

At the recess meeting of the Giles County Board of Supervisors held on Thursday, March 21, 2019, 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)
Larry Jay Williams	Vice-Chair (Eastern District)
Paul "Chappy" Baker	At-Large Supervisor
John C. Lawson, Jr.	Western District
Richard McCoy	At-Large Supervisor
Chris McKlarney	County Administrator
Catherine Ballard	Finance Director
Richard Chidester	County Attorney
Missy Bray	Board Secretary

A quorum of the Board of Supervisors was physically assembled in the Board of Supervisors meeting room. Mr. Lawson participated in the meeting electronically at his request due to being out of town. His voice was able to be heard by all persons in attendance at the location of the meeting.

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 March 6, 2019, minutes as presented. Mr. Williams seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Morris, and Mr. Williams; Abstaining: Mr. McCoy

OLD BUSINESS

COMPENSATION COMMITTEE

Mr. McKlarney reported the compensation committee had met on March 19, 2019, where members had requested administrative salaries. He related the numbers would be added into the documents, when provided, and the committee would meet again after the new amounts were calculated. Mr. McKlarney indicated the five percent increase was discussed as well as how the funds would be used, adding the state would be providing an increase for SOQ positions of three percent in July and two percent in September. He added the committee would make a recommendation to the school board how the funds should be used.

Mr. McCoy inquired if there were any contingencies tied to the increase. Mr. McKlarney related there were none of which Dr. Arbogast was aware, and related he had sent an email to Delegate Hurst regarding his support.

NEW BUSINESS

BUDGET WORK SESSION

Mr. McKlarney requested members to consider having a budget work session before or following the regular meeting in April.

INSURANCE PROPOSALS

Mr. McKlarney reported the insurance RFP had been issued to search for a new Third-Party Administrator (TPA) with the bids due back by April 8, 2019.

PUBLIC COMMENTS

Ms. Kristen Corboy – Ms. Corboy stated she had been working in Giles County schools for ten years, adding it had been a wonderful place to work and raise her child. She indicated the schools had a lot of talent but had lost some of their teachers to surrounding localities. Ms. Corboy requested information on the budget sessions and inquired if they are open to the public. Mr. McKlarney stated they are open to the public. Ms. Corboy inquired which funds members were looking at to increase the school funding to match the state's five percent raise. Mr. McKlarney related the pipeline money would not be received until the following year and noted the county would need to discuss providing 28 percent of the total amount, which would be approximately \$350,000 in additional funds. Ms. Corboy inquired if any information had been obtained on the funds dedicated to rural and needy communities. Mr. McKlarney indicated the story had only just come out, so no details are available at this time. Ms. Corboy expressed her appreciation for the Board's willingness to allow the compensation committee and the open dialog, noting it is a positive step forward.

PAYMENT OF WARRANTS

***Mr. McCoy motioned to approve warrants in the amount of \$929,776.22. 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***

SCHOOL BOARD APPROPRIATIONS

Mr. Baker motioned to approve \$2,369,951.67 for April 2019 School Board Appropriations, and 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

SOCIAL SERVICES APPROPRIATIONS

***Mr. Williams motioned to approve \$165,000 for Social Services for April 2019. 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***

APPOINTMENTS

Mr. Williams advised the Board would need to make a new appointment for the business representative on the New River/Mount Rogers Career Works Board due to Mr. Andrews' retirement.

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

PUBLIC HEARING

PROPOSED AMENDMENT TO GILES COUNTY ORDINANCE TO CONTROL LIVESTOCK RUNNING AT LARGE

Mr. Morris opened the public hearing. Mr. Chidester related the proposed ordinance would be an amendment to Ordinance #2-1, which was passed in 1924; he advised the ordinance, if passed, would repeal and replace the current Ordinance #2-1. He indicated the previous ordinance was passed to control animals at large on public highways. Mr. Chidester reported the agriculture committee had met on the ordinance twice and had been favorable of the proposed ordinance as a compromise to deal with livestock running at large. He stated Mr. Alan Leet, with the Giles Farm Bureau, had written a letter in support of the ordinance as well as Ms. Angie Harvey. Mr. Chidester related the ordinance would apply to rented and owned property, and responsibility would fall on the livestock owner. He outlined the process and penalties possible including a written warning and fines from \$100 to \$1,000, with subsequent offences within a period of 12 months.

A question was posed from the audience as to what would happen if there was more than one offence in 12 months. Mr. Chidester stated a summons can be issued with a second offence, and the offender could be fined depending on circumstances and the judge's determination.

With no further questions or comments, Mr. Morris closed the public hearing.

Mr. McCoy motioned to repeal Ordinance #2-1 and to approve to replace it with the Ordinance to Control Livestock Running At Large to be effective March 22, 2019. 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

A copy of the ordinance is attached at the end of these minutes.

VDOT ISSUES

Mr. McCoy requested road work on Rye Hollow Road near Ms. Spiegel's residence. He also requested VDOT investigate the sharp stone acquired at the quarry, noting numerous flat tires fixed at the garage. Mr. Williams requested work on a large pothole on Bear Springs Road. A request from the audience was made to fix a ditch along Wilburn Valley Road.

ADJOURN

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Wednesday, April 3, 2019, 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

ORDINANCE TO CONTROL LIVESTOCK RUNNING AT LARGE IN GILES COUNTY

After public hearing held on March 21, 2019, pursuant to advertisement in the *Virginian Leader*, a newspaper of general circulation in Giles County, Virginia on March 6th and March 13th, 2019, be it ORDAINED by the Giles County Board of Supervisors as follows:

- (a) It shall be unlawful for the owner or manager of any livestock to willfully permit any such livestock to run at large beyond the limits of his own lands within the County. The term "own lands" shall include land which is rented or otherwise used by the owner or manager of livestock for the keeping or pasturing of livestock.
- (b) Livestock as used in this section shall be defined as set forth in Virginia Code Section 3.2-6500 as of the date of the adoption of this section and as amended from time to time.
- (c) This section shall not be deemed to prohibit activities involving livestock permitted pursuant to Virginia Code Section 33.2-264 as amended from time to time.
- (d) Prior to bringing a charge for a violation of this section, the owner or manager of livestock or the owner, possessor or custodian of the animal running at large shall be given a written warning of a violation by an animal control officer or law enforcement officer. Such owner or manager shall be subject to prosecution for any violation that occurs within twelve (12) months after the date of a written warning. A subsequent written warning is not required if there is a subsequent violation which occurs within twelve (12) months of a prior charge for which a civil penalty or fine is imposed.
- (e) Any person violating this section shall be subject to the following penalties:
 - i. For a first offense, a civil penalty of not less than \$100.00 or more than \$250.00
 - ii. For a subsequent offense within a period of twelve months from a prior offense for which a fine or civil penalty is imposed, a fine of not less than \$250.00 and not more than \$1,000.00.
- (f) This ordinance amends and replaces ordinance 2-1 adopted on July 8, 1924.

Reference- Code of Virginia Section 3.2-6544

	Voting for	Voting against	Abstain	Absent
Morris	X			
Williams	X			
Baker	X			
McCoy	X			
Lawson	X			

Attest: 
Christopher P. McClaincy, Clerk

Approved as to form: 
County Attorney