

At the regular meeting of the Giles County Board of Supervisors on Wednesday, November 4, 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) - ABSENT
Paul Baker	Vice Chair (At-Large Member)
Howard Spencer	Western District
Eric Gentry	Eastern District
Barbara Hobbs	Central District
Chris McKlarney	County Administrator
Bryan Reed	Subdivision Agent
Craig Whittaker	Planning/Zoning Administrator
Susan Kidd	Board Secretary
Richard Chidester	County Attorney

CALL TO ORDER/INVOCATION

Mr. Baker, Vice Chairman, 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 October 7, 2009. Second by Mr. Gentry. Approved unanimously (4-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. Gentry; Mr. McCoy-Absent.

VDOT REPORT – DAVID CLARKE

Mr. Clarke reported that ditch work on Clover Hollow is being done. Mowing requests are being addressed at this time. VDOT is still working on the drainage issues on Hidden Meadows Drive. They have also scheduled work on T1001 in Rich Creek. Mr. Clarke announced that the public hearing on the Route 61 bridge in Narrows will be held from 5-7 PM tomorrow at the Narrows Community Center.

Ms. Hobbs asked if Mr. Clarke was able to determine who was paying for the rail service from Lynchburg to DC. Mr. Clarke said he was unable to find out exactly where the funds came from; it was around \$17 million. There is a certain amount allocated to that. VDOT is still working on right of way in Clendenin area. Mr. Clarke estimated that the earliest that project would be advertised was next year for a 2010 construction project.

Mr. Spencer asked if there were any pots of money that the county was not familiar with. They know about the TEA21, revenue sharing, and rural additions but are there others that they are not aware of that the county would be eligible for. Mr. Clarke said the only funding type things are similar to TEA21. There is "Safe Routes to School" program. Mr. Gentry said the county looked at that when it first came out, but could not find compatible routes. Mr. Clarke said the only other would be revenue sharing which for the time being is still viable. Mr. Spencer asked if there had been any progress on the Route 219 bridge. Mr. Clarke said nothing he knew of. He said he did not know if they have a formal agreement with West Virginia yet on how to fund it.

Mr. Clarke reported that there have been some studies done on the bluffs between Narrows and Rich Creek on Route 460. They are going to do some things in the short term to try to help the situation with marking on the roads and signs. He has not received a report back on the study, but they had a very good review of that area in both daylight and evening hours.

Mr. Gentry noted that Route 639 is a gravel road off of Clover Hollow Road. The ditches are full and the pipes in driveways need to be cleaned. The road is in fairly good shape but the ditches need cleared out. He also asked if Big Branch Hollow Road was accepted with the work on the well. Mr. Clarke said he thought had been taken care of. Mr. Gentry also asked about adding some room to the turn lane onto Doe Creek Road off Route

460. It was shortened a few years ago and creates a dangerous situation there. He asked if they could just add a little asphalt to allow cars to get off the road completely.

Mr. McKlarney said he had a request for work to fill potholes on Rocky Hollow Road and also to get lines painted on it. Mr. Clarke will check on the requirements for that. Ms. Hobbs asked if work on gravel roads was done on a schedule or just if they get a complaint. Mr. Clarke said there was a schedule for that. They try to go through all of them after the winter season and the guys working also have a good idea of which ones are more heavily traveled.

Ms. Hobbs asked about status of replacing the swinging bridge at Patterson Ford. Mr. Clarke said there was no money allocated for that. Ms. Hobbs asked if VDOT was ready to say that and take the bridge down. People are continuing to ask when it is going to be replaced. Ms. Hobbs said she did not know how those people would get out during high water.

Mr. Gentry asked Mr. Clarke to explain exactly what is being done on the closure of the county maintenance facility. Mr. Clarke said VDOT has closed the equipment repair shop in Giles. There were about five people affected. A couple took retirement and others were moved. There are three continuing to work at the Dublin facility. They have mobile repair units that will make the rounds and do routine repairs. Anything major will be taken to Dublin for work. He said the general road upkeep shop is still in the county. Right now VDOT is on hold as far as hiring new people so there are a few vacancies from retirements that cannot be filled. There is another lay off coming in January and they hope to be able to fill vacancies from those. Until all that shakes out they will not have a good handle on their employment levels. The notices of layoffs will go out by the end of the year and the process will take until March. Ms. Hobbs asked who came up with the fuzzy math that it was cheaper to have someone with a truck do maintenance in Giles rather than have someone here to do it; did they consider down time if that truck breaks down during a snow storm or something. Mr. Clarke said he was not sure of the study that was behind it.

