

The Wythe County Board of Supervisors held its regularly scheduled meeting at 9:00 a.m., Tuesday, August 28, 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  
B. G. "Gene" Horney, Jr.  
Ryan M. Lawson

Charlie G. Lester  
Coy L. McRoberts  
Brian W. Vaught

**MEMBERS ABSENT:**

Joe F. Hale, Vice Chair

**STAFF PRESENT:**

Stephen D. Bear, County Administrator  
Scot Farthing, County Attorney  
Martha G. Collins, Administrative Assistant/Clerk  
Colleen Cummings, Secretary  
Don Crisp, Water/Wastewater Director  
Tim Spraker, Building Official  
Bill Vaughan, County Engineer

**OTHERS PRESENT:**

Jim & Wanda Brinkley  
Keith Dunagan  
Andy Fowler (arrived approx. 10:04 a.m.)  
Lori Gynn  
Dr. Rebecca James  
Linda Meyer  
Dr. Wesley Poole  
Jeff Russell (arrived approx. 10:04 a.m.)

**CALL TO ORDER**

Chair Reeves determined that a quorum was present and called the meeting to order at 9:00 a.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Jeremy Farley, Summit Baptist Church, provided the invocation and Chair Reeves led the Pledge of Allegiance.

**CITIZENS' TIME**

Chairman Reeves inquired if anyone present wished to address the Board.

1. Feedlot – Ms. Linda Meyer wanted to follow-up on DEQ water monitoring of Speedwell tributary into Cripple Creek.

Mr. Bear responded that the VDACS has been made aware of the issue, but no reports have been received as yet. Mr. Bear will follow-up with DEQ.

2. Ivanhoe Road – Mr. Terry Ogle said that he was in front of the Board before about this issue and that VDOT did respond by lowering the speed limit to 50mph (down from 55), and they put up a 35mph curve advisory sign. He is asking for more help as cars continue to speed through this area. He said that the curve and bank are very dangerous. He also said the bank needs to be mowed.

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Mr. Ogle has offered to give part of his land if they can cut the bank back. He also has a place on his property where they can place the dirt. The curve is located at 1444 Ivanhoe Road.

Mr. Ogle lives in Pine Brooks Estates and their road is private. He asked if there is any way to get the State to take over that road.

Mr. Bear said that he would set up a meeting with Mr. Ogle and Ms. Cassell of the Planning Commission, so they can discuss the revenue-sharing options for his subdivision.

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

### **PAYMENT OF COUNTY INVOICES**

Supervisor McRoberts made a motion to pay the invoices for approval on August 28, 2018, for the various departments of County government. The invoices were paid on General Warrants 30101704-30101790 as follows:

#### **EXPENDITURES BY DEPARTMENT BOARD OF SUPERVISORS August 28, 2018**

<b>CHECK #</b>	<b>ISSUE DATE</b>	<b>VENDOR</b>	<b>AMOUNT</b>
30101704	8/16/2018	MARTIN, CARLTON	54.87
30101705	8/16/2018	TROY E. NICHOL	31.08
30101706	8/16/2018	TREASURER OF WYTHE COUNTY	130.83
<b>TOTAL EXPENDITURES 08/16/2018</b>			<b>\$216.78</b>

<b>CHECK #</b>	<b>ISSUE DATE</b>	<b>VENDOR</b>	<b>AMOUNT</b>
30101707	8/21/2018	APPALACHIAN POWER	4,814.54
30101708	8/21/2018	CENTURY LINK	51.39
30101709	8/21/2018	CENTURY LINK	256.55
30101710	8/21/2018	CENTURY LINK	286.51
30101711	8/21/2018	WYTHE CO WATER & WASTEWAR	18.90
<b>TOTAL EXPENDITURES 08/21/2018</b>			<b>\$5,427.89</b>

<b>CHECK #</b>	<b>ISSUE DATE</b>	<b>VENDOR</b>	<b>AMOUNT</b>
30101712	8/28/2018	APPALACHIAN POWER	106.10
30101713	8/28/2018	COMPUTER PROJECTS OF IL I	693.60
30101714	8/28/2018	LUMOS NETWORKS	62.97
30101715	8/28/2018	RCI	71.25
30101716	8/28/2018	SUBURBAN PROPANE-1241	33.83
30101717	8/28/2018	TWO WAY RADIO	2,000.00
30101718	8/28/2018	TYLER TECHNOLOGIES INC	150.00
30101719	8/28/2018	UNIFIRST CORP	69.08
30101720	8/28/2018	VIRGINIA TECH	13,247.41
30101721	8/28/2018	VITA	290.03
<b>TOTAL EXPENDITURES 08/28/2018</b>			<b>\$16,724.27</b>

<b>CHECK #</b>	<b>ISSUE DATE</b>	<b>VENDOR</b>	<b>AMOUNT</b>
30101722	8/28/2018	AEGEAN, LLC	295.00
30101723	8/28/2018	APPALACHIAN POWER	12,598.11

