

At the regular meeting of the Giles County Board of Supervisors held on Wednesday, February 6, 2019, at 3:00 PM in the Giles County Administration Office, located at 315 North Main Street, Pearisburg, the following were present unless noted absent.

Jeff Morris	Chair (Central District)
Larry Jay Williams	Vice-Chair (Eastern District)
John C. Lawson, Jr.	Western District
Paul "Chappy" Baker	At-Large Supervisor
Richard McCoy	At-Large Supervisor
Chris McKlarney	County Administrator
Catherine Ballard	Finance Director
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 made a motion to approve the minutes of the January 17, 2019, 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***

### **CONSTITUTIONAL OFFIERS**

Sheriff Morgan Millirons reported 46 traffic summons and 1,377 civil papers served for the month of January. He related RAD classes are continuing and are taught in the school systems, civic organizations and for others as requested. Mr. Millirons indicated the TDOs and transports continue at an average of six to eight per week. He added there is only \$1,900 remaining in the allocation from the state for transports, with the initial amount of \$79,000. Mr. Millirons reported on inmate workforce hours and that he had received a request for inmates to pick up litter along the roadways. He stated he had advised the adopt a highway program utilizes community services workers for litter control efforts. Mr. Millirons reported a grant received from the Virginia Information Technology Center in the amount of \$324,547.30 to upgrade the dispatch equipment and call services. He also reported veterans' fishing day would be held in March and the drug dogs are scheduled to be used in the school systems. Sheriff Millirons inquired when he could start looking for new patrol vehicles and about the possible use of the hazmat vehicles. Mr. McKlarney advised the vehicles would need to be delivered and invoiced after July 1, 2019, and there had been no progress on the hazmat vehicles.

Treasurer Angie Higginbotham updated members on office activity. She related there had been nine parcels sold in December in a judicial sale brining in \$24,000 in delinquent tax revenue. Ms. Higginbotham stated there are an additional 202 properties

eligible for sale, but her office is working with the property owners to resolve the need to sale through payment plans or other options. She indicated collection actions would be used after the due date of February 22, 2019, which could include collection of Pemtel patronage payments, DMV stops and garnishments.

## **VDOT REPORT**

VDOT staff was not available for the meeting. Mr. Baker requested line painting on Rocky Hollow Road through to Eggleston due to frequent fog, adding it is a safety issue. He expressed thanks to VDOT for the brush cutting on Crickett Lane. Mr. Williams reported Mr. John Mills had obtained lighting quotes for the park and ride on Route 460.

Mr. McKlarney presented a proposed abandonment for a section of Route 802, Lang Lane, from 0.08 miles east of Route 605 to end of state maintenance. He stated the abandonment had been approved at a previous meeting, and VDOT had sent the resolution to finalize the process after receiving no comments. A copy of the resolution is attached at the end of these minutes.

***Mr. McCoy made a motion to approve the abandonment of a portion of Route 802, Lang Lane as noted within the resolution. 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. Bryan Reed reported the bridge on Penvir Road opened on January 31, 2019, and related he did not yet have final financials on the project. Mr. Lawson inquired about the weight limit of the bridge. Mr. Reed stated the limit is not posted, and he was told if it is street legal and can fit, then the vehicle can cross the bridge. Mr. McKlarney invited members and the public to attend the bridge dedication to be held on February 15, 2019, beginning at 4:00 PM.

Mr. McCoy reported a water issue on Route 605, indicating the ditch and drains need cleaned out and chunks of pavement are missing.

## **SCHOOL BOARD REPORT**

Dr. Arbogast updated the board on current enrollments. He stated there are currently 2,354 students, this is a decrease of 15 from the end of last month and a decrease of 34 from the same time last year. A calendar of events for March and a STEM newsletter was provided to the members. Dr. Arbogast reported a grant received for No Kids Hungry, which will provide free breakfast to any student every Friday in February with 400 students served the previous Friday. He related the Giles High School Theater Group had attended the Virginia Thespian Conference where its one act play had received recognition. Dr. Arbogast indicated the schools had recently conducted a spelling bee noting the winner for each school and Russell Pauley had won the county spelling bee. He informed members preschool applications are currently being accepted.

