this time. Mr. Miller feels some of the bad areas on Route 100 were not corrected during the recent project. Mr. Miller had concerns with Route 42 and explained the road has been demoted from asphalt to gravel, Mr. Clarke explained that this was due to budget issues. Mr. Miller feels there are safety concerns on Route 42 at White Gate on the east bound lane. He explained there has been a 47 foot log on the guardrail since March and it is located three inches from the pavement. Mr. Clarke stated he will have this corrected as soon as possible.

Mr. Williams explained the guardrail near Maybrook Bridge on the west bound lane needs repaired. He would like to continue brush cutting on Spruce Run Road and the ditches along Greenbrier Drive need worked on. Mr. Williams stated the Town of Pembroke would like the ditches along River Road checked out. A discussion was held regarding the progress on Skyview Lane and Springdale Road. Mr. McKlarney stated Springdale Road will be a locally administered job. Mr. Williams asked about the progress on Routes 635 and 460 and Mr. Clarke explained if the County still agrees to use secondary money on this project VDOT will proceed. Mr. Baker stated he thought this was already approved and Mr. Clarke explained he hears a lot of conversations regarding secondary money and wanted to clarify. Mr. Williams asked if safety money could be contributed and Mr. Clarke stated he could use \$30,000.00. Mr. McCoy feels the safety money should be added and the project should move forward.

Mr. McCoy would like VDOT to check the guardrail along Route 460. He stated the Greenbrier Drive ditch is in bad shape as well as the ditches near the Blueberry Farm. Mr. Baker explained the ramp on Route 460 near Giles High School needs asphalt and also the area underneath the bridge. Brush cutting needs to be looked at along Virginia Heights as well as the potholes along 460. Ms. Hobbs asked for VDOT to check on Clendenin Road and explained there are portions of the road sinking in. Mr. Clarke stated they will attempt to add more asphalt but the mountain is starting to fall down. Ms. Hobbs explained Prospectdale Road has not been touched and she feels a lot of time and money is being spent in Montgomery County and not enough in Giles County. Mr. Baker asked who the Board could speak with regarding this. Mr. Clarke stated the County could submit an application for the House Bill 2 which they base on a scored rating as it relates to safety, congestion, and economic impacts. Ms. Hobbs asked if it is too early to request a second review on Route 100 and Mr. Clarke stated this could be done.

***Mr. McCoy motioned to request VDOT to review the Route 100 speed study for a second time and Mr. Baker seconded the motion. The motion was approved 4-0 as follows:***

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

Mr. Andy Taylor – Mr. Taylor lives on Route 680, Blankenship Mountain Road and requested Mr. Clarke to review the deep ditch located on his road. He explained VDOT had filled it with gravel; however, he feels a drain pipe is needed.

Mr. Williams addressed Mr. Yost regarding the small number of VDOT employees and explained that 13 people cannot produce the amount of work required in Giles County. He asked that Mr. Yost help in any way possible.

### **REQUEST FOR STREET CLOSURE: ART ON THE LAWN/PEARISBURG FARMERS MARKET**

Mr. McKlarney explained the Town of Pearisburg has requested for Main Street to be closed on Saturday, September 19<sup>th</sup> for a number of events.

***Mr. Williams motioned to grant the street closure and Mr. McCoy seconded the motion. The motion was approved 4-0 as follows:***

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

### **SCHOOL BOARD REPORT**

Mr. Meade thanked the Board for having him and passed out a calendar of events for September. Enrollment as of August 1, 2015 is 2,419 which is a decrease of 7 from June. He stated the school year opened smoothly and thanked the Maintenance Department for their hard work.

Mr. Meade stated the new Pre-K programs are going very well. Mr. Meade stated the Department of Education news release regarding school accreditations will not be available until October 27<sup>th</sup> and they expect 4 schools to be fully accredited with 1 school receiving a warning in English. He explained there are some changes regarding accreditation and these changes may affect Giles High School ratings. There was a discussion regarding SOL testing and the changes that should be made in this area.

### **NEW BUSINESS**

#### **VACO ACHIEVEMENT AWARD PRESENTATION – BEAU BLEVINS**

Mr. McKlarney stated Mr. Blevins could not make the meeting and this award will be presented on October 7, 2015.

#### **DAVENPORT PRESENTATION – KYLE LAUX**

Mr. Laux made a presentation to the Board on refinancing and reworking the County's debt. He explained no action was required tonight. A booklet was passed out and an overview was given. He demonstrated the County's current outstanding debt and how payments are leveled for the next 5 years. Mr. Laux demonstrated the interest rates and discussed how the 2012C VRA Loan Restructure Program would work. Mr. Laux discussed the results of the bids and explained First Community Bank was the only bank to provide the 2012C restructure program as an option. Mr. Laux illustrated the results of refinancing and explained what the next steps would be.

