

At the recess meeting of the Giles County Board of Supervisors on Thursday, October 22, 2009, at 6:30 pm at the Giles County General District Courtroom, 120 North Main Street, 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
Craig Whittaker	Planning/Zoning
Richard Chidester	County Attorney
Susan Kidd	Board Secretary

CALL TO ORDER/INVOCATION

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

RECOGNITION

Mr. McKlarney presented a resolution recognizing the contributions of Mr. Harold Falls to the county and the Planning Commission. Mr. Falls served on the Planning Commission for over 34 years and passed away in September. He asked the board to pass the resolution which will be presented to Mr. Falls' children at a future meeting.

Ms. Hobbs moved to approve the resolution recognizing Harold Falls' contributions to the county and Planning Commission. Second by Mr. Gentry. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Spencer, Mr. McCoy, Mr. Baker, Mr. Gentry.

PUBLIC COMMENTS

Britt Stoudenmire: Mr. Stoudenmire spoke on behalf of the Renew the New organization. At their meeting on Tuesday, they agreed to request the Board of Supervisors consider a joint resolution to support the National Wild and Scenic River designation from Glen Lyn to Indian Creek. The designation was started in 1992 and it is now in the public comment period thru November 6th. Mr. Stoudenmire stated this was an unbelievable opportunity for the county to preserve the river and promote Giles County. The study found it not suitable and that may be because of lack of public support. However, that does not mean Congress will not vote to support it. Much of that decision was reached because of issues in West Virginia. It is also possible a designation could be reached for just the Virginia section. The designation could end up going one of several different ways.

Mr. Stoudenmire noted several issues with the suitability findings. One was finding someone to manage the land incorporated in this study and much of that was with the problem in West Virginia. One of the criteria was support of state and local governments. Virginia's response was positive for this item, but West Virginia was not. That seems to be on-going throughout the document.

Mr. Gentry said the board members attended a meeting in Rich Creek several years ago and offered support for the study. He did not think the lack of support was on this end. Mr. Stoudenmire said he did not think so either. He was told this was written up that way so it would gain public support when it goes before Congress sometime next year. He reported there are only 123 rivers in the U.S. with the National Scenic River Designation. Only ten of those are east of the Mississippi and only seven are in the Greater Atlantic region. Only ten of the rivers run through wildlife management areas and seven of those are in Alaska. This could be a unique area because it runs through public lands and because of the size of the river. This is such an undisturbed part of the river and a great opportunity to protect it.

Mr. McKlarney said the recommendation was to hold a public meeting to accept comments on November 4th and also to ask National Park personnel to come and answer questions about the report and impact of Wild and Scenic status. Mr. Gentry asked if there was a patron in Congress for this. Mr. McKlarney said Mr. Rahall handles it for West Virginia. However, West Virginia is not interested because of potential impact for the Bluestone Dam and change in management. Virginia does not have that issue since the Army Corp manages that currently and they do not see that changing in the future.

Mr. Stoudenmire stated the board's support is the number one thing needed now. Then, Congressman Boucher's support would be critical also. He felt a lot of things in the study were wrong – the cost of infrastructure is one – the road and the boat ramp are already there and improvements have been made.

Mr. Gentry moved to hold a public comment period at the November 4th meeting to receive comments on the proposed Wild and Scenic River designation at 1.5 miles below the bridge at Glen Lyn to the state line. Comments will also be received by mail and via e-mail. Second by Mr. Baker.

Discussion: Mr. Spencer asked if the designation was from the bridge or 1.5 miles below there. Mr. Gentry said it was below there. Mr. Spencer said they have a \$6 million waste water facility that is going in between Rich Creek and Glen Lyn and there are several other things. APCO also put in new culverts there last year and made road improvements, but his main concern was the sewer project. Mr. Stoudenmire emphasized that this designation would begin 1.5 miles below the storm water fall-out of APCO. Mr. Spencer said it was a beautiful area and everyone would like to see a road there that would transport people better. Ms. Hobbs asked if the road is opened up more would it stay beautiful. Mr. Spencer said it is much better since the Army Corp of Engineers restricted overnight camping. Mr. Stoudenmire said when they last met with the Park Service, they almost guaranteed Glen Lyn Park would be revitalized because that would be the main entry point for the designated area.

