

At the recess meeting of the Giles County Board of Supervisors held on Thursday, February 20, 2020, 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)
John C. Lawson, Jr.	Vice-Chair (Western District)
Jeff Morris	Central District
Perry Martin	Eastern 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. 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 February 5, 2020, minutes as presented. Mr. Morris seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy, and Mr. Morris***

### **CONSTITUTIONAL OFFICERS**

Sheriff Morgan Millirons updated members on department statistics for arrests, warrants, transports, etc. He indicated transports continue to be an issue for the department, and the dispatch department is back to full staff. Mr. Millirons reported the department is competing with surrounding jurisdictions for staff, and the drug dogs had been out several times. He related numbers were down for the inmate workforce crew. Mr. Millirons announced the next drug take back would be held on April 25<sup>th</sup>. He stated there had been a recent task force sent out that found methamphetamines, heroine, marijuana, and paraphernalia, which mainly took place in Pearisburg and Narrows where the most complaints were received. Mr. Millirons reported two deputies are attending the academy and one more position is being advertised. He stated the department is trying out various cell phone carriers to determine which has the best coverage in the county, and related the new vehicles had been ordered. Mr. Millirons reported he had attended a General Assembly session in Richmond in support of Second Amendment rights and is in hopes the bill will not be brought back up. Mr. Baker thanked Sheriff Millirons for attending the session in Richmond.

### **PUBLIC COMMENTS**

**Mr. Chris Stephens** – Mr. Stephens stated he is a lifelong resident of Giles County and wanted to provide information why members should consider a resolution for form a militia. He gave examples of various times in history of weapon confiscation, which led

to key conflicts. Mr. Stephens spoke of the current gun legislation in Richmond that would turn law abiding citizens into felons overnight as well as the bid to change the electoral college system. He indicated the state is trying to strip away the basic human rights of citizens and asked the Board to back them against a tyrannical state government.

**Mr. Steve Brown** – Mr. Brown advised he is from Blacksburg but is friends with many people in Giles County. He related historic information on Samuel Whitmore, a farmer who fought for his land and community during the American Revolution. Mr. Brown provided his background as Military Police as well as a law enforcement officer in Kentucky. He related he believes most people are good, and an armed society is a polite society.

**Mr. Matthew Bowles** – Mr. Bowles thanked Sheriff Millirons for going to Richmond in opposition of HR961. He provided information on the Fincastle Resolution passed in Austinville as well as reading sections from the Freedom Resolution. Mr. Bowles spoke of the first Virginia Convention and Patrick Henry, adding the citizens are in the same fight now for fundamental rights. He asked members to follow other counties to form a militia, noting a fight for freedom versus communism, and asked that a clear message be sent to Richmond.

**Mr. John Muller** – Mr. Muller spoke of the Constitution and how the United States is the greatest social experiment the world has ever known. He also spoke of micro-aggressions on liberty and how many laws that currently are should not be felonies.

**Mr. Joseph McClung** – Mr. McClung advised there are actions that can be taken, with joining West Virginia as an example, and indicated he had spoken with the county attorney. He spoke of the attack on the electoral college system, and had been in contact with local representation. Mr. McClung related information on laws the General Assembly is in the process of passing and stated history is repeating. He provided information from the election of Abraham Lincoln and how redistricting will make matters worse in relation to the area not having representation at the higher levels of the state government. Mr. McClung inquired about information to get the move to West Virginia put on the ballot and how he could best get a petition going.

**Mr. Tim Dalton** – Mr. Dalton thanked members for hearing the group and thanked the Sheriff for going to Richmond. He stated he could see how members would need clarification on some items and related the group had gotten together after the Second Amendment sanctuary meeting. Mr. Dalton informed members the group would be having a militia muster call meeting, and stated he had drafted the proposed resolution from both the Tazewell and Pulaski County resolutions. He stated he hoped the militia would not have to be used but would like for them to be trained in case the need arises. Mr. Dalton explained there would be an application process for group members and asked the Board to recognize them as the Giles County Home Guard.

Mr. Chidester advised he had not spoken with Mr. McClung about the county joining West Virginia. He related the Act in question enabled several border counties to join with West Virginia, but both state legislatures and congresses have to agree. Mr.

