

At the regular meeting of the Giles County Board of Supervisors held on Wednesday, June 6, 2018, at 3:00 PM in the Giles County Administration Office, located at 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 - Absent
John C. Lawson, Jr.	Western District
Paul "Chappy" Baker	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. Bryan Reed offered the invocation and led the Pledge of Allegiance. Mr. Lawson requested a moment of silence in honor of Mr. J. B. Buckland.

### APPROVAL OF MINUTES

***Mr. Baker made a motion to approve the minutes of the May 17, 2018 and May 23, 2018, as presented. Mr. McCoy seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

### VDOT REPORT

Mr. David Clarke updated members regarding various road maintenance. He reported damage clean up from previous storms. He reported patching and mowing being done on Route 460, Lurich Road, Spruce Run, Big Stoney Creek Road, and Routes 613 and 730. Mr. Clarke related a washout on Route 613, a pipe cleaned out on Rye Hollow, and stone laid on Doc Carr Road. He indicated the low water bridge was on schedule to be completed as well. Mr. Clarke reported ditching work was scheduled for Sinking Creek Road and the signs for Farley Memorial Wayside have been replaced. He also reported shoulder work along the four-lane section of Route 100, and the paving for Route 100 was on the schedule for next year. Mr. Clarke stated Penvir Bridge is moving along and preliminary engineering will start soon on Penvir Road.

Mr. Baker reported potholes in Virginia Heights as well as on Route 460 West near Farmview Road. He requested an update on the caution lights at the end of Big Stoney Creek Road. Mr. Clarke indicated the contractor has a lot of contracts with VDOT, and he has asked for an update. Mr. Baker stated the lights are very important at that intersection for safety reasons and inquired if the speed could be reduced on the lower end of Big Stoney Creek Road due to the school and church as well as lime plant trucks.

Mr. Lawson thanked Mr. Clarke for getting the potholes fixed at the end of Penvir Road. Mr. Morris inquired how far the shoulder work would go on Route 100. Mr. Clarke indicated the paving on the shoulders would go from old joint to old joint and expects it will go through the cliffs.

Mr. Reed reported items for Mr. Williams noting a need for brush cutting on Route 460 from Mays Hollow to Maybrook, work needed on Celestial Heights, potholes on Route 730 and Sinking Creek Road where there is a significant drop off needing fixed.

Mr. McKlarney reported a complaint on Springdale Road and need for brush cutting near the new Interstate Group plant in Glen Lyn. He inquired about the timeline for the low water bridge on Doc Carr Road. Mr. Clarke indicated work should start in approximately a month. Mr. McKlarney inquired about the agreement with VDOT in regard to the Eggleston Boat landing and the plan for a ribbon cutting. Mr. Clarke stated VDOT would be agreeable to the ribbon cutting.

Mr. Lawson inquired about the crossover in Rich Creek. Mr. Clarke related safety funds would need to be used for that project.

## **SCHOOL BOARD REPORT**

Dr. Arbogast updated the board on current enrollments. He stated there are currently 2,369 students, this is a decrease of 9 from the previous month and a decrease of 5 from the same time last year. Dr. Arbogast presented members with a copy of the STEM newsletter. He related Friday is the last day of school for the year; however, there will be several summer camps held such as summer exploration, robotics and STEM. Dr. Arbogast reported the summer lunch program would also be happening during the summer with the exception of the week of July 2 through July 6. He related the preliminary numbers from the SOL testing look positive.

Mr. Baker inquired about the start date for the next school year. Dr. Arbogast indicated school would start back on August 27, 2018. Mr. Lawson thanked Dr. Arbogast for sending out information regarding the county's broadband survey on the school notification system.

## **PUBLIC COMMENTS**

**Nadine Brackenrich** – Ms. Brackenrich reported a drainage issue in the Rich Creek area on Giles Avenue where it intersects with Woodland Road. She related the issue seems to be ditches needing cleaned out on Woodland, which she indicated was VDOT responsibility. Ms. Brackenrich stated the water comes down into her building causing issues as well as washing out landscaping.

**Charlie Herbert** – Mr. Herbert stated he is with the Giles Community Garden and stated he was in attendance to answer any questions about the proposed MOU and presented brochures to members.

## OLD BUSINESS

### PLANNING COMMISSION RECOMMENDATIONS

Mr. John Ross stated the Planning Commission recommended the issuance of a Conditional Use Permit pursuant to Section 802.04 and 601.05-21 of the Giles County Zoning Ordinance to allow for a Shooting Range, specifically to allow for a five-stand clays range as part of an existing hotel/recreation property at Mountain Lake Lodge. The property associated with this request is identified as tax parcel 31-1, is owned by Mary Moody Northern Endowment, Mountain Lake LLC, is located near 680 Golf Links Lane, Pembroke, Virginia, which is the former Mountain Lake Golf Course, and is located in the C-1 Zoning District. Heidi Stone is acting as agent for this request. Mr. Ross related the conditions placed on this recommendation are as follows: all other applicable permits/regulations are to be followed or obtained, and all activities to be as outlined in the submitted application.

