

At a regular meeting of the Board of Supervisors, Alleghany County, Virginia held on Wednesday, November 8, 2023 at 7:00 p.m. in the Alleghany County Governmental Complex, Covington, Virginia, thereof:

PRESENT: G. Matt Garten, Chairman  
James M. Griffith, Vice-Chairman (electronic)  
Stephen A. Bennett  
Shannon P. Cox  
Gregory A. Dodd  
Cletus W. Nicely

and Suzanne Adcock-Nicely, Director of Finance  
Chad Williams, Director of Parks and Recreation  
Jonathan Fitch, Director of Public Safety  
Jim Guynn, County Attorney  
Melissa A. Munsey, Deputy Clerk to the Board

ABSENT: Ronald S. Goings  
Reid Walters, County Administrator

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 asked for a motion to allow Mr. Griffith to participate in the meeting via zoom.

On motion of Mr. Bennett, seconded by Mr. Nicely, that the Board allow Mr. James Griffith to participate in the meeting via zoom per the Board's Remote Participation Policy.

Unanimously adopted by the following roll call vote:

Stephen A. Bennett	Yes
Shannon P. Cox	Yes
Gregory A. Dodd	Yes
Ronald S. Goings	Absent
Cletus W. Nicely	Yes
James M. Griffith	Yes
G. Matt Garten	Yes

The Chairman stated that Item 9F under New Business is being added to the agenda (confirm the ban on burning), Mr. Fitch will give a brief update on Broadband under the County Administrator's Report, and the Closed Meeting is being removed from the agenda.

MINUTES:

Hearing no corrections or deletions, the Chairman declared the following minutes approved as submitted: (1) a regular meeting held on October 3, 2023.

PRESENTATION TO CERTAIN EMS INDIVIDUALS ON BEHALF OF THE HARMON FAMILY:

Mrs. Cox invited Josh and Alicia Harmon to the front of the room to do the presentation to EMS individuals present who were involved with saving their daughter's (Josie) life. Josie was also present. She commented that she appreciates the EMS and firefighters who endlessly give their time.

Mrs. Alicia Harmon read the following prepared statement which is a part of the records of this meeting:

*This is to the Boiling Springs Fire and Rescue volunteers that provided swift, exceptional care and comfort during the most horrific and terrifying moment of our life. Thank you!*

*You never think it will happen to you. Until one day it does and before you know it, helping hands are coming to your rescue. True heroes that are waiting in the wings to swoop in and save us in our deepest, darkest, life-threatening times of need. Only to be gone just as quickly without a moment for us to say thank you and show appreciation for their commitment and life-saving services.*

*Here is the story of Josie's personal heroes who did just that.... On June 7<sup>th</sup> our two-year old daughter Josie was run over by a truck. She was not breathing and there was blood everywhere. We called 911, but knew time was not on our side with her injuries. We got in our vehicles and started driving to the ambulance and stopped in the middle of the road when we met up with them. I jumped out of the vehicle with Josie in my arms and ran to Ken. He took Josie from me and went back to the ambulance with no hesitation. Once in the ambulance in a matter of seconds the*

*ambulance was moving and they were on the radio calling for Life Guard. During the ambulance ride to meet the Life Guard helicopter they were able to get Josie stable enough for the flight to Roanoke Memorial.*

*Thank you for not giving up on Josie when it didn't look like there was a chance of life. Because of your quick actions with no hesitations Josie is here with us today. You all were so kind, caring and compassionate during this tragic accident. Your experience and training is undeniable and we are so blessed and thankful for the volunteer work you do. Thank you for your endless training and for your quick responses. Thank you for risking your life every day for our community and yet never asking for anything in return.*

*We will never be able to fully express our deepest and sincerest gratitude from myself and my family. I owe you my life and I am committed to honoring your selfless actions and dedication. To you and every member of the EMS community who swoops in to save the day and leaves before we get a chance to say it...THANK YOU!*

Mrs. Cox assisted Mr. Josh Harmon in handing out plaques to the following individuals: Ken Martin, Dwaine Paxton, Kaitlyn Tucker, Steve Weikle, Alice Wolfe, and Brenda Wilcher. The plaques read: "You Make a Difference. Presented to \_\_\_\_\_ for saving the life of Josie Harmon and being an outstanding EMS Volunteer for the community."

