

At a work session meeting of the Giles County Board of Supervisors held on Thursday, March 19, 2020, at 4:00 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

A quorum of the Board of Supervisors was physically assembled in the Board Room. Mr. Baker participated in the meeting electronically at his request, as approved, due to a pandemic self-quarantine. His voice was able to be heard by all persons in attendance at the location of the meeting.

CALL TO ORDER/INVOCATION

Mr. McCoy called the meeting to order, and Mr. McKlarney offered the invocation and led the Pledge of Allegiance.

Due to social distancing restrictions imposed by the Governor, members opted to continue with all meeting agenda items as well as work session items.

APPROVAL OF MINUTES

Mr. Morris motioned to approve the March 4, 2020, minutes as presented. Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, and Mr. Morris; Abstaining: Mr. McCoy

NEW BUSINESS

EMERGENCY RESOLUTION/ELECTRONIC MEETING ORDINANCE

Mr. Chidester informed members Mr. McKlarney had signed a Declaration of Emergency in the county, and members would need to pass a resolution to confirm the declaration within 45 days. He advised the emergency period would be in place for up to six months, and a press release would be done later that evening. Mr. Chidester explained the declaration and resolution were no cause for additional concern for citizens but allows for the county to seek assistance and additional funding if needed.

Mr. Chidester presented an ordinance available for the Board to consider in regard to temporary changes in certain deadlines and modifying public hearing practices during

the pandemic. He explained under the current electronic meeting guidelines, there must be a quorum physically assembled, and the new policy would allow for all electronic participation. Mr. Chidester also explained the new guidelines would allow for an electronic public hearing with a six-day calendar comment period following.

Members discussed various scenarios as well as how it would affect other bodies such as the Planning Commission. Mr. Martin requested an amendment to the emergency resolution in relation to the President's middle initial. A copy of the resolution and ordinance are attached at the end of these minutes.

Mr. Morris made a motion to approve the emergency resolution with the previously requested amendment. Mr. Lawson 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. Morris made a motion to approve the emergency meeting ordinance as presented. Mr. Lawson seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy, and Mr. Morris

PUBLIC COMMENTS

Mr. Eric Gentry – Mr. Gentry provided numbers to member in relation to graduates from both county high schools. He spoke of the study being done and requested that members make their main goal to obtain all information before coming to a decision. He provided graduation rate numbers as well as the types of diplomas obtained. In addition, Mr. Gentry provided rates on college degrees obtained by Giles County graduates and stated School Board members had mentioned the study was being done because they were trying to help the kids. He questioned what help they needed by the looking at the numbers he provided as well as what the School Board is really trying to do by conducting the study. Mr. Gentry explained the communities would lose a lot of identity by combining schools, and requested members to ask for more information on why the requests are being made.

Mr. McCoy indicated the Board was not looking for a utilization review but was looking to see what would be needed as far as repairs and projects in the schools for the next five to ten years. He related consolidation was not really the Board's purview but could be when funding is involved, adding the schools in the county are structurally sound.

Mr. Gentry stated the firm that did the study is good, but a couple of school board members are driving hard. He advised the Tech Center is one of the best in the state but was unable to gather the numbers on it.

MOVING FORWARD PRESENTATION

Mr. McKlarney walked through a presentation on how administration understands the priorities of the county during this time and wanted to make sure members concurred with the plans. He reported county offices would cease public access to buildings beginning the next day, with remote and outdoor service options allowed. Mr. McKlarney related the county would continue to operate and outlined service priorities. He related the courts and voter registration are currently closed and indicated an option is being looked at for voter registration. Mr. McCoy stated a government is charged with public safety, and members concurred with ceasing access to buildings.

Mr. McKlarney reported he is planning to alter staffing during this time, and a lot of cross training is taking place. He anticipates virus cases will come up in Giles County; and as more cases happen, more information will be put out. Mr. McKlarney advised staff could go to seven-day coverage if needed. Mr. Lawson inquired if staff was on board with the changes. Mr. McKlarney related he had received no complaints, and members discussed staffing changes.