## **PUBLIC COMMENTS**

**Ms. Pam Humphrey** – Ms. Humphrey expressed concern over the possibility of the convenience center closing in the Newport area and provided a copy of a petition against its closing with 373 signatures. She stated she wished the community had been given an opportunity to voice their concerns prior to a decision being made, noting no notification was given. Ms. Humphrey reported there are 12 roads in the Newport area that have no trash pick up and related the distance and cost the closure would put on her. She stated there are bears in her area that would get in garbage put out for pick up and indicated that was the reason most with pick up service chose to go to the convenience center.

**Mr. David Walker** – Mr. Walker spoke regarding the proposed closing of the Newport convenience center. He noted vermin would get into garbage left out for pickup and litter would be strewn as well as increased illegal dumping. Mr. Walker requested members rethink closing the center.

Mr. Morris stated the proposed closing of the convenience center is a PSA situation, and the Board of Supervisors has nothing to do with that decision. Mr. McCoy indicated the proposed closing would make the district even with all the others, which only have one center per district. Mr. Williams gave the history behind the centers and indicated it was always in the works that each district would have one center. He noted that there are only 1,000 residences not receiving curb side pick up in the county, and the Pembroke center had a lease option for ten years. Mr. Williams related the PSA paid \$225,000 for the new site near Maybrook, which was worth over \$400,000. He indicated residents had been very fortunate to have kept the Newport center for as long as they have and affirmed a final decision had not been made, noting he hopes to have a public hearing on the matter.

**Ms. Anne Wheeler** – Ms. Wheeler related many people believe when there is a public hearing it will always be negative, and stated she came to commend the Planning Commission and Mr. John Ross on the work they had been doing for the past several months. She indicated they had communicated with those involved and kept a dialog open, and she related the Board should be proud as they are listening to the citizens of the county. Ms. Wheeler requested members look at the Riverbend subdivision area to see if RRA-1 is right for that location.

## **PLANNING COMMISSION RECOMMENDATIONS**

### **TEXT AMENDMENTS TO RRA-1 ZONING DISTRICT**

Mr. John Ross presented a recommendation for approval by the Planning Commission for proposed text amendments to the RRA-1 zoning district to move the following uses from permitted use to conditional use categories: 603.02-5 (wildlife areas, hunting clubs, or game refuges), 603.02-8 (fish hatcheries), 603.02-14 (cottage industry), 603.02-19 (fairgrounds), and 603.02-21 (golf courses, miniature golf courses, driving ranges). He noted the section would be renumbered as required.

Mr. John Ross stated the second part of the recommendation was a proposed text amendment to the Giles County Zoning Ordinance to add a new use “Livestock Market” as a conditional use in the RRA-1 Zoning District.

***Mr. Williams made a motion to approve text amendments to the Giles County Zoning Ordinance as recommended. 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***

Mr. Ross explained one use that was to be deleted from RRA-1 for Livestock Sales had a mistake in the notice and would have to be re-advertised and another public hearing held.

### **ZONING MAP AMENDMENT**

Mr. Ross presented a recommendation for approval from the Planning Commission for a proposed amendment to the Giles County Zoning Map to change 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. Williams inquired if any objections were received. Mr. Ross related he had received none.

***Mr. Baker made a motion to approve amendment to the Giles County Zoning Map as recommended. 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***

### **ZONING ORDINANCE AMENDMENT – ELECTRONIC DATA**

Mr. Ross presented a recommendation for approval from the Planning Commission for a proposed amendment to the Giles County Zoning Ordinance to add a new use, “Electronic Data Storage or Processing Center”, as a permitted use in the: B-2, B-3, M-1, and I-1 zones and a conditional use in the RRA-1 zone and renumber the applicable sections as required. He indicated staff, Zoning Administrator and County Attorney, felt the word transfer could be added in parentheses for clarification without the need for additional advertisement.