PUBLIC HEARING AND APPROVAL - EASEMENT IN THE ALLEGHANY REGIONAL COMMERCE CENTER TO SARA AND REBECCA IRVINE:

Public Hearing was held to consider granting a permanent, non-exclusive easement of right of way sixty feet (60') in width to Sara Allen Irvine and Rebecca Jane Irvine for the purpose of ingress and egress, drainage and utilities along the 60' Piney Ridge Road easement from Commerce Center Drive in the Alleghany Regional Commerce Center.

The Chairman announced that this public hearing was advertised in the Virginian Review on Tuesday, October 31, 2023 in accordance with the Code of Virginia. He then called the public hearing to order.

Mr. Guynn gave an overview of the easement and stated that a plat is included in the agenda packet:

- The proposed Deed of Easement is between the IDA, County, and Irvine's and is intended to resolve certain technical uncertainties as to actual property boundary locations and provide for needed, or possibly needed, easement needs for current or future construction and development between the parties as it relates to the development of the pad ready site.
- Specifically, the deed definitively sets the location of the boundary line between the IDA's pad ready site and the Irvine property.
- In addition, the Irvine's are agreeing to convey a non-exclusive right of way easement for Piney Ridge Road, as well as a permanent construction, operation, and maintenance easement of storm drainage improvements to the IDA for use in the development of the IDA's pad ready site.
- In turn, the IDA is agreeing to grant the Irvine's a non-exclusive right of way easement for ingress, egress, drainage, and utilities and a permanent storm drainage easement to allow the Irvine's to connect to the IDA's outfall pipe, along with an accompanying temporary construction easement.
- Finally, the County will convey to the Irvine's a non-exclusive right of way easement for the purpose of ingress, egress, drainage, and utilities.
- This is the result of several months of discussions and negotiations between the parties in order to amicably resolve certain perceived and/or real property right issues of the parties to facilitate the continued development of the IDA's pad ready site and take into consideration the possible development of the Irvine property.

He added that the IDA will be taking action on the easement next week. He commented that he recommends approval and mentioned that it is essential to the continued development of the site.

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

On motion of Mr. Bennett, 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:

Stephen A. Bennett	Yes
Shannon P. Cox	Yes
Gregory A. Dodd	Yes
Ronald S. Goings	Absent

Cletus W. Nicely	Yes
James M. Griffith	Yes
G. Matt Garten	Yes

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

WHEREAS, a permanent, non-exclusive easement of right of way of sixty feet (60') in width as shown on the plat dated October 5, 2023 (and revised November 8, 2023) from Timmons Group and titled "Plat Showing Permanent Access & Drainage Easements with Temporary Construction Easements Across the Lands of Industrial Development Authority of Covington-Alleghany County, Virginia Tax Map Parcel 42-1A and Sara Allen & Rebecca Jane Irvine Tax Map Parcel 59-2G and County of Alleghany, Virginia (as owner of Piney Ridge Road)" has been requested by Sara Allen Irvine and Rebecca Jane Irvine for the purpose of ingress and egress, drainage and utilities along the 60' Piney Ridge Road easement from Commerce Center Drive in the Alleghany Regional Commerce Center (ARCC);

NOW THEREFORE, BE IT RESOLVED by the Alleghany County Board of Supervisors that Mr. G. Matt Garten, Chairman, is authorized to sign the Deed of Easement, once finalized by all parties.

