

**CRAIG COUNTY BOARD OF SUPERVISORS
MEETING MINUTES
SEPTEMBER 2, 2021**

AT A REGULAR MEETING of the Craig County Board of Supervisors conducted on the 2nd day of September 2021 at 6:00 p.m. in the Craig County Court House Courtroom.

PRESENT: Jesse Spence – Chair
Carl Bailey-Supervisor
Dan Collins – Clerk
Kathi Toelke, Supervisor
Rusty Zimmerman – Vice Chair

VIA PHONE: Lindsey Dunne– Supervisor

OPEN MEETING

Meeting was called to order at 6:00 p.m. by Mr. Spence. The invocation was given by moment of silence, followed with the Pledge of Allegiance.

REQUESTS TO POSTPONE, ADD TO OR CHANGE THE ORDER OF AGENDA ITEMS

Mr. Collins requested to add Trace Bellassia under briefings for Broad Band Committee report.

A. Broadband Committee Report

The Board agreed to the additions.

CONSENT ITEMS

Mr. Spence presented the consent items to the Board:

- A. Minutes of August 5th, 2021
- B. Claims and Warrants

Mr. Bailey made a motion, seconded by Ms. Toelke, to approve the minutes and consent items with Resolution R21-74. Voting was as follows: Mr. Zimmerman, yes, Ms. Toelke, yes, Ms. Dunne, yes, Mr. Bailey, yes and Mr. Spence, yes.

R21-74

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF CRAIG
COUNTY, VIRGINIA, HELD AT THE CRAIG COUNTY COURTHOUSE
ON THURSDAY, SEPTEMBER 2ND, 2021

**RESOLUTION APPROVING AND CONCURRING IN CERTAIN ITEMS SET
FORTH ON THE BOARD OF SUPERVISORS AGENDA FOR THIS DATE
DESIGNATED AS THE CONSENT ITEMS**

BE IT RESOLVED by the Board of Supervisors of Craig County, Virginia, as follows:

1. That the certain section of the agenda of the Board of Supervisors for September 2, 2021, designated as the Consent Items be, and hereby is, approved and concurred in as to each item separately set forth in said section designated Items 1 through 2, inclusive, as follows:
 1. Approval of minutes – August 5, 2021
 2. Claims and Warrants
2. That the Clerk to the Board is hereby authorized and directed where required by law to set forth upon any of said items the separate vote tabulation for any such item pursuant to this resolution.

The Board of Supervisors of Craig County, in a regular meeting on the 2nd day of September 2021 adopted this Resolution.

BRIEFINGS

- A. Ray Varney, VDOT: Mr. Varney provided the board with a Monthly Report on work in the County. Various projects were discussed with the Board.
- B. Trace Bellassia, Broadband Committee: Mr. Bellassia, provided the board with an update on Broadband Virginia Telecommunications Initiative (VATI). Mr. Bellassia presented possibilities for fiber funding and feasible locations starting on Branch with phase 1 for 33 miles of fiber. Applications for funding subject to be submitted in September and will update outcome. Broadband surveys started to arrive in the mail this week both business and residential. Board did approve to move forward with application for funding.

NEW BUSINESS

- A. Ordinance Extending Temporary Measures & Procedures Covid – 19. Mr. Bailey made a motion, seconded by Mr. Zimmerman, to approve ordinance 2021-05. Voting was as follows: Mr. Zimmerman, yes, Ms. Toelke, yes, Ms. Dunne, yes, Mr. Bailey, yes and Mr. Spence, yes.

ORDINANCE NO. 2021-05 (Extending Ordinance 2020-02)

EXTENSION OF ORDINANCE INSTITUTING TEMPORARY MEASURES AND PROCEDURES TO ENSURE CONTINUITY OF GOVERNMENT IN RESPONSE TO COVID-19

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the healthcare community in responding to the novel Coronavirus ("COVID-19"); and,

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and,

WHEREAS, on March 12, 2020, by Executive Order No. 51, Governor Ralph S. Northam declared a state of emergency in the Commonwealth of Virginia due to the spread of the COVID-19 virus, and declared the anticipated effects of COVID-19 to be a disaster within the meaning of Virginia Code Section 44-146.16; and,

WHEREAS, on March 13, 2020, the President of the United States found and proclaimed that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020; and,

