

At the recess meeting of the Giles County Board of Supervisors held on Thursday, September 21, 2017, at 6:30 PM, in the Giles County Administration Office, 315 North Main Street, Pearisburg, the following were present unless noted absent:

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

CALL TO ORDER/INVOCATION

Mr. McCoy called the meeting to order, and Mr. McKlarney offered the invocation and led the Pledge of Allegiance.

NEW BUSINESS

VDOT RESOLUTION

Mr. McKlarney presented a proposed resolution related to land use for the Eggleston Water Project as required for the Virginia Department of Transportation. He indicated the liability amounts per occurrence were \$75,000 and \$1 million and recommended approval. A copy of the resolution is attached at the end of these minutes.

***Mr. Williams made a motion approve the resolution as presented. Mr. Baker seconded the motion. The motion was approved 5-0 as follows:
Voting Yes: Mr. Baker, Mr. Johnson, Mr. McCoy, Mr. Morris and Mr. Williams***

PIPE BIDS

Mr. McKlarney presented information to members on three pipe bids received for the work to be done on the Eggleston Water Project – Phase 1. He related the bids were as follows: Consolidated Pipe \$156,705.84, Ferguson Enterprises \$168,066.78, and Core and Main (formerly HD Supply) \$181,647.52. Mr. McKlarney recommended the lowest bid submitted by Consolidated Pipe be approved.

Mr. Baker made a motion approve the bid from Consolidated Pipe. Mr. Williams seconded the motion.

Discussion: Mr. Williams inquired if the quotes had been obtained prior to the prices going up. Mr. McKlarney related the bids had been received before the hurricane came through. Mr. Williams asked if the pipe for the Narrows and Rich Creek project could be added to the bid. Mr. McKlarney indicated he would inquire if it could be added but it would be different materials.

The motion was approved 5-0 as follows:

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

Mr. Williams inquired about the start date for the project. Mr. McKlarney related the project should get started in October.

VJCCCA FUNDS

Mr. McKlarney presented a request from the Virginia Department of Juvenile Justice to allow for the return of unspent Fiscal Year 2017 VJCCCA funds in the amount of \$2,935.50.

Mr. Baker made a motion approve the return of the unspent VJCCCA funds in the amount of \$2,935.50. Mr. Morris seconded the motion. The motion was approved 5-0 as follows:

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

VDH TERM SHEET

Mr. McKlarney presented a transaction term sheet from Virginia Department of Health. He indicated the lease would bring in rent of \$40,895 annually.

Mr. Baker made a motion to approve the transaction term sheet from the Virginia Department of Health as presented. Mr. Williams seconded the motion. The motion was approved 5-0 as follows:

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

Mr. McKlarney related the Sherriff's Office space at the old hospital building was approximately 80 percent complete and the expected move in date would be sometime in late fall.

PAYMENT OF WARRANTS

Mr. Baker motioned to approve warrants in the amount of \$799,513.48. Mr. Morris seconded the motion. The motion was approved 5-0 as follows:

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

SCHOOL BOARD APPROPRIATIONS

Mr. Baker motioned to approve \$2,283,819.50 for October 2017 School Board Appropriations and Mr. Williams seconded the motion. The motion was approved 5-0 as follows:

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

SOCIAL SERVICES APPROPRIATIONS

Mr. Morris motioned to approve \$350,000 for Social Services for October 2017. Mr. Baker seconded the motion. The motion was approved 5-0 as follows:

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

CSA APPROPRIATIONS

Mr. Morris motioned to approve \$275,000 for CSA for October 2017. Mr. Baker seconded the motion. The motion was approved 5-0 as follows:

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

ANNOUNCEMENTS

Mr. McKlarney presented a slide show and announced Mr. Baker had participated in the Muddy ACCE Race and had done an impressive job. He related sponsorships and donations had totaled approximately \$86,000 on race day and is at almost \$93,000 to date. Mr. McKlarney expressed appreciation of the Board's support and related an ad of thanks would be run in the paper the following week.

EXECUTIVE SESSION

Mr. Morris motioned to go into executive session as permitted by Virginia Code 2.2-3711 A (7) Legal Counsel, and (7) Contracts. Mr. Baker seconded the motion. The motion was approved 5-0 as follows:

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

NATURAL GAS CONTRACT

Mr. Ross presented information on a natural gas contract with Interstate Gas Service. The rate would be .358 per therm for county and schools if approved.

