

At the regular meeting of the Giles County Board of Supervisors on Wednesday, August 5, 2009, at 10 AM in the Giles County General District Courtroom, 120 North Main, Pearisburg, the following were present:

Richard McCoy	Chairman (At-Large Member)
Paul Baker	Vice Chair (At-Large Member)
Howard Spencer	Western District
Eric Gentry	Eastern District
Barbara Hobbs	Central District
Chris McKlarney	County Administrator
Kevin Belcher	Assistant County Administrator
Bryan Reed	Subdivision Agent
Susan Kidd	Board Secretary
Richard Chidester	County Attorney

CALL TO ORDER/INVOCATION

Mr. McCoy called the meeting to order. Mr. Reed offered the invocation and led the Pledge of Allegiance.

APPROVAL OF MINUTES

Ms. Hobbs moved to approve the minutes of June 18, 2009. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. Gentry, Mr. McCoy.

Ms. Hobbs moved to approve the minutes of June 30, 2009. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. Gentry, Mr. McCoy.

Mr. Gentry moved to approve the minutes of July 16, 2009. Second by Mr. Baker. Approved unanimously with correction of title for Ms. Hobbs and Mr. Spencer on page 1. Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. Gentry, Mr. McCoy.

CONSTITUTIONAL OFFICERS

Sheriff Millirons: Sheriff Millirons provided an up-date on July activities by his department. There were 484 civil papers served, 46 traffic summons, 22 felonies and 89 misdemeanors, and 3 DUIs issued. Two crime prevention programs were presented during the month. There were 16 drug indictments from the Grand Jury July. October will likely be a much larger number. Animal Control picked up 30 dogs and 67 cats. Sheriff Millirons thanked the board for their assistance with the county picnic for emergency services providers. There are some other programs being lined up now for the 09-10 school year. The drug searches at the schools will also continue. The RAD program has been receiving a lot of good feedback. The department will have an additional deputy available to provide that training this year. They have also received \$17,000 in grant funds from DMV for traffic enforcement.

Sheriff Millirons expressed appreciation for the board's cooperation in July on a special favor he had to get approved. This did result in a huge drug arrest and they are still investigating that. Things worked out well so he applauded the teamwork of everyone involved. He said this arrest will lead to further arrests in the near future.

There will be a Senior Citizen picnic scheduled in September. The department is looking forward to that and also wants to start getting citizens involved in Neighborhood Watch programs throughout the county. Sheriff Millirons noted they are looking into the Project Life program for Alzheimer's patients and are working on a grant. They hope to be able to begin that by the first of 2010.

Board members noted there was a tent near Rt. 460 at Hoges Store area that someone was living in. Sheriff Millirons was not aware of it. He said he would have someone investigate that. It may be someone camping their own land.

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Sheriff Millirons reported that a court security assessment was conducted on both the Circuit and General District Buildings. There were no major concerns, but some suggestions and ideas were made that would be good for increasing security in both courtroom areas. One of those is to close the rear door and only have one approved entrance into the buildings. It also suggested that deputies monitor the entrances to the courthouse every day – not just on court days. The board discussed some of these suggestions and that it would require additional man power from the sheriff's office to enact the suggestions. There is no additional money for that this time. Mr. Chidester said if the county does not meet state security guidelines and the buildings cannot be renovated easily, there is a fee that could be charged. There is an evaluation process to go through with the Department of General Services. He said it was not clear how much the cost of that evaluation would be. They think it will be in the range of \$1,600 to \$2,000. There is some paperwork to complete with the building office and others that can be sent in and reviewed, and then they will send someone here to look at it. If we qualify the county can begin charging the fee. General District Court felt a conservative estimate of revenue from that fee would be about \$50,000 annually to offset costs of securing the buildings. The concern was if the buildings were not secured at all times, someone could hide something in the courtroom or somewhere in the building that could be accessed when they were having court. Supervisors felt security while court is in session is a good idea, but it would be hard to police public access for people who need to enter on regular business. Sheriff Millirons stated that his officers do a thorough check of the courtroom and public areas before each session in court. Mr. McCoy asked Sheriff Millirons to email him and other board members a copy of the report so they could look it over. He said if the judge is leaning toward it, the board may as well start looking at it. Mr. Chidester said before it would be ordered, he felt the judge would meet with the board and try to reach a common ground on things.