Mr. McKlarney indicated the majority of walk-in traffic is for the building department, and added the inspector has been directed to conduct no inside inspections during this time. Current inspections inside a building will be done by face time, video or other electronic method. Mr. McKlarney summarized an assessment of financial resources, and related members could justify a reduction in force. He advised against such a reduction, and asked if that was the consensus for the foreseeable future. Members concurred and discussed financial options. Mr. McCoy advised department heads should closely watch spending and to hold off on any capital projects. Mr. McKlarney explained there are some projects tied to federal funds that could be lost if not completed by the deadlines. He indicated he expects increased absenteeism and outlined staffing structures and team who can cover for each other.

Mr. McKlarney advised the senior population is the most vulnerable during the pandemic and outlined the "Senior Check" program. He indicated it could be hard to back up on the program once it has started. Mr. McCoy inquired about the procedure if a senior is found to need help. Mr. McKlarney explained staff would refer to other service agencies if needed, and those services and volunteers would be used to try to meet the need. He indicated the DSS cases were being called or visited by Social Services staff, and it was hard to make an estimate without knowing what the needs are. Mr. McKlarney informed members anyone wanting to volunteer could be directed to the team, where the volunteers would be vetted before sending them out into the community. He stated a conference call with partner agencies had been scheduled, and churches as well as others have already started on something similar, which might mean the county does not have as big a problem as anticipated. Mr. Lawson suggested coordinating with the mission and churches.

Mr. McKlarney advised the county is coordinating with the health department, and stated it is very important to keep order in and around the hospitals and doctors' offices.

He related Carilion is starting to conduct more telemedicine visits and will not be allowing visitors at the hospitals, adding there would be no elective procedures or non-life-threatening procedures done at this time. Mr. Morris inquired about therapy. Mr. McKlarney indicated he had not heard anything regarding therapy services, but a separate entrance had been established for it. He stated it is also important to maintain order around the stores, and a rumor was circulating that businesses were going to be made to close. He added this was not part of his plan and did not believe it was a good idea.

Mr. McKlarney reported a contract had been secured with the vendor on communications equipment, and some staff are being cross trained to answer calls in dispatch where they would get emergency calls to a dispatcher. He stated another priority is water and sewer system, which he advised are in good shape; and he related contingency plans for solid waste if needed. Mr. Martin inquired what would trigger the contingencies. Mr. McKlarney indicated it would be based on staffing. Mr. McCoy related the PSA could extend the convenience center hours or leave them open if needed. Mr. McKlarney related there are five staff that can operate the water treatment plant, with three of those having the capability of doing so remotely.

Mr. McKlarney outlined a program to help the local economy, where people could buy "gift cards" to local restaurants or lodging facilities within the county. The gift cards would cost people \$20 and would be valued at \$30 after tourism funds were put towards them. The funds would go directly to the designated business, and the gift cards could be used now or at a later date. Mr. McKlarney advised businesses will not be able to sustain long with such reductions in revenue and stated there would be a stipulation put on the program that servers must wear some type of personal protective gear. Mr. Martin inquired if more types of business could be included. Mr. McKlarney advised it had to be a tourism related business. Mr. Martin stated he would like to see the stimulus funds coming to individuals somehow tied in with the program to keep as many dollars as possible inside Giles County.

Mr. McKlarney related information on the direct primary care physician and advised it would be an optimal time to get it started. Members discussed the insurance committee and options, and Mr. McKlarney reported the scheduled meeting with the committee had been canceled due to school closures. He provided information on the benefits of such a program, and Mr. Lawson requested an alternative meeting option with the committee prior to moving forward.

Mr. Martin inquired about mutual aid agreements with surrounding localities. Mr. McKlarney provided information on the agreement with Red Sulphur for water and advised there are emergency services agreements with all surrounding localities. Members discussed options for assistance to towns within the county as well as various differences in water treatment facilities. Mr. Martin inquired about any changes to mowing. Mr. McKlarney indicated the inmate workforce is expected to be stopped at any time, but the county has several custodians that can be utilized for mowing during the emergency. Mr. Martin inquired if there had been any changes with first

responders. Mr. McKlarney reported there were no changes yet besides PPE requirements, and Carilion is giving a new set of PPE to responders when they bring someone in the hospital. He advised Giles Rescue has all the PPE they need, and he has been connected with the regional EMS Council. He stated he would check with Newport Rescue on their status.