SCHOOL BOARD – TERRY ARBOGAST

Dr. Arbogast reported that enrollment at the end of October was 2564, an increase of 4 since September. He shared a calendar of events for November and also invited board members to a reception honoring Cathy Webb at Virginia's Teacher of the Year for 2010. Dr. Arbogast provided information on free/reduced lunch numbers at schools for the board's use. They are still on track right now with the Title I program.

Dr. Arbogast said renovations at both Eastern and the VoTech Center are progressing on schedule. Plans are to move the machine shop at VoTech by the end of this week. Eastern is planning on making their first move on the first Friday in December.

In response to a question about the impact of flu on the schools, Dr. Arbogast said absences are average 8-15%. It was 15% last week but is now down to about 8-9%. The school has not heard from the health department on H1N1 vaccines for high school students. They hope to have those before Thanksgiving.

CONSTITUTIONAL OFFICERS

Sheriff Morgan Millirons: Sheriff Millirons presented the activity report for October. His department served 640 civil papers, made 71 arrests (23 felonies and 48 misdemeanors). There were 3 DUI arrests and 103 drug indictments from the grand jury. Animal Control picked up 33 dogs and 60 cats. Sheriff Millirons reported that both suspects in an armed robbery at Rich Creek's Dairy Queen have been arrested and are being held. The Code RED system was used that night and also a follow up at 7 AM the next morning. That worked well and several people who were not registered with Code RED have now signed up. He said they would like to add the Code RED sign up info to the utility bills again to try to have everyone sign up. Sheriff Millirons noted there was also a break in at Super-Val-U in Newport and one arrest was made. The other suspect is at large and they are working with U.S. Marshalls to find that person.

Sheriff Millirons stated that Project Lifesaver training will begin next month. This is the tracking device for Alzheimer's patients. Ten officers will be trained on this the first of December. Ms. Hobbs asked if that will be utilized by the nursing home. Sheriff Millirons said it could be but most nursing homes have their own alarms on doors.

Sheriff Millirons reported his department participated in the survey with VDOT on the section of Route 460 between Narrows and Rich Creek. They have started to implement some ideas to keep wrong-way driving from happening there.

He reported that grants are still being applied for and current grant money is being used in his department for enforcement, training and equipment. They currently have \$20,000 left in a DMV grant to be used for enforcement and equipment. The department participated in several Halloween Safety and Senior programs and will continue to offer similar things to the public. The senior picnic in October had to be moved due to rain, but was still a success.

Sheriff Millirons presented a request from Girl Scout Troop #510 that was sent to April Lowry with Giles County Animal Rescue. They would like to do work at the animal shelter to make it more inviting – painting murals, building a run, etc. The troop will pay any expense involved. He asked for board permission to allow this.

Mr. Gentry said he received a call from a resident who was hunting at Caldwell Fields last week on the first day of muzzle load season. There was a search/rescue crew in there that same day. Sheriff Millirons said that was Montgomery County and Teddy Mullins with the Forest Service. Mr. Gentry just asked if he could alert them to be aware of hunting season and hunters on National Forest property when working in there.

Mr. Baker noted there is a Regional Jail meeting coming up shortly. He said he was very strongly opposed to the raise the jail board is trying to pass for the superintendent there. No county employees got raises and he did not feel the jail superintendent should either. The economy is bad all over the New River Valley. They have tried to work with the jail on changes but get no cooperation. Mr. Baker felt the county's representatives on the jail board should not support this raise. Sheriff Millirons said that was brought to his attention last week and he would keep the board informed. There is a meeting scheduled for the 13th.

