

At the recess meeting of the Giles County Board of Supervisors held on Thursday, August 16, 2018, at 6:30 PM, in the Giles County Administration Office, 315 North Main Street, Pearisburg, the following were present unless noted absent:

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

### CALL TO ORDER/INVOCATION

Mr. Morris 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 August 1, 2018, minutes as presented. Mr. Williams seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, Mr. Morris, and Mr. Williams***

### CONSTITUTIONAL OFFICERS

Ms. Angie Higginbotham, Giles County Treasurer, reported the transition is going well and the turn over audit had been completed. She indicated Mr. Chidester would be filing that information with the courts. Ms. Higginbotham related she had moved Ms. Kelly Patton into the Chief Deputy position and assured members her office is there to work with them and provide any reports or information they might need.

Mr. Chidester explained there is a procedure to be followed in state code regarding the turn over with a newspaper ad to be run for four weeks and a public hearing to be held.

### PUBLIC COMMENTS

**Ms. Sonya Meekins** – Ms. Meekins informed members of upcoming GEA town hall meetings and invited them to attend. She related she was still advocating for a 12 percent increase and being number one in the district in salaries, adding the meetings were to have a conversation with the communities on how to get to that point. Ms. Meekins stated she had gone to Richmond to gear up for the Governor's campaign and related the state is down \$10 billion in education since 2008. She indicated the GEA works closely with the Governor and hopes to gain some lead way. Mr. Baker related members have talked with Delegate Hurst who indicated he would do all he could for southwest Virginia, adding it was up to the Governor to do his part.

Ms. Meekins stated she is not pleased with the three percent raise put in by the Governor and reported there had been two more teachers resign from the school system last week. She affirmed the needs should be met by both the state and locally. Ms. Meekins related the GEA continues to try to get a coalition together indicating she had stressed to state representatives that state funds should not be earmarked for certain programs and they would like to see the state do away with matching funds.

Mr. Baker related the schools had \$900,000 additional funds this year that were earmarked. Ms. Meekins related Dr. Arbogast is looking at the coding to see if any funds could be moved around but Giles County needs to get to number one in the district. She stated the schools have buildings that are falling apart, indicating the school should not have to choose between the buildings and the people.

## **OLD BUSINESS**

### **OPIOID LITIGATION**

Mr. Chidester related members had discussed the opioid litigation but had not voted to move forward. He explained the damage reported for Giles County was in excess of \$4 million.

***Mr. Baker made a motion to authorize Mr. Chidester to file the opioid lawsuit. Mr. Williams seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, Mr. Morris, and Mr. Williams***

## **NEW BUSINESS**

### **ROUTE 673, PENVIR ROAD BRIDGE**

Mr. McKlarney presented a resolution proposing the naming of the Route 673, Penvir Road bridge the James W. Stowers Memorial Bridge. The resolution is attached at the end of these minutes.

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

## **PAYMENT OF WARRANTS**

***Mr. Baker motioned to approve warrants in the amount of \$893,808.30. Mr. McCoy seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, Mr. Morris and Mr. Williams***

## **SCHOOL BOARD APPROPRIATIONS**

***Mr. Williams motioned to approve \$2,369,951.67 for September 2018 School Board Appropriations, and Mr. Baker seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, Mr. Morris and Mr. Williams***

## **SOCIAL SERVICES APPROPRIATIONS**

***Mr. Baker motioned to approve \$175,000 for Social Services for September 2018. Mr. Williams seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, Mr. Morris and Mr. Williams***

## **ANNOUNCEMENTS**

Mr. McKlarney announced the Muddy ACCE Race would be held in Glen Lyn on September 15, 2018, and the annual river clean up would be held on August 25, 2018. He also announced the love wall dedication would be held on August 21, 2018, with the Governor to be in attendance and a visit from the First Lady the following day. Mr. McKlarney related the compensation committee would be meeting on August 29, 2018, with the teachers and on August 30, 2018, with other school support staff.

## **BOAT RAMPS**

Mr. Williams inquired about the status of the Eggleston boat ramp. Mr. McKlarney reported the environmental had been cleared and the VDOT lease was still needed. He indicated the lease should be received from VDOT prior to September 15, 2018.