Anne Chambers, Commissioner: Ms. Chambers said she would like to answer any questions the board had about the proposed changes to the tax relief ordinance for the elderly. This limit on assets has been at \$35,000 for the past 20 years. The only change has been in income limits. The asset limit covers 1.5 acre with a house. Anything over that acreage, personal vehicles, IRA and retirement accounts, checking and savings accounts are all considered in coming up with the \$35,000 assets. Ms. Chambers said most of the people on tax relief do have a lot of money and often it is the asset limit that keeps them from getting relief. She said currently 21 people are disqualified because of the asset limit. Fifteen of the 21 would get relief if they raised it to \$50,000 and 17 of the 21 would qualify at \$65,000.

Mr. Baker moved to increase the asset limit for the tax relief ordinance to \$65,000 as presented in the public hearing. This change is retroactive for 2009.

Discussion: Ms. Hobbs asked what the cost to the county would be for this change. Ms. Chambers estimate it at \$3,100 annually.

Motion was approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Spencer, Mr. Baker, Mr. McCoy, Mr. Gentry.

VDOT REPORT – DAVID CLARKE

Mr. Clarke reported that work has been done on Dry Branch and Burton Roads. Machining on the shoulders of Rt. 100 has been done (near Poplar Hill). There is still some work to be done on Doe Creek Road.

Mr. Clarke noted that a public meeting was held last month on the Rt. 61 bridge at Narrows. The public hearing is scheduled for next month. Out of that meeting, it does look like they will be considering two options and one of those would keep the bridge open. Ms. Hobbs asked if there was a reason the new bridge had to cross Rt. 460. Mr. Clarke said Rt. 460 is in the flood plain. Under federal regulations they cannot place the bridge in the floodplain. He said they still need to obligate the federal funds by spring on this project. They will be using a contractor for design/build of the bridge – basically to finish the design VDOT started. Bids should go out in February. They would have to complete the design and get the right of way. A schedule should be established probably by March.

Ms. Hobbs asked when work would begin on Clendenin Road. Mr. Clarke said they are working on obtaining right of way approval so it may be a while. If property owners are not cooperative, then it could be quite some time. Mr. Thompson noted there is only one property owner and VDOT is talking to him to resolve a couple of issues. They hope to have that done within a month or so. The goal is to have a contract for that road in the spring.

Ms. Hobbs asked about installing a "Deaf Child" sign. Mr. Clarke said VDOT does not do those – they only provide the "Watch for Children" signs. Signs like that within towns limits are probably done by the towns. If VDOT maintained roads it is state policy not to put up those signs. Ms. Hobbs asked if they could put a "Watch for Children" sign on Route 100 – five houses past New River Grille – on the four-lane section south bound. Mr. Gentry asked if the county could put up a "Deaf Child" sign. Mr. Clarke said VDOT would not allow it on their right of way. Ms. Hobbs said they needed some signs then near 1104 Pulaski-Giles Turnpike. Mr. Clarke said he needed a resolution from the board.

Ms. Hobbs asked if Giles County would be able to keep the maintenance shop here. Mr. Clarke said the shop Pearisburg would be closed, as well as those in Hillsville, Christiansburg and Floyd. They hope to be able to keep some equipment here in Pearisburg, but none of the people will stay here. There are about 15 people on the maintenance crew and they hope some of those will fill positions that may come open with retirements. Mr. Clarke said there are only four shops left open in the Salem District.

Mr. Spencer noted there was a place on Old Wolf Creek Road that has been patched several times. The bank is close to the road and with the high brush/grass it actually makes the road become one lane. Also people cannot see the ditch. If the brush was cut, they could at least see the ditch there. Mr. Clarke will look at that. Mr. Spencer asked if they have any new information on the Route 219 bridge. Mr. Clarke said there is some talk at the state level between the two states but he did not know where that stood. Mr. Spencer asked about the safety concern at the intersection at Rich Creek and Route 460. There was another fatality recently from someone getting on there and going the wrong way. Mr. Clarke said he would check on the status of that.

Ms. Hobbs moved to approve a resolution for placement of a "Watch for Children" sign on Route 100 near 1104 Pulaski-Turnpike Road. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy, Mr. Gentry.