PAYMENT OF WARRANTS

Mr. Morris motioned to approve warrants in the amount of \$958,468.08. Mr. Martin 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. Lawson motioned to approve \$2,388,792.67 for April 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. Martin motioned to approve \$120,000 for Social Services for April 2020. Mr. Lawson seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy, and Mr. Morris

NEWPORT 4TH OF JULY PARADE STREET CLOSURE

Mr. Marin made a motion to approve street closures during the 4th of July parade in Newport. Mr. Lawson seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy, and Mr. Morris

MILLIMAN GASB 75 DISCLOSURES

Mr. McKlarney presented a request for approval for an independent group, Milliman, of GASB 75 disclosures at a cost of \$2,000 to the county and \$2,000 for the schools.

Mr. Morris made a motion to approve Milliman to conduct GASB 75 disclosures. Mr. Lawson seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy, and Mr. Morris

PROPERTY

Mr. John Ross presented information on a potential sale of property at 309 North Main Street in Pearisburg, and related the information regarding insurance would be added into the contract. He indicated the price would be set at \$130,000 at a monthly rate of \$1,000 with \$500 down payment. He requested approval contingent upon the public hearing. Members discussed options for the public hearing.

Mr. Morris made a motion to approve moving forward contingent upon the public hearing. Mr. Lawson seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy, and Mr. Morris

VDOT SIX-YEAR PLAN PUBLIC HEARING

Members discussed options of rescheduling the six-year plan public hearing. Members concurred to set the public hearing date to April 16, 2020, at the next recess meeting.

ADJOURN

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Wednesday, April 1, 2020, 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

**RESOLUTION TO CONFIRM THE DIRECTOR OF EMERGENCY MANAGEMENT'S
DECLARATION OF LOCAL EMERGENCY DUE TO COVID-19**

WHEREAS, Code of Virginia §44-146.21 provides that “[i]n the event the governing body cannot convene due to [a] disaster or other exigent circumstances, the local director of emergency management may declare the existence of a local emergency, subject to confirmation by the governing body at its next regularly scheduled meeting or at a special meeting within 45 days of the declaration, whichever occurs first;” and

WHEREAS, in accordance with the Commonwealth of Virginia Emergency Services and Disaster Law of 2000 (Code of Virginia §44-146.13 *et seq.*, as amended) the Giles County Board of Supervisors duly appointed the County Administrator as Director of Emergency Management;

WHEREAS, by virtue of the authority vested in him by §44-146.21, the County Administrator, as the County’s Director of Emergency Management, issued a Declaration of Local Emergency on March 19, 2020 in response to the imminent threat and danger to public health posed by the novel coronavirus, designated as COVID-19.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF GILES, VIRGINIA, that, pursuant to §44-146.21 of the Code of Virginia, as amended, the Board hereby confirms the Declaration of Local Emergency issued by the County Administrator in his capacity as the County Director of Emergency Management on March 16, 2020, a copy of which is attached hereto as Exhibit A and incorporated herein by reference.

BE IT FURTHER RESOLVED AS FOLLOWS:

The Director of Emergency Management is authorized to do any or all of the following as necessary to protect persons and property in Giles County, Virginia during the period of the declared emergency:

a. control, restrict, allocate or regulate the use, sale, production and distribution of food, fuel, clothing and other commodities, materials, goods, services and resource systems which fall only within the boundaries of Giles County and which do not impact systems affecting adjoining or other political subdivisions.

b. enter into contracts and incur obligations necessary to combat the declared emergency situation.

c. protect the health and safety of persons and property and provide emergency assistance to the victims of such emergency.

d. proceed without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) pertaining to the

performance of public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, and other expenditures of public funds, provided such funds in excess of appropriations in the current approved budget, unobligated, are available.

e. under the supervision and control of the Governor or his designated representative, enter into contracts and incur obligations necessary to combat such emergency beyond the capabilities of local government, protect the health and safety of persons and property and provide emergency assistance to the victims of such emergency. In exercising the powers vested under this section, under the supervision and control of the Governor, the County may proceed without regard to time-consuming procedures and formalities prescribed by law pertaining to public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, levying of taxes, and appropriation and expenditure of public funds.