Chidester indicated by statute ten percent of the voters must sign a petition, at which point the circuit court judge would consider ordering a referendum. The referendum would be sent to the state Board of Elections, which he would anticipate to be overturned. He stated he believed it would get the legislatures attention, but they would then have to agree to the move.

Mr. Chidester then made several points regarding the Board approving a militia resolution, which he noted was very similar to the Second Amendment resolution. He highlighted several aspects of the resolution statements with the items such as:

- The county does not control the schools.
- There is no ROTC training available in the county.
- The county has no control over the scout programs.
- A resolution was already passed stating the county is not going to enforce any laws that are unconstitutional.
- Board already recognizes the rights of the people to keep and bear arms for those lawfully able to do so.

Mr. Chidester related the U.S. Supreme Court is taking up a similar case from the New York laws, which he hopes will give a definitive ruling on what the Second Amendment means. He spoke of current orders and offenses that make it illegal for people to possess firearms, and was unsure what the red flag laws would accomplish. Mr. Chidester indicated the resolution was asking the Board to create or recognize a community guard, and only the state has the authority to form or call up a militia with all able-bodied citizens already being part of the Virginia unorganized militia. He advised the Governor controls this militia and can impose a draft while appointing people to conduct the draft. Mr. Chidester explained there is nothing listed in the Federal or State Constitution enabling a locality to create a militia, but the group is well within their rights to create an organization as long as it is within the law. He also indicated the Sheriff's Office did not have the manpower to train such an organization and spoke of the liability it would put upon the county as well.

Mr. McCoy stated Pulaski had not passed the resolution as he understood it, but the Board will continue to follow the issue. He urged the group to get more people out to vote, noting only 5,500 of 11,000 eligible voters in the county came out during the last election. Mr. McCoy advised the key to moving forward is making at change in leadership in Richmond.

## **JOINT PUBLIC HEARING**

### **CONDITIONAL USE PERMIT – JEFFERS**

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

Mr. Ross stated that he received a request for the issuance of a Conditional Use Permit pursuant to Sections 802.04 and 603.03-3 of the Giles County Zoning Ordinance to

allow for a "Recreational Development", specifically to allow the establishment of a recreational vehicle campground in two phases (phase 1 with 5 campsites and phase two with 42 campsites) for a total of 47 sites. The parcel of land associated with this request is owned by Jasper Jeffers III, is identified specifically as tax parcel 41-69B, and is located at 246 Big Stony Creek Road, Ripplemead, Virginia. The property is in the RRA-1 (Rural Residential and Agriculture) Zoning District. Jeremiah Tuggle is acting as agent for this request.

Mr. Ross indicated the Health Department could require an additional bath house facility for phase two or other phases as the project progresses. He indicated that Mr. Sonny Jeffers is present to answer any questions.

A representative from Maywood Estates had questions regarding the project. She stated this is currently zoned agriculture, and Mr. Ross confirmed it is zoned rural residential and agriculture. She asked if this includes business, and Mr. Ross indicated it does with the approval of a conditional use permit. She asked if the proposal is for a RV park or a mobile home park, and Mr. Ross confirmed it was for a RV park. She asked if the facility would be opened throughout the year, and Mr. Ross explained he was unsure but felt like this would be yearly. Her concerns are with people living in the campers year-round and who is going to manage the park. She wanted to know who would manage noise, trash, animals, children with dirt bikes, and fire pits. Mr. Jeffers assured her that if there were any issues, he would make sure the problems were handled properly. She requested a privacy fence be placed between the adjacent property owners. She also wanted to confirm that there would be no public access to the river, and Mr. Jeffers stated there would not. She was concerned with entrance and exit, and Mr. Ross indicated this would require VDOT approval. She spoke with regards to possible property devaluation, and Mr. Jeffers indicated this should improve it.

Mr. Larry Tickle began by stating that Mr. Jeffers is a very good man. His main concern is with 47 campers and all of them being full at the same time, and what people will do during the summer with no access to the river. He is also concerned with hunting season and traffic. He explained that weapons and alcohol do not combine good together. He is concerned with the overall safety of the neighborhood and who will run the campground. Mr. Jeffers indicated he plans to run it until his son retires in the next two years, and then he will take over it.