WHEREAS, on March 17, 2020, Governor Northam, jointly with the Virginia State Health Commissioner, declared a continuing public health emergency in Virginia resulting from the spread of the COVID-19 virus, and imposed stringent measures to combat the spread of COVID-19, including restricting the number of persons permitted to gather in certain public spaces to 10 persons or less; and,

WHEREAS, on March 19, 2020, the Craig County Board of Supervisors (the "Board") declared a state of local emergency in Craig County, Virginia (the "County"), pursuant to Virginia Code Section 44-146.21; and,

WHEREAS, on March 23, 2020 and March 30, 2020, by Executive Order Nos. 53 and 55, Governor Northam imposed additional restrictions and mandates on public gatherings to combat the spread of COVID-19; and,

WHEREAS, the Board finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a "disaster" and "communicable disease of public health threat" as defined by Virginia Code § 44-146.16; and,

WHEREAS, the Board finds that the threats posed to the health, safety, and welfare of the public by COVID-19 requires that the County adopt temporary measures to provide for the continuity of the County's government and procedures for the public meetings and hearings of its Board and the County's other boards, commissions, committees, and authorities, including, without limitation, its School Board, Planning Commission, Board of Zoning Appeals, and Board of Equalization (collectively, the "Public Entity" or "Public Entities"); and,

WHEREAS, the Virginia Freedom of Information Act provides that its open meeting requirements are limited by exemptions contained in the Act or "any other statute"; and,

WHEREAS, Virginia Code § 15.2-1413 provides that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months; and,

WHEREAS, the Attorney General of Virginia issued an opinion dated March 20, 2020 stating that localities have the authority during disasters to adopt ordinances to ensure the continuity of government under Virginia Code § 15.2-1413; and,

WHEREAS, when the Governor has declared a state of emergency and other requirements are met, Virginia Code § 2.2-3708.2(A)(3) allows members of public bodies to meet by electronic means to "address the emergency"; and,

WHEREAS, this Ordinance is necessary to address the emergency and disaster caused by the COVID-19 pandemic and to provide for the continuity of the County's government.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Craig County, Virginia, as follows:

1. That in accordance with Virginia Code § 15.2-1413, the following measures and procedures are hereby instituted to ensure continuity of government during the pendency of the COVID-19 crisis within the County:
 - a. If the County closes its offices to the public due to the threats posed by COVID-19, any process, procedure, matter, or transaction that requires the physical presence of the public in a County building is hereby suspended, unless conducted in accordance with this Ordinance or alternative measures to complete the process, procedure, matter, or transaction are provided by the County Administrator or his designee.
 - b. The County Administrator or his designee is authorized to take actions objectively reasonable and necessary in the interest of public health, safety, and welfare to alter schedules, arrange for alternative procedures consistent with this Ordinance, provide programming and services, pay bills, receive payments, engage contractors, hire employees, set and manage a succession plan effective in the event of unavailability of staff, and adjust administrative processes and procedures to address the disaster or operational needs. In exercising his authority under this section, the County Administrator or his designee shall act in accordance with the guidance and directives of the U.S. Centers for Disease Control and Virginia Department of Health, and consistent with the Governor's executive orders and the County's Declaration of Local Emergency.
 - c. Any meetings or hearings required to be held, or agenda items required to be considered, by the Board or a Public Entity are deemed continued and extensions therefor are hereby ordered, unless action is taken during the duration of and as provided by this Ordinance. The provisions of this section shall include, without limitation, those matters for which applicable law requires that action must be taken, or meeting or hearing held, within a specific time, or for which applicable law provides that failure to act is deemed approval.
 - d. Any meetings or activities which require the physical presence of members of the Board or a Public Entity may be held through real time electronic means (including audio, telephonic, video or other practical electronic medium) without a quorum physically present in one location. At any such electronic meetings, the Board or Public Entity may consider any matter that is necessary to address the emergency or deemed essential to the continuity of government; and,
 - e. Except in the case of special or emergency meetings, prior to holding any such electronic meeting, the Board or Public Entity shall provide public notice of at least 3 days in advance of the electronic meeting identifying how the public may participate or otherwise offer comment; and,
 - f. Any such electronic meeting of the Board or a Public Entity shall state on its agenda and at the beginning of such meeting that it is being held pursuant to and in compliance with this Ordinance; identify the Board or Public Entity members physically and/or electronically present; identify the persons responsible for receiving public comment; and identify notice of the opportunities for the public to access and participate in such electronic meeting; and,
 - g. Any such electronic meeting of the Board or a Public Entity shall be open to electronic access by the public, and in-person access by the public may be limited or prohibited; and,
 - h. For any matters requiring a public hearing, public comment may be solicited by electronic or written means in advance and may also be solicited through telephonic or other electronic means during the

