

**CRAIG COUNTY BOARD OF SUPERVISORS
NOVEMBER 2nd, 2023 – 6:00 P.M.
CRAIG COUNTY COURTHOUSE**

**AT A REGULAR MEETING of the Craig County Board of Supervisors conducted on the
2nd day of November 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
Keith Dunbar-Supervisor

Dan Collins – Clerk

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. As there were no changes to the agenda, move to consent items.

CONSENT ITEMS

R23-75

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF CRAIG
COUNTY, VIRGINIA, HELD AT THE CRAIG COUNTY COURTHOUSE
ON THURSDAY, NOVEMBER 2nd, 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 November 2nd, 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 – October 5th, 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 2nd day of November 2023 adopted this Resolution.

Mr. Spence asked for a motion on Consent Items, R23-75. Mr. Dunbar made a motion, seconded by Mr. Zimmerman, to approve Resolution R23-75. Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, Mr. Dunbar, abstain, Mr. Bailey, yes, and Mr. Spence, yes.

BRIEFINGS

- A. Brian Blevins, VDOT – Guardrail underway started on September 27th on Route 311 Potts Mountain. No Land Development and no permits issued between 09.20.2023 to 10.18.2023. No work orders. Mowing in the Little Mountain Road area, Patching on Route 623 (Mill Race Road) and Route 624 (Little Mountain Road). Brush trimming on Route 624 (Little Mountain Road). Shoulder and ditch maintenance on Route 624 (Little Mountain Road). Mowing county-wide. Pipe installation on Route 616 (Court Street / Little Cuba Lane) Patching potholes on Route 611 (Peaceful Valley Road), Route 632 (Johns Creek Road), Route 635 (Granny's Branch Road), and Route 658 (Johns Creek Mountain Road / Dicks Creek Road) Grading on Route 602 (Back Valley Road), Route 627 (Valley Roller Mill Road), Route 628 (Simmons ville Road), Route 629 (Northside Road), and Route 631 (Clover Hollow Trail). Sight distance at intersections in the Craig City, Scratch Ankle, and Town areas. Tree cleanup on Route 42 (Cumberland Gap Road) and Route 662 (Happy Hollow Road). Dry run for snowy weather.
- Craig-Botetourt Scenic Trail – Citizen Information Meetings Feedback Preliminary Summary of Comments Received; Traditional Survey (Comments submitted via email, given to court reporter at CIM's, given by hand at the CIM's, and mailed in): 238 individuals submitted comments via a traditional method and indicated their level of support as indicated below, 147 (62%) support as presented, 16 (7%) support w/ modification, 69 (29%) oppose, 6 (3%) unable to determine stance, Online Survey (Response to survey conducted via the project website)
- We received a total of 1405 online participants who completed the online survey, 1150 (82%) support as presented, 53 (4%) support w/ modification, 202 (14%) oppose, 50% completed county-wide. Mr. Dunbar asked for assistance on the knoll close to Pickle Branch, the turn is very tight. Mr. Blevins said he would look into it.
- B. Trace Bellassai, Broadband- There was no update on Broadband.
- C. Bill Wolfe, Preserve Craig County, Mountain Valley Pipeline – There are two cases still pending, one is approved by the Supreme Court regarding Imminent domain to be heard, and the second is whether or not it is constitutional for Congress to take away the right for the citizens to uphold the law. Six years ago, the projected environmental issues were shown to be true for the completion of the pipeline. Issues regarding explosion, regarding pipe degradation, there is specialized equipment that the public could have some safety. Because our Fire departments are miles from the pipeline, representatives from MVP said they would provide monies/funds for training and equipment for protection. Also, what would you like Preserve Craig to work on next. Mr. Spence requested that Mr. Collins reach out to MVP.

D. Woody Lipps, Chairman, Craig Valley Railbed Scenic Trail Update- Mr. Lipps thanked the Mr. Zimmerman for his service to the Board of Supervisors and his support over the years. He also thanked Chairman Spence for reaching out the Police Chief in Damascus Virginia regarding the Creeper Trail. The Chair reviewed some notes provided by Board Chairman, Spence. The Board Chairman reached out to, Kermit Turner, Chief of Police for Damascus, VA. Damascus being at the heart of the Virginia Creeper Trail, the Chairman thought the Police Chief could provide insight on EMS and law enforcement impacts of the trail. Chairman Spence stated that the conversation was very productive. The Chief confirmed current Creeper visitation at around 200,000, suggested very minimal law enforcement or crime problems associated with the trail, and provided some statistics on EMS response stating that injuries were generally minor and the typical locations were at the transition between the trail surface and the bridge decks. The current VDOT timeline is as follows:

Next few months will focus on environmental and cultural resource inventory and documentation. Spring/early Summer of 2024, public hearing on this documentation.