30101724	8/28/2018	BLUE RIDGE AUTO PARTS INC	102.56
30101725	8/28/2018	BLUEFIELD GLASS & INTERIO	616.90
30101726	8/28/2018	BRENTAG MID-SOUTH INC	1,934.70
30101727	8/28/2018	CAVALIER SUPPLY CO	1,244.15
30101728	8/28/2018	CENTURY LINK	39.98
30101729	8/28/2018	CENTURY LINK	57.87
30101730	8/28/2018	CENTURY LINK	71.32
30101731	8/28/2018	CENTURY LINK	77.62
30101732	8/28/2018	CENTURY LINK	110.18
30101733	8/28/2018	CENTURY LINK	115.02
30101734	8/28/2018	CENTURY LINK	163.61
30101735	8/28/2018	CENTURY LINK	223.00
30101736	8/28/2018	CENTURY LINK	6,741.10
30101737	8/28/2018	CINTAS CORP NO 2	352.71
30101738	8/28/2018	COLLINS AUTO REPAIR INC	84.93
30101739	8/28/2018	COM TEC	4,125.00
30101740	8/28/2018	CORE & MAIN LP	4,445.69
30101741	8/28/2018	COULTER'S FLORIST INC	50.00
30101742	8/28/2018	COUNTY OF WYTHE	2,833.34
30101743	8/28/2018	CSG SYSTEMS, INC	1,600.26
30101744	8/28/2018	DEAN ALLEN DAVIS	301.53
30101745	8/28/2018	DELL MARKETING LP	2,117.87
30101746	8/28/2018	DEPT OF MOTOR VEHICLES	3,225.00
30101747	8/28/2018	DISTRICT THREE	3,632.50
30101748	8/28/2018	ELECTRICAL EQUIP CO	1,025.00
30101749	8/28/2018	EMS INC	1,550.00
30101750	8/28/2018	FIRE RESCUE AND TACTICAL	4,340.66
30101751	8/28/2018	GALLS	800.39
30101752	8/28/2018	GRANT, BRUCE M	4,136.75
30101753	8/28/2018	HURT & PROFFITT INC	5,922.30
30101754	8/28/2018	JOINT IDA OF WYTHE COUNTY	59,224.98
30101755	8/28/2018	MANSFIELD OIL CO	8,836.67
30101756	8/28/2018	MCI COMM SERVICE	34.15
30101757	8/28/2018	MCI COMM SERVICE	93.80
30101758	8/28/2018	MCI COMM SERVICE	641.63
30101759	8/28/2018	MEREDITH'S GARAGE	59.00
30101760	8/28/2018	MODERN SHOE STORE	1,112.87
30101761	8/28/2018	OFFICE OF THE CHIEF MEDIC	40.00
30101762	8/28/2018	ELIZABETH REMINES	50.00
30101763	8/28/2018	KAREN L. AKERS	191.60
30101764	8/28/2018	STEPHEN UMBERGER	36.00
30101765	8/28/2018	WILLIAM LYONS	150.00
30101766	8/28/2018	PEED & BORTZ LLC	19,645.00
30101767	8/28/2018	R&C TOWING & REPAIR CO	31.13
30101768	8/28/2018	ROANOKE TIMES	811.06
30101769	8/28/2018	STATE ELECTRIC SUPPLY CO	699.40
30101770	8/28/2018	ANDREW FRENCH	500.00
30101771	8/28/2018	TERRY, CHRIS J	233.95
30101772	8/28/2018	TESLA ELECTRIC SERV	487.50
30101773	8/28/2018	THOMPSON TIRE	303.58
30101774	8/28/2018	THREE RIVERS MEDIA CORP	660.00
30101775	8/28/2018	TOWN OF RURAL RETREAT	5,123.21
30101776	8/28/2018	TOWN OF WYTHEVILLE	5,242.86

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30101777	8/28/2018	TRI-CITIES/SW VA REGIONAL	1,553.30
30101778	8/28/2018	TYLER TECHNOLOGIES INC	1,655.94
30101779	8/28/2018	UNIFIRST CORP	69.08
30101780	8/28/2018	US CELLULAR	516.66
30101781	8/28/2018	VA ASSOC OF CLERKS OF DIS	100.00
30101782	8/28/2018	VERIZON	32.00
30101783	8/28/2018	VERIZON WIRELESS	40.01
30101784	8/28/2018	VIRGINIA BUSINESS SYST	419.00
30101785	8/28/2018	VIRGINIA BUSINESS SYST	795.78
30101786	8/28/2018	WILLIAMS, KEVIN	89.35
30101787	8/28/2018	WYTHE CO WATER & WASTEWAT	236.77
30101788	8/28/2018	WYTHE TIRE AND MUFFLER	396.95
30101789	8/28/2018	WYTHEVILLE OFFICE SUPPLY	324.35
30101790	8/28/2018	XEROX	132.67
<b>TOTAL EXPENDITURES 08/28/2018</b>			<b>\$175,505.84</b>

**TOTAL EXPENDITURES APPROVED 08/28/2018** **\$197,874.78**

Supervisor Horney seconded the motion and the roll call vote 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

ABSENT: Joe F. Hale

#### **MINUTES OF PREVIOUS MEETINGS**

The Board was presented with the August 14 and 23, 2018, minutes for approval.

