

At the regular meeting of the Giles County Board of Supervisors on Wednesday, September 1, 2010, at 10:00 AM in the Giles County General District Courtroom, 120 North Main Street, Pearisburg, the following were present:

Barbara Hobbs	Chairman (Central District)
Eric Gentry	Vice Chairman (Eastern District)
Howard Spencer	Western District
Richard McCoy	At-Large Supervisor
Paul "Chappy" Baker	At-Large Supervisor
Chris McKlarney	County Administrator
Richard Chidester	County Attorney
Susan Kidd	Board Secretary

CALL TO ORDER/INVOCATION

Ms. Hobbs called the meeting to order. Mr. McKlarney offered the invocation and led the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. McCoy moved to approve the minutes of July 15, 2010. Second by Mr. Gentry. Approved unanimously with corrections (5-0). Voting YES: Ms. Hobbs, Mr. Spencer, Mr. McCoy, Mr. Gentry, Mr. Baker.

Mr. Gentry moved to approve the minutes of August 4, 2010. Second by Mr. McCoy. Approved unanimously (5-0) with correction of the reference of SERCAP funds to \$103,500 instead of \$113,000. Voting YES: Ms. Hobbs, Mr. Spencer, Mr. McCoy, Mr. Gentry, Mr. Baker.

CONSTITUTIONAL OFFICERS

Sheriff Millirons: Sheriff Millirons shared August departmental information with the board members. Officers served 500 civil papers, made 3 DUI arrests, issues 9 traffic summons, and served 46 warrants. Animal Control has picked up 65 cats and 25 dogs during August. Sheriff Millirons noted that the programs in the schools will resume now that school is about to begin. They are continuing investigation into a couple B&Es in the Western end of the county. The department applied for a \$16,500 grant from DMV for traffic enforcement and it was awarded again for the 3rd time. This grant also helps purchase equipment and pays for extra patrols.

Sheriff Millirons said his department is considering purchasing some used Forest Service vehicles. They may have some four-wheel drive vehicles available. Usually those are offered at public auction but if the county is interested, they may be able to purchase at Blue Book values instead of going through the auction process. Mr. Gentry asked if they were pick-ups and if the Sheriff's Department used four-wheel drive often. Sheriff Millirons said most are pick-ups and Expeditions. The department does use four-wheel drive vehicles and has been fortunate that the county makes their vehicles available when the department needs them. He said he appreciated the way they worked with his department and also thanked John Mills and his maintenance crew for the work they did to renovate a room in the jail to house evidence.

Sheriff Millirons said the helicopter eradication program did result in an arrest for a large amount of marijuana as well as weapons and hand grenades. Those plants had a street value of \$219,000 as well as dried marijuana worth about \$12,000. Over 100 fire arms were seized as well as cash, two four-wheelers and a box a hand grenades. The grenades will be prosecuted by ATF officials.

Mr. Spencer said there are establishments in Giles County selling synthetic marijuana for about \$70 a bag. He asked if there was anything that could be done about that. Mr. McCoy said that was not for human consumption; it was supposed to be burned as incense for the scent only. There is no law against it but people are advised not to consume it. Mr. Gentry said that was also available in Blacksburg and Roanoke. Mr.

Spencer said there was some stolen from the local store recently. Sheriff Millirons said he had not heard that yet but he would be asking about it.

Sheriff Millirons said five deputies, Dr. Arbogast and five principals attended a session at the Roanoke Police Academy on "safe schools." He appreciated the school sending people to this training. Mr. McCoy said the deal on the Forest Service vehicles sounds good and the county might want to partner with the Sheriff's Department on that. They are down a vehicle right now.

VDOT REPORT – DAVID CLARKE

Mr. Clarke said most of the items from the last meeting have been taken care of. Mill Lane in Newport and Virginia Line Road have been repaired. The trees have been trimmed on Route 100 and the work near Dairy Queen on Route 219 has been completed. There is still some work to be done on Route 460. Mr. Clarke reported that the Route 61 bridge contract has been awarded, but this is a design/build so there is still a lot of design to do and right-of-way to obtain before construction begins. This is funded with stimulus money. Mr. McCoy asked who was awarded the contract. Mr. Clarke said he was not sure but would check on it. Mr. Gentry said he thought it was Key Construction.

