

At the recess meeting of the Giles County Board of Supervisors held on Thursday, November 16, 2017, at 6:30 PM, in the Giles County Administration Office, 315 North Main Street, Pearisburg, the following were present unless noted absent:

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

### REAFFIRM APPOINTMENT

***Mr. Baker motioned to reaffirm the appointment of Mr. Benny Johnson to the Giles County Planning Commission. Mr. Morris seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris, Mr. Williams***

Mr. McKlarney thanked Mr. Johnson for his service in the Board of Supervisors.

### APPROVAL OF MINUTES

***Mr. Baker motioned to approve the November 1, 2017, minutes as presented. Mr. Morris seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris, Mr. Williams***

### CONSTITUTIONAL OFFICERS

Sheriff Morgan Millirons related he was in need of an additional deputy position and requested permission to hire. He indicated it would greatly benefit the department. Captain Scott Moye also requested to add a new position stating the department would have salary savings from retirees to use toward the position. He provided a sample schedule as well as other information. Captain Moye related the schedule shows an increase in road coverage that could be provided to the county with the additional position and indicated the position would also be used to cover days off for other officers. Captain Moye stated the transports for mental health continue to be an issue and now take up to 12 hours when they previously took a maximum of 5 hours. He spoke of overlapping days in the schedule to allow for sufficient personnel to respond to the mental health transports. Captain Moye indicated the additional position would

allow for increased road coverage and allow the department to operate more efficiently as well as increasing officer safety. He stated the position would be a great benefit to the department, the community and the county.

Mr. McCoy related he had talked with several jurisdictions at the VACO conference and found others localities are having to add positions due to the transports as well. Mr. Williams inquired about who makes the decision where the patients go. Captain Moye stated there is a bed registry that must be followed; however, he was not sure how efficient the process is, since it was put together quickly following the Deeds incident. He suggested members talk with legislators regarding change in the statute.

Mr. Williams inquired if the sheriff would be willing to take animal control into the department. Sheriff Millirons related he would not wish to do so at this time. He related he has another officer retiring in June and requested to move forward with hiring the replacement, so his department would not be down another man waiting for a new deputy to be trained. Mr. Baker suggested any deputy trained through the department be required to work five years following training. Sheriff Millirons indicated most places require no more than two years of service following training. Captain Moye related there are not a lot of people willing to work in law enforcement anymore. He indicated most of the applicants received recently have been uncertified. Sheriff Millirons informed members the cost of the department being a member at the academy is \$460 per year per officer. Members discussed options regarding hiring and cost related to training and salary. Mr. Lawson inquired if the retiring deputy could be persuaded to stay. Sheriff Millirons indicated he could not. Mr. Williams stated he did not think the county would see the savings in retirees until the following year. Mr. Tickle indicated the department had seen savings with retirees and the Sheriff's Office always has funds left at the end of the fiscal year, relating the payout would be minimal. She stated the training would put them approximately eight months behind if the department was not allowed to go ahead and hire the replacement deputy.

Captain Moye related the department does everything it can to pinch pennies, and it has to wait to surplus vehicles until the funds are there to purchase a new one. Ms. Tickle indicted the problem with the vehicles is there are no spares. She related there would be approximately \$23,000 to \$26,000 in the budget to purchase a new department vehicle after surplus, insurance and other cost savings. Captain Moye related the department had purchased two vehicles this fiscal year, with the school resource officers now driving vehicle with approximately 70,000 miles on them instead of 130,000 miles since switching vehicles after the purchases. He related he also has two deputies in vehicles with over 150,000 miles on them. Ms. Tickle stated fines and forfeitures are at almost as much as the entire last fiscal year. Sheriff Millirons related he had never come to the Board to request anything that was not needed.

**Mr. Baker made a motion approve a new deputy position for the Sheriff's Office. Mr. Morris 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. Morris asked if the Sheriff was in a position to hire now. Sheriff Millirons related he would use the same pool of applicants he had for the most recent position replacement if allowed. Mr. Chidester indicated the pool could be used since the posting was within the last 30 days. Members discussed payment of salary during training versus a stipend as well as a contract for service years after training. Sheriff Millirons related he could add that stipulation to the contract.

***Mr. Baker made a motion approve hiring a replacement for the retiring deputy for the Sheriff's Office. Mr. Morris 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 inquired about the Sheriff taking animal control into the department. Sheriff Millirons related it would not be a good idea because of recent scrutiny. Mr. Williams stated the issue was behind and the officers need to be under his department. Sheriff Millirons indicated the issue was not behind.

## **NEW BUSINESS**

### **RESOLUTION TO PROVIDE WORKERS COMP FOR VOLUNTEER FIRE AND RESCUE**

Mr. McKlarney presented a proposed resolution required by VACorp to add volunteer fire and rescue personnel to the county workers compensation policy, which is significantly less than elsewhere. He reminded members the addition had been agreed to previously. A copy of the resolution is attached at the end of these minutes.