Supervisor Lester made a motion, seconded by Supervisor Vaught, to approve the August 14 and 23, 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

ABSENT: Joe F. Hale

#### **WCRES BOARD OF DIRECTORS APPOINTMENT**

Mr. Bear reported that Mr. Stanley Demers has resigned from the Wythe County Rescue Squad Board of Directors due to health concerns. Mr. Bear, on behalf of the Board, expresses appreciation to Mr. Demers for his service.

Supervisor Lawson would like to nominate Mr. Charles Miller, who currently works for Wytheville Fire Department. For seven years prior to that, Mr. Miller was a supervisor at Guardian, and he would like the opportunity to serve his community.

Supervisor Vaught seconded the nomination to appoint Mr. Charles Miller to the Wythe County Rescue Squad Board of Directors.

The vote was unanimous.

### **WATER RATES**

Mr. Bear explained the proposed changes and alternative that were agreed upon after the last Public Hearing and related work-session. What had been advertised and is proposed is a 10% increase for both residential and commercial. The alternative is a 5% increase to residential customers, and a 10% increase to commercial.

Supervisor McRoberts made a motion to accept the alternative.

The motion died for lack of a second.

### **APEX LEASE AGREEMENT**

Mr. Bear reported that last week the Authority met and reviewed their agreement with the management company. He said there's an incentive part of the agreement with the management company that has an effect on our APEX lease agreement, specifically because we're waiving payments for the first two years, and waiving half the payments over the next three years, up to a five-year period. Mr. Bear wants to be certain that by waiving those payments, we are not giving incentive fees to the management company due to the waivers. He believes we need to consider restructuring the lease agreement to protect the Board's interest and to make sure the lease payments are a top priority. Mr. Bear recommends the Board recess until Tuesday, September 4<sup>th</sup>, to allow time to consult with bond counsel and Mr. Farthing on this issue, and make the appropriate revisions to the lease agreement. It is of utmost importance that any changes do not impact the tax-free bond that's been issued on this project.

### **TREASURER'S REPORT**

Treasurer Lori Guynn appeared before the Board and presented the Treasurer's Report as follows:

1. Revenue Statement – Ms. Guynn reported that the consolidated account was comprised of \$55,129,263 of which \$26,439,679 was in the General Fund Account at the end of July. The General Fund Account is about \$10M less than June due to school board advanced payroll and APEX expenses (month 13).

Mr. Bear noted that our draw just went into Carter Bank and that very soon we should receive approximately \$4.9M in reimbursements from APEX Center expenditures.

2. Department of Motor Vehicle Stops – Ms. Guynn reported that they had a very successful July with DMV stops, normally a slow month but they've been very steady.
3. Land Redemptions – Ms. Guynn reported that they brought in \$42,904. This is from the judicial tax sale held in May 2016. The Circuit Court holds proceeds for two years, and if not claimed, they get turned over to the locality.
4. Sales & Use Tax – Ms. Guynn reported an increase of \$313,000 in FY18 compared to FY17.

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Ms. Guynn also thanked the Board of Supervisors for the Employee Appreciation Picnic and said that it was a wonderful opportunity for people from other departments to meet and get to know each other. She added that the location was great, as was the food and corn-hole game. Ms. Guynn said that she hopes this tradition will continue.

### **SHERIFF'S REPORT**

Sheriff Dunagan appeared before the Board and presented his report as follows:

1. Purchase of Service Weapon – Sheriff Dunagan reported that Ms. Denise Cook, who recently retired, is requesting to purchase her service weapon for \$1. This is in accordance with Code.

Supervisor Vaught made a motion, seconded by Supervisor Lawson, to approve the sale of the service weapon to Ms. Denise Cook for \$1.

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

ABSENT: Joe F. Hale

2. Debris Collection Report – Sheriff Dunagan provided an update on their debris collection and stated that they've collected 528 bags (nearly 16,000 pounds) in August so far.
3. Unpaid Fines Collection – Sheriff Dunagan reported that he's been discussing with the Commonwealth Attorney's office about collection of fines from traffic tickets. Sheriff Dunagan said the General District Court has about \$6M (about half are court costs) and that \$2-3M is owed to Wythe County. He said they just received the signed paperwork that the process of collecting is ready to begin, which will be very good for the County.

Mr. Bear suggested a meeting between the Sheriff, Ms. Guynn, Mr. Grant, and the Commonwealth Attorney to discuss the tracking of funds when they come in; perhaps a separate line item for this specific collection.