Mr. Spencer said if it is below where it would affect the waste water treatment, then he had no issue with it. Mr. McKlarney said it was 10.5 miles upstream from where it enters the Bluestone Dam. They will have a map up at the public meeting and some aerial photos. Mr. McCoy asked if the resolution needed to be passed before November 6th. Mr. McKlarney said it would be nice to have comments and a resolution by then.

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

RESOLUTION – GHS GOLF TEAM – STATE SINGLE A CHAMPIONS

Ms. Hobbs moved to approve the resolution (attached) recognizing Giles High School's Golf Team for winning the state Single A Championship. Second by Mr. Spencer. Approved unanimously (5-0). Voting YES: Mr. Baker, Mr. Gentry, Mr. McCoy, Mr. Spencer, Ms. Hobbs.

Board members also recognized that Cathy Webb, a teacher at Narrows Elementary, was recently named the Virginia Teacher of the Year.

NACO DUES

Mr. McKlarney noted that dues were up for renewal for membership in the National Association of Counties. Ms. Hobbs asked what the benefits were to that. Mr. McCoy said the county did belong to the state organization and joined the national one partly for a prescription plan that was presented, but due to problems it was never implemented. It does keep the county up to date on other county's activities nationwide. Ms. Hobbs asked if the office derived benefit from it. Mr. McKlarney said the office gets a newsletter, but he did not feel we got our money's worth from it.

Ms. Hobbs moved to disregard the invoice and not renew the membership in the National Association of Counties. Second by Mr. Baker. Approved 4-1. Voting YES: Ms. Hobbs, Mr. Spencer, Mr. Gentry, Mr. Baker; Voting NO: Mr. McCoy.

SERCAP - RIPPLEMEAD

Mr. McKlarney reported that Mr. Belcher applied for a SERCAP grant for the Ripplemead water project. This grant would fund low income homes for the physical connection from the water main to the house. SERCAP held one community meeting and there was not a lot of qualified applicants at this point. They have, however, set aside \$30,000 for this project. Mr. Gentry asked if that was a normal use of that money. Mr. McKlarney said SERCAP has done this in the past – connecting the houses – but they are paying for the engineering fees on this project also this time. He stated that SERCAP has been excellent to work with. Ms. Hobbs said this will be a good tool to work with in the future when doing other water projects.

TEA 21 – NEWPORT PROJECT

Mr. McKlarney noted that the county has applied for TEA21 funds for the Newport sidewalk project for the past several years without success. They have now received a proposal by Anderson and Associates to provide this application at no cost. This may be advisable in order to try a different approach on the application. Mr. McCoy said he felt they should try it. They would only receive payment only if the grant was awarded. Mr. Gentry said A&A is already working on the one at the courthouse.

Mr. Gentry moved to accept the agreement with Anderson and Associates to provide the application for the TEA21 funds for the Newport sidewalk project at no charge. Second by Mr. Baker.

Discussion: Ms. Hobbs asked if the county would be under any obligation to A&A to award this if the grant is obtained. Mr. McKlarney said they would not. However, if they do the work and get the funding, it would be difficult to use another firm but there is no obligation.

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

REGIONAL ENERGY PLAN

Mr. McKlarney advised the board that staff has become aware of stimulus funds that allow localities to apply for grants. The state has \$9 million for energy grants. The county is going to make application for a bio-mass project at Eastern and there is a regional project for air conditioning, insulation, etc. for all of the New River Valley. Giles County has also been asked to participate in that. The guidelines for the grant do encourage multiple jurisdictions, so Mr. McKlarney said he could see no reason not to apply. The Planning District actually will be doing the work on this grant. The grant application has to be completed November 6th. Mr. McCoy asked if the regional grant would be awarded by need. Mr. McKlarney said this is just to fund a study; it is Phase I. This is specific for localities to use for public government facilities. The study would be conducted by the PDC. Mr. McKlarney said he attended a training session on Friday for this grant application. He said the proposed bio-mass project is a fairly large project and fits into these grant guidelines.

Mr. Gentry moved to proceed with the application for stimulus funding for a proposed bio-mass project. Second by Mr. Baker. Approved unanimously (5-0) Voting YES: Ms. Hobbs, Mr. Spencer, Mr. McCoy, Mr. Gentry, Mr. Baker.

