At the regular meeting of the Giles County Board of Supervisors held on Wednesday, September 1, 2021, at 3:00 PM in the Giles County Administration Building located at 315 N. Main Street, Pearisburg, the following members were present unless noted absent.

Richard McCoy	Chair (At-Large Supervisor)
Paul “Chappy” Baker	Vice-Chair (At-Large Supervisor)
Jeff Morris	Central District
Perry Martin	Eastern District
John C. Lawson, Jr.	Western District
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 August 19, 2021, 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

VDOT REPORT

Mr. David Clarke updated members on recent maintenance efforts in the county. He reported workers were out the previous night doing storm cleanup, and Penvir Road would be advertised for bids next month. Mr. Clarke indicated the administrative part of Sky View Lane was out of the way, and the crossover on Route 460 will be paved with safety funds. He reported work on potholes on Big Stoney Creek and Eggleston Road as well as some paving on Eggleston Road and in downtown Rich Creek. He also reported brush cutting on Old Wolf Creek Road, Burton and Summit, and related the tree crew would be coming back in the next couple of months.

Mr. Baker reported potholes from Virginia Heights to Riverbend as well as on the Ripplemead exits. Mr. Morris reported potholes on Eaton’s Chapel, and Mr. Lawson requested brush cutting on Robertson Mountain Road. Mr. Martin inquired about the status of Winding Way. Mr. Clarke advised he had received no word on it yet. Mr. Martin reported potholes on Painter School Road and drainage issues on Bluegrass Trail. He inquired about the process to get the sidewalks repaired in Pembroke. Mr. Clarke advised he would have to look at them to see which were VDOT and which were not.

Mr. Jay Williams – Mr. Williams inquired what would have to be done in order to get Sky View Lane completed. He stated the road was put on the list 25 years ago and inquired about the amount of rural addition funding. Mr. Bryan Reed indicated there is over $317,000 in rural addition funding at this time. Mr. Clarke stated Sky View Lane is turned over to the county now. Mr. McKlarney inquired about Sky View being turned over, stating he had not received final word on it. Mr. Williams inquired how to get help on brush cutting and ash tress on secondary roads, noting he had asked all summer for help on Big Stoney Creek Road. He related how dangerous the road is and stated the intersections need to be cut out. Mr. McKlarney related that Mr. Darrell Sowers had said they are getting a contractor to come cut on Big Stoney Creek Road, but the contractor had been held up on another job. Mr. Williams stated he hoped someone would listen and get some help in Giles. Mr. McKlarney reported potholes on Route 219.

ABANDONMENT WITH REPLACEMENT ROAD RESOLUTION – ROCKY HOLLOW ROAD, ROUTE 623

Mr. McKlarney presented a resolution for abandonment with replacement road along Rocky Hollow Road, Route 623. He explained the road had been moved in the 1990's, but the right of way from the previous route remained. Mr. McKlarney stated VDOT proposes to abandon those sections of right of way, which will be returned to the property owners. A copy of the resolution is attached at the end of these minutes.

Mr. Baker made a motion to approve the resolution for abandonment with replacement road along Route 623, Rocky Hollow Road. 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 REPORT

Dr. Arbogast updated the board on current enrollments. He stated there are currently 2,211 students, which a decrease of 17 from June and a decrease of 33 from the same time last year. He indicated there are 32 full-time virtual students, and it is the eighth day of the school year. Dr. Arbogast reported COVID numbers and indicated his office would publish the numbers weekly. He expressed appreciation for the work done by the maintenance crew at the track, the ball field and the health clinic.

Mr. Baker thanked Narrows High School for the sports passes and inquired about Giles High School passes. Mr. McCoy inquired if the clinic would have the ability to test for COVID. Dr. Arbogast indicated he thought they would but releases would be required.

OLD BUSINESS

NEWPORT SIDEWALKS

Mr. Jay Williams related the Newport sidewalks had been put on hold in the past until the gas company was done with its work. Members discussed T21 funding, and Mr.

McCoy stated the drawings could probably still be obtained from Hill Studio from the last time.

SCHOOL CARRYOVER

Mr. McKlarney stated he had received carryover requests from the school for Fiscal Years 2019, 2020 and 2021 as follows:

- FY 2019 - $197,640.40
- FY 2020 - $1,041,518.41
- FY 2021 - $ $2,211,963.94

Mr. McCoy stated it would have to go back into the general fund and would come back to the Board by written request. Members discussed carryover funding and requests that had not be received in the past. Mr. McKlarney stated the schools are also receiving $440,000 for HVAC equipment.

