

**CRAIG COUNTY BOARD OF SUPERVISORS
SEPTEMBER 7th, 2023 – 6:00 P.M.
CRAIG COUNTY COURTHOUSE**

**AT A REGULAR MEETING of the Craig County Board of Supervisors conducted on the
7th day of September at 6:00 p.m. in the Craig County Court House Courtroom.**

PRESENT:

Jesse Spence – Chair
Rusty Zimmerman-Vice Chair
Carl Bailey-Supervisor
Jason Matyas-Supervisor

Dan Collins – Clerk

Keith Dunbar-Supervisor-Absent

OPEN MEETING

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

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

Mr. Spence asked if there were any changes to the agenda items.

IV. BREIFINGS, E. Dian Givens, Craig Valley Chapter NSDAR

CONSENT ITEMS

R23-64

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF CRAIG
COUNTY, VIRGINIA, HELD AT THE CRAIG COUNTY COURTHOUSE
ON THURSDAY, SEPTEMBER 7th, 2023**

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 7th, 2023 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 3rd, 2023
 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 7th day of September 2023 adopted this Resolution.

Mr. Spence asked for a motion on Consent Items, R23-64 Mr. Bailey made a motion, seconded by Mr. Matyas, to approve Resolution R23-64. Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, , Mr. Bailey, yes, and Mr. Spence, yes.

BRIEFINGS

- A. Brian Blevins, VDOT - No Land Development and no permits issued between 07.19.2023 to 08.21.2023 No work orders. Mowing and brush trimming in the Sinking Creek area started, second round of mowing started. Shoulder maintenance on Johns Creek area started. Ditching and shoulder maintenance on 624 (Little Mountain Road). Completed projects, shoulder, and pipe cleaning along Route 42 (Cumberland Gap Road). Mowing along Route 311 (Craig Valley Drive/Paint Bank Road) south bound and adjoining secondary routes. Two Contracted pipe installations: one on route 611 (Peaceful Valley Road), and one on Route 608 (Mill Creek Lane). Cut sight distance and limbs for school buses. VDOT informational meetings for Craig – Botetourt Scenic trail to be held on September 21st, 2023, 4 to 6 pm. Mr. Matyas commented that if they were finished with the patches off of 42. Brian said he would look into it. Mr. Bailey commented on a couple of ditch pipes that were replaced/installed on Peaceful Valley Road. He requested a recheck, because there is a significant difference between the road height and ditch pipe height. Mr. Spence commented on the nice work on 311 with patching the road.
- B. Trace Bellassai, Broadband- There was no update on Broadband.
- C. Bill Wolfe, Preserve Craig County, Mountain Valley Pipeline – No Update.
- D. Woody Lipps, Chairman, Craig Valley Railbed Scenic Trail Update- Mr. Lipps briefed the board on the history of how we got here. In December of 1961 the Commonwealth acquired through donation the 307.77 acre tract of land we call the railroad bed, including all the bridges and other improvements at a stated value of \$1.4 million dollars, “for such public use as Commonwealth shall determine”. (*Commonwealth is prepared to defend their title to this property*) The Commonwealth first made public their idea for a hiking and bicycle trail along the route in a plan published in 1973. This planning effort evolved during a series of meetings including various state and Federal agencies, along with local government. An addition to the then existing plan was released in 1987. Then, in the late 1990’s planning for the railroad bed trail was again updated in a scenic trail development proposal released in March, 2001. This plan expanded the previous plans and included connections to other roads and trails in the National Forest including Mill Creek and Patterson Mountain. This plan cites a 9 month feasibility study initiated in 1999 that concluded; “the property is a valuable public asset that could support recreation and resource protection in a number of ways”. Further, the localities, in cooperation with the state agencies, should pursue funding for construction of a trail facility along the corridor and develop a master plan. (*see attached Board minutes*) Since 2001, there have been numerous additional studies and plans at all levels; Federal, state and local, that apply to this proposal. In 2008, planning for our 1 mile “Greenway Trail” along the rail bed began and the trail opened in 2012. The fundamental difference going forward throughout this planning process is that, recognizing the potential economic benefit to local communities, the previous efforts envisioned a local funding match. In 2001 it was 20%. Today there is no local funding match required. This is in fact a state project and it has been since 1961.