SOCIAL SERVICES APPROPRIATIONS

Ms. Hobbs moved to appropriate \$165,000 for Social Services and \$70,000 for CSA for the month of November, 2009. Second by Mr. Baker. Approved unanimously (5-0) Voting YES: Ms. Hobbs, Mr. Spencer, Mr. McCoy, Mr. Gentry, Mr. Baker.

SCHOOL BOARD APPROPRIATION

Ms. Hobbs moved to appropriate \$3,979,981.17 for the School Board for the month of November, 2009. This amount includes \$1,679,578.00 for construction. Second by Mr. Spencer. Approved unanimously (5-0) Voting YES: Ms. Hobbs, Mr. Spencer, Mr. McCoy, Mr. Gentry, Mr. Baker.

PAYMENT OF WARRANTS

Mr. Gentry moved to appropriate \$971,406.11 for payment of warrants as presented. Second by Mr. Baker. Approved unanimously (5-0) Voting YES: Ms. Hobbs, Mr. Spencer, Mr. McCoy, Mr. Gentry, Mr. Baker.

PUBLIC HEARING

TOWER EXTENSION – AT&T – SPRUCE RUN AREA

Mr. McCoy opened the joint public hearing with the Planning Commission. Mr. Whittaker noted this public hearing was to present an application requesting a special exception to extend an existing US Cellular tower 20 feet (from 140 to 160 feet). The tower is now located on property owned by Frederick and Caroline Cooler and zoned RRA-1. It is located on Spruce Run Tower Road in Newport. Mr. Whittaker said the existing tower was in place prior to zoning in the county in 1992. It has been utilized by all carriers to this point and there is no space available on the existing tower without modification. The Planning Commission has reviewed this request and determined they have submitted adequate information.

Ms. Hobbs asked if they felt the extension was necessary to utilize this rather than construct another tower. Mr. Whittaker said this would allow potential co-location for another antenna and there is a potential for at least one other user on this extension. Mr. McCoy said this site is definitely one of the better utilized towers in the county. Mr. Whittaker noted that Mike Pace was at the Planning Commission and he was asked about the application for Winterhaven (near Adkins Equipment) and an application for a tower on top of the mountain above Newport. These have never made it to public hearing and Mr. Pace indicated if this request is granted, they would not need other to construct those two towers. Mr. Gentry felt this plan was an improvement.

Mr. McCoy asked if the tower that was proposed on top of the mountain would have been in Montgomery or Giles County. Mr. Whittaker said it would have been in Giles. Ms. Hobbs said she commended the applicant for trying to work with the towers that were already here.

Cecil Kessinger: Mr. Kessinger said Nextel has been working on that tower site with four or five trucks running through his property – through the pasture and hay fields. He said he did not give AEP authority to service cell towers – only to get to his house. He asked if this tower extension would bring more electrical service trucks and others to his farm to take care of it. Mr. Whittaker said he did not think they would need an electrical upgrade on that. They may have to travel up and down to the site though. Mr. Kessinger was concerned about trucks running through his fields. Mr. Whittaker said there wasn't anything in the application that referenced any electrical upgrades for this project. Mr. Worthy, the applicant's representative, said his organization would certainly be happy to talk to Mr. Kessinger about their work and he did not think it would impact anything on Mr. Kessinger's property. He has made note of this and if they have to come on his property, he will have them contact Mr. Kessinger.

There were no other comments from public, board members or Planning Commission. Mr. McCoy closed the public hearing and referred to the Planning Commission for recommendation.

PERSONAL PROPERTY TAX RELIEF PERCENTAGE – 2009

Mr. McCoy opened the public hearing. Mr. McKlarney stated that this public hearing is an annual requirement to establish the percentage for Personal Property Tax Relief. Personal use vehicles valued at \$1,000 or less are eligible for 100% relief. Personal use vehicles valued between \$1,001 and \$20,000 are eligible for 68% relief. Personal use vehicles valued at \$20,001 or more only receive 68% tax relief on the first \$20,000 of value. There were no comments and Mr. McCoy closed the public hearing.

Ms. Hobbs moved to approve the resolution to set the percentage for Personal Property Tax Relief for tax year 2009 at 68% as presented. Second by Mr. Gentry. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Spencer, Mr. McCoy, Mr. Gentry, Mr. Baker.

