

At the recess meeting of the Giles County Board of Supervisors held on Thursday, August 22, 2019, at 6:30 PM, in the Giles County General District Courtroom, 120 North Main Street, Pearisburg, the following were present unless noted absent:

Jeff Morris	Chair (Central District)
Larry Jay Williams	Vice-Chair (Eastern District)
Paul "Chappy" Baker	At-Large Supervisor
John C. Lawson, Jr.	Western District
Richard McCoy	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. McKlarney offered the invocation and led the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Baker motioned to approve the August 7, 2019, minutes as presented. Mr. Williams seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Morris, and Mr. Williams; Abstaining: Mr. McCoy

CONSTITUTIONAL OFFICERS

Ms. Angie Higginbotham inquired about a decision on the lifetime dog tags. Mr. McCoy stated he had no issue with it. Mr. Williams inquired about the cost of the license. Ms. Higginbotham related the amount would need to be set by the Board, with the three-year tag now set at \$20, and the license would be for the lifetime of the dog. She indicated the office would still receive vaccination records, which is where the focus of the program would fall.

Mr. Baker made a motion to set a public hearing for a change to the Giles County Animal Control Ordinance regarding a lifetime dog license at the September recess meeting. Mr. McCoy 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

DGIF PRESENTATION

Mr. Mike Fender with the Virginia Department of Game and Inland Fisheries presented information on the regulation changes within the county regarding live fish bait in an

attempt to preserve the Candy Darter. He noted the focus of the agency and indicated the candy darter is a four inch fish that is considered one of the most beautiful fresh water fish. Mr. Fender related the fish is only found in the New River drainage area of Virginia and West Virginia with populations diminishing due to loss of habitat and poor water quality. He stated the fish is almost gone from West Virginia and is currently found in Big Stony Creek, Dismal Creek, Laurel Creek and Cripple Creek. Mr. Fender reported the regulation for prohibiting fish used as bait began on January 1, 2019 in certain waters, which included stocked trout streams; and West Virginia is also prohibiting the use of fish bait. The regulation is an effort at candy darter recovery, and he indicted it was a compromise between conservation and recreational interest with the Virginia population having the greatest chance of survival and recovery. Mr. Fender related Federal funding was available for habitat restoration and land purchase, and the area is becoming a destination for viewing the species. He provided contact information for the Department of Game and Inland Fisheries as well as U.S. Fish and Wildlife.

PUBLIC COMMENTS

Mr. Casey Clark – Mr. Clark indicated he was speaking on behalf of Mr. Grant Snider and read a letter provided by Mr. Snider in opposition of the new regulation. Mr. Clark inquired if the species was put on the endangered list in 2018, as brown and brook trout stocking had been stopped when he was young because of the candy darter. Mr. Fender indicated the candy darter was put on the list in 2018, and the agency had been trying to take action in lieu of listing it previously by using preventative and safety measures. Mr. Clark inquired if fishing with minnows would be allowed in the lower portion of Big Stony Creek. Mr. Fender stated fish bait is not allowed on any section of Big Stony, including White Rocks, and indicted possible cross breeding or overpopulation of other species could adversely affect the recovery of the candy darter. He added that improvements are not made, it is possible the stocking of rainbow trout could be stopped. However, he does not anticipate that will happen.

Mr. Estil Snider – Mr. Snider related how he had grown up fishing on Big Stony Creek, and he does not disagree with saving the minnow but the agency needs to work with the fishermen to meet in the middle. He related that the research shows the minnow needs shade and they cannot survive in the lower portion of the creek. Mr. Snider requested that live bait fish be allowed in the lower end with a cut off line established. He stated there is nothing more beautiful than watching an eight year old boy catch a trout.

Mr. Lawson inquired if there were other minnows in the creek. Mr. Fender explained the fantail darter is native to the creek as well but does not interbreed with the candy darter. He also indicated the candy darter has been found to be along the banks of the creek down past the church.

PUBLIC HEARINGS

PROPOSED AMENDMENTS TO GILES COUNTY ZONING MAP R-4 TO RRA-1

Mr. Ross stated the purpose of the public hearing is to consider the proposed amendments to the Giles County Zoning Map to change the current zoning district of R-4 to RRA-1 on the following tax parcels: 41-4G, 41-4I (a portion of), 41-4G1, and 41-4G2. These properties are located between Cricket Lane and Virginia Heights Road near what is known as the Virginia Heights area of Giles County, east of the Town of Pearisburg.

Mr. Ross referenced a letter received by Wayne and Carol Martin expressing their concerns. He provided both the Board of Supervisors and the Planning Commission with a copy of the letter.

With no further questions or comments, Mr. Morris closed the public hearing and sent the item back to the Planning Commission for recommendation.