Mr. Spencer noted there was about \$150,000 in Rural Addition funds. He asked if they could go ahead this year and bid the work on Sky View Lane. Mr. Clarke said they probably can but it depends on the estimate. Mr. McCoy said the board has never received a new estimate on that even though they have asked for it. They need an updated estimate. Mr. Clarke said he will get that to them fairly soon. He did not think right-of-way was an issue on that road. Mr. Spencer said he was alluding to having the county manage the project instead of running it through normal procedures. He asked if that could be done on a Rural Addition. Mr. Clarke thought it could.

Mr. Spencer asked if there was anything that could be done about the bridge on Route 219 near Peterstown. It is an eyesore and is dangerous. Everyone has been talking about it since 2003 and nothing has been done. Mr. Clarke said there had been no action for the last several years but now there are talks between West Virginia and Virginia. He thought there was progress or at least discussion going on now.

Mr. Baker thanked VDOT for a great job with the work on Route 100. He asked if they could check on grading on Darnell Mountain Road. There was gravel there but a recent rain washed it out and buses are running again.

Mr. Gentry said Old Furnace Road near Craig County had a low water bridge that he had asked VDOT to take a look at. Mr. Clarke thought they did but was not sure how that ended up. Mr. Gentry asked about work on the low spots and ditches on Bear Springs Road where it runs along the river. Mr. Clarke said they would check on that. Mr. Gentry said the ditching on Sinking Creek about 3/4 of a mile on the left was good but asked if they could carry that on down and do the rest of that ditch. It is blocked up right now.

Ms. Hobbs said she was still getting complaints from the White Gate area about horse droppings in the road and horse shoe nails that are damaging tires. She knew VDOT had said there was not much they could do. Mr. Clarke said it is not illegal to ride a horse on the road. They might have issue with leaving something dangerous on there like the nails. He said really the only thing they could do is ride through there and clean up something if they see it. Mr. Gentry said the last time the Sheriff talked to one of the elders in the community and that seemed to help things for a while. They should ask him to do that again.

Ms. Hobbs asked how the right-of-way issue was coming along on Clendenin Road. Mr. Clarke said they were working with Mr. McKlarney to get that resolved and were making progress. They are coming up with another plan and have to get approval of that through Salem. They hope that can be reviewed next week. Ms. Hobbs said if it wasn't, let the county know. Mr. Clarke said he would keep them posted.

SCHOOL BOARD REPORT – TERRY ARBOGAST

Dr. Arbogast said they were into the third day of the new school year. Enrollment on the first day was 2,495. Ending enrollment last year was 2,530. Dr. Arbogast presented an activity calendar for September.

Dr. Arbogast said they realized they may have some issues with the new bus routes as school opened. Things are going well so far and there have been a few changes and adjustments. They will continue to monitor and see what needs to be done. Ms. Hobbs asked about the issues with the construction delays at Eastern. Dr. Arbogast said they have nine classes in modular units and the parking lot is ready – after they worked through the weekend. They are getting closer to finishing the classrooms. Mr. McCoy asked if they would be able to recoup any of the additional costs of those modular units. Dr. Arbogast said they have not gone after that yet because they already had the modular units scheduled for 18 months anyway. If the office area had not been ready that would have been another issue though. There have been some extra personnel costs and they will try to recoup those. Ms. Hobbs said she still felt if there is a delay in the construction, they should go after it. Dr. Arbogast said their goal is to get a quality product out of it. The cafeteria is ready but the kitchen is not, so lunches are being prepared at Giles High and sent over. They did purchase a special unit to transport the meals.

Mr. Spencer asked if the schools had ever obtained a license for the Career Scope program. His group quit using the program because the license is very expensive. Dr. Arbogast said he did not know but would ask. Mr. Baker complimented teachers and staff for the great accomplishments each of the schools has made. Dr. Arbogast said all five schools, based on preliminary reports, will be fully accredited again for the sixth year in a row. He noted that Narrows Elementary/Middle was also the only county school to make AYP this year and they were very proud of that.