PUBLIC COMMENTS – NATIONAL WILD AND SCENIC RIVER DESIGNATION

Mr. McKlarney noted this comment period is open for the board to take comments on the proposed designation of a portion of the New River near Glen Lyn in Giles County as a National Wild and Scenic River. The study recommends 1.25 miles below the bridge in Glen Lyn down to the West Virginia border. About 22 comments have been received via the county web site and all have been in favor of this as have the phone calls that were received. Mr. McKlarney said the one question he has been asked is what if the federal government changes its mind on the requirements in the future. There is just no way to answer that. There are some assurances in the guidelines that people can continue to hunt and fish and it will not impact AEP or operations upstream. It has also been asked if it would impact the future water withdrawal study. Mr. McKlarney said the primary purpose of this designation is to make sure the river keeps flowing. The Army Corps has flood and flow easements back to the falls in Narrows. With this designation, they could not increase or back up the water and they would continue to manage it as it is now.

Mr. McKlarney noted that the Tourism Taskforce has submitted a letter to the board in support of the designation. They clearly understand the Board of Supervisors can only suggest designation. The final decision will be made by the President and Congress. Mr. Spencer asked if the designation would turn this over to the National Park Service or is that up for discussion. Mr. McKlarney said one of the alternatives in the study/plan and the suggestion of the designation committee is to leave it with the Corps of Engineers on the Virginia side. That may be something the board wants to specifically state what they recommend as far as the management continuing with the Corp. Mr. Spencer said he felt it was a good move to ask that the local Army Corps of Engineer group continue to manage the area. Mr. McKlarney said if the designation is passed, then they would have to come up with a local management plan and the local government would have input on that.

Mr. Gentry asked about private ownership of property in that area. Mr. McKlarney said both sides of the river are under control of the Army Corps of Engineers in this area. They own everything in the 100 year flood plain on both sides of the river. The study does not recommend a scenic designation here because of "lack of public support." Mr. McKlarney said he did not understand that statement since two public meetings were held in Giles County and the public and board attended both of those. He has not seen any negative comments from either meeting. There were a lot of questions, but he did not understand where they came up with the comment that it lacked public support.

Mr. Spencer noted that the Army Corps owns the dam and is building hydro-ports for hydroelectric there. This would preclude them from doing that. Mr. McKlarney said it would not stop that. They can continue as long as the river flows naturally. It would stop them from backing the water up to use for that though. They cannot change the natural flow of the river. Mr. Spencer said he understood the plans were to back water up to the Narrows falls. He wondered if there were any plans to increase the height of the water. Mr. McKlarney said he could not answer that.

George Santocci: Mr. Santocci spoke in support of the Wild and Scenic designation. There are none of these in Virginia yet and it would be great to have this in the county. Giles has done a great job using the river as a marketing tool and this is another feather in your cap to use in marketing the county.

Joe McClung: Mr. McClung said this was not the first time he has spoken to the board about the river. He said he agreed with the Park Service against this action because they would have two government agencies down there spending taxpayer money to do the job that the Corps of Engineers has done for the last 40 years. It was stated there were no impending threats and they could not build any more dams on the New River. Mr. McClung said he had a list of them and the river is full of them now. The Roanoke paper talked about this would not hurt hunting or fishing on the river. He used to hunt down there when the Board of Supervisors closed the road on the Powell Mountain side. That put the store in Glen Lyn out of business. People on the Powell Mountain side are land locked because of that decision. This also discriminates against handicapped people going down the Virginia side of the river. Mr. Baker noted that this board did not make that decision. Mr. McClung argued that they were involved. He said he felt it would affect hunting and fishing because people walking and stuff – which side of the river would you hunt on. It would especially affect hunting with firearms. As far as tourism is concerned, Mr. McClung said it may help and it may not. He said he was against this and did not think they needed another government agency covering an operation that was already operated by the Corps of Engineers. It would just cost the taxpayers more money.

Dave Yolton: Mr. Yolton said this county has 37 miles of the New River here and this designation is talking about six miles of that below the Route 460 bridge. To bring a scenic status to Giles County would enable people to market tourism even more. Already tourists come from out west and all over the country to visit Giles for the bass fishing. It is difficult enough to keep industries here, and tourism is definitely an industry. This would help the county greatly. The management is already there by the Corps of Engineers. They own to the flood plain and many of the slopes. Most of the private land there is in conservation easements. Mr. Yolton said he supported this designation and felt this was a once in a lifetime chance. He urged the board to enthusiastically and unanimously support this.