Mr. Baker asked VDOT to remove a dead tree beside the road on Turnpike Road in Ripplemead. He asked when the signs for reduced speed limit on Virginia Heights would be put up. Mr. Clarke said they should be up by the end of the week. Mr. Baker also stated that VDOT needs to act quickly on the flashing caution lights at Rich Creek. A life might have been saved if those had been in place. Sheriff Millirons agreed and asked if there was some way to turn on a warning light to stop traffic at Narrows when a call is received by dispatch of a car traveling the wrong way. That last accident happened so quickly after a call was received, there was no time to get an officer there to warn anyone. Mr. Clarke said they would check on this situation.

Mr. Gentry stated that the ditches on Zales Mill Road, Rocky Sink Road and others in the Clover Hollow area need to be cleaned.

Mr. Gentry moved to approve a resolution for placement of a "Watch for Children" sign at the intersection of Route 460 and New Zion Road and another at the curve on New Zion near Simmental Lane. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy, Mr. Gentry.

Mr. McCoy asked for the balance of funds in Giles County's Rural Addition account. Mr. Thompson said he would check on that but he thought there was about \$200,000. The road viewers have already set that priority list – Sky View moved up to the first one. Mr. McCoy asked Mr. Thompson to also get the board an estimate of work on Sky View Lane. Mr. Spencer asked how funds were added to the Rural Addition account. Mr. Clarke said 5% of the secondary construction allocation is applied annually. He explained that now the secondary funds are only federal money and basically nothing is being added to Rural Additions. The current balance is all they have unless funding changes.

SCHOOL BOARD REPORT – TERRY ARBOGAST

Dr. Arbogast reported that new teachers will report on August 20th and 21st with all teachers reporting on August 24th. The first day of school is August 31st. Board members were invited to the back to school meeting on August 27th at 9:30 AM at Giles High School. Unofficial AYP results indicate all five schools will be accredited; official results are not available until September 11th. Two county schools – Macy and Eastern – met the goals for this year. The board asked what the reasons were that the other three schools did not make meet the goal this year. Dr. Arbogast said he had those results and they would be addressing the items. Those percentages do increase yearly and it is challenging to reach them.

Dr. Arbogast reported that the stadium at Giles High was almost complete; they still need to do some grading, seeding and fencing. Mr. Baker noted the heavy equipment has broken up the asphalt in some places and the handicap ramp fence needs repairs. Dr. Arbogast noted they will be putting fencing at the end on each side. At Narrows High stadium, work is almost complete. They are waiting on the bleacher people to finish the steel and some of the top railing. They should be on site today to complete that. Hopefully, both stadiums will be complete within the next week.

Dr. Arbogast answered questions about modular units at Macy. He said these are for special needs and autism classrooms. Stimulus money was utilized to purchase those. He reported that renovations are moving slowly at the Vo-Tech Center. Some items with water lines and other utilities have come up that need to be addressed. They are ahead of schedule on the nursing area and relocation of the main office. They were told they would have the machine shop space by August but they are not completely confident that will happen. When it does, though that will free up some other areas, but it all hinges on the machine shop equipment being removed. Renovations at Eastern are moving along quicker and modular units are in place and ready for school to start.

The board discussed a meeting to tour the renovation projects. A date of August 20th at 2 PM was set for the board to tour both the school and hospital projects.

Ms. Hobbs moved to tentatively schedule a board meeting to tour the renovations projects at the school and the hospital project site on August 20th at 2 PM. Second by Mr. Gentry. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy, Mr. Gentry.

Dr. Arbogast noted there were 14 new employees in the school system this year. Mr. Gentry asked if most were recent college graduates. Dr. Arbogast said some of them have some experience.

STOCK PEN WATER PROJECT

Mr. Belcher reported that SERCAP has agreed to allow the county to use some of those funds to pay for engineering on the Stock Pen water project. The county will then apply for construction ready funds from DHCD. Bids on the engineering were received from T&L and from Retaw Engineering. Staff recommends T&L.

Mr. Spencer moved to proceed with T&L on the engineering for Stock Pen Mountain water project. Second by Mr. Baker. Approved unanimously (4-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy; Mr. Gentry-ABSTAIN due to employer relationship.

FLOODPLAIN ORDINANCE AMENDMENT

Mr. McKlarney stated that the Planning Commission recommended approval of the proposed amendments to the Giles County Floodplain Ordinance. These changes are recommendations from DCR and FEMA. The ordinance also reflects the date of adoption of the Flood Insurance Rate Maps effective September 25, 2009.