Mr. Gentry asked about renovations at the Tech Center. Dr. Arbogast said they were moving things in earlier this week and things are moving forward. Mr. Gentry asked him to pass along to the staff there and at Eastern that they are doing an excellent job coping and working during these renovations. Dr. Arbogast said he would pass that along. He noted that Mr. Mills and the maintenance crew have also done a great job with this and that Mr. Houck has been instrumental in handling the bus routes and been there every day working with them. Mr. Gentry said it is good cooperation, and that doesn't happen in other counties.

COOPERATIVE EXTENSION REPORT – SARAH BURKETT

Ms. Burkett provided an update on activities at the Extension office. Ms. Chase will be offering Sewing for Youth classes this fall in conjunction with Giles High teachers. This class will also incorporate some simple money management skills. She is working with the Technology Center on the Reality Store and will also offer Financial Planning to seniors at Narrows High. Amanda Sarver is working on another session of "Cooking with SHARE" using the monthly SHARE package. This also includes some basic nutrition lessons. She is also working Head Start operations on a salad lunch from their garden projects. Mr. Atwell has worked with the Newport Fair on livestock judging and said it was very successful with over 200 participants. He also recently worked with the Agricultural Field Day and is working on the Master Cattleman's Program. Mr. Lytton retired on May 1st and is back working part-time to maintain the 4H program. Ms. Burkett is working with local schools on the nutrition program. She has also worked with others and they have been successful in obtaining an Operation Front Line grant to provide nutrition education at a location in Pembroke and in Dublin working with school-age children and their parents. They are also working on a program called "Live Well with Less" to encourage families to better manage resources. They will be working with Social Services to identify families and it will also be open to the public.

PLANNING COMMISSION RECOMMENDATIONS

SUBDIVISION PLAT APPROVAL – KNIERMAN

Mr. Reed presented a plat to the board for approval. The reason it had to come before the board is that Mr. Reed is authorized to sign a plat of three lots or less. This plat has three lots but the residue makes up the

fourth lot. The Planning Commission does recommend approval of the plat. Ms. Hobbs asked where this land was located. Mr. Reed said it was in the Rye Hollow area.

Mr. Gentry moved to accept the Planning Commission recommendation for approval of the plat for Alfred Knierman, Mary Kay Knierman, Beth Anne Murray and Dordi Ann Marie Shultz. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Spencer, Mr. McCoy, Ms. Hobbs, Mr. Gentry, Mr. Baker.

SUBDIVISION PLAT APPROVAL – DANIEL/SUSANNA MILLER

Mr. Reed said this property is on Pear Tree Lane in the Walker Mountain Community Farm area of White Gate. This is a large lot subdivision. Mr. Reed said this was a single lot, but Walker Mountain Community Farm #6 was a large lot subdivision approved several years ago. This is a re-subdivision of that. Mr. Reed said the plat does meet requirements of the subdivision ordinance and the Planning Commission has recommended approval.

Mr. McCoy moved to accept the Planning Commission recommendation and approve the plat for Daniel and Susanna Miller as presented. Second by Mr. Baker. Approved 4-0 with one abstention. Voting YES: Mr. Spencer, Mr. McCoy, Ms. Hobbs, Mr. Baker. Abstain – Mr. Gentry due to doing survey work there.

SPECIAL EXCEPTION REQUEST – PRIVATE SEASONAL CAMP/RETREAT – R. DAUGHERTY

Mr. Whittaker noted this special exception request was for a private seasonable camp or retreat. Specifically it is for one primitive cabin with no indoor plumbing and electric by generator for occasional use. Mr. Daugherty is working with the Health Department and the Building Department on permitting requirements. The Planning Commission has recommended approval.