### **WATER COMMITTEE REPORT**

1. Ft. Chiswell WWTP Headworks Improvements Project – Supervisor Horney made a motion, as recommended by the Water Committee, to accept the proposal from Coalfield Services in the amount of \$149,000 for the Ft. Chiswell WWTP Headworks Improvements Project. The roll call vote 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

ABSENT: Joe F. Hale

2. SCADA Expansion Project – Supervisor Horney made a motion, as recommended by the Water Committee, to reject all bids received for the SCADA Expansion Project due to exceeding the budget. Staff will work on soliciting term proposals for the project. The roll call vote 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

ABSENT: Joe F. Hale

3. Max Meadows Bridge - Supervisor Horney made a motion, as recommended by the Water Committee, to proceed with soliciting bids and submit a funding application for replacing the water line on the Max Meadows bridge. The roll call vote 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

ABSENT: Joe F. Hale

Mr. Bear explained the situation with the Max Meadows line which has become a critical issue. The time frame to do the permitting for a creek crossing is not timely enough, and we need to move forward to replace it as quickly as possible.

Mr. Crisp provided the Board with a memo he sent to Mr. Bear requesting they amend and appropriate \$120,815 and approve the engineering agreement that goes with it. Mr. Crisp advised that they will still continue to seek a funding source.

Supervisor Horney made a motion, seconded by Supervisor Vaught, to amend and appropriate \$120,815 for the Max Meadows Bridge water line, and to approve the engineering agreement which includes \$18,000 for engineering services and \$12,340 for inspection services. The roll call vote 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

ABSENT: Joe F. Hale

Mr. Bear advised that some of these projects might have to be scrapped if we don't approve an increase to the water rates. He is not certain what funding we can get, and said that we are already in the red, but this project is critical.

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4. Water Leak Adjustment - Supervisor Horney made a motion, as recommended by the Water Committee, to grant a leak adjustment to Mr. Mark Armentrout (Account #103186-02) of one-half his original June 18, 2018 bill, for a cattle watering trough where the valve had failed. The original bill was \$626.54 and the adjusted bill would be \$313.27. The roll call vote 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

ABSENT: Joe F. Hale

5. Smyth County / Wythe County Water Interconnect – Supervisor Lester made a motion, seconded by Supervisor Horney, to adopt Resolution 2018-30 as follows:

**WHEREAS**, Smyth County and Wythe County has a specific need to work to establish an interconnection of their drinking water systems in order to provide water service to additional County residents, redundant water sources, and to allow for more stable long term financial planning of both Organizations;

**WHEREAS**, the Mt. Rogers Planning Districts Infrastructure Planning and Technical Assistance fund fits the needs of these types of projects, and

**WHEREAS**, the Counties of Smyth and Wythe desire to compile a Preliminary Engineering Report which will outline the feasibility, benefits, and financial impacts and considerations of a regional interconnection;

**THEREFORE, BE IT RESOLVED**, the Wythe County Board of Supervisors hereby agree to jointly and regionally seek grant funding from the Mt. Rogers Planning District Commission for the Preliminary Engineering Report of this regional interconnection in the following amount:

Smyth-Wythe Interconnection  
Preliminary Engineering Report \$ 20,000

**THEREFORE, BE IT FURTHER RESOLVED**, that this resolution be submitted with any applications for funding assistance for project planning and construction and that a copy of this resolution be incorporated into the official minutes of the Wythe County Board of Supervisors.

Mr. Bear explained that Smyth County and Wythe County have been talking for quite some time about the possibility of an interconnect. This simply looks for grant funding that will allow the engineers to come in and do a feasibility study and, if it's feasible for both localities, how we best proceed.



Supervisor McRoberts asked what we do once we get the report, stating that we don't have money for any more new projects.

Mr. Bear responded the report will at least help us understand where we are. Smyth County has areas they want to grow and the majority of the development will be in Smyth County, but it would give us more usage on the western end, and we'd have a smaller debt service.

The roll call vote on the motion was as follows:

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

NAYS: Coy L. McRoberts

ABSENT: Joe F. Hale

Chairman Reeves added that we will have to address the water rates at some point but it should go back to the Water Committee. He said if the rates are not increased then the money will have to come out of the General Fund, which means that everyone will be paying. Chairman Reeves doesn't feel it's right, that people who don't have access to the water will be required to pay for it.

Supervisor Lawson said that she is not 100% against it, but she doesn't want to see a 10% increase in the same year as a tax increase.

Supervisor Lester understands we need to do something but a change in rates will require revising the whole billing structure.

Chairman Reeves said that restructuring the rate system could take at least a year, and that perhaps the Board should consider waiting until next year.

Supervisor Lester asked if we have enough in reserves to cover the deficit for this year.

Mr. Bear replied yes.

Mr. Crisp added that he's not certain for how long we've been operating with a deficit (maybe 5 years).

Mr. Bear said unfortunately we don't currently qualify for grant funding for rural development because of the fee structure.

Supervisor Vaught's major complaints are from the mandatory connection and non-user fee.

It was noted that Smyth County rates are higher than ours, but Carroll County is a little less. Washington County is a lot more. This needs to be discussed more in-depth at the next Water Committee meeting.