TAX RATE ON MOTOR VEHICLES, TRAILERS, SEMITRAILERS

Mr. McCoy opened the public hearing. Mr. McKlarney presented a proposed ordinance imposing a tax rate of 99¢ per \$100 of value on motor vehicles, trailers, and semi-trailers with a gross vehicle weight of 10,000 pounds or more used to transport property for hire by a motor carrier engaged in interstate commerce. Mr. Chidester advised that by statute this is a special designation allowing these vehicles to be taxed as machinery and tools and not as regular vehicles. The board has to set the rate in order for this to happen. Ms. Chambers has asked for this ordinance in order to be able to tax these vehicles that operate in Giles County. This is for trucks involved in inter-state commerce and would not affect in-county operators who are already paying tax on their vehicles. Mr. Chidester said if they have ICC permits, they are not required to have a county decal. This covers those like Southern Bulk that are not titled in Giles County. If they are titled in Giles, they are already being taxed.

Mr. Spencer noted that equipment depreciates slower than vehicles. He asked how they would be depreciated – as equipment or vehicles. Ms. Hobbs asked who determined the value on vehicles or equipment. Mr. McKlarney said the Commissioner did using NADA information; he assumed she would do so for these also. Ms. Hobbs asked if this means anything here on January 1 would be taxed here whether it is licensed here or not. Mr. McKlarney said he could not answer how the assessment process would take place. Mr. Chidester said the tax is the same rate as machinery and tools, but the board still has to establish it for this category. It is just that this particular class of vehicles is taxed as machinery and tools. Mr. Spencer said some trucks are driven 200/300,000 miles a year. If you go by the depreciation schedule, that may not be accurate. Mr. McKlarney said that is why they use NADA values. Mr. Spencer felt this was opening up something that the board was not clear about. Mr. McKlarney said that was the purpose of this public hearing – to ask those questions and raise issues. He assumed the decision could be held until a future meeting.

Mr. McCoy said he pays taxes on stock trailers and things and felt if trucks were parked in the county, they should be taxed here. Mr. Gentry said it mentions that these are vehicles that engage in interstate commerce. Mr. Spencer said there are a lot of businesses here that do that – he has questions about the fairness of this. Mr. McCoy said this has to be in place in order to tax them at all. This is for vehicles that are here in the county all the time and work out of here, but are titled somewhere else. Mr. McKlarney said Southern Bulk has trucks here all the time hauling lime and this is the only way to tax them.

Ms. Hobbs felt they should go ahead and approve it. If there are problems or questions that come up, it could be changed next year. This is for tractor/trailers domiciled in Giles County on January 1 that are licensed somewhere else. This has nothing to do with tractor/trailers licensed in Giles County. Those are already being taxed. There were no further comments and Mr. McCoy closed the public hearing.

Ms. Hobbs moved to approve the ordinance to impose a tax rate of 99¢ per \$100 on motor vehicles, trailers, and semi-trailers with a gross vehicle weight of 10,000 pounds or more used to transport property for hire by a motor carrier engaged in interstate commerce. Second by Mr. Baker.

Discussion: Mr. Spencer asked if this rate was approved, would that be the rate set for the year. Mr. McKlarney said it could be lowered without a public hearing, but not increased. Mr. McCoy noted this rate cannot be set higher than the machinery/tools rate. Mr. Spencer said it seemed that it would be better to have a special category for this instead of lumping it in with machinery and tools. Mr. Chidester said the state statute says it has to be taxed at the same rate as machinery and tools – it cannot be lower. He also noted that if the board adopted a special classification for this group, then every other group would want to be assessed separately also. Mr. McKlarney said he thought the question is about the method of assessment – whether it is considered machinery at a set rate that does not change or considered a vehicle based on NADA values. Mr. Spencer said if they move their vehicles out of the county for a day on January 1st, then they would be exempt. Mr. McKlarney said the issue would be are they moving to an area with a lower rate than here. Chances are, it would not be.

