

At the regular meeting of the Giles County Board of Supervisors held on Wednesday, November 3, 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 October 21, 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 paving on the emergency crossover on Route 460, with the guardrail and gate still needed. Mr. Clarke reported bids came in on Penvir Road, and the project will deplete all funding in the account. He advised the project will be awarded at the end of November, and notice to proceed will be done in December. Mr. Clarke reported paving on Route 460, brush cutting on Big Stony Creek, patching on Route 61 and Clover Hollow, adding the signs for the school bus stops are being worked on for Mountain Lake Road.

Mr. Baker requested ditching and pipe work on Curve Road near the Suroski residence, and potholes on Big Stony Creek Road as well as pavement edge erosion on Stateline Road. Mr. Morris inquired about the tree crew. Mr. Clarke indicated the crew is in high demand but will be back, and trees requested for cutting had been noted. Mr. Lawson inquired when the Penvir Road project would start. Mr. Clarke advised the start construction date would be in December, but it would depend on what the selected contractor already has scheduled. He indicated he would provide a construction schedule after the pre-construction conference.

Mr. Martin reported narrow shoulders on Spruce Run where the double lines are painted and drain work needed near 502 Orchard Hill. He inquired if dirt roads were ever contracted out or if it could be considered. Mr. Clarke indicated it would be a good thing to be able to contract them out, as it would not take staff away from other things. Mr. Martin reported pot holes on Painter School Road and inquired about the status of Winding Way. Mr. Clarke indicated he believes the suit has been settled and it should reopen soon. Mr. McKlarney expressed appreciation for the help on the Route 460 crossover. Mr. Reed reported pavement has washed out on Church Hill Road.

Ms. Alex Chaney, with the Salem VDOT Office, presented information on the proposed discontinuance of Route 799 right of way, and advised she had sent notice to the landowners. She related the discontinuance is a book keeping item and stated the sliver that will be discontinued will go to the county. Ms. Chaney indicated there is nobody living there, and it has been gated off for years. She explained the discontinuance will have to go through the whole process with the Commonwealth Transportation Board.

Mr. Morris inquired about what would happen to the easement with the third parcel shown. Ms. Chaney advised VDOT now has the perpetual easement, and after discontinued the county would have control of it, with the third parcel still having access. She thanked members for working through the discontinuance list with VDOT and stated she would send a resolution at a later date.

Mr. Bryan Reed reported he had been advised that the resolution approved previously by the Board regarding Skyview Lane did not meet VDOT requirements. He presented a new resolution for members to consider and read it into record. A copy of the resolution is attached at the end of these minutes.

Mr. Lawson made a motion to approve the Skyview Lane resolution as presented. 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 members on enrollments. He stated there are currently 2,186 students, which a decrease of 6 from the end of last month. He related there are 1,298 non-residential virtual students, and the first nine-week period has been completed. Dr. Arbogast congratulated the Narrows High School Theater team for its Regency championship and the Narrows High School Volleyball team for its Pioneer District championship. He reported two HVAC proposals had been received, and the project will start moving forward.

PUBLIC COMMENTS

Mr. Paul Baker - Mr. Baker inquired if anyone knows what the airplanes are spraying, and how the information could be obtained. Mr. McKlarney advised he could contact the FAA if dates and times of the planes could be provided.

OLD BUSINESS

PLANNING COMMISSION RECOMMENDATIONS

Mr. John Ross presented a recommendation for approval from the Planning Commission for a proposed rezoning of Tax Map 28-22, 1124 Cascade Drive in Pembroke, Virginia from the current zone of RRA-1 to MH-1 to include an amendment to the Giles County Comprehensive Plan for this parcel to amend the Future Land Use Map designation from Agriculture to Residential. Mr. Ross indicated the intent is to allow three mobile homes to be placed on the property.

Mr. Baker motioned to approve the rezoning and applicable changes to the Comprehensive Plan as recommended. Mr. Lawson seconded the motion.