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**BUDGET COMMITTEE**

1. Surplus Vehicles – Supervisor Lester made a motion, as recommended by the Budget Committee, to transfer a 2008 Chevrolet TrailBlazer (VIN 3239) from the Sheriff's Office to the Lead Mines Rescue Squad. The roll call vote 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

ABSENT: Joe F. Hale

2. Electronic Summons Fund Transfer – Supervisor Lester made a motion, as recommended by the Budget Committee, to transfer \$25,172 from the Electronic Summons Fund into 3102 Law Enforcement & Traffic Control, and to amend and appropriate the same 3102-470015. These funds will purchase hardware and software necessary to coordinate with the new Spillman software. The roll call vote 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

ABSENT: Joe F. Hale

3. Flying J Donation - Supervisor Lester made a motion, as recommended by the Budget Committee, to amend and appropriate \$5,000 to 31021-461260. These funds were donated by Flying J to assist in purchasing equipment needed for an active shooting training event. The roll call vote 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

ABSENT: Joe F. Hale

4. National Highway Safety Administration Grants - Supervisor Lester made a motion, as recommended by the Budget Committee, to accept the National Highway Traffic Safety Administration grants, and to amend and appropriate the same:

- Selective Enforcement – Speed \$ 35,000
- Selective Enforcement – Alcohol \$ 16,500
- Selective Enforcement – Occupant Protection \$ 11,375

The roll call vote was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
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Charlie G. Lester  
Ryan M. Lawson

B. G. "Gene" Horney, Jr.  
Timothy A. Reeves, Sr.

NAYS: None

ABSENT: Joe F. Hale

5. Commonwealth Attorney's Case Management Software - Supervisor Lester made a motion, as recommended by the Budget Committee, to transfer \$2,039.56 from State Asset Forfeiture Funds to 2201-464010 Commonwealth's Attorney for the purchase of new case management software, and to amend and appropriate the same. The roll call vote was as follows:

AYES: Brian W. Vaught  
Charlie G. Lester  
Ryan M. Lawson

Coy L. McRoberts  
B. G. "Gene" Horney, Jr.  
Timothy A. Reeves, Sr.

NAYS: None

ABSENT: Joe F. Hale

6. Building & Grounds Personnel - Supervisor Lester made a motion, as recommended by the Budget Committee, to amend and appropriate \$48,000 to 43048 Building & Grounds, for adding the Maintenance Foreman position for salary and fringe benefits. The roll call vote was as follows:

AYES: Brian W. Vaught  
Charlie G. Lester  
Ryan M. Lawson

Coy L. McRoberts  
B. G. "Gene" Horney, Jr.  
Timothy A. Reeves, Sr.

NAYS: None

ABSENT: Joe F. Hale

7. 2017 Delinquent Personal Property Tax - Supervisor Lester made a motion, as recommended by the Budget Committee, to publish the 2017 Delinquent Personal Property Tax listing on the County's website. The roll call vote was as follows:

AYES: Brian W. Vaught  
Charlie G. Lester  
Ryan M. Lawson

Coy L. McRoberts  
B. G. "Gene" Horney, Jr.  
Timothy A. Reeves, Sr.

NAYS: None

ABSENT: Joe F. Hale

Chairman Reeves added that with approximately 3,000 names on this delinquent list, it's not feasible to publish this in the newspaper. Instead, it will be posted on the County's website with links to various social media.

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### **SCHOOL BOARD**

Dr. Rebecca James reported that they just received the State reports and Wythe County Public Schools ranked 7<sup>th</sup> in the State for student academic achievement (they ranked 10<sup>th</sup> last year). She added that Wythe County ranked 5<sup>th</sup> in math and 8<sup>th</sup> in reading. Dr. James is incredibly proud of the significant progress, and wanted to share this with everyone.

Dr. Wesley Poole provided an update to the Board about the renovations taking place at George Wythe High School. He said they're currently in the demo stage. He has met with teachers and librarians regarding the configuration of a few rooms, and that they'll be able to reuse some of the case work/cabinetry that is still in good shape. Dr. Poole stated that the wooden chairs in the library will be refinished/restored, whereby saving \$262 per piece. Regarding the generator (a grant funded item), he said the switch gears will remain in place but the generator will be upsized for forced-air needs (600kW generator). Dr. Poole indicated that the old generator can be relocated to another school for an additional shelter.

Regarding the Auditorium, Dr. Poole met with the sound and light rep last week. He reports that the lighting will pretty much remain the same, but much of the sound and light controls will be moved to the spotlight room on the second floor (best kept out of reach). He added that the seats will be reupholstered soon, and that new carpet will be going down. He invited anyone who's interested, to please come to the school for a tour.

### **VDOT**

Mr. Jeffrey Russell of Virginia Department of Transportation provided an update on some of the 6-year plan projects. They've completed Crawford Road, and Sharons Drive projects, and are starting on New Bethel and Nixon Roads, and making good progress. They're keeping up with routine maintenance, will begin second round of mowing, and will be scheduling some patching and paving.

