

At the regular meeting of the Giles County Board of Supervisors held on Wednesday, September 7, 2022, 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.

Jeff Morris	Chair (Central District)
Richard McCoy	Vice-Chair (At-Large Supervisor)
Perry Martin	Eastern District
John C. Lawson, Jr.	Western District
Paul "Chappy" Baker	At-Large Supervisor
Chris McKlarney	County Administrator
Catherine Ballard	Finance Director
John Ross	Building Official
Richard Chidester	County Attorney
Missy Bray	Board Secretary

### **CALL TO ORDER/INVOCATION**

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

### **APPROVAL OF MINUTES**

***Mr. McCoy motioned to approve the August 15, 2022 and August 18, 2022, minutes as presented. 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***

### **VDOT REPORT**

Mr. David Clarke updated members on road maintenance in the county. He noted brush cutting and tree removal will continue with more crews coming within the following week or two, adding he had spoken with the schools regarding cutting needed for bus routes. Mr. Clarke advised there had been some cutting done on Clendennin Road as well as on Routes 61 and 42. He reported lines had been painted on a portion of Eggleston Road and potholes were patched on Big Stony Creek Road; however, the washout near the lime plant still needs fixed. Mr. Clarke related a pipe replacement on Orchard Hill, Winding Way had been reopened and construction on Penvir Road was almost complete. He indicated Prospect Dale would be next on the list, but it will be a while before the funding could be accumulated. He advised VDOT is working on long-range improvements for some of the old retaining walls on Route 460 between Narrows and Rich Creek. He noted there will be planned lane closures in November in that area.

Mr. Baker commended VDOT for work done on Big Stony Creek Road. Mr. McCoy reported continued issues with water in the road at Pembroke after a recent heavy rain. Mr. Clarke related he had requested clean out of the box there three times and would check into it. Mr. McKlarney reported a grant opportunity from VDEM for hazardous mitigation, and added the county would work with VDOT to see if the large drain could

be replaced and provided some information on the grant. Mr. Lawson expressed appreciation for lines painted on Lurich Road and the Penvir Road projected getting wrapped up. Mr. Martin expressed appreciation for the paving and inquired if the line painting on Eggleston Road had gotten to where it was faded out. Mr. Clarke advised he was not sure but would check. Mr. Martin reported large potholes on Mountain Lake Road and Lucas Road.

## **PUBLIC COMMENTS**

**Mr. Adam Robertson** – Mr. Robertson related he lives on Orchard Hill Road where the housing has doubled in the past five years. He reported a lot of dust from the increased traffic and inquired if there are any plans to help with the dust issue. Mr. Clarke advised hard topping of any type would be considered a construction project, and there are already roads on that list ahead of Orchard Hill. He indicated funding for just one project would take many years to accumulate, noting there was not additional funding for other projects. Mr. Robertson noted the possible effects of the dust on the children playing near the road. Mr. McKlarney inquired if there are any dust control measures that could be done. Mr. Clarke indicated there are, but these are only done in the summer as staff can fit into the schedule.

## **NEW BUSINESS**

### **AEP UPDATE**

Ms. Amanda Cox with AEP updated members on improvements in the area, adding all easements had been obtained for the Eggleston area upgrade. She will let members know dates of anticipated start and completion dates. Ms. Cox reported AEP will be installing \$22.4 million of middle mile broadband fiber in the county, which will help offset match for the county's VATI grant, and related AEP will be obtaining some grant funding for the installation from other sources as well. She reported the coal ash removal project at Glen Lyn has started due to legislation passed in 2020. She advised they will recycle what they can, and they will have a landfill off site, adding she will be working with the county regarding the best use for the site after completion. Mr. Lawson inquired about the current material being moved. Ms. Cox related only coal is being moved at this point, as they are in the first stages of the project. Mr. McKlarney commended AEP for its commitment of \$22.4 million to build middle mile broadband in the county.

## **PLANNING COMMISSION RECOMMENDATION – SILVERCREEK SUBDIVISION PLAT**

Mr. Bryan Reed presented a recommendation from the Planning Commission for approval of a subdivision plat for Silvercreek Management, LLC, Tax ID 58-96. He indicated the recommendation was with the condition of septic approval for each lot from the health department of a large lot subdivision consisting of six lots ranging in size from 5.15 to 47.29 acres and a remainder of 59.0 acres. Mr. Reed indicated the property has access on two state-maintained roads, noting all interior lots are accessed by a 40-foot private access easement. He noted all lots have been evaluated by a

private soil scientist and will be reviewed by the Virginia Department of Health. Mr. Reed related he had reviewed the plat, and he believes it meets the requirements of the subdivision ordinance. He requested the Board take action on the submitted plat.