Mr. Gentry asked if Mr. Santocci had any information on whether hunting or boating on the river would be affected. Mr. Santocci said he did not think anything would change with the hunting. Mr. McKlarney noted that part of the assurances in the study (on page 8) says shall not "affect the jurisdiction... of the state in respect to fish and wildlife. Hunting and fishing shall be permitted on land and waters administered as part of the system..." Mr. McClung said those are very broad words and he wanted to know if it says anything about hunting with firearms specifically. Mr. Gentry said in areas already designated that has not happened.

Britt Stoudenmire: Mr. Stoudenmire spoke wholeheartedly in support of the proposed designation. He has been working across the area to get the word out. He and his wife have spent many hours contacting organizations across the state to gain support for this. The Renew the New group and Virginia Department of Game and Inland Fisheries (at a state level) will be supporting this. VDGIF feels that the area considered for designation in Virginia is much different from the area in West Virginia because the WV Department of Natural Resources already manages that area. We do not have that in Virginia and feel this designation would protect

the area. They also support keeping management under the Army Corps of Engineers. Mr. Stoudenmire said he has contacted the governor's office and Congressman Boucher, and he would like for the board members to understand that as far as state officials are concerned they will look to this board to speak for the desires of the county. He said he understood that people across the country are apprehensive about the federal government and the National Park Service. However, he received information from a person in Arkansas who was involved in the first National Scenic River designation and admitted that this process has to get past the politics in order to protect future generations. The county has to take advantage of this opportunity that they have today.

From a tourism standpoint, Mr. Stoudenmire noted this is a huge opportunity for the county and will last forever. It is very unique to have a river this large and this accessible. On a personal note, he said it would also be a benefit for his business to have a National Scenic designation, and he felt this would be beneficial to a lot of other businesses in the county as well. Ms. Hobbs noted that Mr. Stoudenmire has been in contact with a lot of people. She asked if he had run into any opposition at all. He said people are going to agree to disagree. He has largely been contacted by people with positive comments but did get one comment from a gentleman who was apprehensive about losing trapping rights under Park Service management. That was not listed in the study nor addressed by it. Mr. Stoudenmire said he has spent lots of time the past two weeks on the phone with a representative of the National Park Service. People are apprehensive about the National Park Service and that has been the only negative. As far as the river being protected, there were no issues. Mr. McKlarney said page 86 of the study, #4 – assurances specifically mentioned trapping. It says state and federal agencies would retain rights under federal and state laws on management of fish and wildlife and with regards to fishing, hunting and trapping. Mr. Stoudenmire also noted that in regards to it not be suitable for the designation; everything is listed as Yes/No and means Virginia/West Virginia. Also, the ultimate decision will be up to Congress.

Tom Miller: Mr. Miller said he was speaking as an individual and not as part of any group. He could not think of any better stretch of the river for this designation. The only concern he felt would be issues that might come up with the planned water withdrawal or upgrades at the AEP plant. Other than that, Mr. Miller said he could think of no more scenic area on the New River. He saw this designation as a win-win for everyone.

Leigh Stoudenmire: Ms. Stoudenmire stated that the way we currently know this stretch of the river is how it would continue. This section has been protected under that study for the past 18 years. If they do not push for this designation it will become unprotected. To keep it like it is now, it needs to have to protection and designation.

Ms. Hobbs asked if there was any way to get out of it if they get the designation and it doesn't work. Mr. McKlarney said he was not aware of that but didn't feel he was really qualified to answer that. Mr. Spencer said folks in Glen Lyn love that area; it is very beautiful. He said he does have concerns about the development of the new waste water treatment plant with Rich Creek and did not want that to be impacted and also the outfall from AEP should not be impacted. Mr. McKlarney said this would begin one and one-quarter mile below the Route 460 bridge. Mr. Reed presented an aerial photo detailing where the designation would begin. It is a considerable distance downstream from both areas that Mr. Spencer was concerned about. Mr. Spencer said he also felt that since the Army Corps of Engineers stopped camping in that area, things have improved and it has become more acceptable for people to enjoy. He said with those things he mentioned taken into consideration, then Glen Lyn would not be opposed to this. Mr. McKlarney said AEP's operation is specifically mentioned in the assurances of the study. Mr. McClung asked if this would affect the people farming the fields in that area. Mr. McKlarney said it would not.

