

At the recess meeting of the Giles County Board of Supervisors held on Thursday, November 17, 2016, at 6:30 PM in the Giles County Administration Office located at 315 North Main Street, Pearisburg, the following members were present unless noted absent.

Richard McCoy	Chair (At-Large Supervisor)
Larry Jay Williams	Vice-Chair (Eastern District) [ABSENT]
Jeff Morris	Central District
Gary Eaton	Western District
Paul "Chappy" Baker	At-Large Supervisor
Chris McKlarney	County Administrator
Rhonda Tickle	Finance Director
Richard Chidester	County Attorney
Anna Welch	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.

### **APPROVAL OF MINUTES**

***Mr. Baker motioned to approve the November 2, 2016 minutes and Mr. Morris seconded the motion. The motion was approved 4-0 as follows:***

***Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris***

***Absent: Mr. Williams***

### **NEW BUSINESS**

#### **REQUEST FOR ROAD CLOSURE – PEARISBURG MERCHANT'S ASSOCIATION – ANNUAL CHRISTMAS PARADE, DECEMBER 4<sup>TH</sup>**

Mr. McKlarney stated a request was received from the Pearisburg Merchant's Association regarding a road closure for their annual Christmas Parade to be held on December 4, 2016.

***Mr. Baker motioned to approve the road closure request as outlined above and Mr. Morris seconded the motion. The motion was approved 4-0 as follows:***

***Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris***

***Absent: Mr. Williams***

#### **GRANT APPLICATION FOR DEVELOPMENT OF DRUG COURT PROGRAM**

Mr. McKlarney explained that there is a grant available that would provide assistance for the development of the drug court program. He indicated that the application deadline is December 18, 2016; and Giles and Floyd Counties would apply as joint recipients. Mr. McKlarney explained that the grant would be in the amount of \$325,000 and would be divided between the two counties.

***Mr. Eaton motioned to approve filing the grant application, and Mr. Baker seconded the motion. The motion was approved 4-0 as follows:***

***Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris***

***Absent: Mr. Williams***

### **PUBLIC COMMENTS**

There were no public comments.

**PAYMENT OF WARRANTS**

*Mr. Baker motioned to approve warrants in the amount of \$710, 048.72 and Mr. Eaton seconded the motion. The motion was approved 4-0 as follows:*

*Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris*

*Absent: Mr. Williams*

**SCHOOL BOARD APPROPRIATIONS**

*Mr. Morris motioned to approve \$2,242,036 for December 2016 School Board Appropriations and Mr. Baker seconded the motion. The motion was approved 4-0 as follows:*

*Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris*

*Absent: Mr. Williams*

**SOCIAL SERVICES APPROPRIATIONS**

*Mr. Morris motioned to approve \$260,000 for Social Services Appropriations and \$275,000 CSA for December, 2016. Mr. Baker seconded the motion. The motion was approved 4-0 as follows:*

*Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris*

*Absent: Mr. Williams*

**APPOINTMENTS**

*Mr. Baker motioned to appoint Mr. Jay Williams to the New River Mount Rogers Workforce Consortium Board and Mr. Eaton seconded the motion. The motion was approved 4-0 as follows:*

*Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris*

*Absent: Mr. Williams*

**EXECUTIVE SESSION**

*Mr. Morris motioned to go into executive session as permitted by Virginia Code 2.2-3711, A (7) Legal and A (1) Personnel. Mr. Baker seconded the motion. The motion was approved 4-0 as follows:*

*Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris*

*Absent: 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 4-0 as follows:*

*Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris*

*Absent: Mr. Williams*

**PROPOSED AMENDMENT TO ADD SECTION 10-3 (F) TO THE GILES COUNTY EROSION & SEDIMENT CONTROL ORDINANCE**

Mr. Reed stated that the proposed amendment is to add Section 10-3 (F) to the Giles County Erosion and Sediment Control Ordinance. He indicated that the new section would read as follows: *Section 10-3 (F) The County may enter into an agreement or contract with a private entity to assist with carrying out the provisions of this ordinance or the standards in accordance with the Virginia Erosion and Sediment Control Law and the Virginia Erosion and Sediment control Regulations, including the review of plans, monitoring, reports, inspections, and enforcement, particularly for large projects that will involve extensive review, monitoring and*

### **PROPOSED EROSION & SEDIMENT COT'D**

*inspection. The cost of the private entity applicable to the developer's project shall be paid by the developer directly to the private entity within 30 days of billing by the County and such fees shall be in addition to the permit fee charged by the County.*

With no further questions or comments Mr. McCoy closed this portion of the public hearing.

