

At the recess meeting of the Giles County Board of Supervisors held on Thursday, September 19, 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

### **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 September 4, 2019, 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, advised there is a state tax relief refund forthcoming in the amount of \$110 per filer or \$220 for those filing jointly. She indicated the refund was subject to debt offset, which will be enforced for those who are delinquent on county taxes. Ms. Higginbotham reported the refunds would be issued between September 16h and October 15<sup>th</sup> of this year.

### **OLD BUSINESS**

#### **FIRE DEPARTMENT GRANT AWARD**

Mr. Wayne Woodyard announced the awarding of \$692,852.14 in federal funding to the Pembroke Fire Department to purchase 99 air packs, cylinders, masks and installation of a filling station for all fire department with the exception of the Narrows Volunteer Fire Department, which was not included by its choice. He advised the match from the county, approved previously, would bring the total to \$727,500 and estimates the equipment will be ordered and in use within six months. Mr. McKlarney congratulated the group for the award and noted their hard work. He thanked them for all they do for the communities within the county.

## NEW BUSINESS

### RESOLUTION DECLARING LOCAL EMERGENCY

Mr. McKlarney informed members a local emergency resolution would need to be passed due to the current drought conditions. He advised the resolution was needed in order to pass an emergency ordinance, which would be considered. A copy of the resolution is attached at the end of these minutes.

***Mr. Williams motioned to approve the resolution declaring a local emergency as presented. 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***

### FIRE PREVENTION OPEN BURNING BAN ORDINANCE

Mr. McKlarney advised with the leaves not yet being off the trees and drought conditions, he would recommend consideration of an emergency adoption for a burning ban to be enacted through a revision of Giles County Ordinance 7-3, An Ordinance to Amend Ordinance Number 7-3 to Provide for Fire Prevention and Protection During Periods of Declared Emergency and would be effective September 20, 2019.

***Mr. Lawson motioned to approve Giles County Ordinance 7-3 as revised. 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***

### APPOINTMENT OF BOARD DEPUTY CLERK

Mr. McKlarney informed members the appointment of a deputy clerk was needed in order to attest to signatures of the clerk as required for some documents and recommended Ms. Missy Bray be appointed.

***Mr. Baker made a motion to appoint Ms. Missy Bray as the Giles County Board of Supervisors Deputy Clerk. 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***

### PAYMENT OF WARRANTS

***Mr. Baker motioned to approve warrants in the amount of \$2,182,574.09. 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 \$2,388,792.67 for October 2019 School Board Appropriations, and 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***

## **SOCIAL SERVICES APPROPRIATIONS**

***Mr. Williams motioned to approve \$130,000 for October 2019 Social Services appropriations. 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***

## **ANNOUNCEMENTS**

### **THRIVE MEAL PROGRAM**

Mr. McKlarney announced a Thrive meal program had been put together with various churches offering a meal to anyone in need on September 28<sup>th</sup> from 11:30 AM to 1:00 PM. He indicated it was a very positive thing to come out of the Focus discussions with ongoing dates to be considered depending on response.

### **ACCE RACE**

Mr. McKlarney related the ACCE Race would be held on September 21<sup>st</sup> with over \$100,000 in cash and in-kind donations received. He expressed appreciation for the Board's support and indicated the county employees were very busy putting everything together. Mr. McKlarney invited all to come be part of the event. Mr. Lawson inquired if all the obstacles were set up. Mr. McKlarney advised one obstacle, the monkey bars, was new and was still being constructed.

## **NEW BUSINESS**

### **GIGABEAM AGREEMENT**

Mr. Chidester presented an agreement with Gigabeam for the possibility of installation of equipment on some of the county buildings. He advised equipment is already in place on the Administration Building, and the county will receive a backup for the circuit court offices. Mr. Chidester indicated equipment would be allowed on a building by building basis after review and approval.

***Mr. Lawson made a motion to approve the agreement between the county and Gigabeam 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***

## **EXECUTIVE SESSION**

***Mr. McCoy motioned to go into executive session as permitted by Virginia Code 2.2-3711 A (1) Personnel, and (30) Contracts. Mr. Baker seconded the motion. The motion was approved 5-0 by roll call vote 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 by roll call vote as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, Mr. Morris and Mr. Williams***

## **APPOINTMENTS**

***Mr. Williams made a motion to reappoint Mr. Paul Baker to the Agency on Aging Board. 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***

***Mr. Williams made a motion to appoint Mr. Jeff Tickle to the New River/Mount Rogers Career Works Board contingent upon his acceptance. 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**

### **GILES COUNTY ANIMAL CONTROL ORDINANCE 2-3**

Mr. Chidester related the hearing was being held in order to consider doing away with the one and three year dog tags, and replacing them with a lifetime dog tag. He explained the kennel tag and dangerous dog tag would not change, and the lifetime tag would have a condition set for the owner maintaining the rabies vaccination. Mr. Chidester related the proposed fee of \$20 was advertised, but members could go less if they were so inclined. He advised the current three year tags would be good until expiration, and the new tags would become available on December 2<sup>nd</sup> and become effective on January 1, 2020. Ms. Higginbotham stated the expiration dates of the vaccines are tracked in the current software, where staff also looks to see if tags are

current. She advised the lifetime tag would make the process more focused on the vaccine as opposed to the tag itself and other counties are currently charging \$10 for the tag fee, adding she had received comments that the \$20 fee was too high. Members discussed current fees and options.

