

At a regular meeting of the Board of Supervisors, Alleghany County, Virginia held on Wednesday, January 3, 2018 at 7:00 p.m. in the Alleghany County Governmental Complex, Covington, Virginia, thereof:

PRESENT: Stephen A. Bennett, Chairman
G. Matt Garten, Vice-Chairman
Shannon P. Cox
James M. Griffith
Cletus W. Nicely
Richard Lee Shull
M. Joan Vannorsdall

and Jonathan A. Lanford, County Administrator
Ryan Muterspaugh, Director of Public Safety
Chad Williams, Director of Parks and Recreation
Michael Lockaby, Assistant County Attorney
Melissa A. Munsey, Deputy Clerk to the Board

CALL TO ORDER:

The Chairman called the regular meeting to order. Rev. Lee Dotson gave the invocation and the audience remained standing for the Pledge of Allegiance.

The Chairman then turned the meeting over to Mr. Lanford for election of Chairman.

ELECTION OF CHAIRMAN:

Mr. Lanford, acting as Chairman *Pro Tem*, called for nominations for Chairman of the Board.

Mr. Nicely nominated Mr. Stephen A. Bennett for Chairman.

On motion of Mr. Nicely, seconded by Mr. Garten, that nominations for Chairman of the Board be closed.

Unanimously adopted by the following roll call vote:

Stephen A. Bennett	Yes
Shannon P. Cox	Yes
G. Matt Garten	Yes
James M. Griffith	Yes
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
M. Joan Vannorsdall	Yes

On motion of Mr. Nicely, seconded by Mr. Garten, that Mr. Stephen A. Bennett be elected Chairman of the Board.

Unanimously adopted by the following roll call vote:

Stephen A. Bennett	Yes
Shannon P. Cox	Yes
G. Matt Garten	Yes
James M. Griffith	Yes
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
M. Joan Vannorsdall	Yes

ELECTION OF VICE-CHAIRMAN:

Mr. Bennett, the elected Chairman, took over the meeting. He asked for nominations for Vice-Chairman of the Board.

Mr. Nicely nominated Mr. G. Matt Garten for Vice-Chairman.

On motion of Mr. Nicely, seconded by Mr. Shull, that nominations for Vice-Chairman of the Board be closed.

Unanimously adopted by the following roll call vote:

Shannon P. Cox	Yes
G. Matt Garten	Yes
James M. Griffith	Yes
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
M. Joan Vannorsdall	Yes
Stephen A. Bennett	Yes

On motion of Mr. Nicely, seconded by Mr. Shull, that Mr. G. Matt Garten be elected Vice-Chairman of the Board.

Unanimously adopted by the following roll call vote:

Shannon P. Cox	Yes
G. Matt Garten	Yes
James M. Griffith	Yes
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
M. Joan Vannorsdall	Yes
Stephen A. Bennett	Yes

ADOPTION OF CODE OF ETHICS:

Mr. Bennett commented that the Board has a draft resolution of the Code of Ethics in the agenda packet which is the same as last year.

On motion of Mr. Garten, seconded by Mr. Nicely, that the following resolution be adopted:

BE IT RESOLVED by the Alleghany County Board of Supervisors that the Board and County officials will be guided by the following Code of Ethics:

The ethical elected and non-elected County official should:

- * Properly administer the affairs of the County.
- * Promote decisions which only benefit the public interest.
- * Actively promote public confidence in County government.
- * Keep safe all funds and other properties of the County.
- * Conduct and perform the duties of the office diligently and promptly dispose of the business of the County.
- * Maintain a positive image to pass constant public scrutiny.
- * Evaluate all decisions so that the best service or product is obtained at a minimal cost without sacrificing quality and fiscal responsibility.
- * Inject the prestige of the office into every day dealings with public employees and associates.
- * Maintain a respectful attitude toward employees, other public officials, colleagues, and associates.
- * Effectively and efficiently work with governmental agencies, political subdivisions, and other organizations in order to further the interest of the County.
- * Faithfully comply with all laws and regulations applicable to the County and impartially apply them to everyone.