Supervisor Vaught asked about Musser Mill Road, stating that the log yard has hurt the road (heavy trucks). He asked what the plan is for Black Lick. Supervisor Vaught said the road was nicely paved, then they put slurry mix on it. It was a lot smoother before.

Mr. Russell explained the three types of hard surfacing: (1) surface treatment, which is tar and gravel, (2) plant mix, which is paving, and (3) slurry which is a method in between the two. Mr. Russell said that while the slurry mix is not as smooth, it is more durable and a lot less expensive. He added that they just don't have enough money to put plant mix on all the roads in need, so they use slurry mix which prolongs the life of the road until it can be paved. In order for slurry to be effective, it needs to be applied before the road deteriorates. The maintenance managers determine the roads that are beginning to deteriorate.

Supervisor Vaught also requested that VDOT fix the potholes on Rural Retreat Road.

Supervisor McRoberts relayed the concerns that Mr. Ogle raised earlier about Ivanhoe Road. VDOT reduced the speed limit from 55mph to 50mph but Mr. Ogle said that cars are still speeding through there. Supervisor McRoberts told Mr. Russell that Mr. Ogle will give them some of the land at the curve, and he has a place to unload the shale/dirt, if that would help. Supervisor McRoberts added that the ditches in front of Mr. Ogle's place are awful.

Mr. Russell reported that a speed study was done. Their determination was to reduce the speed to 50mph, and he doubts they'll lower it any more. He added that the caution signs are there, but if people pay no attention, there's not much they can do.

Mr. Bear said that mowing (sight distance) needs to be a priority.

Supervisor Horney said that he's received complaints about mowing but understands that it's now or will be soon underway.

Chairman Reeves said Painter Hill Road needs to be paved. He added that the culvert at Chapman Road, after the last heavy rain, has washed limbs and debris that need to be cleaned out.

Mr. Bear said he appreciates Mr. Russell for organizing the meeting last week with the District Engineer, Mr. Hamilton. Also, Mr. Bear has been working with Ms. Pam Heath and Supervisor Lester to vacate right-of-way on Buckley Drive in Rural Retreat, and said that Ms. Cassell and he need to meet with Mr. Russell to discuss policy and procedures. He added that some land owners have differing opinions about vacating the right-of-way, and that they will probably need to advertise a Public Hearing on this.

*(Mr. Russell exited the meeting.)*

#### **COUNTY ADMINISTRATOR'S REPORT**

County Administrator Stephen Bear appeared before the Board and reported the following:

1. Highway 21 Road Market Study – Mr. Bear summarized a chart showing Highway 21 Road Sale figures. VDOT indicates 50-60% increase in a lot of areas between the control group and road market group.
2. USDA Wildlife Services Program – Mr. Bear explained the agency is dropping oral rabies vaccine in various areas (information and map handout).
3. Resolution 2018-29 Temporary Detention Order Transportation – Mr. Bear reported that the Town of Wytheville just adopted such a resolution, and that Marion is taking the lead getting a lot of these adopted.

Supervisor Vaught provided background on the unfunded mandate where law enforcement are transporting people under temporary detention orders for mental health treatment. He said that Southwest Virginia Mental Health Institute in Marion used to be their #1 stop, but it is now a "place of last resort". What used to seem like a long trip (Petersburg), they are now having to transport people as far away as Virginia Beach. Such a long trip is detrimental to someone in need of mental health treatment. Supervisor Vaught added that when you have just 3-4 law enforcement on the night shift, and 2 of them have to transport someone across the state, it leaves the department short-handed, and having to pay overtime, which ultimately falls back on the taxpayer.

This resolution will make Southwest Virginia Mental Health Institute in Marion the #1 priority for this part of the State, provided the Virginia Legislature grants an exemption to the "place of last resort" requirement.

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Supervisor Vaught made a motion, seconded by Supervisor Lawson, to adopt Resolution 2018-29 concerning Temporary Detention Order (TDO) Transportation. The roll call vote 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

ABSENT: Joe F. Hale

4. Veteran's Memorial Highway Celebration – Mr. Bear said this is for information purposes but he's been working with Bland and Carroll counties for a dedication celebration in October. It is a possibility that the Governor will come down for this, so the date is pending the Governor's schedule. Wythe County activities for this celebration will be at the Shot Tower. Celebrations will run from Bland to Hillsville.
5. Rickey Road Waterline Extension Project – Mr. Bear stated that the Board previously approved this project, and is now presenting the A&E services agreement for \$30k from Peed & Bortz. Mr. Bear recommends Board approve this agreement.

Supervisor McRoberts made a motion, seconded by Supervisor Horney, to approve the A/E services agreement from Peed & Bortz in the amount of \$30,000. The roll call vote 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

ABSENT: Joe F. Hale

6. APEX Range Hood Venting Proposal – Mr. Bear said that at the last Board meeting, they approved a change order for RGM Construction Services to put a hood/vent system in for one of the concession stands. A second hood/vent system on the other side was also discussed. Rather than incur the expense of installing two systems now, this proposal is just for the piping/venting so a second hood can be installed at a later date (the expense is considerably less if we do this work now).