Design phase complete around the Fall of 2025. No construction expected before Dec. of 2025.

This winter may see some light maintenance and stabilization along the rail bed to facilitate access.

Work has started on developing a management plan for the trail. If this trail is built, a management plan will be needed no matter who the management entity turns out to be. The Chair had a conference call with a past Director for the Armstrong Trail in Pennsylvania. Armstrong has a similar trail surface as planned here, is located in rural PA, and is managed by a private, nonprofit organization with funding provided, in part, by local communities. Mr. Lipps reviewed with the board the Creeper Trail and the amount of use. He commented that the Craig Botetourt Trail will not have that kind of usage. Mr. Lipps thanked the Board for their time and service

APPOINTMENTS

None

OLD BUSINESS

None

NEW BUSINESS

Mr. Spence asked for a motion to support the Craig County Christmas Parade to be held on December 2nd, 2023. Mr. Bailey made a motion to support the Parade, Mr. Dunbar seconded the motion. The Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, Mr. Dunbar, abstain, Mr. Bailey, yes, and Mr. Spence, yes.

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

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

WHEREAS, the County of Craig E911 Department has received two grants from the Virginia 9-1-1 Services Board one in the total amount of \$5,000.00, and second one in the amount of \$18,750, and

WHEREAS, the \$5,000 grant will be used for the cost of updates and maintenance for our GIS, and \$18,750 grant will be used for a one-time staff recognition bonus for our 911 Telecommunications employees, and

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

State

3-100-024020-0004	911 Grant	23,750
-------------------	-----------	--------

EXPENSES

E-911

4-100-031400-3324	H&P Address Maintenance	5,000
4-100-031200-1101	Salary of Dispatchers	18,750
	Total	23,750

BE IT FURTHER RESOLVED, that the sum of **\$23,750.00** be appropriated as described above. The Board of Supervisors of Craig County, in a regular meeting on the 2nd day of November 2023, adopted this resolution.

Mr. Spence asked for a motion on, R23-76. Mr. Dunbar made a motion, seconded by Mr. Zimmerman, to approve Resolution R23-76. Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, Mr. Dunbar, abstain, Mr. Bailey, yes, and Mr. Spence, yes.

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

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

WHEREAS, the Craig Co Public Schools, has received or will receive additional Cares Act- ESSERF & Coronavirus State & Local Recovery funds in the amount of \$1,172,262, and

WHEREAS, it is the request of the CCPS to place these funds in the school operating budget as below, and

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

FEDERAL

School Fund 205

3-205-033080-0055	CARES ACT-ESSERF	1,110,672
3-205-033080-0056	CSLFRF	61,590
	Total	1,172,262

EXPENSES

School Fund 205

4-205-064200-8200-9-1	Capital Outlay-Building Services	1,172,262
-----------------------	----------------------------------	-----------

BE IT FURTHER RESOLVED, that the sum of **\$1,172,262** be appropriated as described above. The Board of Supervisors of Craig County, in a regular meeting on the 2nd day of November 2023, adopted this resolution.

Mr. Spence asked for a motion on, R23-77. Mr. Bailey made a motion, seconded by Mr. Dunbar, to approve Resolution R23-77. Voting was as follows: Mr. Zimmerman, yes, Mr. Matyas, yes, Mr. Dunbar, abstain, Mr. Bailey, yes, and Mr. Spence, yes.

PUBLIC HEARING

Mr. Collins updated the Board of Supervisors with a summary. The Craig County Planning Commission, following the duly advertised Public Hearing conducted on September 27th, made a recommendation to the Board of Supervisors recommending approval of the Lucas "Use Not Provided" Permit. The Lucas property is in A-1 Zoning, attached is the list of uses provided by right and, Conditional Uses. Other uses not provided for are reviewed by the Planning Commission with their final recommendation sent to the Board of Supervisors. The property owner was notified on July 31 that they were in violation of the zoning ordinance. Parking Recreational Vehicles in any district is prohibited in the county.

The Lucas's applied on August 8th for a Use Not Provided" permit to the Planning Commission. The property owner was notified September 6th, 2023, of the Planning Commission's Public Hearing to review their request and was conducted on September 27th, 2023. The code requirements of the Planning Commission are to then either recommend approval or denial to the Board of Supervisors.

The planning Commission following their Public Hearing (Where 13 Citizens Spoke), recommended approval of the Lucas "Use Not Provided" permit for a three-year period, with the following conditions.

1. Three-Year Permit Begins When Issued.
2. Allow one camper (Lucas Camper)
3. Septic System installed.
4. Permitted Well installed.
5. Proper Electric installed.
6. Secure a building permit for permanent housing within three years.
7. Additional campers allowed with a 120-day permit (\$30 Permit Fee)

As a result of their recommendation, the Board of Supervisors by Code is required to conduct a Public Hearing on the Lucas Permit request. Following the Public Hearing, the Board will consider approving the Planning Commission's recommendation.