The ethical elected and non-elected County official should not:

- * Engage in interests that are not compatible with the impartial and objective performance of his or her duties.
- * Improperly influence or attempt to influence other officials to act in his or her own benefit.
- * Accept anything of value from any source which is offered to influence his or her action as a public official.

The ethical elected and non-elected County official accepts the responsibility that his or her mission is that of servant and steward to the public.

Unanimously adopted by the following roll call vote:

Shannon P. Cox	Yes
James M. Griffith	Yes
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
M. Joan Vannorsdall	Yes
G. Matt Garten	Yes
Stephen A. Bennett	Yes

ADOPTION OF BOARD BY-LAWS:

Mr. Bennett stated that the Board has a draft resolution in the agenda packet to adopt the Board's By-Laws which are the same as last year.

On motion of Mr. Garten, seconded by Mr. Nicely, that the following resolution be adopted:

BE IT RESOLVED that the By-Laws of the Alleghany County Board of Supervisors be adopted as submitted.

Unanimously adopted by the following roll call vote:

Shannon P. Cox	Yes
James M. Griffith	Yes
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
M. Joan Vannorsdall	Yes
G. Matt Garten	Yes
Stephen A. Bennett	Yes

The adopted Board By-Laws and Public Comment Guidelines are as follows:

BY-LAWS
ALLEGHANY COUNTY BOARD OF SUPERVISORS

These by-laws are for the purpose of promoting properly conducted meaningful and orderly meetings of the County Board of Supervisors in the transaction of County business, and to maintain decorum at all times. The by-laws are designed to allow the Board and its Chairman to conduct the meetings efficiently, allowing all necessary and appropriate opportunities for any person to address the Board on matters under consideration.

SECTION (1) REGULAR MEETINGS:

(A) *The Alleghany County Board of Supervisors shall meet in one (1) Regular Meeting a month on the first Tuesday at 7:00 P.M. in the Board Room of the County Governmental Complex for the purpose of conducting the business of Alleghany County. Any Regular Meeting that falls on Election Day in November shall be held on the following day (Wednesday).*

- (1) *The Agenda for the Regular Meeting shall be prepared by noon on the Thursday prior to the first Tuesday in each month. The Agenda shall be placed on the County web site on the Friday prior to the first Tuesday of each month. The agenda shall be as follows:*
- Call to Order*
 - Invocation*
 - Pledge of Allegiance*
 - Minutes*
 - Public Hearing*
 - Public Comment*
 - Unfinished Business*
 - New Business*
 - County Administrator's Report*
 - Board Member Comments (Inquiries/Reports)*
 - Closed Meeting (as needed)*
 - Adjournment*

(2) *The following is an explanation of various agenda headings:*

Public Hearings are conducted in accordance with the Code of Virginia, 1950, as amended, for the purpose of receiving public input on the topic of the public hearing. The Board has a policy to not act on a public hearing on the same night, but may waive this policy and take action with unanimous approval of members present.

Public Comment gives the public an opportunity to address the Board on matters appropriate to the responsibilities of the Board. There shall be a maximum time limit of five (5) minutes for comments from each speaker with a maximum time limit of 30 minutes allocated to Public Comment in any one meeting. A sign-up sheet will be provided at a table near the meeting room for Public Comment. Adopted Public Comment Guidelines for speakers will also be provided on the table. If the number of individuals on the sign-up sheet would exceed the allotted 30-minute time-frame, the Chairman has the latitude to place a shorter limit on individuals. After the Board has heard comments from those who signed up, others in the audience who have not had an opportunity to speak and desire to do so will be invited to speak, time permitting. If speakers have copies of comments available, they should be provided to the Deputy Clerk to the Board for inclusion in the minutes. If this section is amended at any time, then the adopted Public Comment Guidelines will automatically be amended.