In 2022, the Virginia General Assembly approved a substantial amount of funding for trails in Virginia and named five priority trails to be funded. The Department of Transportation then advanced \$1 million to each of the five priority projects to fund a comprehensive planning effort to build on what had been previously done. VDOT didn't request the county form a citizens committee, you did that on your own to give the county a voice in planning and to insure regular updates on the process. Speaking for myself, and our committee, we aren't necessarily "for the trail" but we are for a comprehensive plan. This is a planning process we are actively participating in to ensure it follows a logical procedure and includes community input. Make no mistake here, your committee is for our community, those on the route and everyone else. This is a proposal for the future of Craig County and it has been since 1961.

Chairman Spence thanked Mr. Lipps for his volunteer time and accurate information.

- E. Diane Givens and Jackie , Craig County Chapter DAR- America 250 Representatives asked the Board to sign a proclamation celebrating the drafting of the constitution for the week of September 17th through 23rd as Constitution Week.

Mr. Spence asked for a motion approving the proclamation for Constitution Week. Mr. Bailey made a motion; Mr. Matyas seconded the motion. Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, , Mr. Bailey, yes, and Mr. Spence, yes.

PROCLAMATION

WHEREAS: September 17, 2023, marks the two hundred and thirty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, JESSE SPENCE by virtue of the authority vested in
me as

Chairman of the Board of Supervisors, County of Craig, Virginia
do hereby proclaim the week of September 17 through 23, 2023 as

CONSTITUTION WEEK

AND ask the citizens of Craig County to reaffirm the ideals of the Framers of the Constitution from 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the
Seal of Craig County to be affixed this
Seventh day of September of the year of our Lord
two thousand twenty three.

APPOINTMENTS

R23-65

A Resolution Appointing Chris Thompson and Kathi Toelke to the Craig County Tourism Commission

WHEREAS, membership in the Craig County Tourism Commission (CCTC), in accordance with Resolution R.12-01 passed by the Board of Supervisors of Craig County, will consist of five (5) citizens appointed by the Board with representation as equally distributed around the five magisterial districts as practical.

WHEREAS, these representatives shall serve at the pleasure of the Board of Supervisors and will serve for (4) year staggered terms, and

WHEREAS, Lenny MacDonald who has served from January 1st, 2021 to January 31st, 2023, and we thank him for his service, and

WHEREAS, Jordan Labiosa who has served from January 1st, 2021 to May 31st, 2023, and we thank him for his service, and

WHEREAS, The Craig County Tourism Commission has nominated Chris Thompson to fulfill the unexpired term of Mr. Macdonald from September 7th, 2023 to December 31st, 2025, and for Ms. Kathi Toelke to serve the unexpired term of Mr. Labiosa's term from September 7th, 2023 to December 31st 2023.

THEREFORE BE IT RESOLVED by the Board of Supervisors of Craig county that the staff recommends approval of Resolution 23-65 for the appointment of Chris Thompson and Kathi Toelke to the Tourism Commission.

The Board of Supervisors of Craig County, in a regular meeting, on the 3rd , day of August 2023 adopted this resolution.

Mr. Spence asked for a motion, R23-65. Mr. Matyas made a motion, seconded by Mr. Zimmerman, to approve R23-65. Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, Mr. Bailey, yes, and Mr. Spence, yes.

R23-66

A Resolution Appointing Chris Thompson to the Craig Valley Railbed Committee

WHEREAS, membership in the Craig County Railbed Committee (CVRBC), in accordance with Resolution R22-46 passed by the Board of Supervisors of Craig County, will consist of SEVEN (7) members which will review and identify options enabling the Committee to make well-informed recommendations, to address the outdoor recreational needs of the County and the Craig - Botetourt Trail project, to the Board of Supervisors, and

WHEREAS, Jordan Labiosa who has served as the Tourism Committee Representative to the Craig Valley Railbed Committee from June 2nd, 2022 to June 27th 2023 and we thank him for his service, and

WHEREAS, Chris Thompson has been nominated as the Tourism Committee Representative to the Craig Valley Railbed Committee and to fulfill the duties required by the Board of Supervisors, and

THEREFORE BE IT RESOLVED by the Board of Supervisors of Craig county that the staff recommends approval

of Resolution 23-xx for the appointment of Chris Thompson beginning September 7th , 2023.

Mr. Spence asked for a motion, R23-66. Mr. Bailey made a motion, seconded by Mr. Matyas, to approve R23-66. Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, Mr. Bailey, yes, and Mr. Spence, yes.

