

At a regular meeting of the Board of Supervisors, Alleghany County, Virginia held on Tuesday, April 2, 2019 at 7:00 p.m. in the Alleghany County Governmental Complex, Covington, Virginia, thereof:

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

and Jonathan A. Lanford, County Administrator  
Suzanne T. Adcock, Director of Finance  
Jim Guynn, County Attorney  
Melissa A. Munsey, Deputy Clerk to the Board

CALL TO ORDER:

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

MINUTES:

Hearing no corrections or deletions, the Chairman declared the following minutes approved as submitted: (1) a special call meeting held on March 4, 2019; (2) a regular meeting held on March 5, 2019; and (3) an adjourned meeting held on March 14, 2019.

The Chairman stated that an item is being added to the end of new business regarding refunding of the VPSA Series 2001A bond.

JOINT PUBLIC HEARING WITH THE PLANNING COMMISSION - UPDATES TO THE ALLEGHANY COUNTY COMPREHENSIVE PLAN:

Joint Public Hearing was held with the Alleghany County Planning Commission to consider updates to the Alleghany County Comprehensive Plan.

The Chairman announced that this public hearing was advertised in the *Virginian Review* on Tuesday, March 19, 2019 and Tuesday, March 26, 2019 in accordance with the Code of Virginia. He then called the public hearing to order.

Mr. Lanford stated that the County went through a unique process to develop a Comprehensive Plan in conjunction with the City of Covington. He mentioned that on the screen is a listing of individuals that were on the Joint Steering Committee that worked on the plan to make it more useable. He commented that Covington will be going through their own adoption process and will hold its own public hearing. He stated that the Planning Commission reviewed the County's plan in February and March. He commented that there are five goals identified which include: (1) making the area a recreational hub of Western Virginia; (2) developing a regional economy; (3) improving the regional infrastructure; (4) ensuring the stability and vitality of neighborhoods and commercial centers; and (5) reversing the population decline of the past several decades. He mentioned that since 2010 the area has lost 6.8% of its population and it is projected that by 2040 there will be a 24.7% loss.

Ms. Vannorsdall thanked all that worked on the plan and stated that she was impressed with the document.

Mr. Bennett commented that the area could not stand a 24% additional loss in population.

There being no one else who wished to speak, the Chairman declared the public hearing closed. He stated that action will be taken later in the meeting following a recommendation from the Planning Commission.

Mr. David Oeltjen, Planning Commission Chairman *pro tem*, stated that the Planning Commission recommends adoption of the Comprehensive Plan as presented.

PUBLIC HEARING AND APPROVAL - SALE OF PROPERTY OFF OF LONGDALE STATION ROAD TO STEVEN AND MARI NICELY:

Public Hearing was held to consider the sale by Alleghany County of an approximate 0.43 acre parcel located off of Longdale Station Road. The property is further identified on the Real Property Identification Maps of Alleghany County as 045B0-01-000-001A.

The Chairman announced that this public hearing was advertised in the Virginian Review on Tuesday, March 26, 2019 in accordance with the Code of Virginia. He then called the public hearing to order.

Mr. Lanford stated that there is a request in the agenda packet from Steven and Mari Nicely to purchase the property off of Longdale Station Road. He mentioned that the property was acquired by the County during the dissolution of the Alleghany Highlands Economic Development Authority (AHEDA).

Mr. Nicely commented that the property is no good to anyone but them.

Mr. Bennett stated that there is a lot of property like this that has no value to the County.

There being no one else who wished to speak, the Chairman declared the public hearing closed.

On motion of Mr. Shull, seconded by Mr. Nicely, that the Board waive its policy of not acting on a public hearing on the same night.

Unanimously adopted by the following roll call vote:

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

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

WHEREAS, the County received a request from Steven and Mari Nicely asking that the County consider the sale of an approximate 0.43 acre parcel located off of Longdale Station Road which is identified on the Real Property Identification Maps of Alleghany County 045B0-01-000-001A; and

WHEREAS, the Board held a public hearing to dispose of the property on April 2, 2019 in accordance with Section 15.2-1800 of the Code of Virginia, 1950, as amended;

NOW, THEREFORE, BE IT RESOLVED that the Alleghany County Board of Supervisors agrees to sell an approximate 0.43 acre parcel located off of Longdale Station Road to Steven and Mari Nicely for \$900.00;

BE IT FURTHER RESOLVED that the Board authorizes Mr. Jonathan A. Lanford, County Administrator, to sign documents in relation to the sale of property to Mr. and Mrs. Nicely.