***Mr. Morris made a motion approve the resolution allowing the volunteer fire and rescue personnel to be added to the county workers compensation policy 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***

### **PAYMENT OF WARRANTS**

***Mr. Baker motioned to approve warrants in the amount of \$1,396,311.36. Mr. Morris 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 \$2,283,819.50 for December 2017 School Board Appropriations and Mr. Morris 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. Morris motioned to approve \$250,000 for Social Services for December 2017.*

*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*

## **CSA APPROPRIATIONS**

*Mr. Morris motioned to approve \$100,000 for CSA for December 2017. 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*

Ms. Tickle informed members they do not have to appropriate the CSA funds due to the program being moved to the county. She related the payments would be approved in the warrants as are the other bills.

## **JOINT PUBLIC HEARING**

Mr. McCoy opened the public hearing, and Mr. Chappy Baker, Vice Chair of the Planning Commission called the Planning Commission to order. The following Planning Commission members were in attendance: Mr. Baker, Mr. Berkman, Mr. B. Browning, Mr. R. Browning, Mr. Johnson, Mr. Pitzer, and Mr. Taylor.

## **PROPOSED TEXT AMENDMENTS TO FLOODPLAIN ORDINANCE**

Mr. Ross stated the Planning Commission had spent several meetings researching how to amend the current Floodplain Zoning Ordinance. The text amendments proposed are as follows:

- A proposed text amendment to section 4.1 to clarify that the zoning permit required is a floodplain development permit and to set the fee for such permit as required in Section 901 of the Giles County Zoning Ordinance for a certificate of zoning compliance or conditional use permit as applicable.
- A proposed text amendment to section 4.4 that would allow the Zoning Administrator discretion to determine the required level of analysis of impact to flood elevations, flood velocities, etc. of proposed development in the Approximate A Flood Zone.
- A proposed text amendment to section 4.6 to remove the reference to Zone A and to add a reference to Zone A-1-30.

Mr. Morris asked what the procedure would be if Mr. Ross was no longer the Zoning Administrator. Mr. Ross explained that the duties would fall upon his replacement.

Mr. McCoy asked for any questions or comments. Hearing none, he closed the public hearing and sent it back to the Planning Commission for recommendation. Mr. Baker adjourned the Planning Commission.

## APPOINTMENTS

***Mr. Williams made a motion appoint Ms. Kristie Williams to the New River Valley Community Services Board. Mr. Morris 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. Morris motioned to go into executive session as permitted by Virginia Code 2.2-3711 A (7) Legal Counsel, and (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. 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 5-0 as follows:***

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

## MANUAL CHECK

***Mr. Morris made a motion to approve a manual check to C.R. Henderson in the amount of \$220,575.51 for the final payment on construction of Route 654, Springdale Road. Mr. Baker seconded the motion.***

***Discussion:*** Mr. Williams inquired if the final payment would come in under the bid price, stating the stone required was less and should not have been billed. Mr. McKlarney related there had been no change orders on the project. Mr. McCoy indicated the bid from C.R. Henderson had been without the stone. Mr. McKlarney related he would check on the totals to be sure the stone was not included in the amount paid.

***The motion was approved 5-0 as follows:***

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

**MVP LETTER**

***Mr. Baker made a motion approve a letter be sent to Mountain Valley Pipeline regarding the response to mitigation plans for Historic Districts. Mr. Morris 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. Ross related an update of the Regional Hazardous Mitigation Plan would be presented at the December 6, 2017 Board meeting. He also related an open house for the Giles County Comp Plan would be held on December 13, 2017 and invited members to attend.

**CSA AUDIT**

Mr. Williams inquired if all members had received a copy of the CSA audit. Mr. McKlarney instructed staff to get copies of the audit to members.

**ADJOURN**

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Wednesday, December 6, 2017, 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**

RESOLUTION OF THE  
BOARD OF SUPERVISORS OF GILES COUNTY, VIRGINIA

WHEREAS Virginia Code Section 65.2-101 permits local governments to provide worker's compensation coverage for members of volunteer fire departments and volunteer rescue squads serving the locality, and

WHEREAS such volunteers provide a valuable service to the citizens of Giles County and the provision of such worker's compensation coverage through the County's worker's compensation policy results in a substantial savings to such volunteer organizations,

NOW THEREFORE BE IT RESOLVED by the Giles County Board of Supervisors that pursuant to Virginia Code Section 65.2-101, the volunteer members of the fire departments and rescue squads of Giles County are hereby authorized to be included as employees for the purposes of the Worker's Compensation Act of the Commonwealth of Virginia and are entitled to coverage provided under said Act.

Nothing in this resolution shall be deemed to make such volunteers employees of Giles County for any other purpose and control of the operations of each volunteer agency shall remain vested in the officers of such agency.

Adopted at a meeting of the Giles County Board of Supervisors held on the 16<sup>th</sup> day of November, 2017.

	voting for	voting against	abstain	absent
Baker	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Lawson	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
McCoy	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Morris	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Williams	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

Attest:   
Christopher P. McKlarny, Clerk