OLD BUSINESS

None

NEW BUSINESS

R23-67

A RESOLUTION AMENDING THE FISCAL YEAR 2023-2024 BUDGET

WHEREAS, the Craig County Board of Supervisors (CCBoS) adopted the 2023-2024 Budget on May 4th 2023, for planning purposes, and

WHEREAS, the Craig County Sheriff Department has received a donation for the Hooked on Fishing program in the amount of \$700, this will be added to the balance of the Hooked on Fishing program, and

WHEREAS, the Craig County Department of Social Services each year applies for a Virginia Juvenile Community Crime Control Act grant (VJCCCA) in the amount of \$6,585 and if not used any unused balance must be returned to the Commonwealth of Virginia, and

WHEREAS, the grant was received in the amount of \$6,585 and there were no expenses made from this grant, it is the request that the amount of \$6,585 be returned to the Commonwealth from the Counties Fund Balance from the year of 2022-2023, and

WHEREAS, The Craig Co E911 at this time does not have means of operations in case of an emergency in which the courthouse or the sheriff office may need closed or evacuated, and

WHEREAS, The E911/Sheriff Department has already received funding by a grant that can make an off site connection which includes in the grant is radio connections and the equipment, but does not include computer and software needed to operate the 911 system properly off site at the Emergency Management Center , and

WHEREAS, it is the request of the E911 Department that the sum of \$26,000 be appropriated from the Fund Balance in order to set up the emergency 911 system with computers and software needed to operate the county efficiently and effectively with the E911 system in case of emergencies, now

THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Craig County that the Fiscal Year 2023-2024 budget is hereby amended as follows:

REVENUE

Local

| | | |
|-------------------|---------------------|---------------|
| 3-100-018990-0031 | Hooked on Fishing | 700 |
| 3-100-041999-0000 | Use of Fund Balance | 6,585 |
| 3-100-041999-0000 | Use of Fund Balance | <u>26,000</u> |
| | Total | 33,285 |

EXPENSES

Sheriff

| | | |
|-------------------|-------------------|-----|
| 4-100-031200-9906 | Hooked on Fishing | 700 |
|-------------------|-------------------|-----|

E911

| | | |
|-------------------|--------------------|--------|
| 4-100-031400-8204 | 911 off site viper | 26,000 |
|-------------------|--------------------|--------|

Non Departmental

| | | |
|-------------------|------------------------|---------------|
| 4-100-091000-5803 | refund VJCCCA to State | <u>6,585</u> |
| | Total | 33,285 |

BE IT FURTHER RESOLVED, that the sum of **\$33,285** appropriated as described above. The Board of Supervisors of Craig County, in a regular meeting on the 7th day of September 2023, adopted this resolution.

Mr. Spence asked for a motion, R23-67. Mr. Bailey made a motion, seconded by Mr. Zimmerman, to approve R23-67. Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, Mr. Bailey, yes, and Mr. Spence, yes.

R23-68

**A RESOLUTION AMENDING
THE FISCAL YEAR
2023-2024 BUDGET**

WHEREAS, the Craig County Board of Supervisors (CCBoS) adopted the 2023-2024 Budget on May 4th 2023, for planning purposes, and

WHEREAS, the Craig County Public School has the unused balance of \$717,873 in the School operating fund as of 6-30-23, traditionally the County BOS request that all Carry over money be appropriated into the School Capital Improvement Fund 301, however in order to meet the budget for the FY23-24 year the BOS has agreed to allow a portion of this funding in the amount of \$78,608 to balance the schools operating budget which has already been approved and appropriated into the school fund 205 and,

WHEREAS, the amount of \$546,848 is the remaining balance from a School Construction Grant Program Entitlement and must be used only for eligible expenditures listed by the requirements of the Grant and it must also be held in Escrow for the School of which is a requirement by the Grant, and due to these restrictions it must also be appropriated back into the School Operations Fund 205, and

WHEREAS, the remaining balance of \$92,417 can and will be appropriated into the School Capital Improvement Fund 301, now

THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Craig County that the Fiscal Year 2023-2024 budget is hereby amended as follows:

REVENUE

Local

| | | |
|-------------------|---------------------|---------|
| 3-100-041999-0000 | Use of Fund Balance | 639,265 |
|-------------------|---------------------|---------|

EXPENSES

CCPS operations fund

| | | |
|-----------------------|------------------------------|---------|
| 4-205-064200-8200-9-1 | Capital Outlay Building Serv | 546,848 |
|-----------------------|------------------------------|---------|

CCPS Capital Improvement

| | | |
|-------------------|------------------|--------|
| 4-301-094500-0001 | undesignated cip | 92,417 |
|-------------------|------------------|--------|

BE IT FURTHER RESOLVED, that the sum of **\$639,265** appropriated as described above. The Board of Supervisors of Craig County, in a regular meeting on the 7th day of September 2023, adopted this resolution.

