At the regular meeting of the Giles County Board of Supervisors held on Wednesday, November 6, 2024 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)
John C. Lawson, Jr.	Vice-Chair (Western District)
Perry Martin	Eastern District
Jeff Morris	Central District
Paul “Chappy” Baker	At-Large Supervisor
Chris McKlarney	County Administrator
John Ross	Building Official
Catherine Ballard	Finance Director
Richard Chidester	County Attorney
Missy Bray	Board Secretary – Absent

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 17, 2024, 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 maintenance efforts throughout the county, noting most of the recent time had been spent on clean up from the flooding. He related efforts on dust control and bridge work done on Snider Town Road. Mr. Baker reported potholes on Big Stony Creek Road near Riverivew Baptist and expressed thanks for the work on Routes 460 and 635. Mr. Morris related a complaint of damage on Sands Road. Mr. Lawson reported Rich Creek has questions on subdivisions for VDOT. Mr. Martin inquired about work on Gravley Hill. Mr. Clarke advised he would check. Mr. Martin asked about the status of the pipeline paving, adding he needs to make sure it goes smoothly. Mr. McCoy expressed appreciation for the tree cutting being done on Route 100, and Mr. McKlarney expressed thanks for all the work done by VDOT on the flood clean up.

<u>**Mr. Randy Johnson**</u> – Mr. Johnson presented a request from Bland County for assistance with No Business Creek Road. He indicated Bland is currently taking care of the road and requested it be added to the six-year plan. Mr. Johnson noted various aspects of partnership between Bland and Giles. Mr. McCoy advised the county needs to look at getting the county’s section fixed and start from there.

Mr. McKlarney inquired about the amount of six-year plan funding. Mr. Clarke related it is not enough to do all of Prospectdale, but VDOT would like to do some of the work there, which would be about a third of the road. Mr. Morris inquired if it would get the road done to the top of the hill. Mr. Clarke indicated it would get to most of the houses, and the next funding would go to Hiram Jones. Mr. McCoy stressed to make sure it gets to the top of the hill.

SCHOOL BOARD REPORT

Dr. Arbogast updated the board on current enrollments. He stated there are currently 2,158 students, which is a decrease of 1 from last month, and there are an additional 1,355 nonresidential, virtual Stride students. Dr. Arbogast recognized Narrows High School for receiving an award for continuous improvement from the Virginia Board of Education and thanked everyone for the help with Ag Day on October 19th. He related the teacher of the year selected for each school. Mr. Martin inquired about light replacement at Eastern Elementary. Dr. Arbogast related it is being reviewed.

PUBLIC COMMENTS

<u>Mr. Garry Stephens</u> – Mr. Stephens, member of Giles Rescue, spoke regarding an incident with Carilion Transport and stated Carilion had declined to assist someone on Stateline Road, adding it was unethical. He asked for clarification on how they prioritize trips. Mr. McKlarney stated the calls go through 911 and dispatch, and the county was aware of the incident, which has been addressed with Carilion. He believes this will not happen in the future, adding other resources are being looked at to help this individual with needs. Mr. McCoy advised the county will be hard pressed to explain why we could not get help to someone having a heart attack, when they are on another call to help someone out of their wheelchair, adding there are other services to be found to assist with that. Mr. McKlarney indicated several calls had been made from the individual requesting assistance being moved from a wheel chair to the toilet or couch, and the individual has refused any other assistance besides calling 911. Mr. Jon Butler provided information and related the issue has been discussed with Carilion. Mr. McKlarney related this is not the best use of resources, although Carilion will continue to assist, a better solution needs to be entertained.

PUBLIC HEARING

PROPOSED ZONING ORDINANCE – SECTION 716 SOLAR ENERGY SYSTEMS

Mr. McCoy opened the public hearing, and Mr. Taylor called the Planning Commission to order; members present were as follows: Mr. Berckman, Mr. Baker, Mr. G. Snider, Mr. Taylor, Mr. I. Snider, Mr. Hackney and Mr. Thompson.

Mr. Chidester stated the purpose of the public hearing is to consider the adoption of an amendment to the Giles County Zoning Ordinance to add Section 716 to regulate the siting and development requirements for solar energy systems within the county.

Mr. Chidester reviewed and clarified the following definitions and outlined where these are considered:

Section 716.01-1 Solar Energy System, Accessory Use
Section 716.01-2 Solar Energy System, Community Scale
Section 716.01-3 Solar Energy System, Utility Scale

A detailed description of the requirements was discussed as well as what the application shall contain. These requirements were outlined as follows:

Project narrative
Concept plan
Generalized landscaping and screening plan
Identification of environmental and cultural resources
Performance standards

Mr. Chidester highlighted the processing and approval standards indicating that a siting agreement would be required and a community meeting would be held and advertised 14 days in advance of the meeting. He specified that other localities were contacted on their requirements. The decommissioning plan was discussed next highlighting it would be updated every five years during the operation of the facility. Mr. Chidester related the owner should have some responsibility with this. Mr. Berckman with the Planning Commission asked how it would be handled should the owner sale their property. Mr. Chidester indicated agreements would be recorded in the deed or other legal documents.

PUBLIC COMMENTS

Mr. Quinton Wood - Mr. Wood with New Leaf spoke and outlined some statements that his company requires on the decommissioning process. He indicated that a third party is involved during this process as well as with bond agreements.

Mr. Ben Wilson – Mr. Wilson with Energy Right spoke thanking the Board of Supervisors and the Planning Commission for listening to their presentation. He highlighted that their company handles land owner agreements and company agreements individually.