Mr. Morris made a motion to approve school carryover funding for FY 2019, 2020 and 2021 as requested under the same guidelines and conditions as set forth the previous year. 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

EMERGENCY SERVICES COORDINATOR

Mr. McKlarney introduced the new Emergency Services Coordinator, Mr. Jon Butler. Mr. Butler thanked members for the opportunity and stated he is excited about the position. Mr. McCoy related it will be good to have someone take this over and pull the departments together. Mr. Martin stated the Newport Fire Chief had spoken to him about the possibility of putting together a swift water rescue team in the county. Mr. McKlarney advised they had discussed that item as well as others earlier in the day and other jurisdictions in the region are leaning towards it.

NEW BUSINESS

SPARTAN BOOSTER AGREEMENT

Mr. McKlarney presented a proposed agreement with the Giles Spartan Boosters for a golf simulator to be installed at Castle Rock. He noted the boosters had raised $13,500 and is requesting $13,500 from the county. Mr. McKlarney stated it will be set up for the golf teams to have priority use during golf season, and others will have opportunity to pay for use as well. He advised any profit would be split with the golf team. Mr. Lawson inquired if both golf teams would be allowed use. Mr. McKlarney advised both will use the simulator.

Mr. Baker made a motion to approve the agreement with the Giles Spartan Boosters to purchase and install a golf simulator at Castle Rock. 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

NEW RIVER CRIMINAL JUSTICE TRAINING ACADEMY CHARTER RESOLUTION

Mr. Chidester presented a resolution for the New River Criminal Justice Training Academy Charter. He indicated the county had been a member jurisdiction since the 1970's, and this change came about due to Montgomery County withdrawing. Mr. Chidester advised the statute states approval is required by all member governing bodies. He stated the charter is for five years, unless a jurisdiction can get approval from all other members for withdrawal prior to the five-year term. A copy of the resolution is attached at the end of these minutes.

Mr. Baker made a motion to approve the charter resolution with the New River Criminal Justice Training Academy. 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

FAIR HOUSING RESOLUTION

Mr. Chidester presented a fair housing resolution, adding it is required for DHCD grant funding. A copy of the resolution is attached at the end of these minutes.

Mr. Baker made a motion to approve the fair housing resolution 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

WHEATLAND COVENANTS AMENDMENT

Mr. Chidester presented amendments to the covenants at the Wheatland property. He explained the covenants cover the entire approved upon tract of land including 17 acres across the road, where he is not sure it is relevant. Mr. Chidester stated a potential purchaser had met with them and had requested the construction timeline be changed from five to ten years, at which time the land can be purchased back at a suitable market value if nothing has been done. He advised the IDA would need to review and approve as well as the property owner, who has already approved. Mr. Martin expressed concern with the extension of the construction timeline to ten years as well as the appraisal value. Mr. Chidester outlined the changes further, and members discussed the changes and possible issues.

Mr. Morris made a motion to table the discussion for executive session. 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

STREET CLOSURE REQUESTS

Mr. McKlarney presented street closure requests as follows:

- Narrows Fall Festival – 9/25/21
- GHS Homecoming Parade – 9/24/21
- Pearisburg Scarecrow Festival – 10/2/21

Mr. Baker made a motion to approve the street closure requests 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

PAYMENT OF WARRANTS

Mr. Baker motioned to approve warrants in the amount of $1,288,298.47, 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

APPOINTMENTS

Mr. McCoy advised members might want to think about revamping the Emergency Services Board, since there is a new Emergency Services Coordinator.

COYOTE BOUNTY ORDINANCE

Mr. Chidester presented the proposed Coyote Bounty Ordinance for the upcoming public hearing and outlined changes from the previous ordinance. Mr. McCoy advised there could be some people show up to the public hearing with ideas to incentivize the program. Members concurred to advertise as presented.

BUDGET SUPPLEMENTS

Mr. Morris motioned to approve FY 22 budget supplements in the amount of $513,500, and 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

A copy of the supplements is attached at the end of these minutes.

LINK COVERED BRIDGE

Mr. McKlarney reported a team had gone to look at the Link covered bridge the previous day, and it is not in bad shape with only minor work needed. He indicated he has spoken with the land owner about the bridge being open to the public and the construction of parking spaces if the county takes it over. Mr. McKlarney stated it seemed the landowner understood, but it could be different once it is put into a legal document. He stated it would be a valuable historic resource, and grant funding might be available. Members discussed the bridge and possible issues.