## **CAT SITUATION**

Mr. Williams inquired about the status of stray cats being picked up by animal control. Mr. McKlarney related cats are picked up on a regular basis, however animals cannot be trapped in hot or rainy weather. Mr. Williams stated there were farmers who would take some cats if they had been spayed or neutered and inquired about the county starting a spay/neuter program. Mr. Morris stated members would need to look at the numbers. Mr. McKlarney indicated a vet would need to be found that would give the county a good price.

## **LIQUOR BY THE DRINK**

Mr. Williams inquired how members felt about liquor by the drink. Mr. McKlarney related he had looked at it recently, and Mr. Chidester stated it would have to be put on the ballot and petitions would have to be gotten signed by a private citizen. Members discussed the legislative process.

## RECESS

Mr. Morris called a short recess and reconvened the meeting prior to time of the public hearings.

## JOINT PUBLIC HEARINGS

Mr. Morris opened the public hearings.

Mr. Baker, Vice-Chair, called the Planning Commission to order. The following Planning Commission members were in attendance: Mr. Taylor, Mr. R. Browning, Mr. Johnson, Mr. B. Browning, Mr. Berckman, Mr. Baker, and Mr. Pitzer.

## PROPOSED AMENDMENT TO TABLE (1) OF THE GILES COUNTY ZONING ORDINANCE

Mr. Ross explained the distance between accessory structures and main buildings comes up several times during a year. Mr. Ross stated the amendment would include modifying the current required separation distance between a main building and an accessory building from 20' to 10'. He stated this would include all areas zoned R-1, R-2, R-3, R-4, RRA-1, A-1, C-1, M-1, I-1, and MH-1 (when not in a mobile home park). With no further questions or comments, Mr. Morris closed this portion of the public hearing, and stated it would return to the Planning Commission for further recommendations.

## PROPOSED AMENDMENT TO THE GILES COUNTY ZONING MAP

Mr. Ross stated the purpose of the public hearing is to discuss amending the current zoning district of R-4 to RRA-1 on the following tax parcels: 41-4B1, 41-60, 41-4B2, 41-60A, 41-17A1, 41-17, 41-17A2, 41-17A, and 41-62. Mr. Ross demonstrated the proposed area on the map. Mr. Ross indicated as he was reviewing this, he noticed R-4 was actually created to be a "floating zone" that would be rezoned in conjunction with an approved planned unit development concept. Mr. Ross stated as it stands, the area is very restrictive for permitted uses. He explained that RRA-1 allows for many uses including agriculture, and as outlined on the map, RRA-1 covers most of the areas.

**Ms. Barbara Hobbs** – Ms. Hobbs began by stating there is not one individual asking for this area to be rezoned, and that although violations of the current zone have occurred this should not mean that we change the zone to correct the errors. She stated the change from R-4 to RRA-1 goes from quite restricted to wide open. Ms. Hobbs explained she is an adjoining property owner and is zoned R-1. She believes people should have the right to use their property but also feels that adjoining property owners must also be protected. Ms. Hobbs reviewed the permitted uses and special exceptions in the proposed zone and encouraged everyone to look over them. She would like the zoning left as-is until there is a substantial reason to change it.

**Ms. Anne Wheeler** – Ms. Wheeler presented a handout to the Board of Supervisors and the Planning Commission and stated she had met with John Ross previously. She asked everyone to take a drive from Friends and Family Restaurant, Riverbend Road, Virginia Heights, Cricket Lane, and end with Cantrall Martin's farm. She explained the areas are highly dense and you do not realize that until you actually take a look at it. Ms. Wheeler stated in her handout are some suggestions, questions, discussions, and proposals for the Commission and the Board of Supervisors, which she would like considered before voting on the issue.

**Dr. Lee Wheeler** – Dr. Wheeler explained that going from one zone to the other would be like having no zoning at all with RRA-1 being such a wide open zone. He also feels that the verifiable facts are missing from the developers and asked that additional facts to be gathered prior to approving this change.

With no further comments, Mr. Morris closed this portion of the public hearing, and Mr. Ross stated the next Planning Commission will be held on Tuesday, August 28, 2018.