Unfinished Business consists of items that have been presented and discussed at a previous meeting, but more discussion was necessary for clarification prior to a vote or the item was tabled. Items under Unfinished Business can be voted on at any time.

New Business consists of items that have not been presented or discussed or is something new in relation to an item that has previously been presented or discussed. Items under New Business can be voted on at any time.

(3) *The agenda shall be finalized by noon on the Wednesday prior to any Board meeting. The agenda shall not thereafter be changed except by Board action taken at the meeting.*

Persons wanting a topic placed on the agenda shall make the request to the County Administrator or Deputy Clerk to the Board. The County Administrator will then report to the Chairman on the request.

(4) *Matters not on the agenda for the Regular Meeting may be considered by the Board when requested by the Administrator, or his/her representative, the County Attorney, or a member of the Board. The item will be added to the New Business or Unfinished Business section of the agenda.*

- (5) All meetings of the Board of Supervisors shall be governed by the Code of Virginia, Roberts Rules of Order, as revised, and these by-laws.
- (6) The County Attorney or his Assistant shall be the parliamentarian and the legal advisor to the Board of Supervisors at all meetings.
- (7) A roll call vote shall be held for all motions except to go into a Closed Meeting, come out of a Closed Meeting, and to adjourn.

SECTION (2) SPECIAL MEETINGS/PUBLIC HEARINGS/WORK SESSIONS/ADJOURNED MEETINGS:

- (A) Special meetings, public hearings, work sessions, and adjourned meetings shall be held when necessary in accordance with provisions in the Code of Virginia pertaining thereto.

SECTION (3) ADHERENCE TO POLICY:

- (A) Policy matters of the Board shall be followed and adhered to and no action should be taken by the Board of Supervisors if such action would actually be in conflict or at cross purposes with the intent of an established policy. The Board may, where circumstances warrant, waive a given policy for a particular situation and action as the Board deems desirable, with unanimous approval of members present.

SECTION (4) PRECEDENCE OF LAWS:

- (A) These by-laws shall govern in all cases to which they are applicable and in which they are not inconsistent with the federal, state, or local law.
- (B) Any provision of any part of these by-laws which are found to be in conflict with the Code of Virginia or the Constitution shall be null and void and the remaining provisions shall continue to apply.

SECTION (5) CHANGES OR AMENDMENTS:

- (A) These by-laws may be changed or amended by action of the Board of Supervisors at any regular meeting, provided that each Board member is given proper notice of any proposed change or amendment.

Deputy Clerk to the Board

PUBLIC COMMENT GUIDELINES

- A sign-in sheet will be placed near the Board Room door for citizens who wish to speak during the Public Comment. Citizens should list their name, address, and topic to be addressed. After all speakers who signed up have spoken, anyone else interested in speaking will be given the opportunity.
- Speakers are limited to five minutes. There is a maximum time limit of 30 minutes allocated to Public Comment in any one meeting. If the number of individuals on the sign-up sheet would exceed the allotted 30-minute time-frame, the Chairman has the latitude to place a shorter limit on individuals.
- Speakers are to provide a copy of remarks to the Deputy Clerk, if in writing.
- The Board of Supervisors encourages and values citizen input on all topics or issues of relevance to the Board's responsibilities.
- Speakers shall direct all comments to the Board (not individual members or employees of the Board).
- Profane or vulgar language, partisan political statements, or comments related to the conduct or performance of Board members or staff are not appropriate in this setting.
- Board members are not expected to respond to questions or comments unless the Chairman deems such response appropriate. Board members may seek clarification or additional information from speakers through the Chair.

MINUTES:

Hearing no corrections or deletions, the Chairman declared the following minutes approved as submitted: (1) a regular meeting held on December 5, 2017.

PUBLIC COMMENT (5 MINUTE TIME LIMIT):

No one spoke at this time.

MS. SUSAN HAMMOND, VDOT RESIDENT ENGINEER - VIRGINIA DEPARTMENT OF TRANSPORTATION UPDATE:

Ms. Susan Hammond, VDOT Resident Engineer, gave a report on the following VDOT activities:

Maintenance

- Repaired shoulders on primary and secondary routes County-wide.
- Removed dead and downed trees County-wide.