***Mr. Baker made a motion to approve new use added to the Giles County Zoning Ordinance as recommended. 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***

### **CONDITIONAL USE-EGGLESTON SPRINGS**

Mr. Ross presented a recommendation for approval from the Planning Commission for the request for the issuance of a Conditional Use Permit pursuant to Sections 802.04 and 603.03-3 of the Giles County Zoning Ordinance to allow for a recreational development, specifically to allow a commercial campground. The existing campground, Eggleston Springs Campground, is comprised of 66 existing sites. This request would add five sites, convert an existing shed into a “camp store”, and also allow for

occasional events to be held at the campground such as music, art classes, etc. The parcel of land is owned by Eggleston Springs Campground LLC, is identified specifically as tax parcel 58-132, and is located at 346 Cliffview Street near Eggleston, Virginia. The property is in the RRA-1 (Rural Residential /Agriculture) Zoning District. Mr. Ross related the conditions were recommended as hours for store will be 10:00 AM to 8:00 PM seven days per week, no musical events shall take place after 10:00 PM, and all other applicable regulations and permits to be met or obtained.

***Mr. Williams made a motion to approve the conditional use with set conditions for Eggleston Springs Campground as recommended. 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***

#### **CONDITIONAL USE-DOE CREEK FARM**

Mr. Ross presented a recommendation for approval from the Planning Commission for the request for the issuance of a Conditional Use Permit pursuant to Sections 802.04 and 603.03-1 of the Giles County Zoning Ordinance to allow for a commercial or service establishment, specifically to allow a restaurant with ABC license. The parcels of land associated with this request are owned by Georgia Haverty and Doe Creek Farm Inc., are identified specifically as tax parcels 30-4 and 30-4A, and are located near 412 Doe Creek Farm Road near Pembroke, Virginia. The property is in the RRA-1 (Rural Residential /Agriculture) Zoning District. Mr. Ross noted the conditions set as all activities shall be as outlined in the business plan provided with application, and all other applicable regulations/permits to be met or obtained.

***Mr. Baker made a motion to approve the conditional use with set conditions for Doe Creek Farm as recommended. Mr. McCoy seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Abstaining: Mr. Williams***

#### **NEW BUSINESS**

##### **TEEN DATING VIOLENCE AWARENESS MONTH**

Ms. Laura Beth Weaver from the Women's Resource Center stated the center is the oldest in Virginia and provides services to men and children as well as women in the area. She presented a proposed proclamation to members to declare February Teen Dating Violence Awareness Month.

***Mr. Baker made a motion to proclaim February 2019 Teen Dating Violence Awareness Month. 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***

##### **EXTENSION UPDATE**

Ms. Jeannie Dudding updated members on the Giles Extension Office activities. She stated activities provided include 4-H, Newport Clover Buds, and teen clubs. Ms. Dudding stated the new FCS worker had taken nutrition programs into Narrows

Elementary/Middle School and will be branching into other schools as well as offering services at some of the county mobile home parks. She reported a webinar for woodland management and an apple pruning workshop to be held in March as well as drone work to be used in farming. Ms. Dudding related farm management programs such as Annie's Project and teaching of a leadership camp on campus. She indicated the area would be hosting a soil collegiate conference with people from all over the region attending. Ms. Dudding requested continued support of the summer internship program and requested \$2,400 to match the half to be provided by Virginia Tech. She related various aspects of the internship that are a benefit to the county, and Ms. Rachel Owens, one of the previous interns, related the activities she had been involved in while in her internship. Members requested Ms. Dudding check to see when the funds would need to be paid and that it be put into the next budget.

***Mr. Williams made a motion to table the request until additional information was presented. Mr. Lawson seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, Mr. Morris, and Mr. Williams***

#### **ROBINSON, FARMER, & COX UPDATE**

Mr. Gordon Jones of Robinson, Farmer, Cox Associates presented the Board with a copy of the 2018 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. He gave the background of the audit and reported on one internal control where the special welfare fund did not reconcile correctly. Mr. McKlarney noted he had spoken with the Social Services Director and a team will be working on the issues.

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, an assessment summary and a summary of GASB 75. 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. Members discussed various aspects of the report.