course of the electronic meeting. All such public comments will be provided to members of the Board or Public Entity at or before the electronic meeting and made part of the record for such meeting; and,

- i. The minutes of all electronic meetings shall conform to the requirements of law, identify how the meeting was conducted, members participating, and specify what actions were taken at the meeting. The Board or Public Entity may approve minutes of an electronic meeting at a subsequent electronic meeting and shall later approve all such minutes at a regular or special meeting after the emergency and disaster has ended; and,
 - j. Notwithstanding any provision of law, regulation or policy to the contrary, any deadlines requiring action by the Board or a Public Entity shall be suspended during this emergency and disaster, although officers and employees of the County, the Board, and Public Entities are encouraged to take such action as is practical and appropriate to meet those deadlines. Failure to meet any such deadlines shall not constitute a default, violation, approval, recommendation or otherwise; and,
 - k. Notices of meetings will be provided by email directly to those who have elected in writing in the previous calendar year to receive such notices under the Virginia Freedom of Information Act, and if practicable, will also be provided on the County's website and by other means selected by the County Administrator or his designee. To the extent practicable, notices will also be provided as otherwise provided by general law.
2. That the provisions in Section 1 of this Ordinance shall be in effect until repealed by the Board or for a period not exceeding six (6) months from the declaration of the local emergency. Upon repeal or expiration of this Ordinance, the matters referenced herein shall resume operation in accordance with normal practices and procedures.
 3. That in accordance with Sections 2.13 and 2.14 of the City's Charter, respectively, a second reading of this Ordinance is hereby dispensed with and this Ordinance shall take effect immediately as an emergency measure.
 4. That this Ordinance shall take effect immediately as an emergency matter and without prior notice, pursuant to Virginia Code § 15.2-1427, for a period of sixty (60) days or until extended upon readoption after customary notice.

Date: April 2nd, 2020

Recorded Roll Call Votes:

Jesse Spence, Chair:	<u>yes</u>
Carl Bailey, Vice Chair:	<u>yes</u>
Rusty Zimmerman:	<u>yes</u>
Lindsey Dunne:	<u>yes</u>
Kathi Toelke:	<u>yes</u>

Extension

NOW THEREFORE BE IT FURTHER ORDAINED by the Board of Supervisors of Craig County that this Ordinance be extended for a period of six (6) months until the matter can be reconsidered at the regular Board

of Supervisors meeting on March 4, 2021 or as soon thereafter the matter may be heard, due to local threats posed by COVID-19 pandemic still existing.

This motion was made by Ms. Toelke, seconded by Mr. Zimmerman at the regular meeting, September 3rd, 2020.

Recorded Roll Call Votes:

Jesse Spence, Chair:	<u>yes</u>
Carl Bailey, Vice Chair:	<u>absent</u>
Rusty Zimmerman:	<u>yes</u>
Lindsey Dunne:	<u>yes</u>
Kathi Toelke:	<u>yes</u>

Extension

NOW THEREFORE BE IT FURTHER ORDAINED by the Board of Supervisors of Craig County that this Ordinance be extended for a period of three (3) months until the matter can be reconsidered at the regular Board of Supervisors meeting on September 2, 2021 or as soon thereafter the matter may be heard, due to local threats posed by COVID-19 pandemic still existing.

This motion was made by Carl Bailey, seconded by Rusty Zimmerman at the regular meeting, September 2, 2021.

ATTEST:

Robert R. Collins, County Administrator
and Clerk of the Board

Mr. Bailey made a motion, seconded by Ms. Toelke, to approve the Budget Supplement for FY 2022 with Resolution R21-75. Voting was as follows: Mr. Zimmerman, yes, Ms. Toelke, yes, Ms. Dunne, yes, Mr. Bailey, yes and Mr. Spence, yes.