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

## OLD BUSINESS

### GLEN LYN FIRE AND RESCUE

Mr. Doug Farewell with Glen Lyn Fire and Rescue provided additional information to members regarding the department's desire to operate an ambulance on the western end of the county. He noted insignificant EMS coverage in the county and stated the department would like to help out. Mr. Farewell referred to a Board meeting in March of 2017 where members agreed to a resolution, adding the unit would be a full ALS transport. He related numbers for lapse in EMS coverage and noted letters of support from the towns of Glen Lyn, Rich Creek and Narrows as well as a resolution from the Town of Glen Lyn. Mr. Farewell requested a resolution from the Board with the defined coverage area in Glen Lyn and Rich Creek with the ability to respond to other areas of the county as needed. He advised the department would not be looking for any funding from the county for this service and would not be taking money away from Giles Rescue.

Mr. McKlarney stated the Board would need copies of resolutions from the Town of Glen Lyn and Rich Creek and inquired if Rich Creek had agreed to designated service from the unit. Mr. Farewell stated they had agreed and copies of letters and a resolution from Glen Lyn were provided. Mr. McCoy inquired if the ambulance had been certified, and Mr. Farewell stated it had been certified.

***Mr. Lawson made a motion to approve a resolution for operation of an EMS unit by Glen Lyn Fire and Rescue contingent upon the Town of Rich Creek providing a resolution. Mr. Baker seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy, and Mr. Morris***

Mr. Farewell stated the department has five certified paramedics. Mr. McKlarney advised there were members of Giles Lifesaving and Rescue in attendance, and the resolution would be sent to the state, adding once a license is obtained the department will have other steps to go through before operating.

Mr. Chris Thornton, with Giles Rescue, advised this had been an ongoing thing for a long time and noted the discord between the two departments. He advised Giles Rescue is having issues getting people out on calls due to most of the members working day shift. Mr. Thornton indicated the department is actively recruiting members, with ten new members being approved recently. He related Giles Rescue had offered an ambulance to be housed at Glen Lyn as before, and Glen Lyn refused the offer. Mr. Thornton indicated Glen Lyn Fire and Rescue did not want Giles Rescue to have access to the building, and this is just adding another agency to the coverage

the county already has available. Another member of Giles Rescue inquired why Glen Lyn would not join with them to use the training and other resources already in place.

Mr. McKlarney advised the county would prefer that the agencies work together; but apparently, they cannot. He related the towns of Glen Lyn and Rich Creek can choose their primary provider and there is nothing the county can do about it. Mr. McKlarney reported there is a lot of work to do on the EMS front and the county is looking at adding another truck with Carilion Transport due to the fact that the volunteer agencies being unable to respond to calls during the day. Mr. McCoy stated the Board appreciates the volunteers and related an incident where a dire emergency call response took 45 minutes for a unit to respond. He stated the county has to be taken care of on the EMS front.

A member of Giles Rescue stated Glen Lyn would be taking money away from their department from the billing that could be done for the calls to which they respond. Mr. McCoy stated the county is also contemplating a possible Emergency Services Coordinator and hopes they can come together for the good of the county. Mr. McKlarney reminded Glen Lyn the Rich Creek Town Council would need to pass a resolution of primary coverage prior to the Board's resolution.

#### **PAYMENT OF WARRANTS**

***Mr. Baker motioned to approve warrants in the amount of \$742,276.79. Mr. Morris seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy, and Mr. Morris***

#### **SCHOOL BOARD APPROPRIATIONS**

***Mr. Baker motioned to approve \$2,388,792.67 for March 2020 School Board Appropriations, and Mr. Morris seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy, and Mr. Morris***

#### **SOCIAL SERVICES APPROPRIATIONS**

***Mr. Morris motioned to approve \$160,000 for Social Services for March 2020. Mr. Baker seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy, and Mr. Morris***

**EXECUTIVE SESSION**

***Mr. Morris 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 by rollcall vote 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Martin, Mr. McCoy, and Mr. Morris***

***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 by rollcall vote 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Martin, Mr. McCoy, and Mr. Morris***

**CARILION TRANSPORT SERVICE**

***Mr. Morris made a motion to approve additional EMS coverage by Carilion Transport with the service to be Monday through Friday, 8:00 AM to 4:00 PM. Mr. Baker seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy, and Mr. Morris***

**ADJOURN**

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Wednesday, March 4, 2020, 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**