#### **PAYMENT OF WARRANTS**

***Mr. McCoy motioned to approve warrants in the amount of \$1,166,721.43, 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***

#### **APPOINTMENTS**

***Mr. Williams made a motion to appoint Ms. Nicole Price to the Community Policy and Management Team. 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. Williams made a motion to appoint Mr. Grant Snider to the Giles County Planning Commission. 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***

***Mr. Williams made a motion to reappoint Mr. John Peek to the New River Valley Agency on Aging. Mr. Lawson 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. Williams made a motion to reappoint Mr. Paul Baker as an alternate to the New River Valley Agency on Aging. Mr. Lawson seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Lawson, Mr. McCoy, Mr. Morris, and Mr. Williams; Abstaining: Mr. Baker***

### **CDBG GRANTS**

Mr. McKlarney informed members the Town of Pearisburg and the Town of Rich Creek had both been awarded CDBG grants from the work done in the recent planning grant. He related the Town of Narrows had also received the grant in 2018.

### **NEW RIVER VALLEY COMMUNITY SERVICES**

Mr. Williams inquired if the Board would consider approving the request from New River Valley Community Services to establish a line of credit in case of a business emergency.

***Mr. Williams made a motion to approve New River Valley Community Services establishing a line of credit for emergency purposes. Mr. Baker seconded the motion. The motion was approved 4-1 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Morris, and Mr. Williams; Voting No: Mr. McCoy***

### **EXECUTIVE SESSION**

***Mr. McCoy motioned to go into executive session as permitted by Virginia Code 2.2-3711, A (1) Personnel, (7) Legal Counsel, and A (30) Contracts. 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***

**HAZMAT**

***Mr. Williams made a motion to dissolve the Giles County Hazmat Team, surplus the equipment and distribute the hazmat vehicles to various county departments. 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***

**EGGLESTON PARK**

Mr. Williams reported the Eggleston Fire Department had requested to continue with the park and wanted to inquire if the inmate workforce could be utilized to paint the roof and do some electrical work at the picnic shelter as well as build a new picnic table. He indicated the fire department would provide all materials and advised they would be moving the mud bog up closer to the fence. After discussion, members concurred the fire department could continue with oversight of the park and agreed to allow the workforce to assist with the project.

**ADJOURN**

With no further business, the meeting was adjourned. The next meeting will be held on Thursday, February 21, 2019, at 6:30 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**

Jeffrey Morris  
Deputy District Supervisor

Larry "Jay" Williams  
Board Clerk/ District Supervisor

John Lawson  
Public Works Supervisor

## County of Giles



Paul "Chappy" Baker  
At-Large Supervisor

Richard McCoy  
At-Large Supervisor

### Board of Supervisors

315 NORTH MAIN STREET  
PEARISBURG, VIRGINIA 24134

**§33.2-909 – Secondary Route Abandonment  
With No Replacement Road Final Resolution**

#### RESOLUTION

WHEREAS, a public notice was posted as prescribed under §33.2-909, *Code of Virginia*, announcing this Board's intention to abandon the segment of road described below from the Secondary System of State Highways, and

WHEREAS, no petition for a public hearing was filed, and

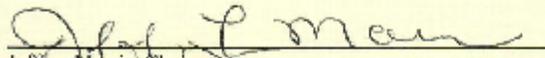
WHEREAS, after considering all evidence available, the Board is satisfied that no public necessity exists for the continuance of the segment of Secondary Route 802 (Lang Lane) from 0.08 mi East of Route 605 to End of State Maintenance; and

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice of this Board's intent to abandon the subject segment of road, and

WHEREAS, the segment of Route 802 (Lang Lane), identified on the attached Form AM 4.3, is no longer needed as part of the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED, this Board abandons the above described segment of road and removes it from the Secondary System of State Highways, pursuant to §33.2-909, *Code of Virginia*.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.



Jeffrey Morris, Chairman  
Giles County Board of Supervisors



Attest  
Chris McKlancey, Clerk

Telephone: (540) 921-2525

Fax: (540) 921-1329