

The Wythe County Board of Supervisors held its regularly scheduled meeting at 5 p.m., Tuesday, April 10, 2018. The location of the meeting was in the Boardroom of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia.

MEMBERS PRESENT:

Timothy A. Reeves, Sr., Chair
Joe F. Hale, Vice Chair
Brian W. Vaught
Charlie G. Lester

Ryan M. Lawson
Coy L. McRoberts
B. G. "Gene" Horney, Jr. (6:25 p.m.)

STAFF PRESENT:

Stephen D. Bear, County Administrator
Martha G. Collins, Administrative Assistant/Clerk

CALL TO ORDER

Chair Reeves determined that a quorum was present and called the meeting to order at 5:02 p.m.

BUDGET WORK SESSION

The Board reviewed and discussed proposed Fiscal Year 19 revenue and expenditure budgets, as well as departmental and agency budget requests.

DISCLOSURES

Chair Reeves read the following disclosure statement:

"I, Tim Reeves, as a member of the Wythe County Board of Supervisors declare pursuant to the Virginia Conflict of Interest Act that in regard to this matter of the budget involving the Wythe County School Board or regarding the Wythe County School Board matters on the agenda or being discussed today; I have a personal interest because my wife is a part-time employee of the Wythe County School Board, which will be affected by the matters, which I don't think that it will be, to be discussed in our meeting today. I declare that I am able to participate in this matter fairly, objectively, and in the public interest."

Supervisor Vaught read the following disclosure statement:

"I, Brian Vaught, as a member of the Wythe County Board of Supervisors declare pursuant to the Virginia Conflict of Interest Act that regarding this matter of the budget involving the Wythe County School Board; I have a personal interest because my wife is a full-time employee of the Wythe County School Board, which will be affected by the matters to be discussed today. I declare that I am able to participate in this matter fairly, objectively, and in the public interest."

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RECESS

The Board recessed for a short break at 6:35 p.m.

RECONVENE

The Board reconvened at 7:01 p.m.

MEMBERS PRESENT:

Timothy A. Reeves, Sr., Chair
Joe F. Hale, Vice Chair
Brian W. Vaught
Charlie G. Lester

Ryan M. Lawson
Coy L. McRoberts
B. G. "Gene" Horney, Jr.

STAFF PRESENT:

Stephen D. Bear, County Administrator
Scot Farthing, County Attorney
Martha G. Collins, Administrative Assistant/Clerk
Bill Vaughan, County Engineer

OTHERS PRESENT:

Frankie Akers
Kim Caudle
Andrew Davis
Charles Foster
Hayden Horney
Lori Kincer
Ashley King
Matt Lamrouex

Sebastian Lamrouex
Jeff Little
Linda Meyer
Millie Rothrock
Mike Sobey
Stacey Terry
John Thompson
Three Other Citizens

INVOCATION AND PLEDGE OF ALLEGIANCE

Andrew Davis of the Fellowship Baptist Church provided the invocation and Chair Reeves led the Pledge of Allegiance.

CITIZENS' TIME

Chair Reeves welcomed the citizens present at the meeting and inquired if anyone wished to address the Board.

With no one to address the Board, Chair Reeves closed Citizens' Time.

RESOLUTION 2018-08 – HAYDEN HORNEY

The Board reviewed and discussed Resolution 2018-08 in honor of retired Wythe County Clerk of the Circuit Court Hayden Horney as follows:

**WYTHE COUNTY RESOLUTION 2018-08
HONORING HAYDEN H. HORNEY
WYTHE COUNTY CLERK OF CIRCUIT COURT**

WHEREAS, Hayden H. Horney was elected to the position of Wythe County Clerk of Circuit Court in November 1983, and began his duties as Clerk on January 1, 1984; and,

WHEREAS, Hayden retired on March 31, 2018, after thirty-four years of dedicated service as Clerk of the Wythe County Circuit Court; and,

WHEREAS, during his tenure, Hayden oversaw the successful implementation of a financial and case management system with the Supreme Court of Virginia, modernizing the filing system and obtaining grants through the Library of Virginia for the preservation and security of the Court's old records; and,

WHEREAS, Hayden served as President of the Virginia Court Clerk's Association from 1997-1998 at which time the annual Clerk's Conference was held in Wytheville; and,

WHEREAS, while serving in the Clerk's Association, Hayden served on the Education, Staffing, Compensation, Executive, and Legislative Committees and was instrumental in compiling procedural manuals, specifically the Probate Manual and Miscellaneous Procedures Manual, which is used throughout the State; and,

WHEREAS, Hayden represented the State of Virginia as a director in the International Association of Clerk's Recorders Election Officials and Treasurers; and,

WHEREAS, Hayden worked with State Legislation on laws affecting the Clerk's Offices and was instrumental in writing the Technology Trust Fund Bill.

NOW, THEREFORE, BE IT RESOLVED that the Wythe County Board of Supervisors, assembled in regular session this **10th** day of **April 2018**, does hereby express its heartfelt appreciation to Hayden H. Horney for his time and service as the Wythe County Clerk of Circuit Court and does hereby wish him and his family well in the future; and,

BE IT FURTHER RESOLVED that this resolution be entered into the official minutes of the Wythe County Board of Supervisors.

Supervisor Lawson made a motion, seconded by Supervisor McRoberts to adopt Resolution 2018-08, in honor of Hayden H. Horney as presented.

The motion passed unanimously.

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Chair Reeves thanked Mr. Horney on behalf of the Board and citizens of Wythe County for his service to the County. He noted that it has been a pleasure knowing and working with Mr. Horney. Chair Reeves presented Mr. Horney the framed resolution, a plaque, and a watch in appreciation of his service.

Mr. Horney expressed his appreciation to the Board for their support of the Clerk of Circuit Court Office and staff. He noted that it has been a honor to serve as Clerk for the citizens.

RESOLUTION 2018-05 – SEBASTIAN LAMROUEX

The Board reviewed and discussed Resolution 2018-05 in honor of Sebastian Lamrouex of the George Wythe High School Wrestling Team as adopted on March 27, 2018, as follows:

**WYTHE COUNTY RESOLUTION 2018-05
A RESOLUTION HONORING SEBASTIAN LAMROUEX
OF THE GEORGE WYTHE HIGH SCHOOL WRESTLING TEAM**

WHEREAS, sophomore Sebastian Lamrouex completed his 2017-2018 wrestling season with an overall record of 31-1; and,

WHEREAS, Sebastian advanced to the 2017-2018 Virginia High School League Group 1A State Wrestling Championship; and,

WHEREAS, Sebastian defeated the competition capturing the 2017-2018 State Championship title in the 113 pound weight class, earning his second consecutive State title; and,

WHEREAS, the Wythe County Board of Supervisors officially commend Sebastian Lamrouex for his outstanding dedication, athletic ability, and sportsmanship.

NOW, THEREFORE, BE IT RESOLVED, that the Wythe County Board of Supervisors present this resolution to Sebastian Lamrouex in recognition of his 2017-2018, 113 pound weight class individual State Championship title; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be incorporated into the official minutes of the Wythe County Board of Supervisors.

Adopted this 27th day of March 2018.

Supervisor Lawson read and presented the framed resolution to Sebastian Lamrouex.