Unanimously adopted by the following roll call vote:

Stephen A. Bennett	Yes
Shannon P. Cox	Yes
Gregory A. Dodd	Yes
Ronald S. Goings	Absent
Cletus W. Nicely	Yes
James M. Griffith	Yes
G. Matt Garten	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. Adcock-Nicely gave an update for Ms. Susan Hammond, VDOT Resident Engineer, on the following VDOT activities as she was unable to be present at the meeting:

Maintenance

- Completed ditching on Rt. 220N from the Covington City Limits to the Bath County line. Area has been seeded as well.
- Continued secondary mowing - approximately 70% complete.
- Removed trees on Rt. 269 blocking culverts.
- Asphalt patched various secondary routes on and around Rt. 616. (This had been a concern from the Board on Rt. 612 Uplands).
- Patched pipe crossing on Rt. 661 in Johnson's Creek.
- Cold mix patched various secondary routes.
- Replaced five pipes on Rts. 657, 684, and 18.
- Pothole patched gravel roads throughout the County.
- Continuing to sign up snow vendors for winter operations.

Other

- Working with District Traffic Engineering for potential options for lighting Exit 21 interchange.

Mr. Bennett stated that there is a dead pine tree that he noticed on Rt. 159 near Derrick Barr's property that needs to be cut.

Mrs. Cox commented that there is a pipe at her property that has been an issue for years. She mentioned that they may be coming back to asphalt, but it has sunk bad.

Mr. Garten mentioned that there is a build up of material again behind the Rt. 220 wall.

PRESENTATION ON THE ALLEGHANY HIGHLANDS OUTDOOR RECREATION PLAN:

Ms. Teresa Hammond, Executive Director of the Chamber of Commerce, stated that Ms. Robin Bruns will be doing a presentation on the Alleghany Highlands Outdoor Recreation Plan. She commented that she appreciates the Steering Committee that worked on the plan and Mr. Williams for his assistance and input.

Ms. Robin Bruns gave a PowerPoint presentation on the Allegheny Highlands Outdoor Recreation Plan. The presentation is a part of the records of this meeting and included information on:

- Background of Ms. Bruns (i.e., outdoor recreation professional, GIS specialist, etc.)
- Mission of the Roanoke Valley-Allegheny Regional Commission
- Steering Committee participants (representatives from the Chamber of Commerce, Allegheny Outdoors, Allegheny County, Clifton Forge, Covington, and Iron Gate)
- Planning Process (collect data and inventory, develop community vision, prepare project concepts, and produce plan document)
- Plan Delivery
  - Core Plan Document including current conditions, background, and prioritized lists of objectives for each goal (27 pages)
  - Plan Document Appendix with detailed survey responses, asset lists, and recommended grants and resources (81 pages)
  - Story Map with project overview and asset map (website address: [www.https://storymaps.arcgis.com/stories/7a886f021f6246488d7cfdb3927d4b5e](http://www.https://storymaps.arcgis.com/stories/7a886f021f6246488d7cfdb3927d4b5e))

Ms. Bruns then reviewed items on the website.

APPROVE EXTENSION OF THE OUTFITTER FACILITY CONTRACT:

Mr. Williams stated that the County has a concessionaire contract with Allegheny Outdoors which is requested to be extended for an additional five-year term. He commented that we were fortunate to previously find an outfitter for the building and it was the missing link for use of the trail and river. He mentioned that they have increased business and expanded even during COVID. He stated that the Board has at their seat a fee intake chart showing revenues received by the County over most of the previous five years (approximately \$30,000). The chart is a part of the records of this meeting. He commented that the outfitter paid back to the County a fee intake amount of 6%, then 7%, and is currently paying 8% which would continue with the contract extension. He mentioned that Mr. Matt Fisher is now the owner/operator of the facility and is a great asset to the community.

Mr. Garten asked if the County has the right to audit the amount received or see a tax return. Mr. Williams replied that they send a monthly statement with the amount received which is generated by their software. Mr. John Mays stated that the County can come in and look at the software information, but tax returns would not be helpful as it is co-mingled with all of their locations.

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

BE IT RESOLVED that the Allegheny County Board of Supervisors approve the “First Amendment to Contract for Lease, Operation, and Management of Outfitter Facility” between the County and MLFischer, LLC to renew the outfitter facility contract at 1903 Dressler Drive for an additional five years.

BE IT FURTHER RESOLVED that the Board authorize Mr. Reid Walters, County Administrator, to sign the abovementioned contract amendment on behalf of the County.