Mr. Spencer asked Mr. Houck, as a former trucking business owner, how he felt about this. Mr. Houck said he did not think it was fair because they are already paying taxes in the state where they are registered, then they are being taxed again here. Mr. McKlarney said that is true if it is the case that they pay taxes in the state where the trucks are registered – some do not. Mr. McCoy said these companies do generate some revenue here because they are working here in the county. Mr. Houck said he would just be concerned about repercussions down the road. He did not think the board would want to potentially make operations move across the state line into West Virginia, but that is a possibility. He said he understood though that it was not fair to the people who are titling vehicles here and paying taxes on those. Mr. McKlarney said this is something the Commissioner brought to the board. Mr. McCoy said it does cover something that the county was not assessing before. Mr. Spencer said he just had a lot of questions about it. Mr. McCoy he felt there would have to a standard established for appraisal in order to tax the trucks. Mr. Spencer noted there were a lot of spin off businesses in the area as a result of trucking. He said they probably should pay a tax, but just wondered if this was the fairest way. Mr. Gentry said he just had a question about the method of assessment; it should be fair. Mr. Chidester noted all vehicles that are alike have to be taxed in the same manner. The tax rate on these cannot exceed the machinery/tools rate. He said he would assume the assessment of all motor vehicles would be done in a uniform manner. Mr. Spencer asked if the mileage would be considered. Mr. McKlarney said it was under NADA rates.

The motion was approved by a 4-1 vote. Voting YES: Mr. Baker, Mr. Gentry, Mr. McCoy, Ms. Hobbs; Voting NO: Mr. Spencer.

Mr. Gentry said he would like to hear an explanation on the assessment method. The rate can always be lowered if necessary.

ABANDONMENT OF PROPERTY ON OLD ROUTE 713 BRIDGE

Mr. McCoy opened the public hearing. Mr. McKlarney said that VDOT negotiated a land swap on right of way when they replaced the Route 713 bridge in White Gate. However, they later realized that the county owns that right of way and had to abandon it in order for the trade to occur. The individual did uphold his bargain with VDOT and provided the new right of way. Mr. Spencer asked if he sold them the right of way or gave it to them. Mr. McCoy said his understanding was no money changed hands on this. It was a straight trade. This request did not come through VDOT; it came from the gentleman who will get the property. Mr. McKlarney said as far as he knew, the gentleman lived up to his part of the bargain. There were no other comments and Mr. McCoy closed the public hearing.

Mr. Gentry moved to abandon the old right of way on the old Route 713 bridge location as described in the public hearing advertisement. Second by Ms. Hobbs. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Spencer, Mr. McCoy, Mr. Gentry, Mr. Baker.

Ms. Hobbs asked what needed to be done to legally give the property back. Mr. Chidester said a deed would be prepared for this.

CARRY OVERS/SUPPLEMENTS – 2008-09

Ms. Tickle presented a list of supplements and carryovers to the FY09 budget.

Mr. Spencer moved to approve supplements to the FY09 budget in the amount of \$64,025.41. Second by Mr. Gentry. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Spencer, Mr. McCoy, Mr. Gentry, Mr. Baker.

Mr. McCoy asked where the judicial sales carryover funds go. Ms. Tickle said those go into the Treasurer's budget to reimburse money they earned through judicial sales. They get a certain amount on the sales and also on DMV stops. Mr. McCoy asked if they received a percentage of the judicial sales money. Ms. Tickle said they did. Ms. Hobbs asked if those funds cover the cost of conducting judicial sales. Ms. Tickle said it does and then some. The actual amount of judicial sales balance as of June 30th is \$9,257.87. DMV stops were \$25,648.39. They are only requesting for \$9,600 though because that is the total amount Mr. Duncan has left in his budget

as of June 30th. Mr. Spencer asked if the \$25,000 amount of DMV stops was the total that the state gets part of. Ms. Tickle said they would need to ask Mr. Duncan about that. This is the amount she transfers to his budget. She was not aware of the percentage. Ms. Hobbs said the DMV stops cover the cost of taxes and other funds owed to Giles County. Ms. Tickle said that was correct and the parties have to pay their taxes before DMV releases that. Also, there is a fee charged for every stop that the party has to pay to have it released, but Mr. Duncan would have to update the board on the exact amounts. Ms. Hobbs said those cover the expense for doing these stops.

Ms. Hobbs asked about the courtroom security funds. Ms. Tickle said those are state funds and have to be used for courtroom security personnel only. Mr. McCoy asked if they had been able to tap into the new fees for courtroom security. Mr. Chidester said the assessment has not been done yet but the potential for it is there. Ms. Tickle noted that the courtroom security covered costs this year, but some years past it has not covered all of the costs.