Mr. Gentry said he had some questions on the right of way going down to the river being closed off. That used to be public and is the only one to the river. The other question he had was on the sewer. Mr. Whittaker said a port-a-potty is probably the only option. They will be required to have a paid-for service agreement in hand before approval is complete. There were other discussions on the abandonment or discontinuance of the right-of-way. That actually does not affect anything except the state maintenance on the road; there are no utility easements there. Mr. Whittaker has discussed this with the land owner and he is not concerned. He is just happy to have a key to the gate like other land owners. Ms. Hobbs asked who owned this land. Mr. Whittaker said they do not know unless a survey is done. Mr. Chidester said the question revolves around whether the maintenance was discontinued or right of way was abandoned. Mr. Gentry said it was good that Mr. Whittaker has discussed that with Mr. Daugherty and he understands the issue. Mr. Whittaker said this is not really related to this request, but Mr. Daugherty was interested to know about it. No one is really sure who owns what as far as the road goes, at least not to a degree that anyone is willing to take a stand and block off the road. Mr. Spencer asked if the property they are approving has been surveyed. Mr. Whittaker said it was surveyed. They have looked at it because at one time this was a portion of property owned by Mr. Turner. Mr. Turner still has 1/4 acre with a house on it. That is not part of that property and there was a question whether this was a subdivision off of that. In researching this they discovered there were two existing parcels that Mr. Turner has owned for many years. One was a two-acre parcel and the other the 1/4 acre parcel. When Mr. Turner transferred this piece it was the two-acre parcel – both of those are on the tax records. Mr. McCoy said the recommendation is for the exception and Mr. Daugherty can access that now with no problem. Mr. Whittaker said this property fronts on the state maintained section.

Mr. McCoy moved to accept the Planning Commission recommendation and approve the special exception request by Mr. Daugherty.

Discussion: Ms. Hobbs asked who ascertained if these would be occasional use and what exactly does occasional use mean. Mr. Whittaker said from a legal standpoint if it can be occupied, then it can be occupied 24 hours a day/365 days a year. On Mr. Daugherty's application, he indicated he wanted to use it occasionally. The Planning Commission did not request or require that. If someone builds a cabin, it has to meet building code and be safe to occupy. He said limits could be placed on a special exception though. Mr. McCoy said this is about the same as they have had on Kire Lane and River Road. Ms. Hobbs said if someone tells Mr. Mills

they want to build a primitive cabin and want to live in it. They don't want a bathroom or kitchen. Could they get a permit for it. Mr. Whittaker said they would have to come before the Planning Commission and board just like this and ask for a special exception for a primitive structure. The primitive structure is what makes it a special exception and triggers the hearings.

The motion was approve unanimously (5-0). Voting YES: Mr. Spencer, Mr. Baker, Mr. McCoy, Mr. Gentry, Ms. Hobbs.

SPECIAL EXCEPTION REQUEST – CRUSHED STONE QUARRY – E. WESTMAN

Mr. Whittaker stated this was the recommendation on the special exception to “re-open” the old stone quarry in Ripplemead. The Planning Commission made a recommendation to approve this application to permit a crushed stone quarry with the condition that there be a constructed turn land/entrance that would meet with VDOT approval.

Mr. Gentry said the public hearing was held and there seems to be some confusion on the public comment section. He had received a letter from the closest land owner who will be affected. Mr. Gentry presented a letter from Chuck Wood and Susan and Ben Wood who live adjoining the entrance road to the quarry. They were basically opposed the quarry because it would decrease property values. However, they also said if this operation does gain approval there are some things they would request to make it better. The Woods would like to see the hill cut back for sight purposes and a sight barrier along the access road. Also, they would like to see a general upgrade in the road starting about 700 feet along the quarry road to the tunnel. They need fencing since it is going to be a public access so people cannot pull off onto their land. Mr. Wood was also concerned about dust control and would want compensation for any damages to the houses and property. Mr. Gentry said Mr. Wood was also concerned if the town ever tried to annex this; although that is not really a concern this board can address.