A. Public Hearing on Use Not Provided for Lucas Recreational Vehicle including five other Recreational Vehicles (RV's)

Mr. Spence opened the Public Hearing.

Carrie Crawford, 5927 Paint Bank Rd – Ms. Crawford asked for more clarity regarding a Use Not Provided for vs a Conditional Use Permit. Mr. Collins corrected Ms. Crawford.

Mr. Zimmerman asked what is the difference between a Use Not Provided For and a Conditional Use Permit? Mr. Collins explained the difference between the two.

Mr. Matyas asked for §58-596, referenced in the Planning Commission minutes regarding Recreational Vehicles.

Mr. Collins, explained as Zoning Administrator, he can only follow the code as written.

Mr. Spence questioned the hook up with power, well and septic regarding the recreational Vehicle.

Donna Clephas-Is concerned that the six campers/camper that sit right on Johns Creek are not hooked up to septic and that there is no dump station for waste discharge or water to be able to accommodate six or more campers. The temporary electricity being shared by six campers on the property is a safety concern. She mentioned several adjoining neighbors that have safety/financial concerns regarding water/fire issues. She feels that the Planning Commission should have come out to see this site, the campers are in a flood area on Johns Creek. If this is setting up for future performance for RV parks, this is a problem.

Amanda and Jason Lucas 4230 Bradshaw Road, Salem Va- Are asking for their camper to be allow their camper to be permanent on the property. They are not looking to build their home, she would like to have five years so that she doesn't have to come back in every three months. It's not an option for 120 days for them. They hunt, ride ATV's, that will not change. Any questions?

Mr. Spence, You just want to park a few more campers?

Amanda Lucas- We camp all over in our campers, we just stayed a little longer.

Mr. Spence, Were you planning on putting in a septic?

Amanda Lucas- The septic came from the Planning g Commission for a stipulation in order to get the three years.

Mr. Spence- I see a lot of properties that have campers and the provision to run power to campers, questions from other members?

Mr. Bailey- Where do they empty their sewer at?

Mr. Lucas- We have a Johnney house that has been there for years, and we have a portable, that you put on a trailer.

Caroline Phylis, 2672 Harborwood Road, Salem, - No problem with their camper. Very helpful neighbors, the sound of the creek, no problem with camper being there.

Katy Curfiss- 2113 Twin Creek Circle, Salem, VA - We own property on reservoir, and Johns Creek for recreation – We support Lucas's and their camper and family that camp with them. We are long time users of the recreation of Craig County and pass a lot of

campers of Johns and Dicks Creek, but the entire Craig County is supported by campers, and for folks to come a recreate. As landowners, you should be able to do what you like to on your property.

Arron Curfiss, we are very concerned if the Board of Supervisors does not support Lucas's rights as landowners to do what they want to do with their property. Some of the basis of the arguments I've heard tonight, the storm water, is not correct.

Jason Dudding 1385 Waiteville Road, New Castle, Va- I cut the hay on the property, use the power, I think it's ridiculous about the campers. Using for recreational use. Have family buried in the cemetery, to make these people move these campers its ridiculous. That's what we do recreate. You making them move their, calling them out for four wheelers and hunting. It's their right.

Jackie Parsons, Treasurer – My son goes up recreates on the property, he is a friend of the Lucas'. He rides the four wheelers, goes hunting and would like him up there than doing something else. He has a great time, it's their land, if I was told I couldn't do what I wanted to do I would be upset.

Donna Clephas-The flood issue, the septic issue, the campground is an issue. These are legal issues regarding Virginia laws. Virginia code §12VAC5-450-90 under Sewage disposal requires an approved method on dealing with waste, a dump station for recreational vehicles. I pulled a FOIA, with the Health Department, there has been no application for a septic. The area they are discharging into is a sensitive area of the creek bank. It is illegal for them to be discharging and needs to have an approved system or a dumping station. If there are up to six sites, it's a requirement by the code of Virginia.

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

ACTION AS A RESULT OF PUBLIC HEARING

Mr. Collins, by code, you can accept the recommendation, deny or amend, delete or add to the conditions.

Mr. Spence, I want to approve the use, I believe I understand what the desire is. They want campers on their land for their family. I don't have an issue with it being for five years, I don't like the permit fee for additional campers, this is not an application for a public campground.

Mr. Collins, we will need to change the permit fee countywide. Campers are prohibited to live in on your property, you can store it.

Mr. Spence, you do have the availability to have temporary permit for power.

Mr. Collins, that is correct. The power is a temporary permit.

Mr. Spence, I am fine with the five year, not sure if they need a permit for septic.

