

At the recess meeting of the Giles County Board of Supervisors held on Thursday, January 18, 2018, 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)
Richard McCoy	Vice-Chair (At-Large Supervisor)
Larry Jay Williams	Eastern District
John C. Lawson, Jr.	Western District
Paul "Chappy" Baker	At-Large Supervisor
Chris McKlarney	County Administrator
Rhonda Tickle	Finance Director
Richard Chidester	County Attorney
Missy Bray	Board Secretary

## CALL TO ORDER

Mr. Morris called the meeting to order.

## CUB SCOUT FLAG CEREMONY/INVOCATION

Cub Scout Pack 152 offered the invocation, led the Pledge of Allegiance, and conducted a flag ceremony. Members thanked the scouts for their contribution.

## APPROVAL OF MINUTES

***Mr. Baker motioned to approve the January 3, 2018, minutes as presented. Mr. Williams seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris, Mr. Williams***

## PRESERVE GILES COUNTY

Mr. Russell Chisholm presented a request to members from the Preserve Giles County group. He submitted the following recommendations for action in anticipation of disruption to community and private drinking water sources due to construction or operation of the Mountain Valley Pipeline:

1. Notify county residents of any resources available through county services, funds from the Commonwealth of Virginia, or restitution and compensation required of Mountain Valley Pipeline that Giles County residents could use to protect or restore private wells and springs;
2. Establish a countywide hotline for reporting contamination or loss of water access caused by construction of Mountain Valley Pipeline;
3. Establish a countywide alert available through text, phone or email to warn residents along the construction route of contamination or disruption of ground water sources associated with Mountain Valley Pipeline construction;
4. Maintain the public alert system after construction and over the lifetime of Mountain Valley Pipeline; and

5. Publish to the Giles County website any and all correspondence regarding water contamination and water safety violations between Giles County officials and the following agencies: Virginia Department of Environmental Quality, Army Corps of Engineers, Federal Energy Regulatory Commission, and Mountain Valley Pipeline LLC and all subcontractors.

Ms. Nan Grey address members on behalf of the Preserve Giles County group as well. She cited her licensure as a soil scientist and presented a resolution passed by Craig County in opposition to the Mountain Valley Pipeline, stating members could use it for reference if they wanted to pass a resolution for Giles County. Ms. Grey related the Virginia Association of Professional Soil Scientists does not endorse the type of testing done by Mountain Valley Pipeline as it had only been done by computer models, no onsite surveys and no site-specific surveys. She indicated what is shown on the maps is not always what is on the ground, including sink holes. Ms. Grey related members could help to protect the county by requiring an Order 1 Soil Survey be conducted, indicating it is an intense survey that would find any problematic locations. She stated there were several pieces of property where caves and wetlands had been ignored.

Ms. Donna Pitt, Preserve Giles County member, put several questions to members regarding the pipeline as follows:

- Has Giles County signed off on a MOA with DEQ?
- What will DEQ do by way of monitoring when construction begins?
- Does the county have any plans to augment any of that monitoring?
- Will the county have access to DEQ monitoring data in a timely fashion?
- What can citizens do to help augment by way of what is going on with construction? Should they report to the county?

Ms. Pitt related she would like the process to be as clean as possible and requested members to write to the Virginia Marine Resources Board to preserve the effected creeks and streams. She stated Nelson County had chosen to amend its flood plain, which prevents hazardous construction across wetlands and requires Mountain Valley to get a variance on every water crossing. Ms. Pitt suggested members consider sending a letter to the new governor considering his stance on the clean power plan during the election.

Mr. Rick Shingles, Preserve Giles County member, related citizens want to work to protect the county and its resources. He read a letter of appreciation to the Board of Supervisors and administrators for everything they have done to protect and preserve the communities, the water and the public safety.

Mr. Morris related staff would gather the information and get it out to members of the group. Mr. Williams related the county had received some information regarding the complaint process; copies of the information were provided. Mr. McKlarney related some of the process is listed on the printout and indicated landowners were to contact FERC if citizens are not getting resolution. Mr. Williams cited some of the process for

water issues and indicated the county would be willing to run water to anyone affected if funds were provided by Mountain Valley.

Mr. Chidester related office staff will receive a list of contacts and numbers for the various agencies involved, and the county would be willing to help with any complex submissions. He stated the county has not signed a MOA with DEQ, and the county E&S only has one person, which also has additional duties. Mr. Chidester related all E&S will be regulated by DEQ, and the county does not have any regulatory authority over the pipeline. He stated the county does have a Code Red system in place and suggested citizens sign up for that service. Mr. Chidester advised 911 should not be called unless there is an emergency situation. Mr. Morris stated this is a work in progress and most things will be put in place as the county comes to them.