PAYMENT OF COUNTY INVOICES

Supervisor Horney made a motion to pay the invoices for approval on April 10, 2018, for the various departments of County government. The invoices were paid on General Warrants 30100648-30100652 and 30100682-30100763 as follows:

**EXPENDITURES BY DEPARTMENT
BOARD OF SUPERVISORS
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CHECK NO.	ISSUE DATE	VENDOR	TOTAL
30100648	03/28/18	APPALACHIAN POWER	\$284.01
30100649	03/28/18	BUSINESS CARD	\$2,269.60
30100650	03/28/18	CENTURY LINK	\$52.76
30100651	03/28/18	CENTURY LINK	\$4,882.17
30100652	03/28/18	SPEEDWELL FIRE DEPARTMENT	\$15,911.34
TOTAL CHECKS 03/28/18			\$23,399.88

CHECK NO.	ISSUE DATE	VENDOR	TOTAL
30100682	04/10/18	AKERS, FRANCES C.	\$413.85
30100683	04/10/18	APPALACHIAN POWER	\$574.24
30100684	04/10/18	AQUA AEROBIC SYSTEMS INC.	\$367.91
30100685	04/10/18	AXON ENTERPRISE INC.	\$3,720.00
30100686	04/10/18	AYERS AND SONS SEPTIC LLC	\$300.00
30100687	04/10/18	BKT UNIFORMS	\$523.90
30100688	04/10/18	BLUE RIDGE AUTO PARTS INC.	\$210.95
30100689	04/10/18	BRENNTAG MID SOUTH INC.	\$3,511.47
30100690	04/10/18	BROWN EXTERMINATING CO.	\$40.00
30100691	04/10/18	BUSINESS INFORMATION SYSTEMS	\$30.50
30100692	04/10/18	BW WILSON PAPER CO.	\$784.83
30100693	04/10/18	CARROLL COUNTY PSA	\$9,816.50
30100694	04/10/18	CDW GOVERNMENT INC.	\$204.72
30100695	04/10/18	CENTURY LINK	\$44.67
30100696	04/10/18	CITIZENS TELEPHONE COOP	\$720.00
30100697	04/10/18	CORE AND MAIN LP	\$617.82
30100698	04/10/18	COULTER'S FLORIST INC.	\$40.00
30100699	04/10/18	COVERT, JINJER A.	\$869.50
30100700	04/10/18	CW WARTHEN	\$1,748.95
30100701	04/10/18	FAMILY RESOURCE CENTER	\$2,812.00
30100702	04/10/18	FASTENAL	\$62.21
30100703	04/10/18	FERGUSON ENTERPRISES NO. 5	\$892.00
30100704	04/10/18	FIDELITY POWER SYSTEMS	\$106.00
30100705	04/10/18	FIRE RESCUE AND TACTICAL INC.	\$93.49
30100706	04/10/18	FOOD COUNTRY	\$29.70
30100707	04/10/18	GALLS	\$33.08
30100708	04/10/18	GOVERNMENT FINANCE OFFICERS ASSOCIATION	\$25.00

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30100709	04/10/18	GRANT, BRUCE M.	\$4,136.75
30100710	04/10/18	HALE, JOE F.	\$95.20
30100711	04/10/18	HARPER AND CO.	\$538.00
30100712	04/10/18	HARPO'S HARDWARE AND BUILDING SUPPLY	\$73.85
30100713	04/10/18	HEDRICK'S AUTO REPAIR INC.	\$16.00
30100714	04/10/18	HOMESTEAD OIL CORP.	\$4,902.73
30100715	04/10/18	HORNEY, B. GENE JR.	\$108.00
30100716	04/10/18	HURT AND PROFFITT INC.	\$3,835.20
30100717	04/10/18	ID NETWORKS	\$2,317.00
30100718	04/10/18	JERRY B. PETERS SALES INC.	\$3,871.69
30100719	04/10/18	JOINT PUBLIC SERVICE AUTHORITY	\$36,898.16
30100720	04/10/18	KC AUTOMOTIVE	\$162.46
30100721	04/10/18	KING GENERAL CONTRACTORS INC.	\$72,415.30
30100722	04/10/18	LAWSON, RYAN M.	\$204.80
30100723	04/10/18	LEXIS NEXIS	\$724.00
30100724	04/10/18	LITTLE HENRY'S EXCAVATING AND PAVING	\$80,513.68
30100725	04/10/18	LOWES	\$649.55
30100726	04/10/18	MANSFIELD OIL CO.	\$8,415.74
30100727	04/10/18	MCRBERTS, COY L.	\$128.00
30100728	04/10/18	MEREDITH'S GARAGE	\$16.00
30100729	04/10/18	NEW RIVER REGIONAL WATER AUTHORITY	\$11,294.60
30100730	04/10/18	OC RUGGED LAPTOPS	\$5,068.00
30100731	04/10/18	PAPER CLIP	\$238.33
30100732	04/10/18	PARTNERSHIP SCREENING INTL INC.	\$28.80
30100733	04/10/18	PEED AND BORTZ LLC	\$3,750.00
30100734	04/10/18	PITNEY BOWES	\$591.00
30100735	04/10/18	POSTAGE BY PHONE RESERVE ACCOUNT	\$619.00
30100736	04/10/18	PROFESSIONAL COMMUNICATION SYSTEMS LLC	\$27,969.19
30100737	04/10/18	R & R ENTERPRISES INC.	\$410.00
30100738	04/10/18	REEVES, TIMOTHY A. SR.	\$160.40
30100739	04/10/18	RGM ERECTORS INC.	\$526,645.78
30100740	04/10/18	RIDDELL	\$2,777.95
30100741	04/10/18	RURAL DEVELOPMENT	\$2,282.00
30100742	04/10/18	RURAL DEVELOPMENT	\$2,514.00
30100743	04/10/18	RURAL DEVELOPMENT	\$11,572.00
30100744	04/10/18	SECOM SYSTEMS INC.	\$16,100.00
30100745	04/10/18	SMYTH WYTHE AIRPORT COMMISSION	\$15,500.00
30100746	04/10/18	SOUTHWEST VIRGINIA EMS COUNCIL	\$3,400.00
30100747	04/10/18	STATE ELECTRIC SUPPLY CO.	\$132.88
30100748	04/10/18	SUNTRUST	\$36,881.92
30100749	04/10/18	SUPREME COURT OF VIRGINIA	\$9,182.00
30100750	04/10/18	TACS	\$143.82
30100751	04/10/18	THREE RIVERS MEDIA CORP.	\$330.00
30100752	04/10/18	TRACTOR SUPPLY COMPANY	\$529.96
30100753	04/10/18	TYLER TECHNOLOGIES INC.	\$3,548.21

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30100754	04/10/18	UNIVERSITY OF VIRGINIA	\$525.00
30100755	04/10/18	US CELLULAR	\$66.10
30100756	04/10/18	US CELLULAR	\$846.85
30100757	04/10/18	V & M RECYCLING	\$71,706.43
30100758	04/10/18	VAUGHT, BRIAN W.	\$318.40
30100759	04/10/18	WOOD EQUIPMENT SERVICE CO. INC.	\$1,815.34
30100760	04/10/18	WYTHE COUNTY HEALTH DEPARTMENT	\$87,975.00
30100761	04/10/18	WYTHE GRAYSON REGIONAL LIBRARY	\$82,350.00
30100762	04/10/18	WYTHEVILLE OFFICE SUPPLY	\$601.06
30100763	04/10/18	XEROX	\$167.30

TOTAL CHECKS 04/10/18 **\$1,176,656.72**

TOTAL EXPENDITURES APPROVED 04/10/18 **\$1,200,056.60**

Supervisor Lester seconded the motion.