Discussion: *Mr. Lawson inquired if the property had changed hands. Mr. Ross advised the property sale is contingent upon approval.*

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

Mr. John Ross presented a recommendation for approval from the Planning Commission for a proposed rezoning of Tax Map 46A-1-12 from current zoning designation of B-2 to the zoning designation of "Newport Village District" also to include the proposed amendment to the Comprehensive Plan to amend the Future Land Use Map designation from Commercial to Village.

Mr. Martin made a motion to approve the rezoning and applicable changes to the Comprehensive Plan as recommended. Mr. Baker seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Martin, Mr. McCoy and Mr. Morris; Abstaining: Mr. Lawson

Mr. Bryan Reed presented a recommendation from the Planning Commission approve the submitted Green Tree Road Subdivision Plat with the condition a Vicinity Map be added to the plat. He stated the discussion had been going on for several months, and there would only be 10 lots. Mr. Reed indicated the lots would all be served by Pembroke water and sewer, and the plat is lacking a vicinity map, which Eden and Associates has agreed to add.

Mr. Baker motioned to approve the Green Tree Subdivision plat as recommended. Mr. Morris seconded the motion.

Discussion: *Mr. Martin inquired if there had been any discussion about maintenance on the access to Route 460, noting a steep slope and possible issues in winter. Mr. Reed indicated it seems the concerns had been appeased with the reduced number of lots.*

The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy, and Mr. Morris

NEW BUSINESS

PEMBROKE CHRISTMAS PARADE STREET CLOSURES

Mr. Baker motioned to approve street closures for the annual Pembroke Christmas Parade on Saturday December 4, 2021 as requested. 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

GILES HEALTH AND FAMILY REQUEST

Mr. McKlarney reported he had received a request from Giles Health and Family to waive real estate taxes for 2021 in the amount of \$9,176. He advised there could be a need for a public hearing to discuss the request. Members discussed previous requests for tax waiver.

Mr. Baker made a motion to set a public hearing or advertise as needed for the tax waiver request from Giles Health and Family. 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

EMERGENCY SERVICES PRESENTATION

Mr. Jon Butler presented information on the progress of emergency services, including meetings with departments, membership and call numbers, budget totals for each department, needs assessments, funding needs, the function of the Emergency Services Coordinator, and other needs such as swift water training, special operations and a follow up meeting. Mr. Baker inquired if the county subsidized the departments. Mr. McKlarney explained the CARES funds could not cover loss to the departments, but covered some needed items. Mr. Butler advised that Mr. Chris Thornton is a certified EVOC trainer. Mr. McCoy inquired there had been no increase to departments since 2007 and it was only the basic fire fund. Mr. Butler stated that was correct. Mr. McKlarney advised the increase had been made in the replacement or pumper fund, insurance costs and the contracting for an additional EMS truck to be in service. Mr. McCoy explained in order for the departments to have vehicle coverage on the county policy, the Board would need to be owners of the vehicles, as the Board has certain criteria it has to follow. Mr. Martin inquired if there was anything that could be done in the short-term for equipment needs, noting a narrow scope of the use of CARES funds. Mr. McKlarney stated there had been a conversation on that recently, and it was great to have Mr. Butler involved and prioritizing things. Mr. Lawson inquired if there was a way to get some higher priced items and have a place to put them where they could be used by all departments. Mr. McCoy stated the county needs to see what grant opportunities are available, and see how it can be done reasonably. Mr. Martin inquired if there was a way to look at mid-range and high dollar items and make sure we are seeing the immediate needs. He suggested looking for a one-time smaller grant to meet those needs and work on bigger items long term, and noted a stretcher needed by Newport Rescue. Mr. McKlarney stated the list will be improved by assessing wants

versus needs to determine a number that can be funded, and advised it is part of the process. Mr. Butler indicated it would probably take a few months to see what they actually need. Mr. Martin stated he did not want to get into pushing a priority when a department has a particular need or it being a couple of years out for a solution. He would like to see something that will help the departments with funding shortfalls and would like to have a list to look at. Mr. Baker stated members need to trust Mr. Butler to bring it back to the Board, and with members working together all districts will be treated fairly. Mr. Lawson stated he trusts Mr. Butler's knowledge to determine the wants and needs of the departments. Mr. McKlarney indicated the departments training together would have a huge impact.