Mr. McCoy asked for any other questions or comments. Hearing none, he closed the public hearing. Mr. Ross called a recess for the Planning Commission for them to readjourn in a separate location.

OLD BUISINESS

SBA PRESENTATION

Ms. Anna Nunez presented information for application for SBA loans following the recent flooding and suggested people contact FEMA.

NEW BUSINESS

RESOLUTION IN RECOGNITION OF TINA KING

Mr. McKlarney presented a resolution in recognition of Tina King who has announced her retirement with the New River Valley Agency on Aging after 42 years of service. Mr. Martin stated he has known Tina for a number of years, and she will be greatly missed.

Mr. Martin made a motion to approve the resolution in recognition of Tina King. Mr. Morris seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris; Absent: Mr. Baker

DMV ANIMAL FRIENDLY FUNDS

Mr. McKlarney a request for disbursement of DMV Animal Friendly funds in the amount of $195.00, noting it must go to an entity with a sterilization program.

Mr. Lawson made a motion to disburse the DMV Animal Friendly funds to Giles Animal Rescue. Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris; Absent: Mr. Baker

PAYMENT OF WARRANTS

Mr. Lawson motioned to approve warrants in the amount of $1,813,372.42, and Mr. Morris seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris; Absent: Mr. Baker

BUDGET SUPPLEMENTS

Mr. Morris moved to approve FY 2025 budget supplements in the amount of $199,803.38, and Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris; Absent: Mr. Baker

APPOINTMENTS

Mr. Martin moved to reappoint Mr. Jim Berckman to the Planning Commission. Mr. Lawson seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris; Absent: Mr. Baker

EXECUTIVE SESSION

Mr. Morris motioned to go into executive session as permitted by Virginia Code 2.2-3711 A (29) Contracts. Mr. Baker seconded the motion. The motion was approved 5-0 by rollcall vote as follows: Voting Yes: Mr. Baker, 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, Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

OLD BUSINESS

PLANNING COMMIISSION RECOMMENDATION OF ZONING ORDINANCE – SECTION 716 SOLAR ENERGY SYSTEMS

Mr. Ross stated the Planning Commission had met following the public hearing and recommended approval of Zoning Ordinance – Section 716 Solar Energy Systems.

Mr. Baker made a motion to approve the solar energy zoning ordinance as recommended by the Planning Commission.

Discussion: Mr. Morris inquired of wording could be changed on the ordinance, and Mr. McCoy stated the county does not need to have liability if the bond fails. Members discussed the possibility of reviews every two years and adjusting bonds, and Mr. Morris inquired if it takes the land out of operation or changes the values. Mr. Ross stated the equipment would be taxed, but he was not sure about the property tax. Mr. Chidester suggested the company would pay the property taxes. Mr. McCoy questioned who set the value on the bond. Mr. Wood indicated a third-party engineer would set the bond as well as a number of other things. Mr. Morris related he does not want a land owner to end up losing everything because a solar company goes bankrupt, and he does not want to make it the county's problem, noting abandoned cell towers. Mr. Chidester advised the county does not have the legal responsibility of decommissioning, and a bond covers this with the land owner, which is the reason for reviewing every five years. Mr. Lawson stated the requirement of third-party review should be added. Mr. Ross advised it could be added during the application period. Mr. Martin expressed concern about the effects on the land owner and future land owner and stated he would like to see a clean copy before making a decision. Mr. Chidester indicated if the company goes bankrupt it would go back to the land owner, so that is an incentive for the land owner to make sure stuff gets removed also. Mr. Martin inquired if the clean up happens when not in use or no longer viable. Mr. Chidester related the decommissioning is triggered at six months of cessation, and another company could come in and take it over if it is still operational.

Mr. Baker amended his motion to approve the solar energy zoning ordinance as recommended by the Planning Commission with the following change: require a third-party review of bonding. 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 21, 2024, 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

BUDGET SUPPLEMENTS
OCTOBER 6, 2024 BOARD MEETING

SUPPLEMENTS

CODE	AMOUNT	OFF-SETTING REVENUE
100-81210-5673	$176,181.38	No- Office Space Project
100-21600-6035	$23,622.00	Yes. Comp Board Reimb
200-96000-5899	As Needed	Yes, Disaster Relief Fund Payouts
TOTAL	$199,803.38	

Jeffrey Morris
Central District Supervisor

Perry Martin
Eastern District Supervisor

John Lawson
Western District Supervisor

County of Giles

Paul "Chappy" Baker
At-Large Supervisor

Richard McCoy
At-Large Supervisor

Board of Supervisors

315 NORTH MAIN STREET
PEARISBURG, VIRGINIA 24134

At a regular meeting of the Giles County Board of Supervisors held on the 6th day of November, 2024, in the Boardroom of the Giles County Administration Office, 315 N. Main Street, Pearisburg, Virginia, the following resolution was unanimously adopted:

RESOLUTION

Whereas, Tina King has announced her retirement from the New River Valley Agency on Aging after 42 years of service; and

Whereas, Ms. King has been an integral part of services to seniors in Giles County; and

Whereas, Ms. King helps to provide superior services, information and the ability to age in place whenever possible for the senior citizens of Giles County; and

Whereas, it is fitting and proper to recognize the outstanding dedication she has shown to Giles County and the New River Valley;

Now therefore be it resolved by the Giles County Board of Supervisors that Tina King be duly recognized for the outstanding dedication and leadership shown to Giles County and throughout the New River Valley;

Approved by the Giles County Board of Supervisors this 6th Day of November, 2024.

Richard K. McCoy
Chair

Chris McKlarney
County Administrator

Telephone: (540) 921– 2525 **Fax: (540) 921-1329**