Unanimously adopted by the following roll call vote:

Stephen A. Bennett	Yes
Shannon P. Cox	Yes
Gregory A. Dodd	Yes
Ronald S. Goings	Absent
Cletus W. Nicely	Yes
James M. Griffith	Yes
G. Matt Garten	Yes

APPROVE BONUS FOR SOCIAL SERVICES EMPLOYEES:

Ms. Adcock-Nicely stated that there is a letter from Ms. Tammy Wilson, Director of Social Services, in the agenda packet along with a draft resolution. She commented that the Board has approved bonuses for Social Services previously and there are no additional funds needed; however, the Board is required by law to pass a resolution in order to receive reimbursement.

Ms. Wilson commented that some Social Services employees are present and asked them to stand. She stated that the Social Services Board voted to approve the bonuses and there is no additional allocation of funds.

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

BE IT RESOLVED that the Alleghany County Board of Supervisors authorize a bonus in FY24 to all Department of Social Service employees utilizing funds currently in their budget as follows:

<u>Employed</u>	<u>Bonus Amount</u>
0-3 months	\$ 250.00
3-6 months	\$ 500.00
6 months+	\$1,000.00

Unanimously adopted by the following roll call vote:

Stephen A. Bennett	Yes
Shannon P. Cox	Yes
Gregory A. Dodd	Yes
Ronald S. Goings	Absent
Cletus W. Nicely	Yes
James M. Griffith	Yes
G. Matt Garten	Yes

APPROVE SCHOOL CAPITAL PROJECT (AHS & JRTC ROOF REPLACEMENT):

Ms. Adcock-Nicely stated that, as was previously done, any school capital project over \$100,000 needs to be approved by the County and Covington per the school funding agreement. She commented that the school system is requesting approval for the AHS/JRTC roof replacement project. She mentioned that there are no additional County funds being requested as it would be paid for utilizing ESSER funding.

Mr. Bennett asked if Covington will be asked to approve the project. Ms. Rebecca Irvine, Director of Finance for the school system, replied that it was on Covington Council’s work session last night.

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

BE IT RESOLVED that the Alleghany County Board of Supervisors, pursuant to Section 2.2.4 of the Alleghany County School Funding Agreement dated August 10, 2021, approve the following capital project:

<u>Project</u>	<u>Estimated Cost</u>
• Roof Replacement (AHS/JRTC)	\$2,505,614

Unanimously adopted by the following roll call vote:

Stephen A. Bennett	Yes
Shannon P. Cox	Yes
Gregory A. Dodd	Yes
Ronald S. Goings	Absent
Cletus W. Nicely	Yes
James M. Griffith	Yes
G. Matt Garten	Yes

APPROVE SUPPLEMENTAL APPROPRIATION FOR STATE SALARY INCREASES:

Ms. Adcock-Nicely stated that when the County approved its budget, the State had not approved their budget yet. She commented that the State did end up approving a 2% salary increase and salary scale adjustments which the Board needs to appropriate in FY24.

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

BE IT RESOLVED that the Alleghany County Board of Supervisors budget and approve the following supplemental appropriation in FY24 in relation to additional funding from the Compensation Board for salary increases:

<u>Revenue Accounts</u>	
Public Assistance/Welfare Administration (110-4240102)	\$34,281.00
Sheriff - Salaries (110-481700)	\$82,917.00
Clerk - Salary and Fringes (110-483300)	\$37,014.00
Commonwealth Attorney - Salaries (110-484100)	\$40,283.00
Treasurer - Salaries (110-423401)	\$32,944.00

Commissioner of Revenue - Salaries (110-423301) \$44,298.00

**Expenditure Accounts**

Welfare Admin. Salaries/Wages (11053011-510001)	\$34,281.00
Sheriff - Law Enforcement Salaries/Wages (11031021-510001)	\$82,917.00
Clerk of Circuit Court Salaries/Wages (11021061-510001)	\$37,014.00
Commonwealth Attorney Salaries/Wages (11022011-510001)	\$40,283.00
Treasurer Salaries/Wages (11012130-510001)	\$32,944.00
Commissioner of Revenue Salary Bonus (11012090-510001)	\$44,298.00