Mr. Gentry made a motion that the Board of Supervisors would send a letter in support of a National Scenic Designation for the New River beginning 1.25 miles from the Route 460 bridge in Glen Lyn to the state line, and to note that the local Army Corps of Engineers is the preferred management group for this designation. Second by Mr. Spencer. Approved unanimously (4-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. Gentry; Mr. McCoy-Absent.

Mr. Gentry noted that he grew up in that area and using the river. In the past that was not an area people wanted to visit with families. With the improvements and upgrade of the road and no camping allowed, it has

become a nice place. He hoped the management practices would take that into account and continue to make it accessible to everyone – not just people in boats.

Mr. Atwell with the Virginia Cooperative Extension was unable to attend due to illness.

PLANNING COMMISSION RECOMMENDATIONS

Cell Tower Extension Request

Mr. Whittaker reported that the Planning Commission recommended approval of the 20-foot extension for an existing cell tower in the Spruce Run area. Mr. Kessinger's questions from the public hearing were addressed and no additional power up-grades would be necessary at this site.

Ms. Hobbs moved to accept the Planning Commission's recommendation for a 20-foot extension to an existing cell tower as presented at the October 22nd public hearing. Second by Mr. Spencer. Approved unanimously (4-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. Gentry; Mr. McCoy-Absent.

The Cedars –Multi-Family Units

Mr. Whittaker stated that when the Planned Unit Development (The Cedars) was submitted to the board for approval last year, it was approved for single family residential lots only. The Planning Commission had recommended the entire concept be approved. The Board of Supervisors has asked for more detail on the multi-family section of The Cedars. That is what is being presented today. There is a 1.55 acre area with a total of 21 units; that is the maximum plan they are requesting. The Planning Commission has already approved the request.

Mr. Gentry asked if the building official has met with the owners concerning set backs. Mr. Whittaker said if this section is approved by the board, nothing says that this is the number of units there if something in the building code would prohibit that. There is no guarantee that 21 units would be constructed; it just means no more than 21 would be built. This still has to meet zoning and set-back requirements and all building codes have to be met also. Mr. Gentry said that is why he wanted the board and owner to be aware of that. Ms. Hobbs asked in what order they would be built. Mr. Mandell said as far as which units would be built first, it would probably be the double units. Mr. Spencer asked if the drawing presented shows actual lots. Mr. Whittaker explained that as presented this only creates one lot and the drawing shows the actual footprint of the buildings. Mr. Mandell also noted that the townhouses would be available for sale or lease.

Ms. Hobbs moved to approve the layout for the multi-family portion of the The Cedars as presented for up to 21 units on the 1.55 acre site. Second by Mr. Gentry. Approved unanimously (4-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. Gentry; Mr. McCoy-Absent.

PUBLIC COMMENTS

Marilyn Hollie: Ms. Hollie noted that she heard a rumor that the county is going to stop picking up cats. She was told this was coming from the Sheriff. She called him and he said it was from the board. Mr. Gentry said it came from his comment while the board was discussing the number of cats the county has been taking in. Nothing on that has been decided though. Ms. Hobbs said whole board felt it deserved future discussion. If anything were to be considered, it would be advertised for a public hearing and the board would hear public comments before making a decision. They apologized if Ms. Hollie had been misinformed.

Ms. Hollie said her question now was why the board would consider something like that considering the number of cats that are brought into the shelter. If those were left alone and did breed, imagine how many there would be in one year. Ms. Hobbs asked how many of those that were brought in were put down. Ms. Hollie did not have that number available. Mr. Gentry asked what the adoption rate at the shelter was for cats. Ms. Hollie said she did not know and was not allowed to see that paperwork. The majority of cats that are taken out of there are through Animal Rescue. She noted that cats and kittens are euthanized on a weekly basis. Ms. Hobbs asked how much the cost was to euthanize a cat. Ms. Hollie thought the figure was \$4 through Dr. Painter, but she was not sure of the cost since Animal Control Officers are doing it. Ms. Hobbs asked if the cats

could be spayed or neutered at a cheaper rate if they are going to be turned back into the community. Ms. Hollie said her group does offer the spay/neuter assistance. However, that program does not seem to reach the people that really need to take advantage of it. They seem to be getting cats from the same people over and over who do not know to stop taking them in.