Unanimously adopted by the following roll call vote:

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

PUBLIC HEARING AND APPROVAL - BUDGET AMENDMENT (LEASE FINANCING OF PUBLIC SAFETY EQUIPMENT AND APPROPRIATION OF FUNDS FROM FUND 240):

Public Hearing was held to consider amendments to the County Operating Budget for Fiscal Year 2018-19 in the

amount of \$1,856,500. The amendments are needed due to lease financing of public safety equipment in the amount of \$1,450,000 and appropriation of \$406,500 from Fund 240 (United Fire & Rescue Services).

The Chairman announced that this public hearing was advertised in the Virginian Review on Tuesday, March 26, 2019 in accordance with the Code of Virginia. He then called the public hearing to order.

Ms. Adcock stated that the Board took action on Master Equipment Lease Purchase (MELP) financing of public safety equipment at the last regular meeting. She commented that a public hearing is needed tonight in order to amend the budget and appropriate the \$1,450,000 in financing and appropriate funds built up in Fund 240 - United Fire & Rescue Services which are the funds for depreciation that are built up annually.

There being no one else who wished to speak, the Chairman declared the public hearing closed.

On motion of Mr. Garten, seconded by Mr. Shull, that the Board waive its policy of not acting on a public hearing on the same night.

Unanimously adopted by the following roll call vote:

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

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

BE IT RESOLVED that the Alleghany County Board of Supervisors Approve the following supplemental appropriation in FY19 due to lease financing of public safety equipment and use of funds from Fund 240 (United Fire & Rescue Services):

<u>Fund Balance</u>	
Fund 240 - Fund Equity (240-33001)	(\$406,500)
<u>Revenue Account</u>	
Fund 240 - Debt Proc. MELP (240-441423)	\$1,450,000
<u>Expenditure Account</u>	
Fund 240 - VFD-United Fire/Rescue Purchase of Vehicles (32022-57005)	\$1,856,500

Unanimously adopted by the following roll call vote:

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

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 an update on the following VDOT activities:

Maintenance

- Removed eroded material from slope on Rt. 220 above dealership.
- Small slide on Rt. 687 repaired.
- Rts. 666 and 638 reopened after slope repairs.
- Dirt roads have been graded County-wide.
- Continuing to remove brush and downed trees from storm damage.
- Slope repairs to Rt. 60 west should start in two weeks.
- Continued removal of diseased ash trees along I-64 on Thursday's and Friday's.

- Rt. 661 should reopen this week.

Construction

- Rt. 638 bridge replacement is on schedule. Remaining parapet wall pour this week.

Other

- Staunton District Six Year Improvement Program meeting on April 22<sup>nd</sup> at Blue Ridge Community College. VTRANS begins at 3 p.m., SYP public hearing begins at 4 p.m.
- April 15<sup>th</sup> at 9:30 a.m. at Blue Ridge Community College is a Highway Automation Workshop for innovative transportation ideas.
- Secondary Six Year Plan public hearing scheduled for May 7th.

Mr. Griffith asked if Rt. 60 will be closed during the slope repairs. Ms. Hammond replied that she anticipates it will just be lane closures.

Mr. Garten commented that there are trees hanging at the top of the slope on Rt. 220 near Honda Nissan. He asked if a survey has been done on steep slopes in the area (Rt. 220 and along Iron Gate gorge). Ms. Hammond replied that a geographer has looked at the topography and several are regularly monitored for movement or shifting and a lot of that depends upon the rock.

Mr. Garten asked if there is any liability to VDOT if there is a slide. Ms. Hammond replied that if a failure is not connected to a maintenance issue (and a lot of the top of slopes are not on VDOT property) it would be considered an "act of God" and not negligence on the State's part..

Mr. Shull mentioned a rock falling on the hood of a car along Iron Gate gorge years ago.

