

At an adjourned meeting of the Board of Supervisors, Alleghany County, Virginia held on Wednesday, September 9, 2020 at 6:00 p.m. in Gleason Forum Hall at Mountain View Elementary School, Low Moor, Virginia, thereof:

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

and Jonathan A. Lanford, County Administrator

CALL TO ORDER:

The Chairman called the adjourned meeting to order.

Mr. Garten stated that this meeting is being held pursuant to and in compliance with ordinance O-20-2 which was adopted on April 3, 2020 and readopted/amended on June 2, 2020 and August 4, 2020. The following Board member is electronically present: Joan Vannorsdall. He added the Performance Agreement with R. Fralin Companies, Inc. to the agenda under unfinished business.

The Alleghany County School Board held a public hearing on the proposed consolidation of the Alleghany County and City of Covington School Districts and passed a resolution approving the same.

APPOINTMENT OF MR. JOHN LITTLETON TO THE ALLEGHANY COUNTY SCHOOL BOARD (FALLING SPRING DISTRICT):

Mr. Garten stated that the Board needs to consider an appointment to the Alleghany County School Board from the Falling Spring District to complete the term of Mr. Randall Tucker beginning immediately and ending June 20, 2022. He stated that there are two applicants for the appointment (Mr. John Littleton and Mr. Matthew Smith). He asked Mr. Lanford to do a roll call vote with Board members stating the name of the individual they wish to be appointed.

Shannon P. Cox	John B. Littleton
James M. Griffith	John B. Littleton
Cletus W. Nicely	John B. Littleton
Richard Lee Shull	John B. Littleton
Joan M. Vannorsdall	Matthew S. Smith
Stephen A. Bennett	John B. Littleton
G. Matt Garten	John B. Littleton

As Mr. John B. Littleton had the most votes, he was appointed to the Alleghany County School Board as the member from the Falling Spring District to complete the term of Mr. Randall Tucker beginning immediately and ending June 30, 2022.

APPROVE "RESOLUTION AUTHORIZING THE CONSOLIDATION OF ALLEGHANY COUNTY AND CITY OF COVINGTON SCHOOL DISTRICTS":

Mr. Garten stated that there is a resolution in the agenda packet regarding the consolidation of Alleghany County and City of Covington School Districts.

Mr. Nicely thanked the two individuals that spoke during the School Board public hearing. He mentioned that he feels that the merger plan should go to a referendum.

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

RESOLUTION AUTHORIZING THE CONSOLIDATION OF ALLEGHANY COUNTY AND CITY OF COVINGTON SCHOOL DISTRICTS

WHEREAS, Alleghany County has determined that the consolidation of its public schools with the City of Covington public schools would be in the best interests of both the people of the City of Covington and Alleghany County and would further the interest of the Commonwealth in promoting strong and viable public school districts; and

WHEREAS, the consolidation can improve the educational opportunities and resources of public education in Alleghany County; and

WHEREAS, the consolidation will result in a more equitable use of the resources and distribution of the liabilities of Alleghany County and the City of Covington; and

WHEREAS, the consolidation can result in fiscal savings and governmental efficiencies;

NOW, THEREFORE, BE IT RESOLVED by the Alleghany County Board of Supervisors that:

1. Pending approval from the Virginia of Department of Education and subject to any necessary appropriations from the Virginia General Assembly, Alleghany County approves of and shall initiate and pursue all such procedures as may be necessary to accomplish the consolidation of public schools between the City of Covington and Alleghany County as outlined in the Virginia Code (Va. Code § 22.1-25 et seq.) and in a manner consistent with the recommendations of the Joint Committee on School Consolidation (which are adopted herein by reference);
2. The County Attorney and County Manager are authorized, with the approval of this Board, to take all other such actions and to employ such special consultants as may be necessary to accomplish the objectives set forth herein including, but not limited to, signing and memorializing any agreements necessitated by DOE between the respective localities; and,
3. The Board of Supervisors, throughout the course of these proceedings, shall continue to work toward an amicable resolution of this matter with the appropriate officials of the City of Covington.

Adopted by the following roll call vote:

Shannon P. Cox	Yes
James M. Griffith	Yes
Cletus W. Nicely	No
Richard Lee Shull	Yes
M. Joan Vannorsdall	Yes
Stephen A. Bennett	Yes
G. Matt Garten	Yes

APPROVE LOCAL ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH R. FRALIN COMPANIES, INC.:

Mr. Lanford handed out a copy of the Performance Agreement with R. Fralin Companies, Inc. in regards to a 48-unit apartment complex to be built in the Low Moor area of the County. The agreement is a part of the records of this meeting.

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

BE IT RESOLVED that the Alleghany County Board of Supervisors authorize Mr. Jonathan A. Lanford, County Administrator, to sign the Local Economic Development Performance Agreement with R. Fralin Companies, Inc. regarding the development of a multi-family housing complex in the Low Moor area of the County.

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
Stephen A. Bennett	Yes
G. Matt Garten	Yes

STATEMENT ON ALLEGATIONS MADE BY MR. DONNIE KERN (SCHOOL BOARD MEMBER):

Mr. Garten read the following statement which is a part of the records of this meeting.

Last week, the Virginian Review published a paid piece written by School Board member Donnie Kern. I think those of you who read the piece would agree with me that it contains a number of very serious allegations and references. The allegations imply that numerous officers, representatives, and employees of Alleghany County and the Alleghany County School Board have engaged in conduct that would, if true, be considered illegal and/or unethical.

As a Board of Supervisors, we have the authority pursuant to Va. Code § 15.2-1409 to investigate government affairs as we deem necessary. Since the Board of Supervisors both appoints School Board members and funds the School Board budget, I believe this is a government affair that we should investigate. I believe we should begin by holding a meeting and summoning Mr. Kern to testify before us under oath to illuminate and clarify the allegations he made in his written paid piece. We should follow up with investigation of those allegations as necessary. The outcome of the investigation will guide our further actions.

I propose we add a closed session to our October agenda to discuss and schedule a date for a special meeting of the Board of Supervisors to begin this investigation. I think the beginning point of the investigation is to hear testimony from Mr. Kern. The County Attorney has advised me that the testimony of Mr. Kern can be taken in a closed meeting format.

ADJOURNMENT:

The Chairman adjourned the meeting at 7:00 p.m.

G. Matt Garten
Chairman