

At the recess meeting of the Giles County Board of Supervisors on Thursday, May 19, 2011, at 6:30 PM in the Giles County General District Courtroom, 120 North Main Street, Pearisburg, the following were present:

Eric Gentry	Chairman (Eastern District)
Paul "Chappy" Baker	Vice Chairman (At-Large Supervisor)
Howard Spencer	Western District
Richard McCoy	At-Large Supervisor
Barbara Hobbs	Central District
Chris McKjarney	County Administrator
Craig Whittaker	Zoning Agent
Susan Kjidd	Board Secretary

CALL TO ORDER/INVOCATION

Mr. Gentry called the meeting to order. Mr. Baker offered the invocation and led the Pledge of Allegiance. Mr. Gentry announced that public hearings would begin at 7 PM if anyone wished to sign up to speak at them.

APPROVAL OF MINUTES

Mr. McCoy moved to approve minutes of April 21, 2011. Second by Ms. Hobbs. Approved 4-1, with one abstention. Voting YES: Ms. Hobbs, Mr. McCoy, Mr. Gentry, Mr. Spencer. Abstaining because not present at April 21st meeting – Mr. Baker.

INDOOR PLUMBING AND REHABILITATION

Mr. McKjarney presented a letter from the Department of Housing and Community Development giving Giles County the opportunity to change the sub-recipient for Indoor Plumbing and Rehab funding for fiscal year 2012. Currently the county uses Giles County Housing and Development Corporation as the sub-recipient.

Mr. Spencer moved to continue using Giles County Housing and Development Corporation as the sub-recipient for Indoor Plumbing and Rehabilitation funds for fiscal year 2012. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Spencer, Mr. McCoy, Mr. Gentry, Ms. Hobbs, Mr. Baker.

PROCLAMATION – MAY AS OLDER AMERICANS MONTH

Mr. McKjarney presented a request from the NRV Agency on Aging asking the board to proclaim May as Older Americans Month.

Mr. Baker moved that the Giles County Board of Supervisors proclaim May as Older Americans Month. Second by Mr. McCoy. Approved unanimously (5-0). Voting YES: Mr. Spencer, Mr. McCoy, Mr. Gentry, Ms. Hobbs, Mr. Baker.

PAYMENT OF WARRANTS

Ms. Hobbs moved to appropriate funds in the amount of \$460,871.74 for payment of warrants as presented. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Spencer, Mr. McCoy, Mr. Gentry, Ms. Hobbs, Mr. Baker.

SOCIAL SERVICES APPROPRIATIONS

Ms. Hobbs moved to appropriate \$180,000 for Social Services for the month of June, 2011; \$163,361 (47,342 local funding) for CSA for June, 2011; and \$33,700 in additional funding for ADC-Foster Care

Program (no local match). Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Spencer, Mr. McCoy, Mr. Gentry, Ms. Hobbs, Mr. Baker.

ROUTE 219 AND ROUTE 61 BRIDGES

Mr. Spencer reported that he attended a meeting last week on the Route 219 bridge. There were 35-40 people there from VDOT and WVDOT. They were told by the lead person for West Virginia that they are looking at bidding this project in the fall with construction through next fall. The project is in the design phase now.

Mr. McKJorney noted he attended a meeting with VDOT to discuss conduits on the Route 61 bridge for future use. They do plan to start construction this fall – around October 1st.

APPOINTMENT

Mr. McCoy moved to reappoint Mr. Spencer as the county’s representative on the 9th District Development Finance Board of Directors. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Mr. Spencer, Mr. McCoy, Mr. Gentry, Ms. Hobbs, Mr. Baker.

EXECUTIVE SESSION

Ms. Hobbs moved to go into Executive Session as permitted by Virginia Code 2.2-3711 A(1) Personnel. Second by Mr. Spencer. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. McCoy, Mr. Spencer, Mr. Gentry, Mr. Baker.

Ms. Hobbs 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. Baker. Approved unanimously by roll call vote – Voting YES: Mr. Spencer, Mr. Gentry, Ms. Hobbs, Mr. McCoy, Mr. Baker.