Supervisor Lester made a motion, seconded by Supervisor McRoberts, to approve the range hood venting proposal for \$8,721. The roll call vote 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

ABSENT: Joe F. Hale

Mr. Bear confirmed that money has already been allocated for this, and this also protects warranty on the roof.

### **SUPERVISORS' REPORTS**

1. Wythe County Public Schools – Supervisor Vaught said regarding the schools being ranked #7 in the State, he believes we ranked #69 around four years ago. This is a significant achievement and Supervisor Vaught feels that recognition should be given to Dr. Jefferies (letter or resolution) applauding him and the school system for this accomplishment.
2. Convenience Centers – Chairman Reeves reported a situation to Mr. Bear yesterday. Mr. Bear hasn't yet heard anything on this issue.
3. Max Meadows Heritage Day – Mr. Bear announced that Max Meadows Heritage Day is September 22<sup>nd</sup> at Max Meadows ball field.

Chairman Reeves believes the hours are from 10-4 and they'll have hamburgers, hotdogs, music – an all-around good day. Turnout is generally good, and everyone is encouraged to come out. Chairman Reeves said there should be a lot more livestock this year.

### **CONSENT CALENDAR**

Supervisor Horney made a motion to approve the Consent Calendar for August 28, 2018, as follows:

#### **1. PAYROLL – July 2018:**

General County Fund	\$	502,682.62
Police Activity Fund		78,337.19
Courthouse Security Fund		12,377.03
Water Department Fund		19,157.02
Wythe County Wastewater Fund		22,187.28
<b>TOTAL</b>	<b>\$</b>	<b>634,741.14</b>

**Check Numbers:** 20000281-20000302

**Voucher Numbers:** 4187-4568

#### **2. STATUS REPORTS:**

- A. Animal Control – Arlan Dunford
- B. Building Inspection – Tim Spraker
- C. Engineering/Planning Commission – Bill Vaughan
- D. Finance – Bruce Grant

#### **3. PERSONNEL:**

- A. Porter, William – Hired, Full-time Deputy Clerk, Treasurer's Office, Annual Salary \$22,250, Effective July 18, 2018

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- B. Cook, Mary – Resigned, Sheriff’s Office, Effective August 7, 2018
- C. Williams, Adam – Resigned, Sheriff’s Office, Effective August 16, 2018
- D. Crowder, Santana – Resigned, Consolidated Dispatch, Effective July 22, 2018
- E. Dunagan, Daniel – Retired, Building & Grounds Maintenance, Effective July 31, 2018
- F. Sutphin, Dale – Resigned, Building & Grounds Maintenance, Effective July 31, 2018

The motion was seconded by Supervisor Lester and the roll call vote 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

ABSENT: Joe F. Hale

#### **FLOODPLAIN ADMINISTRATION MOU**

Mr. Spraker reported that we are part of the National Flood Insurance Program, and from time to time updates are made to the rules and regulations. It has been recommended that, since we do floodplain management for the Town of Rural Retreat, that we adopt a letter of agreement with the Town. They will have their own floodplain management program and, in turn, we’ll help them manage their program through FEMA Standards, Rules and Regulations. Mr. Spraker said that this agreement allows us to have a connection as DCR currently views this as a disconnect. This will help fill that gap.

Mr. Spraker also mentioned an update to the program regarding residential accessory buildings. If an accessory building is put in the floodplain, the square footage cannot be any greater than 600 sf, can only be used for storage, must be anchored, and flood zone constructed.

Mr. Bear said a draft has been put together and he’ll have County Attorneys review it and see where we have to amend our flood plain. He also received some conflicting information from Mr. Banks (DCR) recommending our ordinance be updated to include the Town of Rural Retreat, which currently it does not. Mr. Bear recommends amending our ordinance, then we can confirm whether Rural Retreat needs an ordinance or if they’ll be covered under ours.

Chairman Reeves asked if there are any time constraints to have this implemented.

Mr. Spraker indicated that they typically give a six-month period but we should do this as soon as possible.

#### **POPLAR CAMP WWTP FINAL CLOSEOUT**

Mr. Bear received final closeout from Mr. Vaughan on Poplar Camp Waste Water Treatment Plant. The project is essentially complete and we’re just making final payment. He wanted to let the Board know that that request for payment is forthcoming.



Chairman Reeves mentioned that on US52 at Poplar Camp, the old water line is washed out and needs work.

**APEX CONSTRUCTION COMMITTEE**

Mr. Bear would like to have a meeting with the Construction Committee at 11:00 a.m. today.

**RECESS**

The Board recessed until Tuesday, September 4, 2018, at 5:30 p.m.

**RECONVENE**

The Board reconvened on Tuesday, September 4, 2018, at 5:30 p.m. in the Board Room of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia.