The roll call vote on the motion was as follows:

AYES: Brian W. Vaught Coy L. McRoberts
 Charlie G. Lester B. G. "Gene" Horney, Jr.
 Ryan M. Lawson Timothy A. Reeves, Sr.
 Joe F. Hale

NAYS: None

MINUTES OF PREVIOUS MEETINGS

The Board was presented with the March 27, 2018, March 28, 2018, and March 29, 2018, minutes for adoption.

Supervisor McRoberts made a motion, seconded by Supervisor Lawson to approve the March 27, 2018, March 28, 2018, and March 29, 2018, minutes as presented.

The roll call vote on the motion was as follows:

AYES: Brian W. Vaught Coy L. McRoberts
 Charlie G. Lester B. G. "Gene" Horney, Jr.
 Ryan M. Lawson Timothy A. Reeves, Sr.

NAYS: None

ABSTAIN: Joe F. Hale

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APPALACHIAN REGIONAL EXPOSITION CENTER AUTHORITY APPOINTMENT

Mr. Bear noted that the Appalachian Regional Exposition Center Authority has requested that the Board delay appointment until they have the opportunity to meet with potential candidates and can provide a recommendation to the Board. He added that the appointment would be placed on the next meeting agenda.

FORT CHISWELL RECREATIONAL VEHICLE PARK

The Board reviewed and discussed a letter and supporting documents from the Planning Commission recommending issuance of a Special Use Permit to the Wythe County Manufactured Home Ordinance to the owners of the Fort Chiswell Recreational Vehicle (RV) Park for a 12-site expansion.

Supervisor Hale made a motion, seconded by Supervisor Lester to approve issuance of a Special Use Permit to the Fort Chiswell RV Park for a 12-site expansion.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Ryan M. Lawson	Timothy A. Reeves, Sr.
	Joe F. Hale	

NAYS: None

LITERARY LOAN FUND

The Board reviewed and discussed a letter from Kent Dickey, Virginia Department of Education Deputy Superintendent of Finance and Operations, announcing approval of the release of Literary Loan funds in the amount of \$7,500,000 for the Rural Retreat High School project and \$2,600,000 for the Rural Retreat Middle School project.

Mr. Bear reported that the Board of Education has reconfirmed the previously offered interest rate of 2.0% for the project loans. He advised that the bond counsel has prepared a resolution for the School Board's consideration and adoption at their April 12 meeting. Mr. Bear noted that once the School Board adopts the resolution, they would proceed with the necessary action to close on the loan and refinance the project debt.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

1. Retail Coach – Supervisor Lester made a motion, seconded by Supervisor Lawson to proceed with the Retail Coach renewal agreement.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught Charlie G. Lester Ryan M. Lawson Joe F. Hale	Coy L. McRoberts B. G. "Gene" Horney, Jr. Timothy A. Reeves, Sr.
NAYS:	None	

APPALACHIAN REGIONAL EXPOSITION CENTER CONSTRUCTION COMMITTEE REPORT

1. Paving – Supervisor Hale made a motion, as recommended by the Appalachian Regional Exposition Center Construction Committee to add paving of the handicapped parking area and approaches to the project contract in the amount of \$89,790.

Supervisor Vaught questioned if the amount proposed represents a savings over what was taken out of the contract previously. He inquired, that if so, how much would be saved on each.

Chair Reeves confirmed that each amount returned to the contract is less than what was in the original contract.

Mr. Bear explained that the road includes a future section to be completed in addition to the handicapped parking and approach paving. He noted that the amount proposed is less than what was anticipated for the parking lot area.

Supervisor Hale advised that removal of the items from the contract provided the time needed to improve the original design. He noted that the items to be added to the contract would provide a savings and are a better product.

Mr. Bear reported that \$48,000 was included in the initial contract for the fire alarm system. He noted that the fire alarm proposed to be added to the contract would cost \$46,700. Mr. Bear advised that the sprinkler system in the original contract was \$139,000 and the replacement proposed would cost \$137,650. He added that they would save approximately \$1,300 on each.

The roll call vote on the motion was as follows:

AYES:	Charlie G. Lester Ryan M. Lawson Joe F. Hale	Coy L. McRoberts B. G. "Gene" Horney, Jr. Timothy A. Reeves, Sr.
NAYS:	Brian W. Vaught	

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2. Fire Alarm System – Supervisor Hale made a motion, as recommended by the Appalachian Regional Exposition Center Construction Committee to add the fire alarm system to the project contract in the amount of \$46,700.

The roll call vote on the motion was as follows:

AYES:	Charlie G. Lester	Coy L. McRoberts
	Ryan M. Lawson	B. G. "Gene" Horney, Jr.
	Joe F. Hale	Timothy A. Reeves, Sr.

NAYS: Brian W. Vaught

3. Fire Sprinkler System – Supervisor Hale made a motion, as recommended by the Appalachian Regional Exposition Center Construction Committee to add the fire sprinkler system to the project contract in the amount of \$137,650.

Supervisor Lawson inquired if the Center could open without the fire sprinkler system.

Supervisor Hale advised that the fire sprinkler system is a Code requirement.

The roll call vote on the motion was as follows:

AYES:	Charlie G. Lester	Coy L. McRoberts
	Ryan M. Lawson	B. G. "Gene" Horney, Jr.
	Joe F. Hale	Timothy A. Reeves, Sr.

NAYS: Brian W. Vaught

4. Project Update – County Engineer Bill Vaughan updated the Board and those present on the status of the Appalachian Regional Exposition Center project. Mr. Vaughan reported that "percentages plus the 45 with the payout today, dollar wise, the majority of the large materials are in. The structure, the sheathing has started. The west lean to has, the floor deck was poured and they are actually putting the stud walls up. Some of the heaters and air conditioning units are being hung. The lights are being hung. That is going really well. Second verse, same as the first. That exact same process starts tomorrow morning at 5 a.m. on the east side where the floor deck is going to be poured. That is an all-day evolution. They will probably start finishing the floor about 11 p.m. tomorrow night. It is an all-day evolution. They can then go onto that side after it cures for a few days and start putting floors and walls and start doing all the interior work on that. The end of the building all except for the end of the lean to on the west end is done. That is going to be a nice windbreak for the workers in there as they continue to work on the inside. Of course now it has warmed up a little bit, but it is always windy up there. The progress is on

schedule and they are moving right ahead with it. If you want to come out tomorrow morning at sunrise and see how they place a floor deck, come on by."

COMMONWEALTH TRANSPORTATION BOARD MEETING

The Board reviewed and discussed a letter and supporting information from Randy Hamilton, Virginia Department of Transportation District Engineer, providing notice of the upcoming Fiscal Years 2019 to 2024 Six Year Improvement Program public meeting to be held in our area on May 14, 2018, in the Southwest Virginia Higher Education Center in Abingdon at 4 p.m.

Mr. Bear advised that he plans to attend and asked that Board members let him know if they would like to ride with him. He noted that he would leave the County Administration Office at 2:45 p.m. on May 14.

Chair Reeves noted that he and Supervisor Hale also plan to attend.

GOVDEALS AUCTION

The Board reviewed a summary of bids received for the sale of surplus vehicles and equipment.

Supervisor McRoberts made a motion, seconded by Supervisor Horney to declare the vehicles and equipment as surplus and to accept the high bids received in the amount of \$12,022.85.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Ryan M. Lawson	Timothy A. Reeves, Sr.
	Joe F. Hale	

NAYS: None

Delegate Jeff Campbell, Senator Ben Chafin, Eric Barton, Kim Haugh, and two others joined the meeting at 7:23 p.m.