Mr. Spence asked for a motion, R23-68. Mr. Bailey made a motion, seconded by Mr. Matyas, to approve R23-68. Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, Mr. Bailey, yes, and Mr. Spence, yes.

**AT A REGULAR MEETING OF THE BOARD OF
SUPERVISORS OF CRAIG COUNTY, VIRGINIA, HELD AT THE
CRAIG COUNTY COURTHOUSE ON THURSDAY
SEPTEMBER 7th, 2023 RESOLUTION SETTING THE
ALLOCATION PERCENTAGE FOR PERSONAL PROPERTY
TAX RELIEF IN CRAIG COUNTY FOR THE 2023 TAX YEAR**

WHEREAS, in accordance with the requirements set forth in Section 58.1-3524 © (2) and Section 58.1-3912 (E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly and as set forth in item 503.E (Personal Property Tax Relief Program or "PPTRA") of Chapter 951 of the 2005 Acts of Assembly and qualifying vehicle with a taxable situs within the County commencing January 1, 2023, shall receive personal property tax relief; and,

WHEREAS, this Resolution is adopted pursuant to Ordinance # 05-11 which was adopted on December 13, 2005.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF CRAIG COUNTY, VIRGINIA AS follows:

1. That tax relief shall be allocated so as to eliminate personal property taxation for qualifying personal use vehicles valued at \$1,000 or less
2. That qualifying personal use vehicles valued at \$1,001-\$20,000 will be eligible for 25.80 % tax relief state.
3. That qualifying personal use vehicles valued at \$20,001 or more shall only receive 25.80 % tax relief state, on the first \$20,000 value; and
4. That all other vehicles which do not meet the definition of "qualifying" (for example, including but not limited to, business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.
5. That the percentages applied to the categories of qualifying personal use vehicles are estimated fully to use all available PPTRA funds allocated to Craig County by the Commonwealth of Virginia

6. That entitlement to personal property tax relief for qualifying vehicles for tax year 2005 and all prior tax years shall expire on September 1, 2006, or when the state funding for tax relief is exhausted or depleted. Supplemental assessments for tax years 2005 and prior that are made on or after September 1, 2006 shall be deemed 'non-qualifying' for purposes of state tax relief and the local share due from the taxpayer shall represent 100% of the assessed personal property tax.
7. That this Resolution shall be effective from and after the date of its adoption

The Board of Supervisors of Craig County, in a regular meeting on the 7th day of September 2023 hereby approved this resolution.

Mr. Spence asked for a motion, R23-69. Mr. Zimmerman made a motion, seconded by Mr. Matyas, to approve R23-69. Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, Mr. Bailey, yes, and Mr. Spence, yes.

R23-70

**A RESOLUTION AMENDING THE BYLAWS
TO THE CRAIG COUNTY DEPARTMENT OF SOCIAL SERVICES
BOARD**

WHEREAS, The Craig County Department of Social Services Board Reviewed their Bylaws and have made changes, and

WHEREAS, The Craig County Department of Social Services Board requires the Board of Supervisors to approve any changes to their bylaws, the changes below have been approved at the Craig County Department of Social Services meeting dated April 20th, 2023, and

WHEREAS, first change: Article 1- Formation, Section A removed the sentence "As it does not appear that the Board has ever adopted a set of Bylaws", and

WHEREAS, the second change: Article I only switched Paragraph A to B and B to A (no changes in information), and

WHEREAS, the fourth change: Article 4 – Meetings, Section A it now reads the month of January, the change will reflect a changes of " first meeting of the new calendar year", and

THEREFORE NOW BE IT RESOLVED by the Board of Supervisors of Craig County to approve the revised Craig County Department of Social Services Board Bylaws, submitted by the Department of Social Services this 7th day of September are hereby ratified.

The Board of Supervisors of Craig County, in a regular meeting on 7th day of September 2023 adopted this Resolution.

Mr. Spence asked for a motion, R23-70. Mr. Bailey made a motion, seconded by Mr. Zimmerman, to approve R23-70. Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, Mr. Bailey, yes, and Mr. Spence, yes.

Motion for Street Closure for the Fall Festival to be held on October 14th, 2023.

Mr. Collins briefed the Board that all the correct paperwork has been completed and filed with VDOT and local authorities.

