

At the recess meeting of the Giles County Board of Supervisors held on Thursday, December 21, 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.

APPROVAL OF MINUTES

Mr. Baker motioned to approve the December 6, 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

PAYMENT OF WARRANTS

Mr. Baker motioned to approve warrants in the amount of \$1,356,935.62. 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. Baker motioned to approve warrants in the amount of \$535,612.18. Mr. Morris seconded the motion.

Discussion – Mr. Williams inquired about an amount for an otterbox case. Ms. Ballard indicated the description was the one that rolled up into the line but there were many other items included in the cost.

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 January 2018 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 \$50,000 for Social Services for January 2018. 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. Morris made a motion to reappoint Mr. Andrew French to the Board of Zoning Appeals. 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 reappoint Mr. Larry Green to the Social 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 (1) Personnel, and (7) Legal Counsel. 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

JOINT PUBLIC HEARINGS

Mr. McCoy opened the public hearing, and Mr. Leon Law, 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. Law, and Mr. Pitzer.

REQUEST FOR CONDITIONAL USE PERMIT – TROYER

Mr. Ross stated he had received a request for the issuance of a Conditional Use Permit pursuant to section 802.04 and 602.03-24 of the Giles County Zoning Ordinance to allow for a Commercial or Service Establishment, specifically to allow outside storage, onsite sales, and associated signage at an existing Cottage Industry that builds storage buildings. The property associated with this request is identified as tax parcel 78-2-2, is

owned by Daniel Troyer, Ben Troyer, and Ervin Mast is located at 1697 White Pine Road Pearisburg, Virginia (Whitegate Area) and is located in the A-1 Zoning District. Daniel Troyer is acting as agent for this request. Mr. Ross explained this use is currently being conducted as a Cottage Industry and the applicant wishes to be able to store finished products and materials outside and to permit onsite sales, which is not allowed under that use. Mr. Ross distributed to the Planning Commission and Board of Supervisors an email that he had received from Craig Whittaker requesting that a limit be imposed on the number of buildings which could be stored on the property at any one time. There were no other comments regarding this matter. Mr. McCoy closed this section of the public hearing and sent it back to the Planning Commission for recommendation.

REQUEST FOR CONDITIONAL USE PERMIT – KINSINGER

Mr. Ross stated he had received a request for the issuance of a Conditional Use Permit pursuant to section 802.04 and 602.03-24 of the Giles County Zoning Ordinance to allow for a Commercial or Service Establishment, specifically to allow outside storage and onsite sales at an existing Cottage Industry that builds storage buildings and lawn furniture. The property associated with this request is identified as tax parcel 78-2-4, is owned by Noah and Fannie Swarey, is located at 125 Rosebush Lane, Pearisburg, Virginia (Whitegate Area) and is located in the A-1 Zoning District. Abe Kinsinger is acting as agent for this request. Mr. Ross explained this use is currently being conducted as a Cottage Industry and the applicant wishes to be able to store finished products and materials outside and to permit onsite sales, which is not allowed under that use. There were no other comments regarding this matter. Mr. McCoy closed this section of the public hearing and sent it back to the Planning Commission for recommendation.

PROPOSED ORDINANCE AMENDMENT – SECTION 611.02-19

Mr. Ross explained this public hearing was to consider a proposed text amendment to section 611.02-19 of the Giles County Zoning Ordinance to change the current wording of “Farm machinery service, sales, and repair” to the proposed new wording of “Equipment (construction, mining, farm, etc.) and vehicle sales, service, and repair, which was not to include auto graveyard or junkyard”. Mr. Ross explained the current use specified only farm equipment or machinery could be repaired under this use. He stated after a request from a current equipment repair business owner wanted to expand and could not, the Planning Commission had determined farm equipment and machinery were not principally different from other types of equipment (construction, mining, etc.). Mr. Ross explained this change would allow for the sales, service and repair of all types of equipment. There were no other comments regarding this matter.

Mr. McCoy closed this section of the public hearing and sent it back to the Planning Commission for recommendation.

PROPOSED ORDINANCE AMENDMENT – SECTIONS 612.02-2 and 613.02-11

Mr. Ross explained this public hearing was to consider a proposed text amendment to sections 612.02-2 and 613.02-11 of the Giles County Zoning Ordinance to change the current wording of “Automobile assembling, painting, upholstering, repairing, re-building, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping or battery manufacture”, to the proposed new wording of “Equipment (construction, mining, farm, etc.) and automobile assembly, painting, upholstering, repairing, re-building, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping or battery manufacture”. Mr. Ross indicated while considering the proposed amendment to section 611.02-19, the Planning Commission had also identified these two sections as allowing very intensive repair to vehicles and trucks but not allowing the same for equipment. He explained this proposed change would expand the listed uses of this section to equipment (construction, mining, farm, etc.). There were no other comments regarding this matter.

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. Law adjourned the Planning Commission.

PUBLIC COMMENTS

Mr. David Brady – Mr. Brady addressed members regarding the MVP pipeline and its potential impact on the historic district in Newport. He stated his group had been working with an advisory council to make it more difficult to damage historic properties; then suddenly ACHP signed off on the previous version of an agreement. Mr. Brady indicated there are no other administrative remedies except the rehearing process and related, if trees start getting cut in the historic district, the company will be sued. He alluded legal action might occur if trees are cut in the Appalachian Trail areas as well. Mr. Brady offered suggestions to expand the mitigation packages stating FERC will be interested in mitigation but will want to know specifics of the mitigation and remedies. He related the Greater Historic District is not a consulting party but some of the individuals are for their own properties only. Mr. Brady stated the following suggestions for mitigation: a mitigation consultant, mitigation funds tied directly to projects, indemnification for damages, reforestation, protection of historic water supplies, and restoration of roads and visual effects.

Mr. Brady asked the county to consider working with the Greater Historic District to respond to FERC with mitigation requirements. He indicated he has heard of several

law suits against the pipeline regarding imminent domain, stating the pipeline is not for public benefit but for corporate gain.

Mr. McCoy stated two of the items Mr. Brady mentioned had already been requested. He indicated the mitigation would need to be more specific. Mr. Brady stated they would need to be for brick and mortar type projects. Mr. Williams expressed his willingness to help protect the historic district.

Mr. Williams made a motion to approve staff to work with the Greater Historic District during the mitigation process. 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

NEW BUSINESS

ROBINSON, FARMER & COX PRESENTATION

Mr. Gordon Jones presented information to members regarding the most recent audit, indicating he is required by law to present the information before the end of the year. Mr. Jones presented a communication for users of financial statements highlighting the independent auditors' report and relating a clean report with no findings or issues. He related information from the past five fiscal years siting changes in the numbers in revenues as well as expenditures. Mr. Jones indicated the numbers look better for this past fiscal year; however, he would like to see the general fund increase from 8 percent to 15 percent. Mr. Jones related information regarding state and federal funds as well as transfers and offered information on various graphs and charts. He discussed the debt summary and related information regarding the Virginia Retirement System Net Pension Liability and the impact it has on localities.

Mr. Jones indicated management comments were included with some internal control issues that need to be cleaned up. He asked members to review and let him know if they had any questions. He reiterated the numbers looked better but there was a one-time transfer that impacted the final numbers.

ADJOURN

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Wednesday, January 3, 2018, 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