OPIOID CRISIS

Delegate Jeff Campbell addressed the Board and stated the following:

"It is good to see you all. I wish I could tell you I was bringing a budget, but we won't know until a few days. I know that is tough on you guys. We are pleased to be here tonight with you. We want to present an opportunity to you. I don't know how much education you all have gotten on what is going on with the opioid crisis in this Country right now. I would guarantee you in investigating your budget you are discovering that it is having a major impact on your finances here in terms of the increased foster care numbers, treatment programs that you are having to fund, law enforcement costs,

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incarceration costs. I am sure your jail per-diem rate is much higher this year than it was last. It is going to continue to climb. In addition to that, there are residual impacts in terms of how it affects your workforce. If you have people who have gotten addicted to these types of drugs, they have difficulty passing drug tests. It is hard to recruit industry. It is hard to expand industry because you can't outfit them with the workforce. Ultimately, this is an issue that the General Assembly has been looking at for a couple years now. Senator Chafin and I have been working on it very hard. We passed a package of Opioid Bills last year that controls how those drugs are prescribed and delivered in Virginia. The issue is that we have got to have resources to address this problem. The question is, what is the problem? What we have discovered is that there were manufacturers and distributors of these drugs that were marketing these drugs in such a negligent fashion that we believe that it is certainly legally actionable. There have been about 450 now counties, cities, and towns across the Country that have filed this type of litigation that we are urging that you enter into here tonight. Most of these cases are being filed in Federal Court. There is one jurisdiction in Cleveland, Ohio, the Northern District of Ohio that has been designated as the MDL or multi-district litigation. A judge has been appointed to oversee the discovery process there and resolution process if that resolution can be had by settlement. If it can't, then what is going to happen is ultimately is those cases that are filed by the individual counties would be remanded back to the jurisdiction from where they came, the western district of Virginia obviously in this case. Senator Chafin and myself and Kim Haugh, who has a personal injury firm in Abingdon put together a consortium and reached out and began to partner with this firm, Wagstaff and Cartmell out of Kansas City. They specialize in this type of mass tort litigation and particularly health care litigation. I think you all got packets of materials that we had forwarded to you. Did you not? In that packet, you will see some of the types of litigation that they have undertaken and some of the defendants. Some you will recognize. Johnson and Johnson, Cardinal Health, Purdue Pharma. Some you may not recognize quite frankly. Anyway, we have been meeting with several counties and cities around the area. We met with Galax and Carroll last night. I was in Floyd this morning. We just met with Smyth. We have got about a dozen other localities that we are also meeting with. The idea is we want to form a joint coalition of counties. We want one collective voice because we believe that that will resonate much more strongly in the litigation obviously than if we piecemealed it. In addition to that, it will ultimately have less of a financial impact on the county, the individual county, if in fact the case is ultimately resolved because you can spread the cost of that litigation across a dozen or more counties. Obviously, then that is going to be cheaper than one county having to bear its individual costs. That can be significant. I will tell you that. The proposal that we have presented to you doesn't require the county to actually lay out any money at all. It takes no risk basically. We are doing this on a contingency basis. Ultimately, we are fronting the costs and the costs could be substantial. We estimate with these types of experts and these types of defendants, that we could have millions of dollars in litigation costs that we are fronting. We think that it is well calculated to address this problem to help the county recoup some of its resources. I will introduce to you Eric Barton now who is here. He is a partner with Wagstaff and Cartmell. After he presents to you then we will be here available to take any questions you may have."

Attorney Eric Barton addressed the Board and stated the following:

"Thank you Mr. Chairman and members of the Board. My name is Eric Barton. I am from Wagstaff and Cartmell in Kansas City. First, before I say anything, let me invite any of you to ask any questions that you may have. I think that is probably the most value that I can provide. Is that if any of you have questions about what this litigation is, what are counties suing for, how does it work and that. Please feel free. I will try to give you a quick overview, but I just may not be answering the question that might be in your mind so feel free to ask. Very quickly, as Mr. Campbell said, there is a litigation that is moving and it is starting to move quickly down the tracks. It is by cities and counties primarily. States too, but really the drivers of this currently across the Country are counties and some cities. I think that there is a good reason for that. The effects of the opioid epidemic, which is really dramatic. A major, major public health crisis. I think that you all and in the positions that you are in see that and kind of see how it plays out as well as anybody from a community standpoint because you see all the places where it does have impact, real fiscal impact. Cities and counties are feeling the effects of it in their budgets. I think that is why their driving it as much as anything. Our firm is involved in it. We have been involved in opioid abuse litigation against drug companies that are abusing the laws. They have been fraudulent, they have been very deceptive in the marketing of opioid pain medicines. While there are a lot of factors, it is complicated. When there becomes a big public health crisis like this, there are a lot of places where you can look and say, this has been contributing to it and that has too. It begins and began with the drug companies. Purdue Pharma really got it going back in the mid to late 90s when they took their drug OxyContin and turned it from a limited use, limited indication pain medicine only for real true severe short-term breakthrough pain. Doctors had for decades and decades treated opioid pain medicines very very carefully with their patients. That was for good reason. They are highly addictive. Purdue started to put out a new message and they said this drug is a little bit different and you can give it to patients. It is safe. It is not addictive. It is a slower release. It is okay. There was never any science to support that. Unfortunately the medical community over time with the very sophisticated marketing that the drug companies do, that they are very very good at, they kind of got the medical community on board with more and more doctors kind of accepting that these drugs could be prescribed to people for long periods of time. That was the seeds of it, then over time, both the manufactures and the distributors have fueled the epidemic to their benefit. Enriching themselves by ignoring Federal laws that are directly supposed to prevent things like this. That is the sad thing is that the Controlled Substances Act has been on the books for a long time. It has told the drug manufacturers and distributors that if there are unusually high amounts of these controlled substances going to a particular location that they have to report that. Got to report that to the DEA. That obligation has been there. It has been clear and it has been completely ignored by both the manufacturers and the distributors. That is why we are suing. That is why we are suing them. As Mr. Campbell said, there are a number of counties that are doing this. It has reached a point now where the Federal Courts have consolidated that litigation into one court before one judge. It is now starting to move into discovery and in fact, there are even settlement negotiating teams that have been created to start talking about resolution of

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these things. Does that mean it is going to end in the next few months? No, I wish that were true, but it is not. It is going to be a long hard fight against very sophisticated drug companies. It is not only about money. It is about money for counties and cities to recoup some of the costs you bear. That is important, but it is also about one more way, not the only way, but one more way to try to change behavior among the drug industry and to try to just get the epidemic under control and bring us back to a healthier place. We invite you, we invite you to consider joining the fight with us, and with other area counties we hope and creating a good group of counties in Southwest Virginia that kind of join together and pursue this to try to get a good outcome. Our law firm very quickly. We are in Kansas City, Missouri. We have 25 lawyers. Most of us are involved in health care related litigation. A lot of it, increasingly has been like this, this is unique, the opioid epidemic, but we do sue drug companies a lot. That is one of our areas for better or worse. That is the fights that we have chosen to take, but we also represent hospitals and doctors. That is frankly how our firm began was representing hospitals and doctors. We got into the health care field and then over time have just found there to be times when we have needed to take on the drug industry for abuses and that is what we are doing here as well. We are one of a handful of firms in the Country that are leading and deeply involved in this opioid litigation. We got involved in it a couple of years ago when a whistle blower from one of the drug companies that is now under Federal indictment came to us and said this is terrible what our company is doing. So, we filed what is called a false claims act with that whistle blower against that drug company. The Federal government got involved with us, so we have actually been on the front lines of the opioid litigation for a couple of years now. We are now turning our attention to cities and counties and looking for ways to try to help you all recoup some of the expenses that you bear. That is probably what I have to say, but if you have any questions, I would be happy to answer them."