Mr. Gentry moved to accept the recommendation of the Planning Commission to approve the amendments to the Floodplain Ordinance as presented. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy, Mr. Gentry.

RESOLUTION – NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH

Mr. McKlarney presented a resolution request from New River Valley Community Services Board to recognize September as National Alcohol and Drug Addiction Recovery Month.

Ms. Hobbs moved to approve the resolution for National Alcohol and Drug Addiction Recovery Month for September, 2009. Second by Mr. Spencer. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy, Mr. Gentry.

DEED OF EASEMENT – TOWN OF PEARISBURG

Mr. McKlarney presented a request for a deed of easement between the County and the Town of Pearisburg for underground utilities near the Law Building. This is to extend power to the street lights. The board discussed that approval should be contingent on the town returning their review of the county's TEA21 plans for Mount Lake and Tazewell Avenue. Mr. Gentry added that the town also needs to add a sketch to this easement because the language alone would make it difficult to retrace.

Mr. Gentry moved to approve signature of the deed of easement for the Town of Pearisburg contingent on the town's acceptance of the county's plans for the street enhancement project. Also, the town needs to include a sketch of the proposed location of the utilities for the deed of easement. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy, Mr. Gentry.

WORKFORCE INVESTMENT ACT – REQUEST FOR PUBLIC HEARING

Mr. McKlarney presented a request from the Workforce Investment Board for a public hearing to consider an ordinance permitting the exercise of joint powers under an agreement between the counties and cities that are part of the local board – Bland, Carroll, Floyd, Giles, Grayson, Montgomery, Pulaski, Smyth, Washington, Wythe, Bristol, Galax, and Radford. This would fulfill responsibilities under the federal Workforce Investment Act of 1998. Ms. Hobbs asked if the request was only to hold a public hearing at this point. Mr. McKlarney said that was correct.

Mr. Spencer moved to set a public hearing on this agreement for Workforce Investment Act at the regular meeting in September. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy, Mr. Gentry.

Ms. Hobbs said that the agreement mentions somewhere in there that part of this board would be from the labor unions. She did not see why they would want to put those organizations into this mix. Mr. Spencer said there are four or five different groups involved in the Workforce Investment Act. That may be one of them. There is also a CLEO group that is made up of elected officials. In addition, Linda Boggs and James Topping represent Giles County on this board. Mr. Gentry said there is a lot of union labor in this area with millwrights, boiler makers, etc., and they all have apprenticeship programs.

GILES COUNTY WELLNESS CENTER – FAMILY MEMBERSHIP

The board considered a proposed change in the definition of family membership for the Giles County Wellness Center. Family classification would consist of: "A family with parent(s) and children over the age of 12 but under the age of 21. Children over the age of 18 must be attending college and living at home." In addition, documentation would be required each semester to verify that the child is actively enrolled at the school.

Mr. Gentry moved to change the family classification for membership at the Giles County Wellness Center as outlined at this meeting. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy, Mr. Gentry.

ENTERPRISE ZONE APPLICATION

Mr. McKlarney stated that there are four Enterprise Zone designations now available in the state. It is limited only 30 throughout the state and Narrows is the only one in Giles County. This is an excellent economic development tool with available grant funding for job creation. There are also other benefits for capital expenses. The application has to be completed by October 1st. Multiple areas can be submitted and Mr. McKlarney would like to consider the two industrial parks on Route 460 and ask the Town of Pembroke if they have interest in being part of the designation. At this time, staff just needs the board's permission to move forward with the application. Mr. Gentry asked if the areas have to be specific. Mr. McKlarney said it can be broad acreage. He said the board also needs to have a public hearing at the recess meeting in September.

Mr. Gentry moved to allow staff to pursue application for an Enterprise Zone designation for Wheatland and Cascade parks and proceed with public hearing. Second by Mr. Spencer. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy, Mr. Gentry.

NEW RIVER RESOURCE AUTHORITY – WYTHE/BLAND COUNTIES

Wythe and Bland Counties would like to bring solid waste to the New River Resource Authority. They would not be members; only customers with the landfill. This would shorten the life of the landfill, but it still has a life expectancy of 90–100 years. Mr. Baker noted this additional revenue would help keep tipping fees for members low. Mr. McCoy agreed it would be good and said Mr. Levine is trying to do things to keep fees down.