- Repaired potholes County-wide.
- Responded to winter weather event. Brine was used for this storm with positive results.

Construction

- Exit 21/Route 696 project - intermediate layer of pavement was installed over the winter. Final surface mix will be installed in the spring. Contractor is fabricating signal foundations.

Mrs. Cox stated that citizens in her district were very happy with the brine used during the winter weather event.

Mr. Garten commented regarding rocks and hanging trees on Rt. 220 near Honda Nissan potentially falling due to the weather and that there is a tree hanging by one root.

MR. CHAD WILLIAMS, DIRECTOR OF PARKS AND RECREATION - UPDATE ON INTERVALE PROPERTY DEVELOPMENT:

Mr. Williams reviewed a memo from him to the Board which is included in the agenda packet. The memo is as follows:

This is an update on the 4.94 acre property in the Intervale area adjacent to the Jackson River Scenic Trail and Jackson River. The County purchased this property at the Board's authorization from the September 10, 2015 Board of Supervisors meeting with the intent of developing a public river access and Outfitter building location.

Grants in the amount of \$175,000 have been secured for the proposed development. A \$25,000 grant was awarded through the Forest Service Secure Rural Schools fund. These funds will be used to purchase materials and rent equipment for County staff to develop the river access and parking area. A \$150,000 grant was awarded through the USDA Rural Development program for the design and construction of an outfitter building. Included in your packet is a draft site plan for the building and the current building layout. One change has been made since the draft and that is to include a kitchen area in the meeting room. The hope is to have the project bid and awarded by the end of January 2018 and to be in operation during the 2018 season. Many things come into play that may impact the timetable including weather and the outside funding agencies.

Ms. Vannorsdall asked if the County has all the funding needed for the project. Mr. Williams replied that he hopes we do, but will not know until bids come in.

Mr. Griffith commented that he would vote no for spending any additional money as the County has too much money in the property now.

Mr. Garten asked if where the existing gate is located if it would tie into the parking area. Mr. Williams replied that a gravel road base will be put in that area serving as an exit only of the one-way loop pattern.

Mr. Griffith asked if the plumbing was changed in order for the community to use the space. Mr. Williams replied that plumbing has been added in the meeting room and there will also be 220 wiring if an over is added in the future for community use in the off season.

Mr. Garten suggested that an exterior door be added off the storage area. Mr. Williams commented that one is being added.

Mr. Bennett commented that being able to kayak and bike makes our trail very unique compared to others..

Mr. Williams stated that when bids are received they will be brought to the Board. He commented that a public information meeting to give an update on the property development will be held on Tuesday, January 9th at 5:30 p.m. at the Alleghany Highlands Regional Library.

APPROVE SUPPLEMENTAL APPROPRIATION FOR A RESCUE SQUAD ASSISTANCE FUND GRANT FOR THE 12-LEAD TRANSMISSION PROJECT:

Mr. Muterspaugh reviewed a memo from him to the Board which is included in the agenda packet. The memo is as follows:

As part of the "12-Lead Transmission Project," Alleghany County submitted and received a Rescue Squad Assistance Fund (RSAF) Grant through the Virginia Office of EMS for the funding of three additional Philips HeartStart Mrx Cardiac Monitors/Defibrillators for local EMS agencies. This grant is funded at an 80/20 level with 80% coming from RSAF and 20% coming from another grant provided by The Alleghany Foundation.

In order to satisfy the grant conditions and move forward with obtaining the monitors, I am respectfully requesting that the Board of Supervisors make a supplemental appropriation of \$76,557.75 to account number 3204-5700892 so that we may obtain the three remaining 12-lead monitors. This amount covers 100% of the current award given to us by both grants. This money is reimbursable and the County will not occur any expenditures out of pocket.

Please contact me with any questions.