### **ENGINEERING RETAINER RENEWAL**

Mr. McKlarney presented information regarding the engineering retainer renewal. He related the previous retainer had been with Thompson & Litton and is not project specific. Mr. McKlarney indicated the retainer had been in place for the past five years and there was no rate change.

***Mr. Baker made a motion to approve the engineering retainer renewal with Thompson and Litton. Mr. Williams seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris, Mr. Williams***

### **ROCK PROJECT REQUEST**

Mr. McKlarney related he had received a request from the schools regarding the recent rock project painted by students in 4<sup>th</sup> through 7<sup>th</sup> grade. He indicated the request was to assemble the project near the tile wall located at the lower level of the Treasurer's Office.

***Mr. Williams made a motion to approve installation of the school rock project as requested. Mr. Baker seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris, Mr. Williams***

### **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 he had been involved with consulting for adequate mitigation and coordinated filings, indicating the agreement between Virginia and MVP was at \$1.5 million for treatment and \$1 million being set aside for historic districts to apply for grants and considers it unsatisfactory. Mr. Brady stated he would like to see a mitigation fund specific to the Greater Newport Historic District with a two-step process covering an initial gift to be used for immediate historic

property concerns and an established trust for continued expenses, which could include maintenance of the covered bridges as well as other sites. He would be collecting estimates for a five percent return annually on the request. Mr. Brady related there would be two economic impacts to Newport with the pipeline, those being the Mayapple School that will close and the volunteer rescue squad, which would have to be relocated outside of the blast zone. He stated ACHP had signed a programmatic agreement but also issued a letter stating the process was wholly inadequate for historic districts, and he proposed coordinated responses to make sure the needs of the greater Newport area would be supported. Mr. McCoy inquired where a copy of the ACHP letter could be obtained. Mr. Chidester stated he would provide a copy.

Mr. Brady stated the group is at a point of maximum leverage, and he will try to come up with the missing pieces as soon as possible. He indicated some or all of the costs involving projects and preservation should be requested.

Ms. Nan Grey stated if a large pipe was going to go through it seems reasonable to conduct a site-specific soil investigation. Mr. McCoy related it does seem reasonable but those type of things are currently mandated at the state level. Mr. Chidester indicated the county could request anything but it cannot impose any requirements.

Mr. Chidester related MVP has a karst mitigation plan in place; and if MVP encounters karst in the field, they will have to go around it and will negotiate with property owners to adjust the route. He indicated he the county can ask for items in the mitigation plan; however, that does not mean it will be provided. Mr. Chidester stated the group is in a good position, but ACHP wrote a letter that was favorable then signed an agreement the following week. He related the pipeline is coming, which presents challenges, and he had participated in a call where several agencies were involved and all stated MVP could go ahead and cut trees, with those agencies being at the federal level. Mr. Chidester indicated MVP has gotten state permits, so all the county can do is make the best of it and get as much protection as it can and hope DEQ does a good job inspecting.

An individual from the audience inquired about contingency plans in case of water loss or contamination. Mr. McCoy stated the information is mentioned in the informational document provided. Mr. Chidester indicated the document, in part, is from the resolution procedures for MVP as well as other sources, and the county is not offering legal advice but is trying to give the best information possible. He related some of the options noted in the plan regarding loss or contamination of water. Mr. Chidester stated the plan with FERC states MVP has to follow the items set forth in the agreement. He indicated a process is set up for people to use, and he sincerely hopes water will not be affected.

## **PAYMENT OF WARRANTS**

***Mr. Baker motioned to approve warrants in the amount of \$1,759,530.98. 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***

## **SCHOOL BOARD APPROPRIATIONS**

***Mr. Williams motioned to approve \$2,283,819.50 for February 2018 School Board Appropriations and Mr. Baler 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 \$50,000 for Social Services for February 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***

## **EXECUTIVE SESSION**

***Mr. McCoy 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. 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***

## **SHERIFF'S OFFICE**

Mr. Williams inquired about the move in date for the Sheriff's Office. Mr. McKlarney related the move in date is February 1<sup>st</sup> for the Sheriff's Office but dispatch had more training and communications to be completed prior to moving. He indicated booking would continue in the old Sheriff's Office until the booking area is completed in the lower level of the Timberlake Building.

**ADJOURN**

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Wednesday, February 7, 2018, 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**