Supervisor Hale questioned, "Has your firm successfully done a class action or is this a modified, is there any civil rules that make this different than a class action?"

Mr. Barton responded, "It is. It isn't a class action. It sometimes feels like it because there is a whole lot of similar plaintiffs doing the same kind of thing, but it is not a class action. It is an individual; it is a group of individual actions. What we call that in our legal world is a mass tort. That is a little different than a class action, but sometimes they feel the same. How they are different is, class actions are, those are cases where you have a whole bunch of people who have been harmed in a very small way. They don't have, it is not worth it for them to bring an individual action so they have a class action to try to get relief. We believe each county here in Southwest Virginia has been significantly impacted. Your damages are not small. They are significant. They have been significant for several years and they are going to continue into the future because this epidemic, unfortunately, there is no magic wand to just make it go away. Your damages are unique they exist in your budgets. They exist in your law enforcement and your social services. It is your own case. It is not a class action, but it is a consolidation, if you will. A grouping of similar county actions. The reason for that is, it is for efficiency. If there is 450 and someday within the next 6 months there might be 1,500; 2,000; 5,000. I am not sure where it stops. If there is a whole bunch of cases

that are against the same defendants alleging the same misconduct, the Federal Courts start to organize that and say we are going to only... the CEO of Johnson and Johnson only has to testify once. So, everybody has to show up. It is not class action. Your case would be your own case. If it did not resolve by a settlement, which is what we believe and hope we can get a good settlement. By that meaning, it is not just financially, but industry reform. A real comprehensive resolution. If we don't get something like that, then theoretically your case, not theoretically, actually, your case could eventually be tried just like any other county's case could be tried by itself. Not a class action, but your own case. I don't know if that answers your question, but this isn't a class action. It is a mass tort. Our firm has done these. We have sued Johnson and Johnson. We have been a lead national firm in about a dozen mass torts against drug companies dating back 15 years. They are expensive. They are kind of time consuming. We usually do join with other lawyers and other firms in doing it because they are expensive and risky. We are just extremely pleased and honored to have been asked by Mr. Campbell, Mr. Chafin, and a couple of others, Kim Haugh, and some local lawyers with local ties who really know these communities and know this area. I have been invited to join with them in kind of pursuing this here."

Supervisor Hale stated, "This is a Southwest Virginia Consortium that will be a case. Where would you anticipate the AMA is going to come down on this?"

Mr. Barton responded, "American Medical Association? That is a good question. I think the AMA has certainly recognized that the opioid epidemic is a major problem. There has been a tremendous amount of recognition that opioids have been over prescribed. They have been prescribed well beyond the indications that the drugs have been approved for. I think the AMA recognizes that. They have joined in, I think some pronouncements concerning trying to educate the medical community about the proper use of prescriptions. I am not aware of anything more than that other than just a recognition of the problem. I guess I don't know what the AMA may do."

Supervisor Hale inquired, "Do you feel like they will be friendly to this action? Federal procedure is sort of strange to me compared to State procedure. Certainly, the AMA would have a big impact to the court. Do you think they would be on one side or the other or try to stay neutral?"

Mr. Barton stated, "It is a really interesting question. The AMA, I would expect that the AMA... First of all, I am aware of no statements by the AMA yet about counties and cities suing the drug manufacturers or distributors. If they have said anything publically, I am not aware of it. I believe the AMA; I would expect them to be interested in their constituents, their members, which are medical professionals, hospitals, members of their association. I would expect them to defend them. I do want to make clear, our focus in this litigation because we believe that this is where this epidemic began, our focus is on the manufacturers and the distributors of these pills. They are the companies that profited from it and they kind of planted the seeds and nourished the seeds to grow this epidemic. We are not suing, unless in rare instances we find in a community a, you know a truly fraudulent pill mill type doctor. Many of those doctors

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have started to be identified. Law enforcement has taken steps in some cases. If we find doctors in certain communities who kind of fit that bill, we might take action. We might include a doctor like that in this case. Our focus is not on physicians and it is not on hospitals. We are in fact also representing some hospitals that are publically funded and have had to give away a lot of care for opioid addicted babies who they have to provide a lot of services for, but don't often get reimbursement or anywhere close to full reimbursement for that. We are sort of; I guess you would say, really focused on the manufacturers and distributors. I don't think the AMA would have a problem with that. That is just my prediction, but I can't speak for them."

Supervisor Vaught stated, "You talked about of course the law enforcement, corrections side of it. Of course social services with foster care and all of that. You know we are seeing an increase here in school funding for special education. In talking with other localities in Southwest Virginia, it seems to be a trend. I don't think that it is too far of a stretch with imagination to think that maybe we are starting to see some of those opioid addicted children enter the school system. Is that an angle that you guys have looked at as far as adding I guess teeth to your case?"

Mr. Barton stated, "That is an interesting angle and absolutely one that we would look at. I think there are... the kind of fall out or the consequences of this epidemic, it has been in existence long enough now that there are all kinds of kind of fall out and consequences."

Supervisor Vaught stated, "The easy part is what you discussed. The added stress on law enforcement, budget wise. Corrections and the court system. I really think this is an angle that is starting to hit home as these children that were born in the early days of the epidemic that are aging out and entering the school system."

Mr. Barton stated, "I am going to make a note of that. That you have mentioned that because that is interesting to me and one that we would absolutely look at. I think that there are, like you said, there is a lot of ways where there may be some connection. Now, under the law we do have to have enough of a connection. Sometimes things get sufficiently blurry over time that we can't draw enough of a connection, but we would absolutely look at it."

Mr. Bear questioned, "Following along the lines of what he said and along what you said and just general information, you said damages, but how do we get to classifying what are county damages? Social Services, you are paying 20% of the budget, State and Federal is paying the other part of it. School systems, you are paying 20% of the budget, State and Federal are providing other parts of it. Law enforcement, similar things. How do you get into classifying what are county damages on those items?"

Mr. Barton responded, "One thing that we do is we use an expert for that purpose. Another words we hire an expert economist who has experience in analyzing the consequences on public services of big impacts. We hire an expert to help us with it. They create a model that counties kind of use to help show it. There are some damages

that are very very direct and easy. More Narcan purchases by law enforcement. More absolute, direct, linkable services in substance abuse counseling. There are a number of things that are very very direct. The costs that are not just as simple as an item on the budget, but clearly is 100% related to the opioid addiction, those are the ones where you do have to dig into it a little bit more. What ultimately you do is you create, you show the connection by identifying the time period where the opioid epidemic has been at its peak. Then you can kind of compare the world of the expenses that relate to it. You see what they have been in the time of the opioid epidemic and you compare them to the time that there was not that epidemic and you account for the other factors. That is why these are kind of complicated regression analysis that economists use. It is a comprehensive look at attempting statistically, analytically, it has to pass muster with the Federal Courts. They scrutinize, is this using a reliable methodology or not. You use a model that kind of shows this is what has happened because of the epidemic. Then you have to show the link. I am not sure how else to explain it, but it is an expert model."