Mr. Nicely stated that at the driveway on the left along Circle H Drive it is washing out and going into the road.

APPROVE UPDATES TO THE ALLEGHANY COUNTY COMPREHENSIVE PLAN:

Mr. Bennett commented that the Planning Commission has made a recommendation to adopt the Comprehensive Plan updates as submitted.

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

WHEREAS, the current Comprehensive Plan for the County was adopted and effective May 7, 2013; and

WHEREAS, Section 15.2-2223, *et al* of the Code of Virginia, 1950, as amended, requires the Comprehensive Plan be updated and readopted at least every five years; and

WHEREAS, the Planning Commission and Board of Supervisors held a public hearing on updates to the Comprehensive Plan on April 2, 2019; and

WHEREAS, the Board determines that the County Comprehensive Plan as presented, along with other minor technical changes, is a proper and beneficial guide for the County's growth, development, and public policy making over the next five years;

NOW, THEREFORE, BE IT RESOLVED that the Alleghany County Comprehensive Plan be and is hereby adopted this 2<sup>nd</sup> day of April, 2019.

BE IT FURTHER RESOLVED that this Comprehensive Plan be and is hereby commended and referred to County officials, Boards and Commissions, all interested public agencies, citizens, and other private interests as the County's official guide and plan pursuant to Title 15.2, Chapter 22, Article 3 of the Code of Virginia.

Unanimously adopted by the following roll call vote:

Shannon P. Cox	Yes
G. Matt Garten	Yes

James M. Griffith	Yes
Richard Lee Shull	Yes
M. Joan Vannorsdall	Yes
Cletus W. Nicely	Yes
Stephen A. Bennett	Yes

APPROVE REDUCTION IN APPROPRIATIONS FOR THE VICTIM-WITNESS PROGRAM DUE TO THE AWARD OF LESS FUNDING FROM THE STATE:

Ms. Adcock stated that the Victim-Witness program grant was done in the summer, but not awarded until the County's budget was adopted. She commented that they received less funding from the grant and \$104,889 needs to be reduced in their budget.

Ms. Vannorsdall asked what services Victim-Witness provides. Ms. Adcock replied that they provide information, support, and advocacy for victims, witnesses, and their families while involved in the criminal justice system (i.e., protective orders, public housing assistance, shelters, etc.).

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

BE IT RESOLVED that the Alleghany County Board of Supervisors approve the following reduction in appropriations totaling \$104,889 in FY 19 for the Victim Witness Program due to the award of less funding from the State:

<u>Revenue Account</u>	
Victim-Witness Grant (110-4240473)	(\$104,889)
<u>Expenditure Accounts</u>	
Reductions in expenditure accounts in 22511 (Victim-Witness Grant) will be made to appropriate budget line items to correspond with the actual grant award.	(\$104,889)

Unanimously adopted by the following roll call vote:

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

APPROVE SUPPLEMENTAL APPROPRIATION FOR THE PUBLIC WORKS DEPARTMENT (INSURANCE PROCEEDS FROM DAMAGE TO THE DIESEL DISPENSER):

Ms. Adcock stated that Public Works had damage to a diesel dispenser and received insurance money (\$10,665.11) to complete repairs which needs to be appropriated.

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

BE IT RESOLVED that the Alleghany County Board of Supervisors approve a supplemental appropriation in FY19 for the Public Works Department due to the receipt of insurance proceeds from damage to the diesel dispenser:

<u>Revenue Account</u>	
Miscellaneous Revenue (110-4180303)	\$10,665.11
<u>Expenditure Account</u>	
Machinery & Equipment (1221-57001)	\$10,665.11

Unanimously adopted by the following roll call vote:

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

LT. COL. MATT BOWSER - DISCUSS AND CONSIDER NEED FOR AN ARMORED VEHICLE BASED UPON

RECENT IRON GATE INCIDENT:

Lt. Col. Matt Bowser stated that the Sheriff's Office has had several instances in the last few years that they needed to use an armored vehicle. He mentioned an incident at the lake where an individual had a weapon and the most recent incident in Iron Gate with a man firing a gun. He commented that with the Iron Gate incident officers were pinned down for several hours waiting on an armored vehicle to come from Botetourt County and the State Police to allow officers to get closer and to evacuate neighbors. He asked for the Board's blessing to work with County staff to find a creative way to obtain an armored vehicle in order to be better prepared.