Mr. Gentry said he received several emails about a food mixture that could be used to control the population. That was one suggestion. He said the reason behind this discussion was Giles is the only county around who seems to be picking up cats through their Animal Control officers. There must be a reason why other counties do not. The board just wants to take a look at it. Ms. Hollie said she would like to see the county put together a low cost spay/neuter program. She said she did not know if there were funds for that but to stop picking up cats would result in a much worse problem that they now have. Other counties do different things: Montgomery doesn't pick up cats now but will when they get a new shelter; Grayson and Floyd do not have a shelter; Pulaski has the newest shelter in NRV and takes in cats, but animal control does not pick them up. Mr. Gentry asked how she would feel about the county only taking them in for certain situations and the public being more involved in this. Ms. Hollie said she did not know. Ms. April Lowry said animal control does take traps if an individual requests it and then go back and get the traps. As far as having people drop them off, it is difficult to get someone to meet a person at the shelter during the week. Volunteers have the only manned public hours there. Animal Control is not there for any set hours and it would possibly burden dispatch to take calls and arrange for Animal Control to meet them. Mr. Baker said Officer Dalton probably has many duties but his primary one should be Animal Control. Ms. Lowry suggested maybe the person who cleans out there could be trained to handle animals and have some set hours for drop-offs during the day. She and Ms. Hollie get calls to meet people at the shelter to adopt animals all the time, but she cannot leave work during the week to go out there.

Mr. Baker said stray cats are a problem, but it is not something the board has a lot of control over. Ms. Hollie said there are also problems with trapping cats. A week or so back someone came out and had trapped their neighbor's cats. Mr. Spencer said it was a dilemma that he did not have an answer for, but the board is looking for some answers within the budget constraints. Mr. Gentry said the county picked up 60 cats last month and a couple months ago it was over 100. The county has not raised taxes or had to lay off anyone and has kept all the public services going. Other counties haven't done that. This board is just trying to find ways to trim expenses. He asked that the sheriff get together costs and savings for Animal Control on what they are doing now and how things correspond with his budget. Ms. Hobbs commented that if the choice comes between keeping people working or cats, she will have to choose people.

Ms. Hollie said the board is paying for 2.5 people at the shelter every day – two Animal Control officers and a part-time cleaning person. She asked why not have it open during the week. Mr. McKlarney said that would be up to the Sheriff. Ms. Lowry said she just didn't feel it took 6.5 hours to clean the shelter. Mr. Gentry said he did not mind meeting with the Animal Rescue group and talk about this. He said maybe other counties do something different and still keep it going. Maybe we need to look at that. Mr. Baker said it seems the county needs to organize all the groups to work together – Animal Control, the rescue group, etc. Ms. Hollie noted that Giles County has a very dedicated group of volunteers at the shelter. She asked that when the board thought about doing anything out there, they just asked them to please bring their group into the discussion. Mr. Spencer said the board recognized their contributions and appreciated them.

Ms. Lowry said during these economic times, they understand cuts have to be made. However, they would ask they look at other ways that would not result in being overrun with cats and still save money. Mr. Baker said anything the board does would have to be subject to a public hearing. Mr. Gentry said the board needs to get more information. Ms. Hollie noted that when they are comparing Giles with other counties, please remember Giles has only one Animal Rescue group – other counties have multiple groups working.

DEPARTMENT OF JUVENILE JUSTICE

Mr. McKlarney noted that the county has received a letter from Mr. Belay's office indicating they spent state funds last year in the amount of \$12,068 and local in the amount of \$385. The amount not spent last year was \$1,178 that needs to be returned to the state. Mr. McKlarney stated that the local match is only for the portion of state funds actually spent.