***Mr. Baker made a motion to approve the Conditional Use Permit for Mountain Lake, LLC as recommended by the Planning Commission with noted conditions. Mr. McCoy seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

Mr. John Ross stated the Planning Commission had recommended approval of an amendment to the Giles County Zoning Ordinance to add Section 715 “Urban Agriculture”. This proposed amendment would allow the keeping of up to six female chickens and the keeping of honeybees in the R-1, R-2, R-3, and R-4 zoning districts.

***Mr. McCoy made a motion to approve the amendment of the addition of Section 715 to the Giles County Zoning Ordinance as recommended by the Planning Commission. Mr. Baker seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

Mr. John Ross presented a recommendation from the Planning Commission to approve an amendment to section 714.01 Giles County Zoning Ordinance to clarify what type of dwelling unit may be rented short term, being less than 30 days. Mr. Ross related this was basically a housekeeping item.

***Mr. Lawson made a motion to approve the amendment of Section 714.01 to the Giles County Zoning Ordinance as recommended by the Planning Commission. Mr. McCoy seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

Mr. John Ross related the Planning Commission had approved the 2018 Comprehensive Plan Update and requested members approve sending the item to public hearing.

***Mr. Baker made a motion to send the 2018 Comprehensive Plan Update to public hearing as recommended. Mr. Lawson seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

## **NEW BUSINESS**

### **EPISCOPAL CHURCH MOU – COMMUNITY GARDEN**

Mr. McKlarney presented a proposed MOU with Christ Episcopal Church in Pearisburg regarding the use of county property for a community garden and recommended approval.

***Mr. Baker made a motion to approve the MOU with Christ Episcopal Church as presented. Mr. Lawson seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

### **MODEL BAMBOO ORDINANCE**

Mr. McKlarney presented a model running bamboo ordinance received from VDACS, relating the state directed VDACS to draft a model ordinance. He indicated county staff would be required to oversee if passed. Mr. Ross related he had received one comment in opposition of the ordinance due to lack of staff. Mr. McCoy stated there are several places in the county where bamboo is hanging over the road and suggested it be sent to the Agriculture Committee for review.

***Mr. McCoy made a motion to send the model running bamboo ordinance to the Agriculture Committee for review. Mr. Baker seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

### **PAYMENT OF WARRANTS**

***Mr. Baker motioned to approve warrants in the amount of \$1,386,775.81, and Mr. McCoy seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

## APPOINTMENTS

***Mr. Lawson motioned to reappoint Dr. Lee Wheeler to the New River Valley Economic Development Alliance. Mr. McCoy seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

***Mr. Baker motioned to reappoint Mr. Roger Mullins to the Public Service Authority. Mr. McCoy seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

***Mr. Baker motioned to reappoint Mr. John Mills to the Total Action for Progress IPR Board. Mr. McCoy seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

***Mr. Morris motioned to reappoint Mr. Rodney Wilson to the Building Code Board of Appeals. Mr. Baker seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

***Mr. Baker motioned to reappoint Ms. Cora Gnegy to the Ninth District Development Financing Board. Mr. McCoy seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

***Mr. McCoy motioned to reappoint Mr. Paul Baker to the Virginia's First Regional Industrial Authority. Mr. Lawson seconded the motion. The motion was approved 3-0 as follows: Voting Yes: Mr. Lawson, Mr. McCoy, and Mr. Morris; Abstain: Mr. Baker; Absent: Mr. Williams***

***Mr. McCoy motioned to appoint Mr. Larry Lafon to the Western Virginia Emergency Medical Services Council contingent upon his acceptance of the appointment. Mr. Baker seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

***Mr. Baker motioned to reappoint Mr. Chris McKlarney to the New River Valley Economic Development Alliance. Mr. McCoy seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

***Mr. Baker motioned to reappoint Ms. Cora Gnegy to the New River Valley Economic Development Alliance. Mr. McCoy seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

## EXECUTIVE SESSION

***Mr. McCoy motioned to go into executive session as permitted by Virginia Code 2.2-3711, A (7) Legal Counsel. Mr. Baker seconded the motion. The motion was approved 4-0 by roll call vote as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: 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 4-0 by roll call vote as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

## WATER AND POWER LAW GROUP

***Mr. McCoy made a motion to approve the extension of the filing with Water and Power Group due to proposed procedure changes to FERC in the amount of \$2,750. Mr. Baker seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

## OPIOID LITIGATION

***Mr. McCoy made a motion to approve a retainer agreement with Kaufman & Canoles, P.C., regarding opioid litigation. Mr. Baker seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

## BUDGET SUPPLEMENTS

Ms. Catherine Ballard presented budget supplements in the amount of \$343,929.13. She related the Water and Power Law Group and Bristol Juvenile Detention did not have offsetting revenue. A copy of the supplements are attached at the end of these minutes.

