

At the regular meeting of the Giles County Board of Supervisors held on Thursday, May 3, 2017, at 3:00 PM in the Giles County Administration Building located at 315 N. Main Street, Pearisburg, the following members were present unless noted absent.

Gary Eaton	Chair (Western District)
Richard McCoy	Vice-Chair (At-Large Supervisor)
Larry Jay Williams	Eastern District
Jeff Morris	Central District
Paul "Chappy" Baker	At-Large Supervisor
Chris McKlarney	County Administrator
Rhonda Tickle	Finance Director
Richard Chidester	County Attorney - ABSENT
Missy Bray	Board Secretary

CALL TO ORDER/INVOCATION

At the request of Mr. Eaton, Mr. McCoy, Vice-Chair, served as Chair for the meeting. Mr. McCoy called the meeting to order, and Mr. McKlarney offered the invocation and led the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Baker motioned to approve the April 20, 2017, minutes. Mr. Morris seconded the motion. The motion was approved 5-0 as follows:

Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, Mr. Morris and Mr. Williams

VDOT REPORT

Mr. Clarke updated members on various road work within the county including repairs due to flooding, repairs of guard rails, brush cutting, mowing, and ditching on Lurich Road. Mr. Clarke informed members the Salem District had nominated the Pearisburg VDOT Headquarters for the Commissioner's Award. He also informed members of a new website, Virginia Roads. The site is interactive and allows for searching of road projects. Mr. Clarke reported C.R. Henderson had the low bid for Route 625 Goodwin's Ferry Road. He expects the project to be completed by late summer.

Mr. Eaton inquired about the status of the revision of the crossover on Route 460 at Rich Creek. Mr. Clarke stated he was trying to get safety money for that project. Mr. Baker stated the brush cutting on Clendenin Road had been started but had not been completed. Mr. Clarke related VDOT was very close to getting an agreement in place for the brush cutting.

Mr. Williams requested ditch cleaning on Route 42 in Newport, stating the water was running over onto Ms. Raider's property. He also requested work on Kow Kamp, and reported brush and washed out road on Spruce Run.

Mr. Williams related state maintenance on Glen Alton Road runs all the way to the house and should be parking there for handicapped. He related he would like to request the end of state maintenance signs be taken down and the gate removed to allow for people to be able to drive through. Mr. Baker was in agreement. Mr. Eaton posed the question if it would destroy the integrity of what was built there. Mr. Baker stated the Forest Service had agreed to fix it when they took over the property. Mr. McKlarney related that VDOT had intended to fix the bridge then abandon that section of road because it does not serve any other purpose. This would require the Forest Service to maintain the bridge thereafter. Mr. Clarke related VDOT was unable to access the road or the bridge for repairs and maintenance with the gates in place. He stated if the gates were taken down VDOT would repair the bridge. Mr. McCoy inquired about the safety of the bridge. Mr. Clarke stated the bridge had one of the lowest ratings VDOT has and the bridge will be closed if they cannot get through to maintain it. Concern was expressed on the cost of repairing the bridge then abandoning it to the Forest Service. Concern was also expressed about the funds spent by the Forest Service to turn Glen Alton into a tourist attraction and the risk it poses to remove the gates. Members discussed various scenarios.

***Mr. Williams made a motion to notify the Forestry Service it is in violation of blocking right of way and have the gates taken down and to have VDOT establish the where the right of way ends and put up state maintenance signs. Mr. Baker seconded the motion. The motion was approved 4-1 as follows:
Voting Yes: Mr. Baker, Mr. Eaton, Mr. Morris and Mr. Williams
Voting No: Mr. McCoy***

Mr. Reed updated members on recent developments on the Penvir Bridge project. He related the timeframe for the bat assessment has passed, due to not receiving response from VDOT's environmental department. Mr. Reed related he and the design engineer had opted to save the county \$10,000 and put in the time of year restriction. He explained by the time and answer was received, the bid process completed and the bridge ordered, the start time would be mid-September and putting the time of year restriction in place would have the project starting at around the same timeframe. Mr. Reed related he hoped to put the project out for bids soon but was waiting on approval from VDOT. He also related the environmental study is still in the hands of VDOT and U.S. Fish and Wildlife but Mr. Clarke was going to try to push it along and see what the holdup is there.

Mr. Reed reported the bids had been opened that day for revenue sharing on Route 654, Springdale Road. He related the low bid had come from C. R. Henderson in the amount of \$342,225. Mr. Williams inquired about if the project had been put out for bids for both plant mix and blotted D. Mr. Reed related it was not an option to bid it both ways but there is a difference of about \$50,000 between the two; however, approval will have to be obtained from VDOT. He related at that point he would have to see if an addendum could be done.

