

At a regular meeting of the Board of Supervisors, Alleghany County, Virginia held on Tuesday, January 5, 2021 at 7:00 p.m. in the Alleghany County Governmental Complex, Covington, Virginia, thereof:

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

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

CALL TO ORDER:

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

Mr. Garten stated that an amendment to the resolution authorizing the consolidation of the school systems is being added as Item 10D under New Business. He 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.

Mrs. Cox nominated Mr. G. Matt Garten for Chairman.

On motion of Mr. Nicely, seconded by Mr. Bennett, 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
M. Joan Vannorsdall	Yes

On motion of Mrs. Cox, seconded by Mr. Nicely, that Mr. G. Matt Garten 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
M. Joan Vannorsdall	Yes

ELECTION OF VICE-CHAIRMAN:

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

Mr. Bennett nominated Mr. James M. Griffith for Vice-Chairman.

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

Unanimously adopted by the following roll call vote:

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

On motion of Mr. Bennett, seconded by Mr. Nicely, that Mr. James M. Griffith be elected Vice-Chairman of the Board.

Unanimously adopted by the following roll call vote:

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

ADOPTION OF CODE OF ETHICS:

Mr. Garten 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. Nicely, seconded by Mrs. Cox, 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:

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

ADOPTION OF BOARD BY-LAWS:

Mr. Garten 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. Nicely, seconded by Mr. Griffith, that the following resolution be adopted:

BE IT RESOLVED that the By-Laws of the Alleghany County Board of Supervisors be amended in Section (1) Regular Meetings, subsection (A)(3) to change the day the agenda is finalized to noon on the Tuesday prior to any Board meeting.

Unanimously adopted by the following roll call vote:

Stephen A. Bennett	Yes
Shannon P. Cox	Yes
Cletus W. Nicely	Yes
M. Joan Vannorsdall	Yes

James M. Griffith Yes
G. Matt Garten 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 Tuesday 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 1, 2020.

PUBLIC COMMENT (5 MINUTE TIME LIMIT):

No one spoke at this time.

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

Mr. Lanford read a report from Ms. Susan Hammond, VDOT Resident Engineer, on the following VDOT activities:

Maintenance

- Boom axed Rt. 18 and routes that intersect.
- Cut brush on Sycamore Bend.
- Cleared leaf dams on various secondary routes.
- Cleared downed trees County-wide.
- Cold mix patched secondary roads County-wide.
- Responded to several winter weather events.

Construction

- *Rt. 696 bridge replacement - intersection paving has been placed. Deck pour will take place this month. Project is still on schedule and on budget.*

Mr. Nicely stated that the bridge approach just east of Triangle on Rt. 269 in the westbound lane has water ponding during rain events causing vehicles to be pushed into the eastbound lane. He commented that the water also ponds at the approach of the westbound lane of the Cowpasture River bridge.

Mr. Bennett stated that large vehicles are having trouble making the turn from Selma-Low Moor Road on to Rich Patch Road due to the stopped traffic location on Rich Patch Road. He suggested adjusting the location and sign on Rich Patch Road as you approach the bridge replacement project.

Mr. Garten commented regarding rocks and hanging trees on Rt. 220 near Honda Nissan potentially falling.

APPROVE RESOLUTION OF APPRECIATION FOR MR. DAVID WICKLINE DUE TO HIS UPCOMING RETIREMENT:

Ms. Vannorsdall read the draft resolution included in the agenda packet.

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

WHEREAS, Mr. David Wickline is retiring from Public Works after providing over 35 years of service to the citizens of Alleghany County; and

WHEREAS, Mr. Wickline has faithfully served the County in the capacity of Operator II;

NOW, THEREFORE, BE IT RESOLVED that the Alleghany County Board of Supervisors recognizes Mr. David Wickline for his invaluable contribution to the citizens of Alleghany County.

BE IT FURTHER RESOLVED that the Board extends its appreciation to Mr. Wickline for his service to the County, congratulations upon his retirement, and best wishes for a long and happy retirement.

Unanimously adopted by the following roll call vote:

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

APPROVE SUPPLEMENTAL APPROPRIATIONS IN FY21 (CIRCUIT COURT CLERK OFFICE, REGISTRAR OFFICE, AND BONUSSES):

Ms. Adcock stated that there are several supplemental appropriations that need to be made in FY21 due to the receipt of funding. The first are two grants received by the Circuit Court Clerk's Office totaling \$33,060 (Technology Fund Grant in the amount of \$21,101 and Library of Virginia funding of \$11,959). The second is funding the Registrar's Office is receiving from the Department of Elections in the amount of \$605 for postage used for mail-in ballots. The third includes a number of line items due to the bonuses given to employees and of this amount \$21,530 is from the Compensation Board for \$500 toward Sheriff's Office employees and \$194,846.64 is from the Self Health Insurance Trust Fund.