PAYMENT OF WARRANTS

Mr. Baker motioned to approve warrants in the amount of \$1,337,713.62, 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

ANIMAL FRIENDLY FUNDS

Mr. Martin made a motion to approve the appropriation of the FY 2021 DMV Animal Friendly Plate Funds to Giles Animal Rescue, and 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

BUDGET SUPPLEMENTS AND CARRYOVER

Mr. Morris motioned to approve FY 2022 supplements in the amount of \$408,974.89, 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

Ms. Ballard explained the carryover requests were FY 20 and FY 21 4 For Life funds, courtroom security and Senior Center donations. A copy of the supplements and carryovers is attached at the end of these minutes.

Mr. Morris motioned to approve carryover funds to FY 2022 in the amount of \$176,397.59, 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

EXECUTIVE SESSION

Mr. Morris motioned to go into executive session as permitted by Virginia Code 2.2-3711 A (1) Personnel and (7) Legal Counsel. 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

PUBLIC HEARING FOR TRANSIENT OCCUPANCY

Mr. Baker made a motion to set a public hearing for the November recess meeting for an ordinance to amend the Giles County Transient Occupancy Tax. 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

ADJOURN

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Thursday, November 18, 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

A RESOLUTION FOR THE BOARD OF SUPERVISORS OF GILES COUNTY, VIRGINIA
AS AN ENDORSEMENT OF UPC 112322-SKYVIEW LANE PROJECT

WHEREAS, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a resolution be received from the sponsoring local jurisdiction or agency requesting the Virginia Department of Transportation (VDOT) to establish a project in the County of Giles.

NOW, THEREFORE, BE IT RESOLVED, that the County of Giles requests the Commonwealth Transportation Board to establish a project for the construction of UPC 112322-SKYVIEW LANE project.

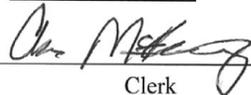
BE IT FURTHER RESOLVED THAT: The County of Giles hereby agrees to provide its share of the total cost for preliminary engineering, right-of-way and construction of this project in accordance with the project financial documents subject to appropriation.

BE IT FURTHER RESOLVED THAT: The County of Giles hereby agrees to enter into a project administration agreement with VDOT and provide the necessary oversight to ensure the project is developed in accordance with all applicable federal, state and local requirements for design, right-of-way acquisition, and construction of the project.

BE IT FURTHER RESOLVED THAT: If the County of Giles subsequently elects to cancel the project, the County of Giles hereby agrees to reimburse VDOT for the total amount of costs expended by VDOT through the date VDOT is notified of such cancellation. The County of Giles also agrees to repay any funds previously reimbursed that are later deemed ineligible by the Federal Highway Administration or VDOT.

BE IT FURTHER RESOLVED THAT: The Giles County BOARD OF SUPERVISORS hereby grants authority for the County Administrator to apply for funds and execute project administration agreements, as well as other documents necessary for approved projects.

Adopted: 11/3/21

Attest: 
Clerk

**BUDGET SUPPLEMENTS AND CARRYOVERS
NOVEMBER 3, 2021 BOARD MEETING**

SUPPLEMENTS	CODE	AMOUNT	OFF-SETTING REVENUE
	100-35500-6014	8974.89	No-AED's for Emg Serv
		\$400,000.00	YES - AMERICAN RESCUE PLAN
	TOTAL	\$408,974.89	
CARRYOVER to FY22			
4 FOR LIFE Funds FY20		\$17,518.80	
4 FOR LIFE Funds FY21		\$17,175.60	
COURTROOM SECURITY		\$137,352.72	100-31200-6038
Senior Center - Donated Funds		\$4,350.47	100-53500-5911
TOTAL		\$176,397.59	