SCHOOL BOARD REPORT

Dr. Arbogast updated the board on current enrollments. He stated there are currently 2,378 students; this is a decrease of four from the previous month and an increase of seven from this time last year. A calendar of events for May and June was given to members. Dr. Arbogast related information regarding teacher of the year recipients for each school and stated Ms. Tara Johnson received the teacher of the year award for the county and will move on to the regional level. He informed members of a four-year grant received by the second graders at Eastern Elementary/Middle School through the Roanoke Symphony. The grant will give the students more opportunity to learn about high quality music. Dr. Arbogast invited members to an upcoming concert and art show and related the “stem-posium” held at Narrows High School had been a great success. He related information regarding the State Skills USA competition where students had various placements in categories. Dr. Arbogast reported SOL testing would begin the following week and would continue through the month of May.

OLD BUSINESS

PLANNING COMMISSION RECOMMENDATIONS

Mr. Ross presented Planning Commission recommendations to members. He related the Planning Commission had voted to recommend the issuance of a Conditional Use Permit pursuant to sections 802.04 and 706.07(c) of the Giles County Zoning Ordinance to allow for the installation of signage in excess of that permitted by Table 2. The total current square footage of signage on the parcel is 419 square foot and the total proposed after modification is 561 square foot including a 105 square foot freestanding sign that is proposed to be 27 feet tall, 39 square foot of canopy signage, and 36 square foot of signage on fuel pumps. The property is identified as 109 Bluegrass Trail (Super-Valu Grocery), is located on tax parcel 61-1-B, and is located in the B-2 Zoning District. The property is owned by Jennifer Williams, Adrian Williams is acting as agent for Mazi LLC who is the tenant of the property.

Mr. Williams made a motion to approve the conditional use permit as recommended by the Planning Commission. Mr. Baker seconded the motion. The motion was approved 5-0 as follows:

Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, Mr. Morris and Mr. Williams

Mr. Ross informed members the Planning Commission had voted to recommend approval of a request to modify an existing Conditional Use Permit pursuant to section 802.04 of the Giles County Zoning Ordinance to apply the existing “Commercial or Service Establishment” (Walker Valley Market, formerly Nature Way Country Store) use to the entire 9.040 acre lot to allow for future expansion, the current planned expansion is a 4,800 square foot warehouse. The request is for property identified as tax parcel 74-18A, is addressed as 106 Nature Lane, Pearisburg, VA 24134, and is located in the A-1 Zoning District. The property is owned by Daniel and Katura Chupp LLC. The conditions placed on this recommendation are as follows: any further addition or

accessory building constructed must be a direct accessory use to Walker Valley Market; and all other conditions stay in place.

Mr. Morris made a motion to approve the modification of the existing conditional use permit as recommended by the Planning Commission. Mr. Baker seconded the motion. The motion was approved 5-0 as follows:

Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, Mr. Morris and Mr. Williams

Mr. Ross informed members the Planning Commission voted to recommend approval of a proposed text amendment to the Giles County Zoning Ordinance to repeal and replace section 706 "Signs" in its entirety and renumber the ordinance as required to facilitate this change. The purpose of this proposed amendment is to ensure signage is not regulated based upon content.

Mr. Baker made a motion to approve the text amendment to Section 706 "Signs" as recommended by the Planning Commission. Mr. Eaton seconded the motion. The motion was approved 5-0 as follows:

Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, Mr. Morris and Mr. Williams

Mr. Ross notified members the Planning Commission had voted to recommend approval of a proposed text amendment to the Giles County Zoning Ordinance to replace two uses dealing with shooting ranges: 610.03-9 "Shooting Range or Gallery" and 611.03-10 "Commercial Target Shooting Range", and to add the new use "Shooting Range" as a conditional use in the following zones: C-1, A-1, RRA-1, B-2, B-3, M-1, and I-1. The Zoning Ordinance will be renumbered as required to facilitate this change.

Mr. Williams made a motion to approve the text amendment to the Zoning Ordinance in relation to "Shooting Range" as recommended by the Planning Commission. Mr. Baker seconded the motion. The motion was approved 5-0 as follows:

Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, Mr. Morris and Mr. Williams

Mr. Reed related the Planning Commission had voted to recommend approval of a proposed subdivision (parcel A is 12.012 acres, and parcel B is 4.321 acres) on Springdale Road for Jesse B. Ring and Deborah S. Ring (JBR Vineyards LLC). A variance to section 3-36 of the Giles County Subdivision Ordinance to not require evaluation for a septic system was approved by the Planning Commission prior to recommending approval of the subdivision. He stated the parcel being subdivided in order to separate the vineyard from the rest of the farm.

Mr. Baker made a motion to approve the subdivision as recommended by the Planning Commission. Mr. Morris seconded the motion. The motion was approved 5-0 as follows:

Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, Mr. Morris and Mr. Williams

NEW BUSINESS

PROPOSED AMENDMENT TO ANIMAL SHELTER PROCEDURES

Mr. McKlarney presented amendments to the animal shelter operating procedures. He noted the state had mandated the shelter have certain protocols approved by a veterinarian, which were referenced in Section 4 and attached as Exhibit A. He also related wording was added to allow for the refusal of owner surrenders in Section 2, and the hours of operation were adjusted in Section 4.