Ms. Marylin Hollie stated the county flunks for not enforcing the rabies vaccine and related the animal control officers were to be advised several years ago to be knocking on at least 100 doors per month to check on tags. Ms. Hollie stated she had been told by an officer that he had not picked up any dogs with tags, and expressed concern about what would happen if a child was bitten. Ms. Higginbotham confirmed the number of dog tags purchased over the years had reduced. Mr. Williams stated the county needs to be aggressive on that point. Mr. McKlarney advised that would mean adding another person and could not be done with current personnel with the amount of calls received. He indicated the cost of aggressively enforcing the purchase of dog tags would add to the cost to the county with more personnel, staff time at court, as well as preparation for the court hearing, which the purchase of dog tags would not offset. Mr. Williams stated the word would get around if the officers started knocking on a few doors. Mr. McCoy stated the people not buying dog tags may or may not be getting rabies vaccines and there are more than 500 dogs in the county. He related the need might be to look harder at the rabies side instead of the dog tag side. Mr. McKlarney stated he did not recall any bite cases in the past five years where the dog was not vaccinated, but it could happen anytime. Members discussed rabies certificate requirements. Mr. McKlarney advised the officers, by his instruction, try to bring people into compliance without writing tickets, and spoke of the cost associated with writing tickets. He related the officers could take on the more aggressive approach, but it would cost more. Mr. Williams stated he understood where they were coming from, but it made the county look easy. Mr. McKlarney related the officers always try first to get people into compliance but will convey whatever is the consensus of the members and advised there was an email received from Mr. Gerald Duncan in opposition to the change to lifetime dog tags. Mr. McCoy requested information as provided by officers during the last reporting.

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

***Mr. Baker made a motion to approve the revision of the Giles County Animal Control Ordinance 2-3 with the cost of the lifetime dog tag to be set at \$10. 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***

## **NEWPORT WATER**

Mr. Williams reported Ms. Reynolds on Old Furnace Road has requested water service and related the line would be approximately 650 feet with four additional houses located near the location. He indicated there are a total of eight houses on the road, and a two-inch line was requested. Mr. Morris stated members would need to look at the cost.

Mr. McCoy stated there should be no traffic issues adding to the cost. Members discussed detail of the proposed project, and Mr. McCoy stated the county would need to retain ownership of the line.

### **KLOTZ ROAD WATER**

Mr. Williams stated Mr. Buzzo is no longer interested in hooking to the water at Klotz Road, and added the Phlegar's on the other side are interested. He suggested going up Route 635 to get onto the Phlegar property. Members discussed options and cost, and Mr. McKlarney related the cost to the customers would be \$60,808. Mr. Williams suggested doing the drawings in-house, which would be a savings of \$5,000 and a cost to the customers of \$55,808. Members concurred for Mr. Williams to check with the additional customers and bring any new information back to members at a later meeting.

### **CASCADES WELL**

Mr. McKlarney related the drilling of the Cascades Well would start the following Monday.

### **ADJOURN**

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Wednesday, October 2, 2019, 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**

Jeffrey Morris  
Central District Supervisor

Larry "Jay" Williams  
Eastern District Supervisor

John Lawson  
Western District 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

#### A RESOLUTION DECLARING LOCAL EMERGENCY

**WHEREAS**, the Local Director of Emergency Management, in accordance with §44-146.21, *Declaration of local emergency*, of the Code of Virginia, in consultation with the local fire chiefs and the Local Emergency Management Coordinator, recommends declaration of a local emergency effective September 20, 2019 at 8:00 a.m. enacting a burning ban; and,

**WHEREAS**, due to severe dry weather conditions in the County of Giles and low water levels in creeks and streams, a heightened level of concern is fostered regarding increased risk of fire, the availability of water to fight a large fire, and the increased danger placed on fire fighters; and,

**WHEREAS**, the County is authorized by § 15.2-922.1. *Regulating or prohibiting the making of fires*, to regulate the making of fires on private property and public places when a declared emergency exists; and,

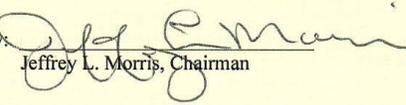
**WHEREAS**, also in accordance with §44-146.21, the governing body shall confirm the declaration of a local emergency, and,

**WHEREAS**, also in accordance with §44-146.21, the governing body, when in its judgment all emergency actions have been taken, shall take appropriate action to end the declared emergency.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the Giles County Board of Supervisors hereby declares by way of resolution, confirmation of the recommendation of a declaration by the Director of Emergency Management of a local emergency for Giles County effective September 20, 2019 at 8:00 a.m. and authorizes the County Administrator to file with the Governor of Virginia, a notification that the County of Giles is in a state of Local Emergency; and the ordinance adopted pursuant to Virginia Code Section 15.2-922.1 shall become effective at 8:00 a.m. on September 20, 2019,

**BE IT FURTHER RESOLVED**, that at the time of the adoption of this resolution, Giles County is under a local emergency and an additional resolution will be needed to certify the ending of the declared emergency.

*Adopted and ratified this, the 19<sup>th</sup> day of September, 2019, in Giles County, Virginia.*

By:   
Jeffrey L. Morris, Chairman

Attest:   
Christopher P. McKlamey, Clerk

Telephone: (540) 921-2525

Fax: (540) 921-1329