Chair Reeves stated, "I know our regional jail costs are in the millions as far as dealing with the drug problems in Southwest Virginia, especially here in Wythe County. It has been in the millions over the years."

Supervisor Lester asked, "You have talked to several other counties. Do you have any other counties in Southwest Virginia on board?"

Mr. Barton stated, "We just started really this process. Mr. Campbell, Mr. Chafin, our team has kind of been speaking here with a number of counties just for the last few days. I don't know, unless Mr. Campbell knows something that I don't. I think that we have a number of them that have indicated a very very favorable response. We are hopeful and expecting that we will. I am not sure that I am in a position to say county 'x' has actually signed on the dotted line, but that is just because we just started talking to them. We would certainly to the extent any of our clients would allow us to, disclose the fact that they have retained us. We would be more than happy to do that as soon as we can."

Delegate Campbell stated, "We anticipate having several in the next few days. I think that it is important for me to try to lay out the factual history of what these companies were doing and the reasons we believe it gives rise to liability and why you all would get involved. If you go back and you look at the history of the development of these drugs, when they saw the FDA approval, the FDA gave approval only for short-term pain situations. It wasn't intended to be given chronically to individuals in anyway shape or form. Companies then decided they were going to do what is known as marketing the drugs off label. What they did was, they went out and they hired doctors and they paid them millions of dollars to go out and conduct these symposiums nationwide and train other physicians about the fact that they could be utilized to address long-term pain. Never mind the fact that it has not been approved by the FDA. Never mind the fact that the companies did not undertake a double blind placebo study. They simply did this with marketing and convincing these doctors that they were safe to prescribe. The

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reasons why we don't think that we should be necessarily going after the local doc down on Main Street is because they in a way are a victim. They have had this hoax perpetrated on them by this company, or these companies. These drugs were known... OxyContin was a blockbuster drug. Within the sixth year of sales, it had reached \$1.6 billion a year. The companies saw the profit and they went after the profit and they did it in this negligent fashion. The impact has been profound. There is no question and it is going to be years and decades down the road before we actually, even if we could stop it completely today, the residual impact is going to be decades. You are exactly right it is going to hit the education system, there is no question. The sad part is, we are having to take our precious tax dollars that we otherwise would be plowing into building new schools or building roads or providing public safety and ultimately we are having to take that and redirect it into addressing these problems. To me that is the very essence of this case and why these companies should be held accountable and responsible. The reasons we are urging the counties to get involved now, you know the tobacco litigation, you remember that certainly. Ultimately, the problem there is how much impact has that had on each of the localities, well not much because ultimately our local elected bodies didn't have the ability to be able to have a big say in how that money was utilized. What we are trying to prevent is that situation happening again and the counties not having a seat at the table. We are trying to give you that voice. That is exactly the reason we are here. The reason we chose Wagstaff and Cartmell is because they have mass tort litigation experience. A lot of it and you are going to need that when you are talking about litigating against giants like Johnson and Johnson. I know that there are other firms that have been around Virginia and other areas trying to promote themselves. Kaufman and Canoles is one out of Norfolk. They don't do mass tort litigation. What is going to happen? There are going to be a lot of firms that are going to come to you or other counties and they are going to ask you to sign up with them and they are going to park your case in that MDL and they are going to sit there and wait until they get a resolution, if they get a resolution. This firm is on the forefront of the litigation team. It is calculated to deliver you quick, authoritative results. That is the reason we brought them here and the hope you will see the propriety in signing on and we think we are going to get most of the counties."

Linda Meyer questioned, "I would like to know what is required of our county? Besides opening the books perhaps. Do we provide increased values and so on in services? Who is to determine the cost increase in services? Is this going to require another attorney on our staff or committee or more employees?"

Delegate Campbell responded, "If it is okay, I will address it. I think that it is a fair question. We are contemplating... Obviously, there is going to have to be some feedback from the employees here to try to build the model and determine what the damages are here. We don't think that is going to be incredibly involved. Obviously because we are doing this with a number of different jurisdictions. The model is going to be a sort of uniform. Obviously, we need to get some feedback in terms of statistics and things. Nothing that is going to be overwhelming. Nothing that is going to require the need of any additional staff that we can see. Does that answer your question, Linda?"

Ms. Meyer stated, "It is a start."

Chair Reeves noted that "the Department of Social Services has a lot of these statistics anyway that you will be needing. Thank you Mr. Campbell. Does anybody else have any other questions for Mr. Campbell or anybody else that is with him?"

Delegate Campbell stated, "Nobody asking about the budget? Really."

Chair Reeves stated, "I'll ask you. I know that you go back the 11th. Tomorrow."

Delegate Campbell stated, "We are going back tonight actually. We are loaded up and ready to go."

Chair Reeves inquired, "Where are you at? What is the consensus of the House and the Senate?"

Delegate Campbell responded, "I told Galax last night, I think that we will probably get a budget within 30 to 45 days. Somewhere in that timeframe. Now that again, I am being probably optimistic. From some of the rumors I am hearing, I think something happens here. The good thing about State government here, we are constitutionally bound to have a budget by June 30. It is not like Washington where we can just pass continuing resolutions and wait eleven years and never pass a budget. We are going to have to do that. Otherwise, the government really does shut down here. We will get there. We always have and we will again. We are going to do that as expeditiously as possible because we recognize that has a major impact on your planning. You have to have a general idea of what you are going to get in order to be able to set your own budgets. We understand that. We are getting there."

Chair Reeves stated, "I know the House budget is a little more generous than the Senate budget as far as K-12. What are you all, have you been in negotiations with other... with the Senate and the House on which way you are going to go?"

Delegate Campbell stated, "Conferees have. At this point. When we leave there and the budget conferees take the ball and they run with it. That is one of the reasons we are going back. We see where they have gotten, and we get that information when we get there. I would be happy to let you know, obviously as quickly as I do."

Chair Reeves stated, "I appreciate all of your information. I know I worry you to death on stuff for the County and I appreciate it."

Delegate Campbell stated, "If you need to call me or you need something, certainly reach out to me. I appreciate the opportunity to be here tonight. Hope you will entertain undertaking this because it is certainly calculated to deliver the County some needed revenues."

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Supervisor Hale stated "Jeff, I want to take an opportunity not just for us, but as a citizen of Wythe County, thank you all for taking this initiative and really giving us some tools to fight back. Without some kind of organization, obviously we can't fight the drug companies. I wholeheartedly endorse your approach."

Delegate Campbell stated, "Joe, it is not the only answer. It is one answer. Obviously part of a much larger equation. Obviously, legislatively we tried to undertake some of it as well. It is not going to be the saving grace, but what it does do is it will provide some resources to the County to be able to address some of the issues that you are going to have to address."

Supervisor Hale stated, "One of your associates there... the real conundrum to me is how you put a number on what it has done to the workforce now and in the future. That is really the big number. We can see the other numbers because there are invoices. I happen to believe that we have destroyed a generation, a good part of it."

Delegate Campbell noted, "I think that is a fair assessment. It really is."