Mr. Martin stated he had heard from residents regarding traffic issues and inquired about the anticipated traffic increase, adding it would affect everyone on Spruce Run. Mr. Reed indicated he could not speculate but there are six lots proposed with two vehicles per lot being an approximation. One of the owners present at the meeting indicated the rentals will be mixed, some long-term on the lower section and the upper section to be short-term rentals. He stated there could be weekly or long weekend spans for the short-term lots. Mr. Martin inquired if there would be any events hosted. The owner advised there is space available for events, but not a large center for hosting with room for only 50 to 60 people. Mr. Martin stated he would like to let people know who live there know what is going on and that this discussion is happening. He indicated his motion would be to table the item until notification can be sent out and dispel any rumors or bad feelings about what is happening.

***Mr. McCoy made a motion to approve the approve the large lot subdivision for Silvercreek Management, LLC as recommended by the Planning Commission.***

***Mr. Baker seconded the motion.***

***Discussion: Mr. Martin stated he had made a motion. Mr. McCoy advised he thought Mr. Martin stated his motion would be. Mr. Morris advised the way it was worded was not seen as a motion.***

***The motion was approved 4-1 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. McCoy and Mr. Morris; Voting No: Mr. Martin***

## **FY 2022 VJCCA FUNDING**

Mr. McKlarney presented a request from the state for a return of FY 2022 VJCCA funding in the amount of \$8,383. Mr. Chidester related he had reached out to Mr. Doug Poe regarding the continued returning of the funds and stated the funds are used to keep juveniles out of detention and can only be used for certain things. These services could include online diversion courses, location monitoring or treatment, and it is expected more will be used this coming year. Mr. Chidester advised Ms. Caryl Allen is aware of the funding, and those clients in FAPT could be charged to VJCCA for approved services that match the criteria.

## **PUBLIC COMMENTS**

**Ms. Beverly Vernon** – Ms. Vernon stated residents near the new subdivision were not notified until around a half hour before the meeting and indicated she lives one house down from that location. She related the additions to the property have ruined the peace and tranquility in that area, and no one is complying with speed limits. Ms. Vernon also related there are trash issues with the additions. She stated she has talked to one of the owners regarding the issues, and she is concerned of the possibility of there being a wedding venue and brewery. Mr. Chidester explained a subdivision does not require any public hearing; however, if a conditional use was needed, that would require a public hearing. He explained a public hearing is not required for permitted

use. Mr. McCoy explained any business started on the property would have to go through zoning. There was discussion regarding a speed limit sign that neighbors put up, which was reportedly taken down by VDOT.

## **FLOWERBEDS AT COURTHOUSE**

Mr. McKlarney recognized Mr. Baker and members of Hope Church for their efforts to improving the flowerbeds at the courthouse. He related they had put a lot of money and effort into the project. Mr. Baker noted Mr. Jay Smith, the pastor at Hope Church, headed up the project.

## **STREET CLOSURES – NARROWS FALL FESTIVAL**

***Mr. Lawson made a motion to allow for street closures during the Narrows Fall Festival on September 24, 2022. 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***

## **VDEM GRANT OPPORTUNITY**

Mr. McKlarney reported the opportunity of a VDEM grant for hazardous mitigation with a due date in December and no match required. He indicated they are looking for projects relating to storm water, and one was done in Pembroke years ago. He asked if members were in agreement with submitting an application. Members concurred.

## **PAYMENT OF WARRANTS**

***Mr. McCoy motioned to approve warrants in the amount of \$2,497,055.76, 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***

## **APPOINTMENTS**

Members discussed various appointments needed.

***Mr. Lawson motioned to appoint Mr. Ricky McCoy to the New River Valley Passenger Rail Station Authority. Mr. Baker 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***

***Mr. McCoy motioned to appoint Mr. Kevin Browne to the New River Community College Board contingent upon his acceptance. 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***

**EXECUTIVE SESSION**

***Mr. McCoy motioned to go into executive session as permitted by Virginia Code 2.2-3711 A (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. McCoy 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***

**RECESS MEETING DATE CHANGE**

***Mr. Baker made a motion to move the September recess meeting to September 22, 2022. 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***

**VEDP LETTER**

Mr. McKlarney related a letter was needed from the Board for support of the VEDP grant for the grading project at Wheatland. Members concurred to send the letter.

**ADJOURN**

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Thursday, September 22, 2022, at 6:30 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**

September 7, 2022