PROPOSED AMENDMENTS TO GILES COUNTY ZONING MAP R-1 TO RRA-1

Mr. Ross presented a proposed amendment to the Giles County Zoning Map to change the current zoning district of R-1 to RRA-1 on the following tax parcels: 41-5, 41-5A, 41-41I1, 41-4I (a portion of), 41-7, 41-6, 41-9A, 41A-1-69, 41A-1-60, 41A-1-72, 41-9, 41-8, 41-10, 41A-1-218, 41-10A, 41A-1-245, 41-12, 41-12A, 41-11, 41-4B, 41-13B, 41-13A, 41-13, 41-14, 41-15, 41-15C, 41-15E, 41-15A, 41-15B, 41-15D, 41-16A, 41-82, 40-84, 41-1-1, 41-1-2, 41-1-3, 41-1-4, 41-21, 41-1-5, and 41-1-6. These properties are located between Cricket Lane and Virginia Heights Road, and along Virginia Heights Road and Woodland Drive, near what is known as the Virginia Heights area of Giles County, east of the Town of Pearisburg.

With no further questions or comments, Mr. Morris closed the public hearing and sent the item back to the Planning Commission for recommendation.

CONDITIONAL USE REQUEST – HILLSIDE SHEDS

Mr. Ross stated the purpose of the public hearing is to consider 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 as an overflow area for an existing business, Hillside Sheds, which builds and sells storage buildings on an adjacent parcel. The property associated with this request is identified as tax parcel 74-2-4C, is owned by Israel and Susannah Swarey, is located at 210 Pear Tree Lane, Pearisburg, Virginia in the Whitegate Area, and is located in the A-1 Zoning District. Vehicular access for this proposed use will be off of Old Church Road and use an existing commercial entrance with permit received from VDOT. Mr. Ross related he had received a call from Mr. Ernie Miller voicing concerns, but he called back later and stated he did not plan to object.

With no questions or comments, Mr. Morris closed this portion of the public hearing and indicated it would go back to the Planning Commission for further recommendations. Mr. Pitzer adjourned the Planning Commission.

CONSTITUTIONAL OFFICERS

Mr. Bobby Lilly related a new unfunded mandate had come from the state regarding body cam footage review to be done in the Commonwealth Attorney offices. He indicated there are less than 15 body cams in the county, with most of those used by the towns. With such few cameras, Mr. Lilly stated he would not be asking the Board for any additional funding, but the Compensation Board would like the agreement in writing. Members concurred.

Mr. Lilly informed members of an agreement in process to allow for Giles residents charged in Pulaski County to participate in the Giles Recovery Court program. It would also allow for Pulaski residents charged in Giles to participate in the Pulaski Recovery Court. Mr. Lilly stated the main concern was the jurisdiction who would be paying for the sanctions, such as mandated jail time. He stated it is anticipated the jurisdiction with the charges would be responsible for the bill. He indicated the agreement is under review and the details are being worked out.

OLD BUSINESS

ASPHALT PAVING SERVICES

Mr. McKlarney presented information on the bids received on asphalt paving services. He indicated only one bid was received, which was from Jennelle's Paving, and the paving is restricted to small scale projects with any large projects to be put out for additional bids. The bid was presented as follows:

SM2AL compacted at 2.5 inches per square foot:	\$2.00
Saw cut per linear foot:	\$0.70
Milling per square foot:	\$0.80
Crack fill per linear foot:	\$1.00

Mr. Baker made a motion to approve the bid from Jennell's Paving for FY 2020 and FY 2021 as presented. 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

NEW BUSINESS

GAS TAX RESOLUTION

Mr. McKlarney presented a revised resolution in regard to the gas tax imposed for I-81 maintenance and upgrades. He related the tax was enacted for all jurisdictions within the planning districts through which the I-81 corridor runs and inquired if the revision met with the desire of the Board.

Mr. Baker inquired if Delegate Hurst had responded to the request to attend a meeting to explain the tax and stated Mr. Hurst had brought up issues on guns as well. Mr. McKlarney related he had not received a response to the request. Mr. Williams stated I-81 delivers goods all over the state. A copy of the resolution is attached at the end of these minutes.

Mr. Baker motioned to approve the I-81 Gas Tax Resolution as presented. Mr. Williams seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, Mr. Morris, and Mr. Williams

FY 2020 FIRE FUND

Mr. McKlarney presented the proposed disbursement of FY 2020 fire program funds. He related the formula had not been changed with \$5,000 going to each three departments not associated with towns, and the remainder divided equally among all eight departments.

Mr. McCoy motioned to approve the fire fund disbursement 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

SMART SCALE APPLICATION

Mr. McKlarney stated the deadline would soon be coming up for new smart scale applications and inquired if members had any they would like to see submitted. Members proposed applications for the crossover in Rich Creek and at 84 Lumber. Mr. McKlarney advised it seemed as though the smaller projects are the ones being funded and inquired if members would like to submit an application for one curve in the two-lane section of Route 100. Members concurred.

Mr. Williams motioned to approve the submission of smart scale applications. 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

VDOT

Mr. Williams informed members he had ridden along with Mr. David Clarke to show the outstanding road issues. He related Giles County had received more pavement than all of the Salem District combined. Mr. Williams reported the Skyview Lane project would not start anytime soon, and members discussed options.