Mr. McCoy asked if the procedure for deciding on euthanasia had been edited. Mr. McKlarney related it had not but could be done in the next revision. Mr. McCoy stated the process for the decision making in that matter should be done by a committee of three to four people instead of resting solely on one individual. Members were in agreement.

Mr. Eaton made a motion to approve the revised animal shelter operating procedures as presented. Mr. Baker seconded the motion. The motion was approved 5-0 as follows:

Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, Mr. Morris and Mr. Williams

PAYMENT OF WARRANTS

Mr. Baker motioned to approve warrants in the amount of \$799,025.85. Mr. Morris seconded the motion. The motion was approved 5-0 as follows:

Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, Mr. Morris and Mr. Williams

APPOINTMENTS

Mr. McCoy noted an appointment request by New River Community Action. It was noted a request was sent to members requesting to table the appointment until the next meeting. Members discussed various appointments that will be coming open in the near future.

ANNOUNCEMENTS

Mr. McCoy announced there would be a retirement reception for Ms. Delores Mullins on May 18th, and the Preserve Giles County and Preserve Historic Newport groups would be meeting in Newport on May 9th beginning at 10:00 AM.

PRESENTATION OF 2016 AUDIT

Mr. Gordon Jones of Robinson, Farmer, Cox Associates presented the Board with a copy of the 2016 audit. Mr. Jones explained the County is presented with three separate types of reports. The first report is an Independent Auditor Report, the second is a Single Auditor Report, and the third is a Governing Auditing Standard Report. Mr.

Jones explained all reports were clean with no findings.

Mr. Jones provided a financial overview which contained a summary of the general fund, a calculation of operating reserves, a water fund summary, a debt summary, and an assessment summary. Mr. Jones referenced a letter of communication prepared for the Board and explained Giles County could do no better than an audit with no findings.

EXECUTIVE SESSION

Mr. Morris motioned to go into executive session as permitted by Virginia Code 2.2-3711 A (7) Legal Counsel, (1) Personnel, and (7) Contracts. Mr. Baker

seconded the motion. The motion was approved 5-0 as follows:

Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, Mr. Morris and Mr. Williams

Mr. Morris motioned 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: Mr. Baker, Mr. Eaton, Mr. McCoy, Mr. Morris and Mr. Williams

BUDGET FY 2017-18

Ms. Tickle related she would not have totals for retirement incentives until after the deadline for letters and stated many had voiced interest in the 30 percent option as opposed to the 50 percent option. She recommended to publish the budget as presented for the public hearing. Mr. Williams asked if the prices for buses had been received. Mr. McKlarney related the price for a used bus would be \$48,800, which is approximately half of what a new one would cost. Members were in agreement to purchase the used bus.

Funding from the Compensation Board and Forest Service was discussed. Members also discussed various departmental budgets as well as expenditures for items such as the jail bill and juvenile detention. Ms. Tickle informed members she believes the local funding is down for social services and the amount varies depending on the services provided. However, she stated she would want to pull the numbers to be able to give exact amounts. She related information regarding the differences in the amounts, transfers and fiscal year. Mr. Williams expressed concern regarding the increase in the health and welfare category on the audit report. Ms. Tickle related that many agencies are included in that category. Mr. Williams inquired about the types of program in place at social services to help people become sufficient and related he would not support giving that much of an increase. He suggested starting an adult work program such as the one the county has for the youth. Mr. Eaton stated there needs to be something in place before assistance is denied.

Mr. Baker made a motion to publish the 2017-2018 budget for public hearing as presented. Mr. Morris seconded the motion.

Discussion: Members discussed the fund balance and options. Mr. Baker stated there did not need to be a tax increase this year. Mr. McKlarney related there are some funds expected to come in that would help the fund balance. Mr. McCoy stated the county needs to be diligent to get the fund balance built back up. Ms. Tickle related a time lag in reimbursements on some capital improvements, which is initially paid through the general fund. Mr. Williams stated he would like to level fund social services. Mr. McKlarney related the county is obligated to pay its portion of CSA but would need to speak with counsel regarding level funding. Mr. McCoy stated the budget could be advertised high and be lowered at a later date.

Mr. Baker amended his motion as follows: to publish the 2017-2018 budget with the tax rate the same as current levels for public hearing as presented. Mr. Morris seconded the motion. The motion was approved 5-0 as follows:

Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, Mr. Morris and Mr. Williams

ADJOURN

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Thursday, May 18, 2017, at 6:30 PM. The meeting will be held at the Giles County Administration Office located at 315 North Main Street, Pearisburg.

APPROVED:

Vice-Chair

ATTEST:

Clerk

May 3, 2017