***Mr. Baker motioned to approve the proposed amendment to add section 10-3 (F) as outlined above and Mr. Morris seconded the motion. The motion was approved 4-0 as follows:***

***Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris***

***Absent: Mr. Williams***

### **PROPOSED AMENDMENT TO ADD SECTION 10-9 (C) TO THE GILES COUNTY EROSION & SEDIMENT CONTROL ORDINANCE**

Mr. Reed stated that the proposed amendment is to add Section 10-9 (C) to the fee schedule of the Giles County Erosion and Sediment Control Ordinance. The new section will read as follows:

*Section 10-9 (C) Private entity plan review, monitoring, reports, inspection, and enforcement. --- Actual Cost to County.*

With no further questions or comments Mr. McCoy closed this portion of the public hearing.

***Mr. Baker motioned to approve the proposed amendment to add section 10-9 (C) as outlined above and Mr. Morris seconded the motion. The motion was approved 4-0 as follows:***

***Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris***

***Absent: Mr. Williams***

### **JOINT PUBLIC HEARING**

Mr. Steve Taylor, Chairman of the Planning Commission opened the public hearing with the Board of Supervisors. The following Planning Commission members were present for the hearing: Mr. Taylor, Mr. Berckman, Mr. R. Browning, Mr. Johnson, Mr. Baker, and Mr. Pitzer.

### **REQUEST FOR CONDITIONAL USE PERMIT, SECTION 802.04: RECREATIONAL DEVELOPMENT, SECTION 603.03-3 – APPLICANT: RENEE RANKIN**

Mr. McCoy stated that this portion of the public hearing has been cancelled until further notice. He stated that the new hearing date would be advertised as normal.

### **PROPOSED AMENDMENT TO THE GILES COUNTY ZONING ORDINANCE TO REPLACE THE DEFINITION, CURRENT USE, AND RENUMBER OF "PARKS, PLAYGROUND, AND OUTDOOR RECREATION AREAS"**

Mr. Ross stated that the proposed amendment to the Giles County Zoning Ordinance is to replace the current definition of "Parks Playgrounds and Outdoor Recreation Areas" with two new definitions, "Park" and "Commercial Outdoor Recreation Facility". This would replace the current use with the new uses where applicable within the ordinance. Renumbering is necessary to facilitate the proposed changes.

Mr. Ross stated that the proposed definition of *Park* is "A tract of land owned by a governmental agency or non-profit organization used by, and open to the public, for passive or active recreation and equipped for the conduct of sports and leisure time activities, not including any activity that includes the use of motorized vehicles." *Park* will be a permitted use in the C-1, A-1, RRA-1, R-1, R-2, R-3, and B-3 zoning districts and will be a Conditional Use in the B-1 and B-2

## **ZONING AMENDMENT CONT'D**

zoning districts. The proposed definition of Commercial Outdoor Recreation Facility is “Any outdoor establishment, publicly or privately owned, and operated as a commercial enterprise.” and will be a conditional use in the C-1, A-1, RRA-1, R-1, R-2, R-3, R-4, B-1, B-2, and B-3 zoning districts.

With no further questions or comments Mr. McCoy stated this would be returned to the Planning Commission for further recommendations. Mr. Taylor adjourned the Planning Commission.

## **CONSTITUTIONAL OFFICERS**

Mr. Bobby Lilly, Commonwealth Attorney thanked the Board for their support for the Drug Court Program and provided an update on its success. He stated that there has been 3 participants thus far with a possibility of 2 more in the near future. Mr. Lilly indicated that there are plans underway for an additional court room. He stated that with the increase of court cases an additional Assistant Commonwealth Attorney is now necessary. Mr. Lilly gave the Board an outline of plans for the new office as well as a new room which will accommodate the VCIN terminals.

## **LETTER OF REPLY TO UNITED STATES FOREST SERVICE**

***Mr. Baker motioned to approve a draft Letter of Reply to the United States Forest Service in disagreement of their response concerning the 500' utility corridor with the Mountain Valley Pipeline Project. Mr. Morris seconded the motion. The motion was approved 4-0 as follows:***

***Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris***

***Absent: Mr. Williams***

## **BUDGET SUPPLEMENT**

***Mr. Baker motioned to approve a supplement in the amount of \$75,000 to be transferred back into the ACCE fund. Mr. Morris seconded the motion. The motion was approved 4-0 as follows:***

***Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris***

***Absent: Mr. Williams***

## **RESCUE SQUAD FY2017 FUNDING**

***Mr. Baker motioned to approve an allotment of 2 quarters of the fiscal year 2017 rescue squad funding and Mr. Eaton seconded the motion. The motion was approved 4-0 as follows:***

***Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris***

***Absent: Mr. Williams***

## **ADJOURN**

***With no further business Mr. Morris motioned to adjourn and Mr. Baker seconded the motion. The motion was approved 4-0 as follows:***

***Voting Yes: Mr. Baker, Mr. Eaton, Mr. McCoy, and Mr. Morris***

***Absent: Mr. Williams***

The next Board of Supervisors meeting will be held on Wednesday, December 7, 2016, 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**