EXECUTIVE SESSION

Mr. McCoy motioned to go into executive session as permitted by Virginia Code 2.2-3711 A (1) Personnel, (7) Legal Counsel, and (30) Contracts. Mr. Baker seconded the motion. The motion was approved 5-0 by roll call vote 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 by roll call vote as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy, Mr. Morris and Mr. Williams

PAYMENT OF WARRANTS

Mr. McCoy motioned to approve warrants in the amount of \$899,818.94. 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

SCHOOL BOARD APPROPRIATIONS

Mr. Baker motioned to approve \$2,388,792.67 for September 2019 School Board Appropriations, and Mr. Williams 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 \$165,000 for September 2019 Social Services Appropriations. 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. Steve Taylor to the Planning Commission. 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

SCHOOL CARRYOVER REQUEST

Mr. McCoy made a motion to approve school carryover request from FY 2019 in the amount of \$410,894 with stipulations to be provided. Mr. Baker seconded the motion. The motion was approved 4-1 as follows: Voting Yes: Mr. Baker, Mr. McCoy, Mr. Morris, and Mr. Williams; Voting No: Mr. Lawson

CSA

Mr. Williams reported the CSA program is expected to come in \$300,000 to \$400,000 less in expenditures for the year and commended Ms. Caryl Allen for her work on the program.

BUDGET SUPPLEMENT

Mr. McCoy made a motion to approve a FY 2020 budget supplement in the amount of \$492,930 for the purchase of school buses. 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

RECOVERY COURT AGREEMENT

Mr. McCoy inquired if members would get a chance to review the recovery court agreement with Pulaski County. Mr. Chidester stated they would, adding the team is still waiting on comments. He indicated the majority of the language in question was relating to who will be responsible for jail time. Mr. McCoy stated there could be other costs associated as well.

ROUTE 635 WATER

Mr. Williams reported Mr. Kevin Belcher had gotten a rough estimate to install four-inch water line along Route 635, adding the larger line would allow for additional service to the area. He indicated the two residents requesting the water are willing to pay for the cost of a two-inch line and inquired if members would be willing to pay the difference. Members discussed options and pricing. Mr. McCoy stated it would make sense to put in a four-inch line. Mr. Morris stated more true numbers were needed on the estimate.

Mr. McCoy made a motion to approve the installation of a two-inch waterline along Route 635 as discussed. 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

VEHICLE FINANCING

Mr. McKlarney advised the financing bids had just come through on the vehicle financing with the lowest bid coming in from JP Morgan at a rate of 2.06 percent. He related a total of seven bids were received.

Mr. Baker made a motion to approve moving forward with vehicle financing with JP Morgan at a rate of 2.06 percent. 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

ADJOURN

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Wednesday, September 4, 2019, 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

County of Giles

Jeffrey Morris
Central District Supervisor

Larry "Jay" Williams
Eastern District Supervisor

John Lawson
Western District Supervisor

Paul "Chappy" Baker
At-Large Supervisor

Richard McCoy
At-Large Supervisor



Board of Supervisors

315 NORTH MAIN STREET
PEARISBURG, VIRGINIA 24134

RESOLUTION TO RECOMMEND CHANGE TO THE ADDITIONAL GAS TAX FOR INTERSTATE 81 IMPROVEMENTS

WHEREAS, Giles County has been included in the legislation requiring counties along the Interstate 81 Corridor to increase gas taxes in the county by seven cents per gallon to fund long-needed improvements for the interstate;

WHEREAS, Giles County, along with Alleghany, Bath, Bland, Carroll, Craig, Floyd, Franklin, Grayson, Highland and Page Counties, do not have any part of Interstate 81 within its borders but are being included in this legislation;

WHEREAS, the map of included areas was not provided to the affected counties until after the tax law passed and was signed by the Governor, thereby enacting a major tax hike without sufficient public input and the suggestion is made for an entire re-evaluation of the process;

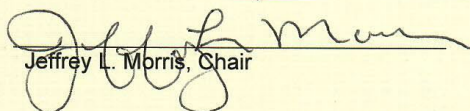
WHEREAS, while Giles County agrees that improvements and repairs are needed not only for Interstate 81 but also infrastructure throughout the Commonwealth, the mandate should be shared by all localities throughout Virginia to ensure equality;

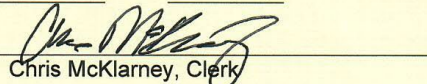
NOW THEREFORE, the Giles County Board of Supervisors, does hereby **RESOLVE** that it strongly recommends the Commonwealth imposes such a tax statewide in order to conduct needed improvements and repairs to the infrastructure throughout the state.

ADOPTED this 22nd day of August, 2019 in the County of Giles, Virginia.

GILES COUNTY BOARD OF SUPERVISORS

	YES	NO	ABSTAIN	ABSENT
P. Baker	X			
J. Lawson	X			
R. McCoy	X			
J. Morris	X			
J. Williams	X			


Jeffrey L. Morris, Chair


Chris McKlarney, Clerk

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