### **PROPOSED AMENDMENT TO THE GILES COUNTY ZONING MAP**

Mr. Ross stated the purpose of this amendment to the Giles County Zoning Ordinance is to add a proposed new use, 611.02-34 carwash to the list of permitted uses in the B-3 Zoning District. Mr. Ross explained that someone is interested in pursuing a mechanized carwash and as it stands now only a carwash by hand is allowed. He indicated when you review B-3, there are many other uses which are a lot more intense than a carwash, and the Commission felt the need to add this.

With no added questions or comments, Mr. Morris closed this portion of the public hearing and stated it would now be returned to the Planning Commission for further actions.

### **PROPOSED AMENDMENT TO SECTION 3-2.8**

Mr. Ross explained the purpose of this public hearing is to allow a proposed amendment to Section 3-2.8 (public water/sewer facility lots) of the Giles County Subdivision Ordinance. This proposed amendment would make this section applicable to any parcel developed for the purpose of installing public utilities. Mr. Ross indicated this was a housekeeping item to bring both ordinances up to date.

With no added questions or comments, Mr. Morris closed this portion of the public hearing and stated it would now be returned to the Planning Commission for further actions. Mr. Baker adjourned the Planning Commission. The next Planning Commission will be held on Tuesday, August 28, 2018, at the Giles County Administration Office.

**EXECUTIVE SESSION**

***Mr. McCoy motioned to go into executive session as permitted by Virginia Code 2.2-3711 A (1) Personnel. Mr. Baker seconded the motion. The motion was approved 5-0 as follows:***

***Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, Mr. Morris and Mr. Williams***

***Mr. McCoy 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. Lawson, 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 Wednesday, September 5, 2018, at 3:00 PM. The meeting will be held at the Giles County Administration Office located at 315 North Main Street, Pearisburg.

**APPROVED:**


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**Chair**
**ATTEST:**


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**Clerk**

## County of Giles

Jeffrey Morris  
County Board Chairman

Larry "Jay" Williams  
Euzem Donald Supervisor

John Lawson  
Peachtree District Supervisor

Paul "Chappy" Baker  
All-ages Supervisor

Richard McCoy  
AcLargo Supervisor



### Board of Supervisors

315 NORTH MAIN STREET  
PEARISBURG, VIRGINIA 24134

#### Resolution Naming the Bridge on Route 673, Penvir Road, over Wolf Creek in Giles County as the James W. Stowers Memorial Bridge

**WHEREAS**, James W. Stowers was a lifelong resident of Giles county and the Penvir area of Wolf Creek utilizing the bridge in the Penvir area in his daily life; and

**WHEREAS**, Mr. Stowers served his community as a member and former Treasurer of the Wolf Creek Ruritan Club and member of the First Methodist Church of Narrows where he served on the Board of Trustees; and

**WHEREAS**, Mr. Stowers was a citizen with good moral character giving of his time and resources to those in need; and

**WHEREAS**, James W. Stowers passed away on July 18, 2018, leaving a legacy of care and concern for family and community; and

**WHEREAS**, Section 33.2-213 of the Code of Virginia authorizes the Commonwealth Transportation Board (CTB) to give suitable names to state highways, bridges, interchanges, and other transportation facilities and change the names of any highways, bridges, interchanges, or other transportation facilities forming a part of the systems of state highways; and

**WHEREAS**, Section 33.2-213 provides that the Virginia Department of Transportation shall place and maintain appropriate signs indicating the names of highways, bridges, interchanges, and other transportation facilities named by the CTB and requires that the costs of producing, placing, and maintaining such signs shall be paid by the localities in which they are located.

**NOW, THEREFORE, BE IT RESOLVED**, that Giles County, in accordance with the requirements of Section 33.2-213 of the Code of Virginia, does hereby request that the Commonwealth Transportation Board name the bridge on Route 673, Penvir Road, over Wolf Creek in Giles County as the James W. Stowers Memorial Bridge;

**BE IT FURTHER RESOLVED**, that Giles County agrees to pay the costs of producing, placing, and maintaining the signs calling attention to this naming.

Signature

Jeffrey L. Morris, Chairman

Date 8-16-18

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