Mr. Baker made a motion to approve a contract with Interstate Gas Service at a rate of .358 per therm contingent upon review by legal counsel. Mr. Morris seconded the motion. The motion was approved 5-0 as follows:

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

PUBLIC COMMENT

Ms. Barbara Hobbs – Ms. Hobbs inquired about the amount spent on the ACCE Race. Mr. McKlarney related final numbers were not available but he estimated between \$10,000 and \$15,000 were spent. Ms. Hobbs indicated this number did not include wages of staff. Mr. McKlarney related that was correct and stated there were also volunteers, many of them from Celanese, who helped with the construction of the course.

JOINT PUBLIC HEARING

Mr. Leon Law, Chairman of the Planning Commission opened the public hearing with the Board of Supervisors and called the Planning Commission to order. The following Planning Commission members were in attendance: Mr. Baker, Mr. Berkman, Mr. B. Browning, Mr. R. Browning, Mr. Law, Mr. Pitzer, and Mr. Taylor.

REQUEST FOR CONDITIONAL USE PERMIT-VAUGHT

Mr. Ross stated he had received a request was received for the issuance of a Conditional Use Permit pursuant to Sections 802.04 and 603.03-2 of the Giles County Zoning Ordinance to allow for a Private Seasonal Camp Retreat, specifically to allow the placement of a camper on a parcel of land for more than thirty days in a calendar year. The parcel of land is owned by Joey Vaught and is identified specifically as tax parcel 44-36J, and is located between 960 and 882 Brickyard Road near Pembroke, Virginia. The property is in the RRA-1 (Rural Residential /Agriculture) Zoning District. Mr. Ross related Mr. Vaught was present for any questions and indicated he had received one phone call with questions but no complaints. Mr. Vaught related he lives in Washington DC and comes here to visit family when he uses the camper. He indicated he would like to be able to hook up water and electricity to the RV.

Mr. McCoy asked for any questions or comments. Hearing none, he closed that portion of the public hearing and sent it back to the Planning Commission for recommendation.

REQUEST FOR CONDITIONAL USE PERMIT-HAGER

Mr. Ross stated a request was received for the issuance of a Conditional Use Permit pursuant to section 802.04 and 302.70 of the Giles County Zoning Ordinance to allow for the construction of a private garage in excess of 1600 square foot, with this request being for an 1,800 square foot structure. The property associated with this request is owned by Gary Hager, is located near 446 Piney Mountain Road near Narrows, Virginia, and is identified as 37B-3-38. This tax parcel is to be consolidated with tax parcel 37B-3-36 per section 708.01-3 of the Giles County Zoning Ordinance prior to issuance of a building permit. The property is located within the RRA-1 Zoning District. Mr. Ross stated he had received no correspondence or calls regarding this request.

Mr. McCoy asked for any questions or comments. Hearing none, he closed the public hearing and sent it back to the Planning Commission for recommendation. Mr. Law adjourned the Planning Commission.

ADJOURN

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Wednesday, October 4, 2017, at 3:00 PM. The meeting will be held at the Giles County Administration Office located at 315 North Main Street, Pearisburg.

APPROVED:

Chair

ATTEST:

Clerk

September 21, 2017

RESOLUTION

WHEREAS, it becomes necessary from time to time for the County of Giles to obtain land use permits from the Virginia Department of Transportation to install, construct, maintain and operate certain public works and public utilities projects along, across over and upon highway systems of the Commonwealth of Virginia; and,

WHEREAS, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting to the County of Giles by the Virginia Department of transportation of said permits for the work aforesaid;

NOW, THEREFORE, BE IT RESOLVED by the County of Giles this 21st day of September, 2017:

Section 1: That in accordance with the provisions of Section 24VAC30-151-720 of the Land Use Permit Regulations of the Virginia Department of Transportation, the County of Giles does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the County of Giles and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damage that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one-million dollars (\$1,000,000) each occurrence to protect the Commonwealth Transportation Board members and the Virginia Department of Transportation's agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Commonwealth Transportation Board, the Virginia Department of transportation or the Commonwealth of Virginia in the event of suit.

Section 2: That the County Administrator, City or Town Mayor, or their designee, be, and hereby is authorized to execute on behalf of the County of Giles all land use permits and related documents of the Virginia Department of Transportation.

Section 3: That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.

Section 4: That the County of Giles shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee

to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

BE IT STILL FURTHER RESOLVED that the County Administrator, City or Town Mayor, or their designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein.

The foregoing Resolution was adopted by the Giles County Board of Supervisors at its regular meeting held on Thursday, September 21, 2017 in Pearisburg, Virginia.



Richard K. McCoy, Chair



Chris McKlarney, Clerk

Giles County Board of Supervisors