Senator Chafin stated, "I just want to thank you for hearing us. Both Jeff and I represent clients, but we represent people and communities and real communities. My District is just beside Senator Carrico's. You know the interstate kind of divides it as it comes up the road. I don't have any of Wythe County, but I am all around you. I go up into Pulaski, Radford, and part of Smyth. Just like you mentioned, Mr. Hale, we have longed for an answer as a people and a legislative body. We have longed for an answer because we have been asked questions constantly. We are constantly talking to people and they are reminding us that this is like a disease eating us alive as a people. As we saw others and realized that other communities were being proactive, other counties, other cities, they were becoming proactive and they were reaching out and hiring law firms that had national experience in handling these kinds of cases. We decided to form the consortium and get together and find a law firm that had a lot of experience. We feel it would be like having a seat at the table of leadership in this thing not just off to the side with clients, but actually leading the charge and we wanted to introduce them. We wanted to get involved as... we are both lawyers too. Kim Haugh is a lawyer too. We wanted to get involved, but we also wanted to bring this to the communities that we served in Southwest Virginia. The thought of actually doing something that would have a way of stemming this and turning some of it. Turning the aggressive nature of the way that this has attacked our society is very appealing to me. We know that communities right here... per 100 persons there are communities that are getting 200 prescriptions per 100 persons, 400 prescriptions per 100 persons. Those drugs are getting diverted out into your communities. They are getting them. They are living off of them, they are diverting them. They are going out into the communities and people are buying, swapping, trading, selling, and distributing. That has really really really took a toll because it has changed the way people think and they think that it is okay. A lot of people think that this is okay. Good people think this is okay. That is what we got to turn around because that is our future that is our life force."

Supervisor Hale stated, "I think confession is a good place to start. You all have admitted you are lawyers and that is a good place to start."

Senator Chafin stated, "That is not always easy depending on the crowd."

Chair Reeves stated, "I do agree and I will put in a plug for the drug courts. I think we need them in every county. I know it is a cost."

Delegate Campbell noted, "But that is a cost as a result of this."

Supervisor Vaught stated, "This is not something you can legislate your way out of. We found out we can't arrest our way out of it. It is difficult to treat our way out of it. You know maybe if we hurt the pocketbooks of these pharmaceutical companies because ultimately they have got the power to put a stop to this."

Chair Reeves stated, "They have caused the problem. I ran a narcotics dog for 20 years out in Southwest Virginia, out in the coalfields, around here. Going into residence doing a search warrant and finding bottles, empty where they took them apart and took the insides out of them. Thousands of them. It has been a problem for a long time."

Supervisor Vaught stated, "I will disclose my sister-in-law is a pharmaceutical rep. I hope that she doesn't watch this video because she actually conducts drug studies."

Delegate Campbell responded, "We are not condemning pharmaceutical reps. It was negligent the way the companies went out and hired tens of thousands of pharmaceutical reps, gave them a faulty message and had them deliver that to physicians that rely upon it. That was the problem."

Senator Chafin stated, "We have seen statistics where America leads the world not just by a little bit on the amount of opioid drugs that are being put out there in society, but America is only a small portion of the world's population, but it is 85% of what is being dispensed in narcotics. Eighty-five percent. Now the Europeans, both Western Europe and Eastern Europe, they don't do this. They follow the rules that people have followed for a hundred years here in this Country and that is they knew narcotics were dangerous. They knew they were only to be allowed to people for short periods of time for acute pain because people get addicted to them."

Delegate Campbell stated, "The companies knew the addiction issue was there and they ignored it in favor of profit and that is an issue."

Chair Reeves stated, "Senator Chafin, Delegate Campbell, I appreciate you all bringing this to us. We appreciate it and I am going to ask... I know we are going to recess until Thursday morning. I would like to have a consultation with our County attorney on this. If it would be agreeable to everybody to come in at 9 a.m. on Thursday morning before we go to the School Board and kind of get a... that would give us time to read what

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Mr. Farthing has sent us and have any questions prepared for him on Thursday morning at 9 a.m. We can discuss it then.”

SCHOOL RESOURCE OFFICERS/SCHOOL SECURITY OFFICERS

The Board reviewed and discussed Virginia Department of Criminal Justice Services 2018-2019 School Resource Officer and School Security Officer Incentive Program Grant guidelines and application procedures.

Mr. Bear noted that the grant application must be submitted by May 11, 2018. He explained that they basically have one month to compile the necessary information and complete the application. Mr. Bear advised that they could apply for funding for full-time school resource officers and/or either part-time or full-time school security officers. He stated that if approved, the Department of Criminal Justice Services would provide funding based on the School Composite Fund Index, which would equate to approximately 68% with the County providing the remaining 32%. Mr. Bear added that this is a level funded grant over four years and would not decline over that time.

Supervisor Lawson read the following statement of disclosure:

“I, Ryan Lawson, as a member of the Wythe County Board of Supervisors declare pursuant to the Virginia Conflict of Interest Act regarding the Wythe County Sheriff’s Office matters on the agenda or the SROs that are being discussed this evening. I have a personal interest because my husband is a full-time employee of the Wythe County Sheriff’s Office, which will be affected by the matters of the SRO discussion in our meeting this evening. I declare that I am able to participate in this matter fairly, objectively, and in the public interest.”

The Board discussed school resource officer and school security officer options; as well as the costs associated with each.

Supervisor Hale questioned if a Board member could read one disclosure declaration into the record and not be required to read the disclosure each time a matter is discussed.

Mr. Farthing noted that the Code requires the Board member to announce that disclosure each time a discussion takes place in which a conflict exists.

Supervisor Vaught requested that the County Attorney contact the Executive Director of the Conflict Council to confirm. He noted that the Conflict Council provided a completely different opinion in Campbell County in a similar situation to his conflict. Supervisor Vaught explained that he has provided the information to the Executive Director who is researching the matter to determine why they have provided differing opinions.

RECESS

The Board recessed at 8:19 p.m. until Thursday, April 12, 2018, at 9 a.m.

RECONVENE

The Board reconvened on Thursday, April 12, 2018, at 9:05 a.m.

MEMBERS PRESENT:

Timothy A. Reeves, Sr., Chair
Joe F. Hale, Vice Chair

Charlie G. Lester
Coy L. McRoberts

MEMBERS ABSENT:

Brian W. Vaught
Ryan M. Lawson

B. G. "Gene" Horney, Jr.

STAFF PRESENT:

Stephen D. Bear, County Administrator
Scot Farthing, County Attorney
Martha G. Collins, Administrative Assistant/Clerk

CLOSED MEETING – CONSULTATION WITH LEGAL COUNSEL

Supervisor Lester made a motion, seconded by Supervisor McRoberts to enter into Closed Meeting under Section 2.2-3711-A.7 (Consultation with Legal Counsel) of the Code of Virginia.

The motion passed unanimously with four ayes and three absent.

Supervisor Hale made a motion, seconded by Supervisor Lester to return to open meeting.

The motion passed unanimously with four ayes and three absent.

Upon returning to open meeting, Supervisor Lester made a motion, seconded by Supervisor McRoberts to adopt the following Resolution certifying the business conducted in closed meeting as follows:

**RESOLUTION
CERTIFICATION OF CLOSED MEETING**

WHEREAS, the Wythe County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Wythe County Board of Supervisors that such meeting was conducted in conformity with Virginia law; and,

April 12, 2018

NOW, THEREFORE, BE IT RESOLVED that the Wythe County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Wythe County Board of Supervisors.

The roll call vote on the motion was as follows:

AYES: Charlie G. Lester Coy L. McRoberts
Joe F. Hale Timothy A. Reeves, Sr.

NAYS: None

ABSENT: Brian W. Vaught B. G. "Gene" Horney, Jr.
Ryan M. Lawson

RECESS

The Board recessed at 9:23 a.m.