Mr. Collins, the Planning Commission wanted to make it available.

Mr. Matyas, would like to take a look at §58-596 at a later date. Not sure why the septic system is necessary if they are hauling their waste?

Mr. Collins, shows progress to building a cabin or house.

Mr. Spence, sounds like we are good with a five year, and handling their septic as they are supposed to. I think part of this is to accommodate the electric company to set up a pole, might be something we need to look into. This permit is for permission, one camper, Lucas's for five years, and the other five at 120 days, and will look into that at a later date.

Mr. Collins, you can amend the ordinance.

Mr. Spence, yes but not tonight. I motion, the use not provide for with a five year permit, strike the septic system installation, secure building permit in five years. At this time, we can't change the permit fee for additional campers.

Mr. Zimmerman, Second.

Voting was as follows for Use not Provided for: Mr. Zimmerman, yes, Mr. Matyas, yes, Mr. Dunbar, abstain, Mr. Bailey, yes, and Mr. Spence, yes.

REPORTS AND INQUIRIES FROM THE BOARD

1. **EDA – Farmers Market Project (\$174,701.02)** for Phase One was completed on time and on budget. Management Items remaining:
 - a. Management Agreement to be developed by the EDA.
 - i. Identify who will manage the Farmers Market.
 - b. Farmers Market Committee to be established.
 - i. Tourism Commission has appointed a FM Committee
 - ii. Identify members (5-7) that are familiar with, or associated with farming, etc.
 - iii. Identify additional types of activities (i.e., Christmas, Fall Festival, etc.)
 - c. FM Policy to be developed, using Salem & Vinton Policies as a template.
 - d. Identify Funding
 - e. Develop Annual Operating Budget
 - f. Phase Two Options (Restroom **Estimated** cost = \$135,000)
2. **EDA –** Following the November Elections there will be one vacancy. Currently seeking Nominations for the Board to consider appointment at the January meeting.

3. **Courthouse Gazebo** – DAR, VA250 Craig Committee and the Tourism Commission are discussing plans for a commemorative Gazebo as part of the VA250 Anniversary Celebration in 2026. Identifying fund participants and fund-raising activities.
4. **The Planning Commission** will begin work on Solar Energy Zoning Ordinance - March / April 2024.
5. **ARAP Funds** (Approximately \$996,637+/-) are eligible for Radio project. In addition, Delegate Terry Austin reports that there is \$1,000,000 proposed funding in the State Budget. We have also submitted a BRIC grant request for \$3,900,000.
6. **Opioid Settlement** – Notified that the County will receive \$371,000. An eligible expense is assisting with the funding of the Catawba Hospital expansion currently being considered by the State Legislature. The BOS mailed, a letter of support for the Grant Application by the Roanoke Valley Response Cooperative to the Commonwealth of Virginia Opioid Abatement Authority last June,
7. **2024 Reassessment** –Wampler Eanes Appraisal Group LTD has been working on the reassessments for the last few months roughly 100% of all parcels have been assessed.– Over the last 6 years, property values have been increasing in value by an average of 35%. Planned schedule for the mailing of notices, hearings, and appeals process for Craig Co, by the Wampler Eanes Appraisal Group, Ltd.:
 10/27/23 - Notices Mailed by
 11/13-17/23 - In-Person Hearings 11/13-16 (9-4), 11/17 (9-1)
 11/20-21/23 - Phone Hearings, Process Mail and Email Appeals, Wrap-Up
8. **Rails To Trails** –A Citizen Information Meeting (CIM) was held on **September 21**, 2023 from 4:00PM to 6:00PM in the Craig County High School. The next step is the Preliminary Engineering work. CTB provided \$1,000,000 for PE work at their October Meeting. The Board appointed a 7-member committee at the June 2022 Meeting to oversee the development and ensure citizen involvement. Funding from the state totals \$12,500,000 for this project.
9. **Health Department Lease** – The current lease expired June 30, 2022. Notified the Health Department they are month to month until a new lease is negotiated. The Health Department continues to work on a new Lease.
10. **Landfill** – Fencing in the remaining property, Preparing ad for bids this month. (\$29,352.10 - Sale Proceeds)

Mr. Spence and Mr. Collins discussed the tax revenue.

Mr. Matyas discussed Forrest Fires and Farmers Market.

Mr. Bailey requested an update on the DMV connect service.

Mr. Collins is researching the DMV Connect and DMV Select which is a limited satellite service.

HEAR THE PUBLIC

As no one spoke for Hear the Public, Mr. Spence Adjourned the meeting.

ADJOURN

Mr. Spence adjourned the meeting at 7:35 pm.

_____,
CHAIRMAN
CRAIG COUNTY BOARD OF SUPERVISORS

_____, CLERK
CRAIG COUNTY BOARD OF SUPERVISORS