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

BE IT RESOLVED that the Alleghany County Board of Supervisors budget and approve the following supplemental appropriation in FY21 for the Circuit Court Clerk's Office due to the award of a Technology Fund grant from the Compensation Board (\$21,101.00) and the award of a grant from the Library of Virginia (\$11,959.00):

<u>Revenue Account</u>	
Circuit Court Grants (1100-4230825)	\$33,060.00

<u>Expenditure Account</u>		
Circuit Court Grants Awarded (210611-54025)		\$33,060.00

BE IT FURTHER RESOLVED that the Board budget and approve the following supplemental appropriation in FY21 for the Registrar’s Office due to the reimbursement of pre-paid postage from the Department of Elections:

<u>Revenue Account</u>		
Registrar/Elect. Bd. Salaries (110-4230601)		\$605.00

<u>Expenditure Account</u>		
Postal Service (1302-55201)		\$605.00

BE IT FINALLY RESOLVED that the Board budget and approve the following supplemental appropriation in FY21 to cover bonuses given to employees:

<u>Revenue Account</u>		
Sheriff’s Salaries (110-4230201)		\$21,530.00

<u>Fund Equity</u>		
Fund 711 - Self Health Ins. Trust Equity (722-11100)		\$194,846.64

<u>Expenditure Accounts</u>		
See the attached listing of line items where funds are to be distributed.		\$216,376.64

Unanimously adopted by the following roll call vote:

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

REAPPOINT MR. KENNETH YEAGLEY TO THE BOARD OF BUILDING CODE APPEALS:

Mr. Garten stated that the term of Mr. Kenneth Yeagley (Clifton Forge West District) on the Board of Building Code Appeals expires January 20, 2021. Terms are for 5 years and Mr. Yeagley is eligible for reappointment. He commented that Mr. Yeagley does wish to be reappointed.

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

BE IT RESOLVED by the Alleghany County Board of Supervisors that Mr. Kenneth Yeagley (Clifton Forge West District), 517 Roxbury Street, Clifton Forge, VA 24422 be reappointed to the Board of Building Code Appeals for a term of five years beginning January 21, 2021 and ending January 20, 2026.

Unanimously adopted by the following roll call vote:

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

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

Mr. Lanford handed out a draft resolution which is a part of the records of this meeting. He stated that the State Board of Education has requested an amendment to the resolution adopted by the Board on September 9, 2020 to change the term “of Department” in paragraph 1 of the resolution to “Board.”

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

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

BE IT RESOLVED by the Alleghany County Board of Supervisors that its resolution of September 9, 2020 is amended such that “of Department” in paragraph 1 of that resolution is changed to “Board.” This amendment shall be retroactive to

September 9, 2020.

Unanimously adopted by the following roll call vote:

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

COUNTY ADMINISTRATOR'S REPORT:

Mr. Lanford gave a report on the following items:

COVID-19 Safety Renovations

The Board authorized the low bid to F&S Building Innovations who were responsive and were awarded the contract for the COVID-19 Safety Renovations. A pre-construction meeting was held yesterday and a Notice to Proceed may be issued on January 18th.

Utility Relief Funding

The Board was sent an email from him last week regarding \$120,000 in Utility Relief Funding which has been awarded to the County by the Department of Housing and Community Development. The funding will be used in the County, Clifton Forge, and Iron Gate. The County is and will be reaching out to customers that qualify.

Mr. Griffith asked if this is a grant or loan to those that qualify. Mr. Lanford replied that it is a grant.

Joint Services Update

He is working with the Covington City Manager on an agreement on all shared services to eliminate issues.

Sale of Property to Saad Development Corporation

In the fall, the Board approved the sale of approximately two acres of property in the Commerce Center to Saad Development Corporation and the closing is planned for January 20th with construction to begin soon thereafter.

Fralin Apartment Complex Project

The Fralin apartment project is moving along. A utility locate has been done and they have been in contact with our staff.

FOCUS Program

Data has been gathered and is being populated into mapping. The first class graduated in December and one of the graduates is assisting with the project.

Add Closed Meeting

A Closed Meeting is being added pursuant to Section 2.2-3711(A)(8) of the Code of Virginia for consultation with legal counsel pertaining to actual litigation.

BOARD MEMBER COMMENTS (INQUIRIES/REPORTS):

Miscellaneous

Ms. Vannorsdall congratulated Mr. Garten and Mr. Griffith on their appointment as Chairman and Vice-Chairman. She commented that a zoom meeting of the CORE group is scheduled for January 21st at 5:30 p.m. She asked that those that want to participate to let Mr. Lanford know. She mentioned that she heard that Green Pastures is a go with DCR and Douthat is doing work out there. They are hoping for a soft opening on Memorial Day.

Mrs. Cox thanked everyone for coming to the meeting. She commented that it was great to see Rev. Ayers here tonight for the invocation.

Mr. Griffith thanked everyone for the opportunity to serve as Vice-Chairman and that it means a lot to him due to the

journey he has taken personally to get here. He commented that he needs to express to the community that the virus is here and it is real. He stated that he hopes all stay safe.

Mr. Garten agreed with Mr. Griffith's remarks regarding the virus as there has been an influx and stated that people need to stay in and do what they are supposed to do. He congratulated Mr. Griffith on his appointment as Vice-Chairman and thanked everyone for nominating him as Chairman.

CLOSED MEETING:

On motion of Mr. Nicely, seconded by Ms. Vannorsdall, that the Board go into a Closed Meeting under Code of Virginia Section 2.2-3711(A)(1), (3), and (8) for the purpose of: (1) candidates for the Clifton Forge West District Board of Supervisor vacancy; (2) disposition of publicly held real property; and (3) consultation with legal counsel pertaining to actual litigation. Unanimously adopted.

On motion of Mr. Nicely, seconded by Mr. Griffith, 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/Stephen A. Bennett	Yes
/s/Shannon P. Cox	Yes
/s/G. Matt Garten	Yes
/s/Cletus W. Nicely	Yes
/s/James M. Griffith	Yes

ADJOURNMENT:

On motion of Mr. Nicely, seconded by Ms. Vannorsdall, that the meeting be adjourned at 7:55 p.m. to Tuesday, February 2, 2021 at 5:30 p.m. in the Board Room of the County Governmental Complex. Motion carried.

G. Matt Garten
Chairman