Mr. Spence asked for a motion for the street closure for Fall Festival. Mr. Bailey made a motion, seconded by Mr. Matyas, to approve. Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, Mr. Bailey, yes, and Mr. Spence, yes.

Motion to have a Public Hearing for the Comprehensive Plan 2023

Mr. Collins briefed the Board; the Planning Commission has been meeting every month except for one this past year to revise and update the comprehensive plan required for the state code. They have completed that work. They have made some additions and deletions that they would like to recommend to the Board and consider adopting. To save money and time, they are requesting a joint Public Hearing for October 5th, 2023.

Mr. Spence asked for a motion for a joint Public Hearing on the Comprehensive Plan 2023. Mr. Spence made a motion, seconded by Mr. Bailey, to approve. Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, Mr. Bailey, yes, and Mr. Spence, yes. Public Hearing for the Craig County Comprehensive Plan 2023 is scheduled for October 5th, 2023, at 6 pm or soon thereafter.

PUBLIC HEARING

Mr. Collins updated the board regarding Corie Trivette, Use Not Provided For, Mud Bog Event for a extended permit with conditions. Mr. Trivette applied for the Use not provided with permission to extend his permit for two years. A public hearing was held at the Planning Commission in which conditions would be placed on the permit that Mr. Trivette would need to meet every year.

A. Public Hearing on Mud Bog Event and Extended Permit for two years

Mr. Spence asked if there were any comments from the Board, as there were no comments, Mr. Spence Opened the Public Hearing for public comment.

Mr. Spence closed the Public Hearing as there were no comments.

Action As A RESULT of PUBLIC HEARING

Mr. Spence asked for a motion to extend the permit to two years with conditions for the Corie Trivette, Mud Bog Event. Mr. Zimmerman made a motion, seconded by Mr. Bailey, to approve with conditions. Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, Mr. Bailey, yes, and Mr. Spence, yes.

REPORTS AND INQUIRIES FROM THE BOARD

Mr. Collins reported that the Governor announced yesterday afternoon that New Castle received a grant for \$50,000.00 for AFID for local food systems, for the Farmers Market.

Mr. Spence took a moment to thank Woody Lipps for his accurate information.

Mr. Matyas, asked for an update on the Farmers Market. Mr. Collins said we are hoping to have it ready by Fall Festival.

HEAR THE PUBLIC

Mary MacDaniel 281 Creek Trail Road, New Castle- She is concerned for neighbors who are on the trail, and opening up the trail to people who don't live here. Her concerns are property damage and child safety.

Jim Statlander 2228 Old Railroad Oriskany- From a recent Citizens meeting, Mr. Statlander attended, recalled quotes from an article. He recently read an article "Herds without Hunters, Division of Wildlife Services" that hunting was on the decline. From the article he mentioned that

rural areas are steadily decreasing and hunting license sales have also decreased. This will have an negative impact on managing deer populations. He is concerned that the three miles of the trail will effect hunting in the area mostly regarding parking.

Vickie Grahm, 2193 Old Railroad, Oriskany – Attended a Citizens meeting, where Delegate Austin and Mr. Kelly from VDOT were in attendance among other stakeholders. Mr. Kelly invited attendees to join at the table and to comment. Ms. Grahm main concern is the emergency road and wanting easy access to it in case of flood. She invited the Board of Supervisors to a citizen meeting an exhibit that Derail has organized, the Fish at the library on Saturday morning or Monday afternoon.

Todd Price 77 Lignite Road, Eagle Rock- Concerned that the maps are not detailed enough. He is hoping at the recent meeting the maps will be more specific. He is researching, deeds, and surveys.

Chip Cressman – 11176 Peacefull Valley Rd, New Castle, Wilderness Adventure – Feels the trail is a unique opportunity offering families and the community a place to walk, bike, horse back in a safe environment. Added benefit, local businesses will feel an impact, folks visiting the trail will stop in the local stores and stay at local lodging areas. He encouraged local folks to go the meetings VDOT is having to dissipate misinformation.

James Ledford 32 Virinia Springs Rd, New Castle-Opposes the trail, he is concerned that his house is too close to the trail. He is worried about his children and people walking on the trial. He is worried about being able to hunt and his privacy

ADJOURN

Mr. Spence adjourned the meeting at 6:51 pm.

_____,
CHAIRMAN
CRAIG COUNTY BOARD OF SUPERVISORS

_____, CLERK
CRAIG COUNTY BOARD OF SUPERVISORS
