

At the recess meeting of the Giles County Board of Supervisors held on Thursday, September 16, 2021, at 6:30 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) – Absent
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. Baker called the meeting to order, and Mr. McKlarney offered the invocation and led the Pledge of Allegiance.

### **APPROVAL OF MINUTES**

***Mr. Morris motioned to approve the September 1, 2021, minutes as presented. Mr. Lawson seconded the motion.***

***Discussion:*** *Mr. Martin noted the sidewalks talked about during the meeting were in Newport and requested a change.*

***Mr. Morris amended the motioned to approve the September 1, 2021, minutes with the noted change. Mr. Lawson seconded the motion.***

***The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy***

### **PUBLIC COMMENT**

**Mr. William Vaught** – Mr. Vaught expressed concern over alleged illegal dumping on Apache Road. He stated his son built a house nearby and has had issues getting his well approved. Mr. Vaught indicated the dumping had been going on for one and a half to two years, and he has reported it to several different departments and agencies. He noted logs, dirt, plastic, debris from a construction site being dumped as well as the smell of a large dead animal. Mr. Vaught stated he did not know why the dumping keeps going on and nothing is done to stop it. He stated the land owner was told to seed the property over and fence the site, but this has not been done. He related the dumping could be going into people’s wells, and the Department of Environmental Quality (DEQ) told him they could not get out there until more leaves are off the trees.

Mr. Baker requested that Mr. John Ross contact DEQ. Mr. Ross indicated DEQ had been contacted two to three times and was told there was nothing that could be done about tree products being dumped. Mr. Ross stated he had only seen wood products,

but the ground water issue is in DEQ's well house, with the only way to determine the flow being a dye trace; and the county is not equipped to conduct that type of test. Mr. Joshua Vaught stated he had to chlorinate his well four times due to bacteria before it would pass the water quality test. There was discussion on the alleged letter to seed over the property and fence it. Mr. Baker advised the county will keep on it, and Mr. Ross advised he would ask Mr. Bryan Reed to reach back out to DEQ.

## **NEW BUSINESS**

### **FY 2022 FIRE FUND**

Mr. McKlarney presented the proposed disbursement of FY 2022 fire program funds with the total funding at \$42,312. 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. Lawson motioned to approve the FY 2022 fire fund disbursement 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; Absent: Mr. McCoy***

### **PURCHASE OF FLEET VEHICLE**

Mr. McKlarney presented information to purchase a Ford F250 from the Ford Fleet Program for the Emergency Services Coordinator. He indicated the vehicle is needed in order for Mr. Butler to be adequately equipped when responding to emergency calls. Mr. McKlarney stated the purchase price would be \$39,960.

***Mr. Morris made a motion to approve the purchase of the Ford F250 as requested, and Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy***

### **VDH CARRYOVER REQUEST**

Mr. McKlarney reported he had received a request from the Virginia Department of Health to carry over FY 2021 funds in the amount of \$10,115 of the remaining \$12,545.75. He recommended approval and related the department has been doing a fantastic job.

***Mr. Lawson made a motion to approve the FY 2021 VDH carryover of \$10,115 as requested, and Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy***

## VDEM HAZARD MITIGATION GRANT

Mr. McKlarney stated there is a possibility of obtaining grant funding from the Virginia Department of Emergency Management to use toward a project on Route 460 in the bluffs. He indicated, if awarded, the grant would be \$320,000; and VDOT had agreed to provide \$80,000 in funding for the project as well. Mr. McKlarney explained the grant has to come through localities for VDOT, and there is no match required for the grant and requested approval to move forward with the grant process.

***Mr. Lawson made a motion to move forward with the VDEM Hazard Mitigation grant, and Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy***

## OPIOID LITIGATION UPDATE

Mr. Chidester updated members on the Mallinckrodt bankruptcy and indicated the company is a smaller manufacturer. He outlined the agreement and settlement amounts, with the Virginia share being approximately \$28 million. Mr. Chidester requested approval for counsel to vote in favor of the plan. Mr. Lawson inquired if it was his recommendation. Mr. Chidester stated he did based on recommendation of litigation counsel.

***Mr. Martin made a motion to approve counsel to vote in favor of the Mallinckrodt bankruptcy plan. Mr. Lawson seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy***

## PAYMENT OF WARRANTS

***Mr. Lawson motioned to approve warrants in the amount of \$2,047,622.03, and Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy***

## SCHOOL BOARD APPROPRIATIONS

***Mr. Lawson motioned to approve \$1,950,000 for October 2021 School Board appropriations, and Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy***

## SOCIAL SERVICES APPROPRIATIONS

***Mr. Lawson motioned to approve \$165,000 for the October 2021 Social Services appropriations. Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy***

## ANNOUNCEMENTS

Mr. McKlarney announced the Muddy ACCE Race will be held October 2<sup>nd</sup> and invited members to attend.

## RECESS

Mr. Baker called a short recess and reopened the meeting prior to the start of the scheduled public hearing.

## PUBLIC HEARING

### COYOTE BOUNTY ORDINANCE

Mr. Baker opened the public hearing. Mr. Chidester presented the proposed Coyote Bounty Ordinance and outlined the changes made from the prior ordinance, which was in effect around the year 2000. He stated the bounty could be claimed by presenting the ears of the harvested coyote as well as a signed statement from the landowner to an animal control officer.

Mr. Morris inquired if this was only for Giles County properties. Mr. Chidester stated the land where the animal is harvested must be in the county. Mr. Lawson requested a statement be drafted for use. Members discussed conversations had with several people regarding the ordinance. Mr. Martin inquired how National Forest would factor in. Mr. Chidester advised a landowner statement would not be obtainable, so the animal could not be harvested in National Forest. Mr. Baker asked for any additional comments or questions. Hearing none he closed the public hearing.

***Mr. Morris motioned to approve the Coyote Bounty Ordinance as presented. Mr. Lawson seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy***

## EXECUTIVE SESSION

***Mr. Morris motioned to go into executive session as permitted by Virginia Code 2.2-3711 A (1) Personnel, and (3) Property. Mr. Lawson seconded the motion. The motion was approved 4-0 by rollcall vote as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy***

***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. Lawson seconded the motion. The motion was approved 4-0 by rollcall vote as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy***

**OLD BUSINESS****WHEATLAND COVENANTS**

***Mr. Morris made a motion to decline the amendments to the Wheatland Covenants. Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy***

**SUPPLEMENTS**

***Mr. Morris made a motion to approve a FY 2022 budget supplement in the amount of \$40,000 to purchase the Ford F250. Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy***

**ADJOURN**

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Wednesday, October 6, 2021, 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**