There was some discussion regarding the type of vehicle (large truck chassis that is bullet proof up to 50 caliber); how many areas our size have one (the closest is Botetourt County); the price (a new one costs @ \$250,000, but are looking for a refurbished one); grants have been submitted for an armored vehicle, but have been unsuccessful; if the State Police could have an armored vehicle parked at their location here (there is only one armored vehicle in our State Police division and it is based out of Salem); the Emergency Response Team (ERT) has mutual aid agreements with Highland and Bath County so there is a potential for sharing the vehicle; currently the ERT uses a former ambulance; etc.

The Board agreed for the Sheriff's Office and County staff to proceed with looking into finding funding for an armored vehicle.

APPROVE RESOLUTION REGARDING REFUNDING OF THE VPSA SERIES 2001A BOND:

Mr. Lanford stated that there is a draft resolution and information at each seat regarding the refunding of the VPSA Series 2001A bond which was briefly discussed at the March 29<sup>th</sup> adjourned meeting with the School Board. These items are a part of the records of this meeting. He commented that staff is asking permission to enter into a refunding opportunity with VPSA which will save approximately \$28,000 of the remaining debt payment which ends in 2021. He mentioned that there is no out of pocket costs to the County and Mr. Webster Day, bond counsel, indicated that there is no risk with the refunding.

On motion of Ms. Vannorsdall, seconded by Mr. Griffith, that the following resolution be adopted:

BE IT RESOLVED that the Alleghany County Board of Supervisors authorize Mr. Jonathan A. Lanford, County Administrator, to work with the Alleghany County School Board and sign any appropriate documents in relation to the refunding of the VPSA Series 2001A bond.

Unanimously adopted by the following roll call vote:

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

Boiling Spring Repurpose RFP

No responses to request for proposal were received by the due date. Building has been shown recently, unrelated to the RFP. We will wait and re-issue a revised RFP late summer/early fall.

Housing Study

Draft report has been received and is currently under review by staff. Study identified a market for up to 200 new housing starts over multi-year phases. Requires public-private partnership to demonstrate demand. Will keep advised of progress.

Alleghany Outfitter

Outfitter began official operation at our Intervale Facility yesterday (April 1, 2019).

Budget

Ms. Vannorsdall and Mr. Griffith, who are advising during the budget process, have a binder at their seats with budget amounts requested by departments and organizations with backup. He commented that he will meet with them next Wednesday to begin the review. He mentioned that this year the County will begin paying on the radio project debt service. He stated the County is facing budget challenges with increases in costs to CSA, law enforcement, jail, etc. He commented that it will not be an easy year and there will be tough decisions to make.

BOARD MEMBER COMMENTS (INQUIRIES/REPORTS):

Miscellaneous

The Board thanked everyone for coming to the meeting and the Planning Commission for their work on the Comprehensive Plan.

Mr. Shull commented that he appreciates seeing representatives from Clifton Forge Town Council present.

Mrs. Cox stated that she supports anything in relation to police, fire, and rescue. She commented that it may cost money, but she would like the County to come up with a way to find funding. She mentioned that she was in Alabama when she heard about the Iron Gate incident and it was scary.

Ms. Vannorsdall showed everyone the size of the budget request notebook. She commented that she is mindful of the reality of the County's budget situation.

Mr. Bennett wished Ms. Vannorsdall and Mr. Griffith luck during the budget process.

CLOSED MEETING:

On motion of Mr. Garten, seconded by Mr. Nicely, that the Board go into a Closed Meeting under Code of Virginia Section 2.2-3711(A)(3) for the purpose of: (1) disposition of publicly held real property. Unanimously adopted.

On motion of Mr. Garten, seconded by Mrs. Cox, that the Board come out of the Closed Meeting with the following certification:

CERTIFICATION  
SECTION 2.2-3712

To the best of our knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter, and (ii) only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the session.

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

ADJOURNMENT:

On motion of Mr. Garten, seconded by Mr. Nicely, that the meeting be adjourned at 8:25 p.m. Motion carried.

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Stephen A. Bennett  
Chairman