Mr. Morris made a motion to move forward with getting the legal documents in place for the Link covered bridge. 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

EXECUTIVE SESSION

Mr. Morris motioned to go into executive session as permitted by Virginia Code 2.2-3711 A (30) Contracts. Mr. Baker seconded the motion. The motion was approved 5-0 by rollcall vote as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. 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 5-0 by rollcall vote 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 Thursday, September 16, 2021, at 6:30 PM. The meeting will be held at the Giles County Administration Office located at 315 North Main Street, Pearisburg.

APPROVED:

_____
Chair

ATTEST:

_____
Clerk

§33.2-705 & §33.2-912 - Addition to Secondary Route & Abandonment with Replacement Road

RESOLUTION

WHEREAS, a portion of Route 623 – Rocky Hollow Road has been realigned and a new segment constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation has inspected this street and found it to be acceptable for maintenance; and

NOW, THEREFORE, BE IT RESOLVED by the Giles County Board of Supervisors, this the 1st day of September, 2021, that the old segments of Route 623, identified on the attached Form AM 4.3, is no longer needed as part of the Secondary System of State Highways as the new road serves the same citizens as the old road and is hereby requested to be abandoned by the Virginia Department of Transportation pursuant to §33.2-912, *Code of Virginia*, 1950 amended.

BE IT FURTHER RESOLVED, that the Virginia Department of Transportation be, and it hereby is, requested to add and maintain the new segments identified on the attached Form AM 4.3 as part of the Secondary System of State Highways, pursuant to §33.2-705, *Code of Virginia*, 1950 amended, and the regulatory requirements of VDOT.

BE IT FURTHER RESOLVED, the County Board of Supervisors does hereby guarantee unencumbered rights-of-way plus the necessary easements for cuts, fills, and drainage for this added segments;

BE IT FURTHER RESOLVED, a copy of this resolution be forwarded to the Virginia Department of Transportation.

Adopted this 1st day of September, 2021.

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

Chris McKlarney, Clerk

RESOLUTION OF THE GILES COUNTY BOARD OF SUPERVISORS
APPROVING CHARTER FOR
NEW RIVER CRIMINAL JUSTICE TRAINING ACADEMY

WHEREAS Giles County has participated as a member of the New River Criminal Justice Training Academy (NRCJTA) since at least 1977 and

WHEREAS Virginia Code Section 15.2-1747 permits localities to become members of a criminal justice training academy by ordinance or resolution and,

WHEREAS NRCJTA desires to adopt a new charter to govern the operation and membership of the Academy and has proposed a 2021-22 Charter for consideration by its members,

Now therefore be it resolved that the Giles County Board of Supervisors, meeting on September 1, 2021, with a quorum present, hereby affirms its membership in NRCJTA and authorizes the County Administrator to sign the proposed 2021-2022 Charter.

Adopted at a meeting of the Board of Supervisors of Giles County, Virginia, held on September 1, 2021.

	Voting Yes	Voting No	Abstain	Absent
P. Baker	X			
J. Lawson	X			
P. Martin	X			
R. McCoy	X			
J. Morris	X			

Attest: _____
Christopher P. McKinney, Clerk

Approved as to form: _____
County Attorney

FAIR HOUSING RESOLUTION

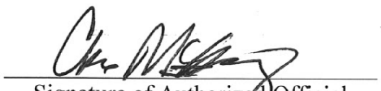
LET IT BE KNOWN TO ALL PERSONS of Giles County that discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, sex, national origin, familial status, or disability is prohibited by Title VIII of the 1968 Civil Rights Act as amended (Federal Fair Housing law). It is the policy of Giles County to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, national origin, familial status, or disability. Therefore, Giles County does hereby pass the following resolution:

BE IT RESOLVED, that within available resources, Giles County will assist all persons who feel they have been discriminated against because of race, color, religion, sex, national origin, familial status, or disability to see equity under Federal and State laws by filing a complaint with the Human Rights Commission or the US Department of Housing and Urban Development, Atlanta Regional Compliance Division.

BE IT FURTHER RESOLVED, that Giles County shall publicize this resolution and, through this publicity, shall cause owners of real estate, developers and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing law and any applicable State or local laws or ordinances.

SAID PROGRAM will at a minimum include, but not be limited to: (1) the public posting of this policy and other applicable fair housing information through local media and community contacts; (2) distribution of posters, flyers and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Adopted this 1st day of September, 2021.



Signature of Authorized Official

BUDGET SUPPLEMENTS
SEPTEMBER 1, 2021 BOARD MEETING

CODE	AMOUNT	OFF SETTING REVENUE
	$500,000.00	YES- AMERICAN RECOVERY PLAN FUNDS
	$13,500.00	No- GOLF SIMULATOR
TOTAL	$513,500.00	