Ms. Hobbs moved to refund \$1,178 in state funds to the Department of Juvenile Justice. Second by Mr. Gentry. Approved unanimously (4-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. Gentry; Mr. McCoy-Absent.

PROCLAMATION – RETIRED SENIOR VOLUNTEER PROGRAM

Mr. Spencer moved to approve a proclamation recognizing November as Giles Retired Senior Volunteer Program month. Second by Ms. Hobbs. Approved unanimously (4-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. Gentry; Mr. McCoy-Absent.

Mr. Gentry noted that Ms. Vaught is now working at the Senior Center full-time. He felt that was a very good decision and she will be an asset to that facility. Mr. McKlarney agreed and said she was working hard to inform all senior citizens of programs at the center. She is very excited about her new position.

PERSONNEL POLICY CHANGE – “HOURS OF OPERATION”

Mr. Chidester stated that this policy change was a result of a situation where some county employees are working with the school board employees and holiday schedules are different. There was reluctance on the part of the county employee to abide by the schedule and follow the direction of their supervisor. The old policy made allowances for assigning employees to work on holidays, but the most recent policy did not clearly do that. This is a change to make it clear that supervisors decide when employee's need to work. If they work on a holiday, they get time off on an hourly basis for that. If they work with employees of other agencies that have different holiday schedules, you can be required to work the holiday. Otherwise, you would have a situation where county employees may take a holiday (Columbus Day, for example) and school board does not take that as a holiday. The school has some holidays coming up that the county does not get also. It does no good to have employees working together but taking different holidays.

Mr. Chidester said in the county personnel policy, there are designated holidays and those are not the same as the school board's holidays. If “Employee A” is working on the maintenance crew, along with school board employees, they should all be working the same schedule – or if there is an emergency on a holiday, you want to be able to call them in. This is just trying to make that clear in the policy.

The specific wording of the change to be included under “Hours of Operation” in the Personnel Policy is: “Employees may be assigned to work other hours and schedules as the needs of the County dictate, including but not limited to assignments to work with employees of other agencies such as the School Board or PSA. In the event that an employee is assigned to work on a day designated as a holiday by the County, the employee will receive compensatory time off on an hour-for-hour worked basis. When assigned to work with employees of other agencies that observe a different holiday schedule than observed by the County, the employee's supervisor may require the employee to observe the same holiday schedule observed by the employees of the other agency, however this requirement shall not limit or expand the number of paid holidays received by an Employee of the County.”

Mr. Spencer said if this is a holiday for county employees and they have to work it with the school board employees, so why would you not reimburse at time-and-a-half. Mr. Chidester said it is not overtime. You only get time-and-a-half for working over 40 hours a week. Mr. Spencer said it would simplify things to have a maintenance holiday schedule that is either one or the other. Mr. Chidester said they tried to do that first, but one of the parties did not agree. Mr. Spencer said he understood, but everyone wants holidays like Thanksgiving off. Mr. Chidester said that was not the issue; it is more for holidays like Columbus or Veteran's Day. As the policy reads currently, they could not be required to come in for an emergency on a holiday.

Ms. Hobbs made a motion to approve the personnel policy change as presented with the knowledge that if this does not work out, the board could review it again at any time. Second by Mr. Gentry. Approved unanimously (4-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. Gentry; Mr. McCoy-Absent.

PAYMENT OF WARRANTS

Mr. Gentry moved to appropriate funds in the amount of \$363,063.88 for payment of warrants as presented. Second by Ms. Hobbs. Approved unanimously (4-0). Voting YES: Ms. Hobbs, Mr. Baker, Mr. Spencer, Mr. Gentry; Mr. McCoy-Absent.

Ms. Hobbs questioned the amount of FICA tax for County Administration payable to Giles County School Board. She asked if it was just FICA or all benefits included in the amount. She felt it was high compared to the amount of salaries. Mr. McKlarney said it may be for more than one month, but he would check on that. The county should only be paying half of that total amount of taxes/benefits.

EXECUTIVE SESSION

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

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

No further business was introduced. Mr. McCoy adjourned the meeting until the next recess scheduled, if necessary, on Thursday, November 19, 2009 at 6:30 PM.

APPROVED:

Chairperson

ATTEST:

Clerk