Unanimously adopted by the following roll call vote:

Stephen A. Bennett	Yes
Shannon P. Cox	Yes
Gregory A. Dodd	Yes
Ronald S. Goings	Absent
Cletus W. Nicely	Yes
James M. Griffith	Yes
G. Matt Garten	Yes

APPROVE CONFIRMATION OF BAN ON BURNING:

Mr. Garten stated that the Board has a copy of a notice at its seat that went out to the media as well as a draft resolution to confirm the ban on burning and have it remain in effect until it is effective to lift the ban. He read the media notice which is as follows:

*Due to the current extremely dry weather in Alleghany County, the County Administrator is implementing an emergency ban on burning beginning 1:00 p.m. on Monday, November 6, 2023 and continuing until further notice. No person in Alleghany County may burn any items outside or dispose of any burning embers outside (including, but not limited to leaves, garbage, shrubbery, camp fires) because of the potential that such burning or disposal may cause uncontrolled fires. Nor may any such person discard or dispose of any smoking materials (such as cigarettes, pipe tobacco, cigars, and the like) outside unless such smoking materials are fully and totally extinguished. Each violation of this ban shall be a Class 1 misdemeanor and any law enforcement officer may issue a summons directly to any individual violating the ban. The County will announce through the media when the ban has been lifted.*

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

BE IT RESOLVED that the Alleghany County Board of Supervisors agree with the recommendation of the County Administrator to have the County-wide ban on burning, which was implemented on November 6, 2023, stay in effect until it is permissible to lift the ban.

Unanimously adopted by the following roll call vote:

Stephen A. Bennett	Yes
Shannon P. Cox	Yes
Gregory A. Dodd	Yes
Ronald S. Goings	Absent
Cletus W. Nicely	Yes
James M. Griffith	Yes
G. Matt Garten	Yes

COUNTY ADMINISTRATOR’S REPORT:

Mr. Fitch gave an update on the following:

Broadband

*A brief survey is being sent out to residents in the Crows/Hematite area to collect data for the VATI grant application. A Garmin satellite phone is being tested to potentially be used in the area.*

BOARD MEMBER COMMENTS (INQUIRIES/REPORTS):

Miscellaneous

Mr. Dodd mentioned that the Clifton Forge tree lighting will be held on November 18<sup>th</sup> at 6:00 p.m. and the Clifton Forge Christmas parade will be held on December 1<sup>st</sup> at 6:00 p.m.

Mr. Nicely congratulated those that won elections.

Mr. Bennett stated that he last heard that the School Board election is tied and asked if it would be the same system to flip a coin to chose the winner. Mr. Guynn replied that he thinks so. Mr. Garten commented that one individual is winning by 7 votes, but the votes have not been certified. Mr. Nicely stated that there will probably be a recount.

Mrs. Cox stated that she appreciates everyone coming out to the meeting. She mentioned that with the large number of Social Services employees present to show support it says a lot about Ms. Wilson. She commented that it appears the schools are doing wonderful and mentioned that she goes by the middle school and the release of students is going very well. She stated that Ms. Elizabeth Martin was present and should have been recognized with a plaque along with the other EMS volunteers. She commented that she is sure that they will be able to get another plaque for her. She stated that all of the EMS and fire volunteers and law enforcement are wonderful, but do not get the recognition they deserve. She thanked the family for taking the time to thank them.

Mr. Griffith wished everyone a great Thanksgiving.

Mr. Garten thanked the school system representatives for attending, Ms. Hammond and Ms. Bruns for the presentation on the Outdoor Recreation Plan, and Ms. Wilson and Social Services staff for the great turnout. He stated that the Harmon situation is every parents nightmare that something could happen to their child. He commented that it was amazing to see her tonight and see her eyes light up. He wished everyone a safe Thanksgiving, mentioned that there is a big district game Friday night, and congratulated the State and local election winners.

ADJOURNMENT:

On motion of Mr. Nicely, seconded by Mr. Bennett, that the meeting be adjourned at 7:55 p.m. Motion carried.

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G. Matt Garten  
Chairman