PUBLIC HEARINGS

PROPOSED BUDGET FOR FISCAL YEAR 2011-12

Mr. Gentry opened the public hearing to take comments on the proposed budget for fiscal year 2011-12 and the tax rates for the same period. Mr. McKJorney stated that the public hearing is held pursuant to Section 14.2-2506 of the Code of Virginia and is for the purpose of allowing the public to question and comment on the proposed budget. The total expenditure and revenue budgeted for 2011-12 is \$46,231,776. That figure does not include any contingency funding. In this hearing, the board will also consider setting the tax rate for 2011-12. Those are proposed with no changes from the current year:

EXISTING TAX RATE FY 10-11		PROPOSED TAX RATE FY 11-12	
Real Estate	54¢ per \$100		54¢ per \$100
Motor Vehicles	\$1.91 per \$100		\$1.91 per \$100
Personal Property	\$1.91 per \$100		\$1.91 per \$100
Machinery and Tools	\$1.01 per \$100		\$1.01 per \$100
Transport Vehicles over 10,000 lbs. (Interstate Commerce)	\$1.01 per \$100		\$1.01 per \$100
Merchants Capital	81¢ per \$100		81¢ per \$100
Public Service Levy	54¢ per \$100		54¢ per \$100
Mobile Home Levy	54¢ per \$100		54¢ per \$100
Motor Vehicle Decal Fee	\$15 per Vehicle		\$15 per Vehicle

Mr. Spencer asked about the capital improvement amount in the budget of \$5,049,394. Mr. McKjarney said that includes about \$1 million of school renovation money that may carry over into next year and also the funds for the Stock Pen water project are part of that. Ms. Hobbs noted that if the money on the revenue side does not materialize, the projects will not happen. Mr. McKjarney noted there is only one project in there without funding – the narrow banding for E911 communications; that is about \$250,000. That is a locally funded project.

Mr. McKjarney reminded everyone that the tax relief ordinance states that anyone 65 years of age or totally disabled and having a net worth of property not exceeding \$65,000 and less than \$45,000 in annual income is eligible for reduced tax rates. Those details are specified in the tax relief ordinance, which is unchanged from previous years.

There were no other questions from the board members or the public. Mr. Gentry closed the public hearing and noted the board must wait at least 7 days before acting on this budget.

CELL TOWER – PATTERSON PROPERTY

Mr. Gentry opened the public hearing jointly with the Planning Commission for a special exception for a cell tower on the Patterson property. Mr. Whittaker stated that this was a public hearing to consider an amended application request for a special exception to place a cell tower with a 175' monopole structure and a 4' lightning rod (total 179') on a parcel of land owned by Lucille Patterson. The property contains approximately 200 acres and is zoned A-1. It is located at 362 Moye Road, approximately 1 mile from the intersection of Staffordsville Hill and Moye Roads. Mr. Whittaker noted this is a repeat of a previous public hearing in many ways.

Mr. Whittaker said there was a public hearing held on a previous application for a tower 150' in height and the Planning Commission did discuss and recommend approval of that application. However, based on the county consultant's review and comments stating that the opportunity for co-location on that tower was minimal because of the reduced height, he recommended the tower height be increased to allow for co-location. The Planning Commission recommended the applicant re-file an amended application to request this additional height. This would allow potentially three or more carriers in addition to AT&T to locate on that tower. Mr. Whittaker had received one phone call from Dorothy Johnson who supported these requests and offered her property if this location did not work out. He noted that Mr. and Mrs. Mullis were present. They sent a letter in opposition at the last meeting, but they were present at this meeting and would probably like to comment.

Diane Mullis: Ms. Mullis requested the board and Planning Commission consider locating this tower on a different site. She felt it could be located on the same property and provide the same service but not quite be in the view. Ms. Mullis and her husband have just built a new home and have spent five years planning it. They focused the location and design of the house on the view. The entire house was designed, planned and built to take advantage of this view. Now a 179 foot cell tower is going to occupy that view. They expressed their opposition when it was proposed at 150 feet and are extremely disappointed this has now been changed to 179 feet. This is their retirement home and if they had known of the location of the tower, they would have situated the house differently. Now it is built and they feel this will impact their quality of life every day. Ms. Mullis said she could talk about property values but wanted to appeal to the board's sense of pride in the natural beauty of Giles County. She felt there could still be a cell phone tower but asked them to consider locating it without having an impact on their view. She thanked the board for their consideration.