Mr. Whittaker noted that the Planning Commission was not privy to the letter from Mr. Wood since it arrived after the public hearing and after their meeting. Mr. McCoy said he would like to see results from a blast test. Mr. Whittaker said the Planning Commission discussed extensively about the blasting and vibrations and also what the Department of Mine, Minerals and Energy (DMME) requires through permitting. A lot of these issues – dust, noise, etc. – are addressed through the permitting process, buy the Planning Commission does not have knowledge of the exact perimeters of that. The Planning Commission did get into a lot of those questions. The consensus was they felt DMME process would regulate and address those things. Mr. McCoy said there is also the possibility of there being a development fairly close to that site. If this creates issues, then the board probably needs to take a look at it. Mr. Whittaker said that was a good point. The Planning Commission discussed the distance to the closest residence. The quarry company would be required to set up a seismograph there and it would be about 2,300 feet away at Harold Vaught's property. The board members discussed a test blast on the site. Mr. Westman said he would be agreeable to conducting a test if it was allowed.

Ms. Hobbs said the board needs to be specific on what information they want. She noted if she had to vote at this meeting, she would turn it down based on the safety of the county. The county is spending money on a hospital and the school is there, and IDA is developing the area around there. If the board wants to continue this until a future meeting then they should let Mr. Westman know whether they are leaning toward approving the special exception or not. Mr. Baker said at one time they discussed a water line out that way. Mr. Whittaker said it would follow the road along the upper end of the quarry area.

Mr. McCoy moved to table a decision on this special exception request for the quarry until the board receives further information. Second by Mr. Gentry.

Discussion: Mr. Spencer asked if they could do a model of the blast and its ramifications at Virginia Tech so they would not have to actually do the blast. Mr. McKlarney said Mr. Westman was a professor there and could probably answer that question. Mr. McCoy said he felt these things can be handled without putting them in a motion. They are not really stipulations for the exception but just questions the board needs answers to. Mr. McKlarney said he understood the board wanted to see a test blast and he would work with Mr. Westman to set

all the parameters. Mr. Spencer said he admired the entrepreneurial spirit of the concept and hoped they would be able to satisfy the concerns of the neighbors and board members and proceed.

The motion was approved 5-0. Voting YES: Mr. Spencer, Mr. McCoy, Mr. Baker, Mr. Gentry, Ms. Hobbs.

HOME CONSORTIUM

Mr. Gentry said two projects for the HOME Consortium funds applied and were approved. The IPR board unanimously approved to move forward with funding through HOME funds the project in Narrows and the Nursing Home project in Rich Creek. Mr. Spencer said no local tax dollars were in this funding. They are trying to get a decision to see if there is additional funding necessary and to make application for that.

Mr. Gentry moved to approve the IPR's recommendation to use HOME money on the Narrows and Rich Creek projects. Second by Mr. Spencer.

Discussion: Ms. Hobbs asked if that was rental property the nursing home is using. Mr. Spencer said that it is on 7—8 acres that was donated. Ms. Hobbs asked who would own it. Mr. Spencer said it was a separate group that will be set up by the nursing home. They had a meeting today and were supposed to address some of those issues.

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

CASTLE ROCK AND WELLNESS CENTER RATES

Ms. Hobbs said she would like to see the board move forward and adopt the fees presented by the directors of both facilities as presented. Mr. McCoy asked if they could look at something across the board to even things out. Ms. Hobbs said comments were that this raised family rates too much at one time. However, another way to look at it was that families have gotten by lucky for five years and this brings their rates in line with places around here. Mr. McCoy said he wasn't suggesting decreasing the family rate; he felt the single rate is not raised enough. Mr. McKlarney apologized and said he should have that information available for the board at the recess meeting.