Ms. Hobbs moved to approve the carryover amounts as presented from FY09 to FY10. Second by Mr. Spencer.

Discussion: Mr. Spencer asked where the money labeled concealed weapons came from. Ms. Tickle said that was the fee charged for applications for permits. It rolls over from year to year into the Sheriff's budget. This amount is not a single year's accumulation. Mr. Spencer asked if these amounts were estimated and accounted for in the budget. Mr. McKlarney said they were.

Mr. Gentry asked about the three carryover categories for the Treasurer – PSA, DMV and Judicial Sales – and if those were supplements to his appropriated budget. Ms. Tickle said that was correct and each month or each quarter these are added to the budget for the DMV stops and judicial sales. Mr. Gentry said it was discussed last year that unless it was specifically mandated like courtroom security, he did not feel he could agree to supplement Constitutional Officers budgets. Ms. Tickle explained the PSA money was just a flow through in the county budget; the county receives it for the Treasurer's office. Ms. Hobbs said that is not the actual taxes on judicial sales. It is the money Mr. Duncan gets for doing those and it covers his costs. Mr. Gentry said the DMV stops and judicial sales in his budget are not taxes; that is what he gets as a sort of commission and to cover expenses. That is on top of getting the salary that is budgeted and approved. This creates an unfair situation with other Constitutional Officers budgets. Ms. Hobbs asked if DMV stops were budgeted. Ms. Tickle explained that the Treasurer's approved budget for FY09 was \$322,471. By adding in the carryovers from judicial sales and those type things, the total appropriated budget for the Treasurer for FY09 is \$375,612.17. Mr. Duncan's expenditures in FY09 as of June 30th were \$365,967.66. He had \$9,644.61 left and Mr. Duncan asked to carryover \$9,600 for judicial sales and DMV. Mr. Gentry asked if that meant he overspent his approved budget. Ms. Tickle said no; he under spent by \$9,600 but because he had extra allotments he was able to do more with his budget.

Mr. McCoy asked if there was any more information from the state on the cuts to elected officials in this year's budget. Mr. McKlarney said he was fairly certain there will be additional cuts coming this year. Other board members agreed those cuts will probably be deeper than anticipated due to state revenues being down. Mr. McCoy stated that whether this money goes as carryover or into the general coffers, all Constitutional Officers should be made aware that when the cuts come, they are coming to them. The board all agreed that was correct.

The motion failed to carry. Voting YES: Ms. Hobbs, Mr. Spencer; Voting NO: Mr. McCoy, Mr. Gentry, Mr. Baker.

Mr. Gentry moved to amend the carryovers to except the \$9,600 from the last two items for DMV and Judicial Sales. Second by Mr. McCoy.

Discussion: Ms. Hobbs asked why they would give one Constitutional Officer more money on carryovers than others get. The Sheriff gets carryovers from DARE and concealed weapons. Mr. Gentry said the courtroom security is all allocated for personnel in the courtrooms. The DARE program is all donated money specifically for that program. The U.S. Forest Service money is strictly used for patrol of the forest service area. Mr.

Spencer asked Mr. McCoy if they could clarify their position on that. Mr. Gentry said this money was not earmarked for anything specific. The other funds on the carryovers are restricted to certain categories of expenses. The original budget for the Treasurer was \$322,000 and through fees and other things he now has \$375,000 and he can spend all that. Mr. Gentry felt it created an unfair situation where the board budgeted a certain amount for the Treasurer and now he gets that plus another \$9,600. That is money for his own discretionary use. A lot of that covers the deal with the paint and work that the board did not feel should be done, and Mr. Duncan did it anyway. Mr. Gentry did not feel the funds were well used. Ms. Hobbs said the county should do the upkeep on those offices anyway; it is the county's building. Mr. Gentry that may be true, but it did not happen like that.