Mr. Spencer asked if there was anything in the code to prevent towers from spreading out horizontally to co-locate. Mr. Whittaker said there was nothing to prevent that. Mr. Gentry said they could do a standard T-mount, but in some places they do flush mounts. Mr. Spencer said at a certain height it limits the number of co-locates below it. He wondered if they could get the tower to that height and then mount other antennas horizontally. Mr. Whittaker said there is nothing in the current ordinance that prohibits that use. Some ordinances do limit the amount of horizontal distance from the center pole, but nothing to prohibit someone from proposing that. It is not a standard engineering practice though. There were no further questions or comments. Mr. Gentry closed the public hearing and referred the matter back to the Planning Commission for recommendation.

CELL TOWER – ORR PROPERTY

Mr. Gentry opened the public hearing jointly with the Planning Commission for a special exception for a cell tower on the Orr property. Mr. Whittaker stated that this was a public hearing to consider an amended application request for a special exception to place a cell tower with a 175' monopole structure and a 4' lightning rod (total 179') on a parcel of land owned by Dwight and Mary Orr. The property contains approximately 77 acres and is zoned RRA-1. It is located at 4.5 miles south from Pearisburg on Route 100 at 191 Keffer Road. Mr. Whittaker noted this is similar to the last public hearing in that the applicant amended their request based on information from the county consultant's report. Mr. Whittaker said he had not received any additional comments on this application. There were no comments from the board members, Planning Commission or the public. Mr. Gentry closed the public hearing and referred the matter back to the Planning Commission for recommendation.

CELL TOWER – MOYE PROPERTY

Mr. Gentry opened the public hearing jointly with the Planning Commission for a special exception for a cell tower on the Moyer property. Mr. Whittaker stated that this was a public hearing to consider an amended application request for a special exception to place a cell tower with a 175' monopole structure and a 4' lightning rod (total 179') on a parcel of land owned by Tommy and Sharon Moyer. The property contains approximately 66 acres and is zoned RRA-1. It is located along Camp Meeting Road approximately 0.3 miles from the intersection of Broad Hollow and Camp Meeting Roads. Mr. Whittaker had a discussion and received a letter on this, but after the adjoining land owner realized the actual location he retracted his letter. There were no comments from the board members, Planning Commission or the public. Mr. Gentry closed the public hearing and referred the matter back to the Planning Commission for recommendation.

Mr. Gentry noted the Planning Commission will be meeting on these on May 24th.

BUDGET SUPPLEMENTS

Mr. McClarney stated that the board had a list of budget supplements for the FY2011 budget totaling \$480,724.51. This includes \$369,922.20 that was received from the state for the TEA21 grant for the sidewalk project and \$102,000 for unemployment and retiree offset for the current fiscal year. There was also \$1,682.43 for PSA Administration fees which is the DMV stops the Treasurer's office does. The PSA Wage liens from the Treasurer's office are in the amount of \$7,419.88. The PSA board approved transferring those back over to the Treasurer. Mr. McCoy asked if that figure was close to what Mr. Duncan reported at the PSA meeting. Mr. Houck did not think Mr. Duncan had provided an actual amount. Mr. McCoy thought it was in the \$2,500 to \$3,000 range. However, Mr. Duncan did not have the information with him and was making a guess on the amounts. Ms. Tickle said should would double check the figures and make sure they were correct. She thought the total amount for this category was about \$3,000 for county and \$7,000 for PSA.

Ms. Hobbs moved to approve budget supplements to the FY2011 budget as presented in the amount of \$480,724.51. Second by Mr. Baker. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Gentry, Mr. Spencer, Mr. McCoy.

No further business was introduced. Mr. Gentry adjourned the meeting. The next meeting is scheduled for Wednesday, June 1, 2011, at 10 AM in the General District Courtroom, 120 North Main Street, Pearisburg, Virginia.

APPROVED:

Chairperson

ATTEST:

Clerk

May 19, 2011