Mr. Gentry said they need to get things straight for that discussion. Mr. McCoy said he felt the single rate is not increased enough; the family rate increase brings it closer to what it should be. Mr. Spencer asked what the anticipated subsidy was for this year. Mr. McKlarney said it was about \$150,000. That may decrease this upcoming year by \$20/30,000 by decreasing budget items. Mr. Spencer said he had calls about the \$150,000+ subsidy every year. He felt the board needed a long-range plan instead of just putting money into it year after year. When the county is laying off teacher aides and bus drivers and still subsidizing Castle Rock to the tune of \$150,000, they need to look at that. Mr. Gentry said he did not feel they could raise rates enough to break even at Castle Rock. It has to be treated as other county recreation and the board continues to fund it or close the doors and sell it. The market is really not right to do that right now. Mr. Spencer asked if they had thought of everything possible as far as raising money. Ms. Hobbs said even people who are unemployed in the county need a place for recreation. Mr. Gentry said he would like to see that subsidy spread more county-wide but it would cost more money to do even a little something like that. Mr. Spencer said they are trying to make the Wellness Center revenue neutral. Mr. McCoy said they were closer to breaking even there, but there is not as much overhead and no competition for that facility. Ms. Hobbs asked if Mr. Freel could attend the recess meeting if it was agreeable with other board members. However, her thoughts were to go with the rates advertised at the public comment session. Mr. Gentry said he would not want to see anything lower. Mr. McCoy said he was not saying to make them lower either. This was tabled for a decision at the recess meeting.

NEWPORT FIRE DEPARTMENT

Mr. Gentry asked about the request from Newport Fire Department to have vehicle maintenance done on their vehicles through the school bus garage. Mr. Houck was agreeable to considering that but wanted to get through

the first couple weeks of school first. Mr. Spencer said there are special certifications for pumps and other things on fire trucks. Mr. McKlarney said they would only be doing routine vehicle maintenance. Mr. Gentry said if they were going to do this on a trial basis, they should start with the group that requested it. Mr. McKlarney asked the board to give them 30 days or so after school started to let things get settled down.

INDIGENT BURIAL

Ms. Hobbs asked if the board needed to do a letter to funeral home directors stating the new policy on indigent burials. Mr. McKlarney said he did not think there was a final determination on that yet. Ms. Hobbs said basically the new policy was the only burials the county would handle are those where the body is unclaimed, and even though it is unclaimed any personal or real property would be sold and the proceeds used for burial expenses. Ms. Nipper at Social Services spoke to Ms. Homiak who has been in charge of eligibility for several years. She said if this policy had been in place the county would only have had one in the past 15 years. Mr. Chidester said Ms. Nipper did express concern that they do need to let the funeral homes know because they send these families to Social Services. However, she seems to think the state may come back with some money but cannot be certain until they have it in hand. Mr. Gentry said he would rather see a line in the budget for this. Mr. Chidester said once that money is spent, then what happens to the next ones who may need it. If they are saying only to accept unclaimed bodies and the families come in and take care of, then they have the assets to do it anyway.

Mr. McKlarney said the issue is that the burden seems to be back on the funeral homes. The state is basically asking them to take care of it and they will do that as a moral issue. Even if the family has assets to pay, how would the funeral home get them and would it be worth it to try. Mr. Chidester said there is no easy solution because if you talk about setting a limit and drawing a line, someone will be excluded who may need it more than those who received the benefit earlier. There is no way to draw the line and be absolutely fair.

Mr. McKlarney said the fee of \$650 was set in the 1970s by the board. There have been conversations over the years about the fee and it does not in any way come close to covering the costs. Mr. McCoy said he agreed it wasn't enough but where was the money going to come from if the state is not obligated to do anything. Mr. McKlarney said he would like to ask the funeral directors and Social Services people to set down the Mr. Chidester and the county and work out something that is fair. Ultimately, someone has to pay the bill and it may not be fair to put it off on the funeral homes. Mr. Chidester said by statute they would have to go to court and get a court order to pay the costs on unclaimed bodies. The only provision in the Code that would allow the county to even pay this money is for unclaimed bodies and the Sheriff is responsible for the disposition. What Social Services was doing before was under general relief funds that the state was providing and there was eligibility criteria that had to be met. Ms. Hobbs said there is another alternative. If people did not leave something in writing then the body can be donated to science or cremated. Mr. McCoy said he was amazed the state is just saying they are not going to do anything at all. He said he did agree that the county should handle unclaimed bodies only. Mr. Spencer suggested asking the county ministerial association for help. He said he supported handling unclaimed bodies only but thought they should at least contact the ministerial association. Mr. Chidester said the Code only allows the county to take care of unclaimed bodies. Ms. Hobbs asked Mr. McKlarney to research this and work with Social Services and the funeral directors. Mr. McKlarney said the county has to deal with it somehow since the state has washed their hands of it. Mr. Gentry said he would like to be in that meeting also.