R21-75

**A RESOLUTION AMENDING
THE FISCAL YEAR
2021-2022 BUDGET**

WHEREAS, the Craig County Board of Supervisors (CCBoS) adopted the 2021-2022 Budget on May 6, 2021 for planning purposes, and

WHEREAS, the Craig County Emergency Services department has received \$150 in donations, these funds will be placed in the EMS budget for equipment, and

WHEREAS, Craig County Department of Social Services received State funding for FY 21 from the Commonwealth of Virginia , Dept of Juvenile Justice in the amount of \$6,585, and

WHEREAS, the amount of \$6,585 which is in the general fund balance as of 6-30 must be returned to the Commonwealth due to unexpended funds, and

WHEREAS, the County of Craig and Town of New Castle entered into a joint agreement (R21-49) along with the Economic Development Authority for the purchase of property located at the corner of Middle and Main St, and

WHEREAS, the county's portion of \$25,000 is to be given to the Economic Development Authority for the purchase of the said property, this will be expended from the County Capital Improvement Fund, now

THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Craig County that the Fiscal Year 2021-2022 budget is hereby amended as follows:

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REVENUE

Local

3-100-016040-0001	Donations to EMS	150
3-100-041999-0000	VJCCCA from Fund Balance	6,585
3-300-041999-0000	CIP Fund Balance	<u>25,000</u>
	Total Rev	31,735

EXPENSES

General Fund

4-100-032410-6002	EMS-equipment	150
4-100-091000-5803	VJCCCA	6,585
4-300-094110-0001	Middle and Main prop(EDA)	<u>25,000</u>
	Total	31,735

BE IT FURTHER RESOLVED that the sum of **\$31,735** be appropriated as described above. The Board of Supervisors of Craig County, in a regular meeting on the 2nd day of September 2021, adopted this resolution.

Ms. Toelke made a motion, seconded by Mr. Bailey, to approve Deputy Clerk Amy Bryson with Resolution R21-76. Voting was as follows: Mr. Zimmerman, yes, Ms. Toelke, yes, Ms. Dunne, yes, Mr. Bailey, yes and Mr. Spence, yes.

R21-76

**A Resolution Appointing
Amy Bryson as
Deputy Clerk**

WHEREAS the Board of Supervisors appointed Suzanne Holtz to serve as the Deputy Clerk, in 2008, and

WHEREAS Suzanne Holtz has now retired as Administrative Assistant for Craig County and Amy Bryson will be assuming the duties of Executive Administrative Assistant on August 30, 2021 and the Board of Supervisors would like to appoint Amy Bryson as their Deputy Clerk, now

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Craig County that the appointment of Amy Bryson as the Deputy Clerk, of Craig County Board of Supervisors effective September 2, 2021 is hereby approved.

The Board of Supervisors of Craig County, in a regular meeting on 2nd day of September 2021, adopted this Resolution.

INFORMATIONAL

- A. Treasurer's Report
- B. Mill Mountain Theatre Brochure
- C. DAR Memorial Marker, Honor and Memory Adam Lugar, American Revolutionary War Patriot

REPORTS AND INQUIRIES FROM THE BOARD AND COUNTY ADMINISTRATOR

- a. Mr. Collins provided the Board explaining the sell of the Crown Building was finalized August the 17th and that Manifold Mining is know the owner creating 15 new jobs in the next 5 years.

- b. Mr. Collins updated the Board regarding lighting strike from a thunderstorm, Sinking Creek Emergency Communications tower on August 13th. Damage to generator and transfer switch which is inoperable. We have filed an insurance claim to cover cost of repairs. Craig Botetourt Electric Cooperative also lost the power transform that feeds power to the site which has been replaced.
- c. Mr. Collins made the Board aware that the DDS Building exterior stucco walls are deteriorating and beginning to cause water damage. We are soliciting bids for repair.
- d. Mr. Collins announced the USDA (Rural Development Loan & Grant) in the amount of \$50,000.00 has been awarded to the Sheriff and EMS vehicles and were delivered.
- e. Mr. Zimmerman requested a review of the 4-Day work week in the County Administration Office.

HEAR THE PUBLIC

None.

ADJOURN

Mr. Spence adjourned the meeting at 6:40 pm.

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