***Mr. McCoy made a motion to approve budget supplements for Fiscal Year 2018 in the amount of \$343,929.13. Mr. Baker seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

## PROPOSED FY 2019 BUDGET

Mr. McKlarney presented changes to the Fiscal Year 2019 budget as directed in previous meetings. He noted some increases due to circumstances out of the control of the county such as utilities and debt service. Mr. McKlarney highlighted revenue changes in items such as school carryover, general fund transfer, loss of PICT, IDA rents and water rates. He also noted the change in the machinery and tool tax due to the valuation decrease and related Interstate Group and Cogar Manufacturing were not calculated in that number. Mr. McKlarney advised the proposed budget was shown with level funding and no pay increases. Members discussed the gas pipeline and what it could mean for revenue in the future as well as the possible move of the custodians from the county to the schools.

## RECESS

Mr. Morris called for a short recess and reconvened the meeting prior to the public hearing.

## PUBLIC HEARING

### PROPOSED FISCAL YEAR 2019 TAX RATES

Mr. Morris opened the public hearing. Mr. McKlarney related the public hearing was being held pursuant to Section 15.2-1427 of the Code of Virginia. He outlined the proposed rates indicating the only change would be to the machinery and tool tax, which would be \$1.98 per \$100 with the assessment method changed from 50 percent to 55 percent of original value.

**Sonja Meekins** – Ms. Meekins requested additional information on the machinery and tool tax change. Mr. McKlarney explained the tax is a business tax charged on machinery and tools that are used to manufacture a product. He related the change needed to be made in order for the county to comply with code, but the increase in the assessment method would mean a slight increase in that revenue. Ms. Meekins stated she would still like to see an increase of 10 cents per \$100, indicating if the state gave a three percent increase it would only leave the county with seven percent.

Mr. McKlarney related tax rates need to be set in order for tax tickets to be sent out. Members discussed the lack of a state budget. Mr. Morris asked for any other comments or questions. Hearing none, he closed the public hearing.

***Mr. McCoy made a motion to approve the FY 2019 Tax Rates as presented with the only change made to the machinery and tool tax to \$1.98 and assessment at 55 percent. Mr. Baker seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, and Mr. Morris; Absent: Mr. Williams***

## **SCHOOL BUDGET**

Dr. Arbogast stated he and some school board members had presented the needs of the schools to the Board in a previous meeting with an increase of \$1.7 million in additional funds. He advised he had prioritized the needs by rank as advised by members, which had reduced the request to an additional \$1.3 million in funding to schools.

Mr. McCoy inquired where the additional match money fell in the rankings. Dr. Arbogast stated he did not rank the match funds due to it being a requirement to get the funds. Mr. McCoy related the match should have been ranked as number one on the list. Members discussed the lack of a state budget and the various versions of that budget.

Mr. McKlarney informed members a compensation committee meeting would be held on June 15, 2018, at the School Board Office.

## **FY 2019 BUDGET**

Mr. McCoy related the budget would need to be advertised. Members discussed the timeline. Mr. McKlarney indicated he wanted to include the best information possible, noting there would be a need for supplements throughout the coming year. Members discussed possible differences in revenues for the coming year. Members concurred to advertise the budget presented.

## **ADJOURN**

With no further business, the meeting was adjourned. The next meeting will be held on Thursday, June 21, 2018, at 6:30 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**

June 6, 2018

## SUPPLEMENTS JUNE 6, 2018

ACCOUNT CODE	AMOUNT	DESCRIPTION	OFF SETTING
100-12210-3151	\$ 30,073.28	POWER LAW GROUP	NO
100-31720-8100	\$ 101,000.00	VITA GRANT	YES
100-35100-6041	\$ 17,892.05	ANIMAL CONTROL GRANT	YES
100-71400-6042	\$ 22,382.00	CARILION EQUIPMENT GRANT	YES - 50%
100-33400-5656	\$ 22,582.00	BRISTOL JUVENILE DETENTION	NO
310-94014-8901	\$ 150,000.00	COGAR- GOVERNOR OPP	YES
<b>TOTAL</b>	<b>\$ 343,929.33</b>		
<b>TOTAL OFFSETTING REVENUE</b>	<b>\$ 279,691.65</b>		
<b>GENERAL FUND TRANSFER</b>	<b>64,237.28</b>		
<b>TOTAL SUPPLEMENT</b>	<b>\$ 343,929.13</b>		