**MEMBERS PRESENT:**

Timothy A. Reeves, Sr., Chair (by phone)	Coy L. McRoberts
Joe F. Hale, Vice Chair	Brian W. Vaught
Charlie G. Lester	

**MEMBERS ABSENT:**

B. G. "Gene" Horney, Jr.  
Ryan M. Lawson

**STAFF PRESENT:**

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

Mr. Bear stated that in accordance with our Electronic Meeting Policy, Chairman Reeves contacted the Vice Chair and the County Administrator to notify them that he would be unable to attend the September 4, 2018 Board meeting because of out-of-town travel that will not allow Chairman Reeves to attend the meeting. The Chairman is participating from his location via telephone.

There is a quorum present in our normal meeting room this evening and we have made arrangements for Chairman Reeves to participate remotely through use of a speaker phone which can be heard by all persons in our normal meeting room.

Approval is automatic unless someone wishes to move to disapprove the electronic participation.

**LEASE AGREEMENT**

Mr. Bear explained the Authority is working on a management agreement with SMG, and that there are some factors of the agreement that are incentive fee calculations based on net income.

Mr. Bear said based on the bond counsel's recommendation, and due to our tax exempt status, the incentive fees cannot be based on a net profit figure. It can only be based off a gross revenue figure or gross expense figure. Therefore, the need to amend our lease agreement to revise for the lease payments is not necessary. However, the following are two minor sentences that the bond attorney recommends we insert:

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Number 6, Use of Premises, *“Tenant agrees that any management or service agreement entered into with respect to all or any portion of the premises, shall comply with Section 141(b) of the Internal Revenue Code of 1986, as amended, Treasury Regulations promulgated thereunder and any relevant revenue procedures regarding tax-exempt bonds and private business issues.”* Mr. Bear said this helps should we go with another incentive company, that this language is in there for them to make certain they are following that.

Number 9, Assignment and Sublease, it reads *“This Lease may not be assigned or transferred, and the Premises may not be sublet, either in whole or in part, by Tenant without Landlord’s prior written consent, other than for events that will be held/hosted on the Premises that are scheduled and managed by the Tenant.”* We’ve added to the end of that sentence *“..., or by organization selected by Tenant for management of the facility.”* Mr. Bear said this just clarifies that they will not be doing the licensing or subleasing of the facility; it’s actually the management company.

Mr. Bear said the Authority met today and they recommended adoption of the revised lease agreement. Mr. Bear’s recommended the Board rescind the previous vote on the lease agreement and adopt this lease agreement as presented.

Supervisor Lester made a motion, seconded by Supervisor McRoberts, to adopt the lease agreement as presented.

Supervisor Vaught asked about SMG bonus, and whether the County is getting their money paid back before SMG?

Mr. Bear responded that the incentive has nothing to do with the lease agreement. The agreement between them and SMG provides incentive clauses (page 10 of the management agreement). Mr. Bear explained that the incentive fee is based on total advertising and sponsorship revenues, and another incentive fee is based on total operating revenue; if they get up to \$750,000 of operating revenue, then they’ll get 3% of the gross revenue. The Authority wants to make certain they give incentive to SMG to bring in as much money as possible and bring in as many sponsorships as they can. The more sponsorship revenue and the more events, the more money it gives the Authority to put into lease payments to the County, which in turn are to pay back the loan.

The roll call on the motion was as follows:

AYES:	Joe F. Hale	Brian W. Vaught
	Charlie G. Lester	Timothy A. Reeves, Sr. (via phone)
	Coy L. McRoberts	

NAYS: None

ABSENT:	B. G. “Gene” Horney, Jr.
	Ryan M. Lawson

#### **APEX CHANGE ORDER #7**

Mr. Bear explained that the change order, for the APEX Center in the amount of \$644.00, is to frame in the exhaust pipe in the sidewalk so that future tractor/truck pull events can connect to this and have an exhaust fan system. Mr. Bear added that there needs to be a frame around it so that a steel cover can go over it. This comes out of funds that are already budgeted.

The roll call on the motion from the Committee was as follows:

AYES:            Joe F. Hale                                Brian W. Vaught  
                      Charlie G. Lester                            Timothy A. Reeves, Sr. (via phone)  
                      Coy L. McRoberts

NAYS:            None

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

**APEX CHANGE ORDER #8**

Mr. Bear explained that this change order is for the APEX Center fire sprinkler system. The Committee recommends installation of a remote sensor to identify, when the arena is empty, if we get under a freezing situation in areas where these sprinklers are located. The Committee recommends approval of the change order in the amount of \$6,175.00 for the installation of five temperature sensors and remote monitoring in the ceilings for sprinkler freeze prevention.

The roll call on the motion from the Committee was as follows:

AYES:            Joe F. Hale                                Brian W. Vaught  
                      Charlie G. Lester                            Timothy A. Reeves, Sr. (via phone)  
                      Coy L. McRoberts

NAYS:            None

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

**ADJOURNMENT**

With no other business to come before the Board, Vice Chair Hale adjourned the meeting at approximately 5:50 p.m.

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Joe F. Hale, Vice Chair