Mr. McCoy asked if the county established criteria that have to be met and the county will pay a certain amount. Ms. Hobbs said legal counsel has said the Code of Virginia only allows the county to pay for unclaimed bodies. Mr. McCoy asked if it could be handled with an ordinance. Mr. Chidester said Fairfax County, for example, pays \$1,650 if someone who is a resident of the county or a nursing home in the county dies and receives Medicaid through the county. They also have to be indigent in that they have no resources, no life insurance or income. Social Services has to verify that through bank statements and other documents. If that is greater than the \$1,650, then they do not pay. Also the family has to be shown to be unable to financially pay or unwilling to bury a relative. That is just an example of the criteria he has found. Mr. McCoy said maybe they can meet with funeral directors and establish something like that, but not \$1,600. Mr. Chidester said he felt it was one thing if the body was unclaimed, then the county has to do something. Then, if the family comes in and says they are

paying more to get extra stuff done, then that is not reasonable. Mr. McKlarney will work on a resolution for this issue.

RABIES CLINIC

Mr. McKlarney presented a request from Giles County Animal Rescue for permission to offer a lost cost rabies clinic. As usual, it is not that simple as there is State Code that deals with this issue. He said some time ago this was done and there were issues with local veterinarians. Mr. Chidester said the Code says the rabies clinic has to be approved by the Health Department and the governing body and can be held once a year when the governing body finds that the number of resident vets is inadequate to meet the needs and provide the vaccine and approve the holding of the clinic. Mr. Gentry asked if the purpose of this clinic was not due to inadequate supply, but because of the cost. Ms. Hollie with Giles Animal Rescue said the reason they brought it up was because 90% of the cats and dogs brought into the shelter are not vaccinated. This puts the Animal Control Officers, cleaning people, volunteers and the public at risk. They have tried to hold this as a public service and offer vaccines at a discount rate to help those who cannot afford the prices the vets charge.

Ms. Hollie said she did approach the local vet several months ago and he did not want to do this because of liability issues. Since that time, another vet has contacted the Rescue group. She has her own insurance and the place they are holding the clinic has liability insurance. Ms. Hollie said she understood the Health Department said there is a need for it and the vet who is doing the clinic said she could come to Giles County and do this because she comes into Giles to treat other animals anyway. Mr. Gentry asked if Mr. Stinnett at the Health Department said there was a need. Ms. Hollie said he did. Mr. Chidester said the Health Department has to approve the clinic. That is probably more from the standpoint to make sure the person doing it is qualified. Mr. Gentry said he did not have a problem with this but wanted to go by the ordinance. Mr. Chidester said he did not think it required an ordinance but the board has to make a finding that the number of resident veterinarians in the county is inadequate in meeting the needs for rabies vaccines. Mr. McCoy said that is pretty easy to determine; there is one small animal vet in the county. Ms. Hobbs said she spoke with Dr. Painter and he has open appointments so he is not completely booked up. Mr. McCoy asked if cost could come into play as far as need is concerned – people cannot afford to use the vet's office. Mr. Chidester said that was not addressed in the Code. Mr. McCoy said he had no issue and felt the clinic was probably a good thing. If the Health Department approves of it, then he has no issue.

Mr. Gentry moved to allow the Giles County Animal Rescue to sponsor a low-cost rabies clinic in the county. Second by Mr. McCoy. Approved 4-0 with one abstention. Voting YES: Mr. Baker, Mr. Gentry, Mr. Spencer, Mr. McCoy. Abstain: Ms. Hobbs.

Ms. Hobbs said she was not totally convinced at this point that the board is complying with the statute as it is written.

PAYMENT OF WARRANTS

Mr. McCoy moved to appropriate \$778,010.08 for payment of warrants as presented. Second by Mr. Spencer. Approved unanimously (5-0). Voting YES: Mr. Spencer, Mr. McCoy, Mr. Gentry. Ms. Hobbs, Mr. Baker.