Adopted at a recess meeting of the Giles County Board of Supervisors held on March 19, 2020.

voting	voting for	against	abstain	absent
McCoy	<u> X </u>	_____	_____	_____
Morris	<u> X </u>	_____	_____	_____
Baker	<u> X </u>	_____	_____	_____
Lawson	<u> X </u>	_____	_____	_____
Martin	<u> X </u>	_____	_____	_____

Attest: Chris M. Klarney
Christopher P. Moxlarney, Clerk

AN ORDINANCE TO EFFECTUATE TEMPORARY CHANGES IN CERTAIN DEADLINES AND TO MODIFY PUBLIC MEETING AND PUBLIC HEARING PRACTICES AND PROCEDURES TO ADDRESS CONTINUITY OF OPERATIONS ASSOCIATED WITH PANDEMIC DISASTER.

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel coronavirus (COVID-19) pandemic; and

WHEREAS, Executive Order Fifty-One acknowledged the existence of a disaster as defined by Virginia Code Section 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

WHEREAS, Executive Order Fifty-One ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive any state requirement or regulation as appropriate; and

WHEREAS, on March 19, 2020, the County's Director of Emergency Management issued a Declaration of Emergency, as amended, applicable throughout the entire County of Giles, Virginia, at 3:30 AM pursuant to Virginia Code Sections 44-146.21 and 15.2-1413; and

WHEREAS, the Giles County Board of Supervisors affirmed the existence of a disaster and declared a state of emergency throughout the entire City that remains active;

WHEREAS, Virginia Code Section 15.2-1413 provides that a locality may, by ordinance, provide a method at variance with general or special laws to assure continuity of government in the event of a disaster for a period not to exceed six months; and

WHEREAS, Virginia Code Section 44-146.21(C) further provides that a local director of emergency management or any member of a governing body in his absence may upon the declaration of a local emergency "proceed without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) pertaining to performance of public work"; and

WHEREAS, Virginia Code Section 2.2-3708.2(A)(3) allows, under certain procedural requirements including public notice and access, that members of the Board of Supervisors may convene solely by electronic means "to address the emergency;" and

WHEREAS, the open public meeting requirements of the Virginia Freedom of Information Act are limited only by a properly claimed exemption provided under that Act or "any other statute;" and

WHEREAS, federal and state guidance from the executive branch has recommended suspension of public gatherings of more than ten attendees;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Giles County, Virginia, that agenda items scheduled or proposed to be considered for the duration of the local emergency declaration not to exceed six (6) months by the Board of Supervisors, Planning Commission or any other County board or commission shall be deemed continued for the duration of the local emergency declaration not to exceed six (6) months, if the Board of Supervisors, Planning Commission or other County board or commission does not take action on the agenda item during the referenced timeframe, including those agenda items for which state or local law requires an affirmative action to be taken within a statutorily-mandated time frame and the failure to act can be deemed an approval; and

IT IS FURTHER ORDAINED that notwithstanding the foregoing, the Board of Supervisors, Planning Commission: and any other County board or commission may, at their election, conduct previously scheduled meetings or special meetings and act upon scheduled or purposed agenda items before them for the duration of the emergency declaration thereafter, under normal procedures or by solely electronic means in compliance with public notice access, and other requirements of Virginia Code Section 2.2-3708.2(A)(3) to the extent practicable; and

IT IS FURTHER ORDAINED that in the event that a public hearing matter is deemed by the applicable governing body to present a critical government function essential to continuity of government for the duration of the emergency declaration, the public hearing may be conducted by an open public comment period called for during an electronic meeting, in which case, action by the governing body shall be continued to a subsequent meeting pending receipt of such comments. Public comments shall be received by written submittal (including but not limited to email and facsimile transmission) delivered to the County Administrator or his designee during the period stated in the call for public comments which comment period shall be a minimum of six (6) calendar days.

IT IS FURTHER ORDAINED that Board of Supervisors reserves the right by subsequently enacted ordinance to rescind or amend this ordinance. This ordinance shall not amend the Giles County Electronic Meeting Policy previously adopted by resolution, but shall be deemed to be in addition and supplemental to such policy during the period of declared emergency.

An emergency is deemed to exist and this ordinance shall be effective upon its adoption.

ADOPTED by the Board of Supervisors of the County of Giles, Virginia, on this 19th day of March, 2020.

voting	voting for	against	abstain	absent
McCoy	<u>X</u>	_____	_____	_____
Morris	<u>X</u>	_____	_____	_____
Baker	<u>X</u>	_____	_____	_____
Lawson	<u>X</u>	_____	_____	_____
Martin	<u>X</u>	_____	_____	_____

Attest: 
Christopher P. McKlarnsey, Clerk

Approved as to form: 
County Attorney