Ms. Hobbs asked Mr. Laux what he recommends and he stated he liked First Community Bank because of the interest rate of 2.67% for at least 10 years. He feels that Giles County is in good financial condition. Mr. Williams asked why National Bank would not be the best option because they had the best rate. Mr. Laux explained they were not able to bid the 2012C. There was a discussion regarding why the 2012C option is best and Mr. Laux explained each bank was given the same opportunity to bid and First Community Bank came back with this best option. Mr. Chidester asked if it would be possible to do the 2008A bond with National Bank and then do the 2012C with First Community. Mr. Laux explained as low as the rate is and because of how the pre-payment provisions are on the existing 2008A, it doesn't really save any money. With no further discussion, Mr. Laux stated he will attend the next Board meeting to answer any questions and finalize.

## **QUARTERLY DEPARTMENT REPORTS**

Ms. Hobbs stated if there were no questions by the Board she would excuse the departments due to time restraints and the Board could review their written reports. Mr. Snider stated the new Cisco phone system is in operation with the exception of the Senior Center. Mr. Williams asked if a 4 year report could be provided by Steve Taylor and Jeff Dinger regarding how effective the Day Report Program has been.

## **OCTOBER MEETING SCHEDULE**

Mr. McKlarney explained the calendar would place the recess meeting only days apart from the regular meeting. He suggested having the recess meeting on October 22<sup>nd</sup> instead of October 15<sup>th</sup>.

***Mr. McCoy motioned to move the October recess meeting to Thursday, October 22, 2015. Mr. Baker seconded the motion. The motion was approved 4-0 as follows:***

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

## **OLD BUSINESS**

## **E&S RESOLUTION – DISCUSSION WITH DELEGATE JOSEPH YOST**

Mr. Yost thanked the Board for their support with the Historical Society and the museum. He asked the Board what questions they had for him regarding the resolution. Mr. Chidester explained to Delegate Yost with the major construction of a gas pipe line as well as the nature of what is being proposed, the Board feels site specific E & S plans should be filed and the Board would like the code to be amended. Delegate Yost explained on August 12, 2015, he sent a letter stating concerns and opposed this project. He explained his two concerns are property rights and the potential danger to the resources located within the county such as the historic district in Newport, the Appalachian Trail, Cascades, and Big Stony Creek. He feels Mountain Valley Pipeline is a private company and should not be used for eminent domain in Virginia. Delegate Yost explained he has not seen anything which leads him to believe the pipeline will be used for public use.

Mr. McKlarney stated he has attended several meetings in which Senator Kaine and Morgan Griffith both feel this project to be a national interest. He explained the Board feels if this is a national interest, the pipeline should be placed on national land. Delegate Yost does not feel it is in the national interest and feels this is a private enterprise. Ms. Hobbs explained she is not completely against the pipeline, but she is against the proposed routes. She feels in the future, Giles County will need additional energy sources. Delegate Yost feels it is important to remember if they go through the process to enter your property, you still have the right to refuse the use of vehicles. He believes if he owned these properties he would feel just as the citizens feel. The project is very challenging and complicated, and he understands down the road we could have a lot of businesses who want to locate here. However, right now we need to protect the resources we have now which attract tourists and bring them into Giles County. Delegate Yost asked the Board to pass the resolution and he would take it and address the matter.

***Mr. Williams motioned to approve the resolution requesting that a code be amended which would require project specific erosion and sediment plans for construction on an interstate gas pipeline. Mr. McCoy seconded the motion. The motion was approved 4-0 as follows:  
Voting Yes: Mr. Williams, Ms. Hobbs, Mr. McCoy, and Mr. Baker***

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

Ms. Hobbs requested assistance from Delegate Yost regarding the state policy for soil and erosion and how the state ends up with the funding. She would also like for Giles County to receive some of the funding and assistance which goes towards Montgomery County. Delegate Yost feels we are now outnumbered in regards to rural versus urban parts of legislature. Mr. McKlarney explained since 2008, state funding has been reduced by 1.2 million dollars annually which made things very difficult. Delegate Yost indicated that the Governor had made several comments during his presentation to the joint funding committees for the House and Senate regarding education and that this will be a priority for him in the future.