Discussion: Mr. Spencer asked what piece of equipment was being rented. Mr. McKlarney said that was the mower at Castle Rock; it is on a lease/purchase agreement. Ms. Hobbs said she had some out-of-town friends playing at Castle Rock recently and they said it was very ragged. Mr. McKlarney said that is because they have cut back on chemicals and fertilizer and the course suffers as a result. He has received similar reports and part of that is everyone is used to it being in excellent shape.

PERSONNEL MATTERS

Ms. Hobbs said the board was approached about raises and they have not voted on that. She was advised it needed to be done in open session. Mr. McKlarney said he received a call just before the meeting from the person over that department and asked that the board not do anything on that request.

Ms. Hobbs asked what the board had decided on retiree's insurance. They talked about changing the policy and there are some people not far away from the benefit but who are not ready to retire. They would like to know if this will be in place when they do retire. She said she would assume that the benefit would be there for people who qualify even if they do not retire at that time. Mr. McCoy said he agreed with that. What the board needs to decide on is where the cut off is – 25 years or employed by a certain date. He said he felt they need to take care of people who have been here. Mr. McKlarney said as he understood it right now, the policy regarding retiree insurance has not change and 30 year employees will continue to receive paid insurance until they are eligible for Medicare. He said he has explained to employees who have asked that there are no guarantees on this continuing. His assumption is that if the county continues to receive cuts from the state that could be somewhere they have to look next year. Every discussion with board members has been that the current board will not go back on the 30-year retiree insurance benefit. However, administrator and board members can all change and no one can guarantee what a future board will do. Ms. Hobbs asked how many employees were at 20 or 25 years. Mr. McKlarney said he did not have that information because he thought that they would not be dealing with this until the next budget year. Mr. McCoy said the board did say they would wait and see what happens in December. Mr. Gentry said he attended the open house for teachers at the beginning of the school year. He spoke with one of the guest speakers who is on the state Board of Education and asked about budget outlook for December. He was told it was pretty bleak. That surplus is just "paper" figures with no real money attached. He did not think things would look good for the education departments.

EXECUTIVE SESSION

Mr. Gentry moved to go into Executive Session as permitted by Virginia Code 2.2-3711 A(3) acquisition of property and disposition of property. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. Gentry, Mr. McCoy.

Mr. Gentry moved to certify that in the closed session just concluded, the Board discussed nothing except the matters specifically identified in the motion to convene and lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. Second by Mr. McCoy. Approved unanimously by roll call vote – Voting YES: Mr. Spencer, Mr. Gentry, Ms. Hobbs, Mr. Baker, Mr. McCoy.

STATE SCENIC RIVER STUDY

Ms. Hobbs expressed that she was aggravated that the state scenic river study occurred after the board voted that they were not interested in the study or designation. As she understood it, the study has already been made. She felt they need to write a letter to the Governor and this agency (DCR) and state that Giles County is on record as denying the study and it was still done, and that Giles County does not want this designation. They should ask why the money was spent to do a study after the board voted not to. Mr. Gentry agreed with that. Mr. McCoy said he agreed but did not know what they could hope to gain. Ms. Hobbs said she was just concerned. DCR told this board they had to approve the study or it could not happen. The board did not approve it, but it did happen. Now she wondered if DCR was going to manipulate other things to get around the board's wishes. Mr. Gentry said they should get their information out. Ms. Hobbs asked Mr. McKlarney to do a letter stating this. Mr. Gentry said he understood the study took place during the National Committee's float.

APPOINTMENTS

Ms. Hobbs moved to reappoint Mr. Roger "Butch" Mullins as an alternate to the PSA board for a 2 year term ending June 30, 2012. Second by Mr. Gentry. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. Gentry, Mr. McCoy.

Mr. Spencer moved to reappoint Mr. John Lovely to the Planning Commission for a 4-year term ending June 30, 2014. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. Gentry, Mr. McCoy.

No further business was introduced. Ms. Hobbs adjourned the meeting until the recess meeting scheduled for Thursday, September 16, 2010 at 6:30 PM.

APPROVED:

Chairperson

ATTEST:

Clerk