Mr. McKlarney said he understood the concern and the direction of the board, but they have gone into the budget year saying they are going to do these things and then are talking about changing in the middle. Maybe it should be changed in the upcoming budget year. Mr. McCoy said he understood what Mr. McKlarney was saying. This group made the assumption that money was coming to their budgets. Mr. Gentry said the board talked about doing this last year – had this same discussion. Mr. McKlarney agreed they did discuss it, but nothing was done about it during the budget session. Ms. Hobbs said if the Treasurer did not do his DMV stops, you would not see the collection of taxes like it is now. Mr. Gentry asked if he would quit doing them over \$9,600. He and his staff get a salary to do their jobs just like other county employees. Others don't get extras just because they collect money for projects or grants. This is an unfair situation. Ms. Hobbs said she thought they were looking at it wrong. That is different. Mr. Spencer said the point Mr. McKlarney made is that they have built this into their budgets and the board approved those budgets. Mr. McKlarney said he would do whatever the board chose, but his opinion was that if they want to change this, it needs to be done within the budget planning process. He did not think they should just pick out a few – they should include them all if that is their decision.

Mr. Gentry withdrew his motion. Mr. McCoy withdrew his second.

Mr. Gentry said his withdrawal is based on the plan that the board will review this for all Constitutional Officers during the budget process this year. Mr. McCoy asked if the motion could stipulate they will approve carryovers this year, but it will be considered not to do so in the future. Mr. McCoy said he has always felt that money was intact in his budget as long as it was well spent. However, that has proved not to be the case. Mr. McKlarney noted that the Constitutional Officers are going to have to find unique ways to generate revenue – that is not only true for the Treasurer but for the Sheriff and others as well. An example is the drug busts which yield funds to the Sheriff. If that is not spent in the same year it comes in, is the board going to take it away. Mr. McKlarney said the board needs to look at it carefully and come up with a way to deal with it that is fair. Mr. Spencer said the board needs to make it clear to Constitutional Officers that the county will be dealing with some very serious budget issues next year and those funds will probably not be there in the future.

Mr. Baker moved to approve the carryovers as presented from FY09 to FY10, with the knowledge that all carryovers will be seriously discussed in the upcoming budget planning sessions. Second by Mr. Spencer.

Mr. McKlarney said the county is going to face some trying times in the upcoming budget year. He anticipates that the next two years will be especially tough for Constitutional Officers and they are going to have to find new ways to generate revenue. Ms. Tickle noted that the Sheriff left about three times in last year's funds as he requested to roll over. He had a large amount left over that he did not spend. Ms. Hobbs said if they are not carrying funds over it needs to be made plain at budget time.

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

Mr. McCoy said they should be told to hang on to the carryover funds, because they are going to have to come up with 3% that the state cut out of their budgets this year.

APPOINTMENTS

Mr. Gentry moved to reappoint Chappy Baker to the New River Resource Authority for another term. Second by Ms. Hobbs. Approved unanimously (4-0). Voting YES: Ms. Hobbs, Mr. McCoy, Mr. Spencer, Mr. Gentry; Mr. Baker-abstain.

Ms. Hobbs moved to reappoint Mr. Paul Collins to another term on the Industrial Development Authority. Second by Mr. Gentry. Approved unanimously (5-0). Voting YES: Ms. Hobbs, Mr. Spencer, Mr. McCoy, Mr. Gentry, Mr. Baker.

No further business was introduced. Mr. McCoy adjourned the meeting until the regular meeting to be held on Wednesday, November 4, 2009 in the Giles County General District Courtroom.

APPROVED:

Chairperson

ATTEST:

Clerk

**RESOLUTION BY
GILES COUNTY BOARD OF SUPERVISORS
TO RECOGNIZE THE ACCOMPLISHMENTS OF THE GILES HIGH SCHOOL SPARTAN
GOLF TEAM**

WHEREAS the Giles County Board of Supervisors does hereby recognize and congratulate the Giles High School Spartan Golf Team on winning the Single A State Championship.

BE IT RESOLVED that the Giles County Board of Supervisors recognizes and appreciates the hard work and commitment to excellence that it took to achieve this goal.

BE IT FURTHER RESOLVED that the Giles County Board of Supervisors recognizes the commitment that the coaching staff, parents and students made to see that this season was such a success. Your accomplishments have brought great pride to this county and its' citizens and you are to be commended for your work.

Adopted at a meeting of the Giles County Board of Supervisors held on October 22, 2009

	Voting For	Voting Against	Abstain	Absent
Hobbs	__X__	_____	_____	_____
McCoy	__X__	_____	_____	_____
Baker	__X__	_____	_____	_____
Spencer	__X__	_____	_____	_____
Gentry	__X__	_____	_____	_____

Attest: _____
Chris McKlarney, Clerk