RECONVENE

The Board reconvened at 9:46 a.m. The location of the meeting was in the School Board Office, 1570 West Reservoir Street, Wytheville, Virginia.

MEMBERS PRESENT:

Timothy A. Reeves, Sr., Chair Charlie G. Lester
Joe F. Hale, Vice Chair Coy L. McRoberts

MEMBERS ABSENT:

Brian W. Vaught B. G. "Gene" Horney, Jr.
Ryan M. Lawson

WYTHE COUNTY SCHOOL BOARD MEMBERS PRESENT:

Stephen R. Sage, Chair Tonya M. Freeman
Alan C. Wilder Ann H. Manley
Peggy A. Waggy Lee H. Johnson

WYTHE COUNTY SCHOOL BOARD MEMBERS ABSENT:

Chalmer L. Frye, Vice Chair

WYTHE COUNTY BOARD OF SUPERVISORS STAFF PRESENT:

Stephen D. Bear, County Administrator
Martha G. Collins, Administrative Assistant/Clerk

WYTHE COUNTY SCHOOL BOARD STAFF PRESENT:

Donald W. Hodock, Superintendent of Schools
Nicki Blankenship, Administrative Assistant to the Superintendent

OTHERS PRESENT:

Keith Dunagan, Sheriff

SCHOOL RESOURCE OFFICERS/SCHOOL SECURITY OFFICERS

The Board met with School Board members and staff to discuss school resource officer and school security officer options.

RECESS

The Board recessed at 11 a.m.

RECONVENE

The Board reconvened at 11:27 a.m. The location of the meeting was in the Boardroom of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia.

MEMBERS PRESENT:

Timothy A. Reeves, Sr., Chair	Charlie G. Lester
Joe F. Hale, Vice Chair	Coy L. McRoberts

MEMBERS ABSENT:

Brian W. Vaught	B. G. "Gene" Horney, Jr.
Ryan M. Lawson	

STAFF PRESENT:

Stephen D. Bear, County Administrator
Martha G. Collins, Administrative Assistant/Clerk

MOUNTAIN COMMUNITY ACTION PROGRAM APPOINTMENT

Chair Reeves advised that Supervisor Lawson has submitted a letter of resignation from the Mountain Community Action Program Board, as she does not have the time necessary to dedicate to the appointment. He noted that the Board would need to work to locate a Mountain Community Action Program Board appointee to replace Supervisor Lawson.

SCHOOL RESOURCE OFFICERS/SCHOOL SECURITY OFFICERS

The Board continued to discuss school resource officer and school security officer options.

RECESS

The Board recessed at 11:47 a.m. until Monday, April 16, 2018, at 5:30 p.m.

RECONVENE

The Board reconvened on Monday, April 16, 2018, at 5:40 p.m.

April 12, 2018

MEMBERS PRESENT:

Timothy A. Reeves, Sr., Chair
Joe F. Hale, Vice Chair
Brian W. Vaught
Charlie G. Lester

Ryan M. Lawson
Coy L. McRoberts
B. G. "Gene" Horney, Jr. (6:09 p.m.)

STAFF PRESENT:

Stephen D. Bear, County Administrator
Scot Farthing, County Attorney
Martha G. Collins, Administrative Assistant/Clerk

CLOSED MEETING – CONSULTATION WITH LEGAL COUNSEL

Supervisor Lester made a motion, seconded by Supervisor McRoberts to enter into Closed Meeting under Section 2.2-3711-A.7 (Consultation with Legal Counsel) of the Code of Virginia.

The motion passed unanimously with six ayes and one absent.

Supervisor Lester made a motion, seconded by Supervisor Lawson to return to open meeting.

The motion passed unanimously.

Upon returning to open meeting, Supervisor Lester made a motion, seconded by Supervisor Hale to adopt the following Resolution certifying the business conducted in closed meeting as follows:

**RESOLUTION
CERTIFICATION OF CLOSED MEETING**

WHEREAS, the Wythe County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Wythe County Board of Supervisors that such meeting was conducted in conformity with Virginia law; and,

NOW, THEREFORE, BE IT RESOLVED that the Wythe County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Wythe County Board of Supervisors.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Ryan M. Lawson	Timothy A. Reeves, Sr.
	Joe F. Hale	

NAYS: None

OPIOID LITIGATION

Supervisor Hale made a motion, seconded by Supervisor Lester to hire a law firm to enter into the opioid national tort lawsuit.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Ryan M. Lawson	Timothy A. Reeves, Sr.
	Joe F. Hale	

NAYS: None

Mr. Farthing exited the meeting at 6:30 p.m.

DISCLOSURES

Supervisor Lawson read the following disclosure statement:

"I, Ryan Lawson, as a member of the Wythe County Board of Supervisors declare pursuant to the Virginia Conflict of Interest Act that regarding the Wythe County Sheriff's Office matters on the agenda or being discussed today; I have a personal interest because my husband is a full-time employee of the Wythe County Sheriff's Office, which will be affected by the matters that we may discuss this evening at our meeting. I declare that I am able to participate in this matter fairly, objectively, and in the public interest."

Supervisor Vaught read the following disclosure statement:

"I, Brian Vaught, as a member of the Wythe County Board of Supervisors declare pursuant to the Virginia Conflict of Interest Act that regarding this matter of budget discussions involving the Wythe County Sheriff's Office; I have a personal interest because I am a full-time employee of the Wythe County Sheriff's Office. And, regarding the matter of the budget discussions involving the Wythe County School Board; I have a personal interest because my wife is a full-time employee of the Wythe County School Board. I declare that I am able to participate in this matter fairly, objectively, and in the public interest."

April 16, 2018

However, I, Brian W. Vaught, as a member of the Wythe County Board of Supervisors declare pursuant to the Virginia Conflict of Interest Act that regarding the matter of any discussion involving school resource officers and the Sheriff's letter dated February 7, 2018; I have a personal interest in this matter because I am assigned as a school resource officer, and I disqualify myself from participating as required by the Virginia Conflict of Interest Act."

Supervisor Horney read the following disclosure statement:

"I, Gene Horney, as a member of the Wythe County Board of Supervisors declare pursuant to the Virginia Conflict of Interest Act that regarding the matters of budget discussions involving the Wythe County School Board or regarding the Wythe County School Board matters on the agenda or being discussed today; I have a personal interest because I am a part-time employee of the Wythe County School Board, which will be affected by the matters discussed in our meeting today. Also, my wife is a full-time employee, so that will probably need to be mentioned. I declare that I am able to participate in this matter fairly, objectively, and in the public interest."

Chair Reeves read the following disclosure statement:

"I, Tim Reeves, as a member of the Wythe County Board of Supervisors declare pursuant to the Virginia Conflict of Interest Act that in regard to the matters of the Wythe County School Board budget or regarding the Wythe County School Board matters on the agenda or being discussed today; I have a personal interest because my wife is a part-time employee of the Wythe County School Board, which will be affected by the matters to be discussed in our meeting today. I declare that I am able to participate in this matter fairly, objectively, and in the public interest."

BUDGET WORK SESSION

The Board reviewed and discussed revised proposed Fiscal Year 19 revenue and expenditure budgets, as well as departmental and agency budget requests.

ADJOURNMENT

With no other business to come before the Board, Chair Reeves adjourned the meeting at approximately 9:24 p.m.

Timothy A. Reeves, Sr., Chair