On motion of Mr. Garten, seconded by Mrs. Cox, that the following resolution be adopted:

BE IT RESOLVED that the Alleghany County Board of Supervisors budget and approve the following supplemental appropriation in FY18 due to the receipt of a Rescue Squad Assistance Fund (RSAF) Grant through the Virginia Office of EMS for the “12-Lead Transmission Project”:

<u>Revenue Account</u>	
Emergency Medical Services-State (110-4240416)	\$76,557.75
<u>Expenditure Account</u>	
United Fire & Rescue Assn.-EMS-State Grant (3204-5700892)	\$76,557.75

Unanimously adopted by the following roll call vote:

Shannon P. Cox	Yes
James M. Griffith	Yes
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
M. Joan Vannorsdall	Yes
G. Matt Garten	Yes
Stephen A. Bennett	Yes

REAPPOINT MR. DAVID BYER TO THE BOARD OF BUILDING CODE APPEALS:

Mr. Bennett stated that the term of Mr. David Byer (Falling Spring District) on the Board of Building Code Appeals expires January 20, 2018. Terms are for five years and Mr. Byer is eligible for reappointment.

Mr. Garten commented that Mr. Byer would like to be reappointed.

On motion of Mr. Garten, seconded by Mr. Nicely, that the following resolution be adopted:

BE IT RESOLVED by the Alleghany County Board of Supervisors that Mr. David Byer (Falling Spring District), 216 N. Smith Bridge Road, Hot Springs, VA 24445 be reappointed to the Board of Building Code Appeals for a term of five years beginning January 21, 2018 and ending January 20, 2023.

Unanimously adopted by the following roll call vote:

Shannon P. Cox	Yes
James M. Griffith	Yes
Cletus W. Nicely	Yes
Richard Lee Shull	Yes
M. Joan Vannorsdall	Yes
G. Matt Garten	Yes
Stephen A. Bennett	Yes

COUNTY ADMINISTRATOR’S REPORT:

Mr. Lanford reviewed a handout placed at each seat which is a part of the records of this meeting. The report is as follows:

Wrightsville Planning Grant

Initial Management Team meeting was held 13 December 2017. Community surveys have been distributed with a number returned. Surveys are due by 05 January 2017. A second Management Team meeting is scheduled for 09 January 2018. We will then submit survey results and documentation to DHCD for final consideration of grant request.

Boiling Spring and Falling Spring Elementary Properties

Working through our EDC in conjunction with the Virginia Economic Developers Association (VEDA) and Virginia Economic Development Partnership (VEDP), we were recently approved for participation in the Cardinal Program. Economic development professionals (both active and retired) will provide guidance, expertise, and recommendations for potential reuse of these two former school properties. Our team of Cardinals is Ann Blair Miller, Robin Sullenburger, and Matthew James.

Buckingham Branch Railroad

Copy of letter at your seat detailing upcoming Buckingham Branch Railroad projects.

Commerce Center Engineering

Will present a scope and fee at our February meeting for engineering services to complete grading plans for development of pad ready sites in Regional Commerce Center.

Cherokee/Mountain View Sanitary Sewer

Bids received for above-referenced sanitary sewer rehabilitation. Will present recommendation for award at our February meeting.

BOARD MEMBER COMMENTS (INQUIRIES/REPORTS):

Miscellaneous

The Board thanked everyone for coming to the meeting, welcomed Ms. Vannorsdall, and told everyone to stay warm.

Mrs. Cox commended Rev. Dotson for coming to the meeting. She thanked Mr. Williams for his update and wished everyone a Happy New Year.

Ms. Vannorsdall thanked everyone for her welcome. She stated that she is excited to be part of the Board and it is great to listen to the development of projects. She commented that she is looking forward to the next four years.

Mr. Garten thanked the Board for re-electing him as Vice-Chairman.

ADJOURNMENT:

On motion of Mr. Nicely, seconded by Mr. Garten, that the meeting be adjourned at 7:30 p.m. Motion carried.

Stephen A. Bennett
Chairman