Mr. McCoy feels there should be stipulations regarding someone whom is currently employed by an entity which would like to run for election. He doesn't feel that someone should serve in a position which makes them their own boss. Delegate Yost explained the school board policy states if you are employed by the school system you may not serve on the School Board, but this is not stipulated in the code of Virginia. There was a lengthy discussion regarding VDOT and maintaining roads and Delegate Yost stated Mr. Clarke normally receives an email per day from him. Mr. McKlarney thanked Delegate Yost for his time and expressed to the Board that he is always very responsive while answering questions and addressing issues.

## **FEES REVIEW**

Mr. McKlarney presented the Board with a current list of fees and explained no decision was necessary at this point. He recommended a future work session to discuss and review possible changes. Ms. Hobbs asked why we are currently purchasing cages when we are reviewing our current policy regarding cats. Mr. McKlarney explained by law we still have to accept them even if we decide not to pick them up. Ms. Hobbs suggested people pay a fee when they surrender a cat.

## **REQUEST FOR SURPLUS VEHICLES FOR FIRE DEPARTMENTS**

Mr. McKlarney explained that the county had recently had a sale on several vehicles which supplied enough money to properly cover other vehicle purchases. He stated that there are currently two surplus vehicles remaining and currently Pembroke Fire Department and Poplar Hill Fire Department are interested in surplus vehicles, both vehicles are Crown Victoria's.

***Mr. Williams motioned to approve the request to Pembroke Fire Department and Poplar Hill Fire Department and Mr. Baker seconded the motion. The motion was approved 4-0 as follows:***

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

## **PAYMENT OF WARRANTS**

***Mr. McCoy motioned to approve the appropriations in the amount of \$649,551.89 and Mr. Baker seconded the motion. The motion was approved 4-0 as follows:***

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

## **APPOINTMENTS**

***Ms. Hobbs motioned to reappoint Mr. Steve Taylor to the Planning Commission and Mr. Baker seconded the motion. The motion was approved 4-0 as follows:***

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

## **ANNOUNCEMENTS**

Mr. McKlarney stated River Clean-up went well and 226 people were on the water with no issues. He thanked all the workers and explained how trash is decreasing significantly throughout the years due to this project.

Mr. Baker announced the New River Resource Authority will be doing a resolution regarding emergency situations for all surrounding areas.

## **ADJOURN**

Ms. Hobbs stated there was no further business and adjourned the meeting. The next meeting is scheduled for Thursday, September 17, 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 Superbisors

315 North Main Street  
Pearisburg, Virginia 24134

Paul "Chappy" Baker  
At-Large Supervisor

Richard McCoy  
At-Large Supervisor

### RESOLUTION OF THE BOARD OF SUPERVISORS OF GILES COUNTY, VIRGINIA

WHEREAS there is pending before the Federal Energy Regulatory Commission (FERC) an application for approval of an interstate gas pipeline referred to as the Mountain Valley Pipeline (MVP) which traverses Giles County, Virginia, and

WHEREAS Virginia Code Section 62.1-44.15:55 provides that a project specific Erosion and Sediment Control Plans are not required for the construction of certain utilities including interstate gas pipelines provided that the pipeline company files annually with the Department of Environmental Quality (DEQ) general erosion and sediment control plans and specifications, and

WHEREAS the construction of a pipeline through Giles County as proposed will likely result in significant instances of substantial excavation and land disturbance for which specific plans should be submitted, and

WHEREAS DEQ has not determined to what extent if any, that it will inspect disturbed areas for compliance with applicable regulations, plans and specifications and effective enforcement requires periodic and regular inspection and monitoring, and

WHEREAS such site specific plans and specifications are necessary to protect areas of Giles County where land disturbing activities occur,

NOW THEREFORE BE IT RESOLVED by the Giles County Board of Supervisors that it does hereby request that the General Assembly amend Virginia Code Section 62.1-44.15:55 to require project and site specific plans and specifications be filed with DEQ and to further require periodic and regular inspections by DEQ as reasonably necessary to ensure compliance with such plans, with such amendment to be adopted in the 2016 session of the General Assembly and to become effective immediately upon adoption.

BE IT FURTHER RESOLVED that the County Administrator cause this resolution to be transmitted to the elected representatives of Giles County in the Virginia General Assembly, to DEQ and to the Governor of Virginia.

Adopted at a meeting of the Giles County Board of Supervisors held on the 2<sup>nd</sup> day of September, 2015.

	voting for	voting against	abstain	absent
Hobbs	✓	_____	_____	_____
McCoy	✓	_____	_____	_____
Baker	✓	_____	_____	_____
Dunn	_____	_____	_____	✓
Williams	✓	_____	_____	_____

Attest:   
Christopher P. McKlarney, Clerk  
Telephone (540) 921-2525

Fax: (540) 921-1329