Mr. Baker moved to approve the resolution allowing Wythe and Bland Counties to become customers of the New River Resource Authority. Second by Mr. McCoy.

Discussion: Mr. Spencer asked what the fees would be for these counties. Mr. McKlarney said he was not certain, but their fee would be higher than the member jurisdictions.

Motion was approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy, Mr. Gentry.

CASTLE ROCK CART PATHS

Mr. McKlarney presented a bid of \$52,000 from Jennelle to re-pave the cart paths. Mr. Gentry asked where the county would find the money. Mr. McCoy said the last estimate a year ago was \$110,000. If the county plans to keep the facility then they will have to spend capital dollars on it. Ms. Hobbs asked where they would find the money. Mr. McKlarney said they would have to take it from reserves. With the small amount in contingency for this year, it will have to come from reserve funds. Ms. Hobbs said she did not like that; there is no way the county will ever get that money back. Mr. Spencer asked what the subsidy for Castle Rock was. Mr. McKlarney said it was \$140,000 without capital expenses. Ms. Hobbs asked if the water system had stabilized. Mr. McKlarney said they are working on it and the work will have to be done this year. Ms. Hobbs asked if there was enough reserve to keep pulling from. Mr. McKlarney said he did not like this either because there are other things that need attention too. Mr. McCoy said they would have to do the cart paths eventually and asphalt has not been cheaper in some time. At some point they need to fix them or they will come apart. Mr. McKlarney agreed if the county continues to own it, they have to maintain it. This is the cost to replace the paths.

Mr. Baker moved to accept the bid from Jennelle Paving to pave the cart paths at Castle Rock. Second by Mr. Gentry. Approved 3-2. Voting YES: Mr. Baker, Mr. Gentry, Mr. McCoy; Voting NO: Mr. Spencer, Ms. Hobbs.

PAYMENT OF WARRANTS

Mr. Spencer moved to appropriate funds in the amount of \$753,865.99 for payment of warrants as presented. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy, Mr. Gentry.

BUDGET SUPPLEMENTS/TRANSFER – FY 09

Mr. Spencer moved to approve budget supplements as presented for fiscal year 2009 in the amount of \$155,518.55. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy, Mr. Gentry.

Mr. Spencer moved to approve budget transfers for fiscal year 2009 in the amount of \$249,100.00 as presented. Second by Mr. Gentry. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy, Mr. Gentry.

Ms. Tickle said the transfers are to clear up negative balances and balance out the fiscal year. In answer to questions concerning school funds, Ms. Tickle said that the school funds will agree with the county side, but appropriations amounts will not change.

EXECUTIVE SESSION

Mr. Baker moved to go into Executive Session under Section 2.2-3711, for A1 Personnel and A7 Legal for Contracts. Seconded by Mr. Spencer. Approved by the following vote: Mr. Baker, Yes; Mr. Gentry, Yes; Mr. McCoy, Yes; Mr. Spencer, Yes; Ms. Hobbs, Yes.

Mr. Spencer moved to return to regular session and only personnel and contracts were discussed. Seconded by Mr. Baker. Approved by the following vote: Mr. Baker, Yes; Mr. Gentry, Yes; Mr. McCoy, Yes; Mr. Spencer, Yes; Ms. Hobbs, Yes.

COURTHOUSE SECURITY/MAINTENANCE FEES

The board agreed for the county attorney to pursue the evaluation required to charge the courthouse security fee or maintenance fee. This is expected to generate approximately \$50,000+ annually.

CIVIL WAR SESQUICENTENNIAL

Mr. McKlarney reported that the state is working on preparations for the Civil War Sesquicentennial Celebration. They would like to have a local commission in Giles County to work with them. The board agreed to support resolution for this and the Historical Society would take the lead on it.

Mr. Spencer moved to approve the Board of Supervisors support for the Virginia Civil War Sesquicentennial Celebration. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. McCoy, Mr. Gentry.

Mr. McKlarney announced that the river clean-up event is scheduled for August 29th and will start and end at Eggleston Park. The clean up area is from McCoy Falls to Pembroke.

No further business was introduced. Mr. McCoy adjourned the meeting until the school project tour schedule on Thursday, August 20, 2009 at 2:00 PM.

APPROVED:

Chairperson

ATTEST:

Clerk

August 5, 2009