

July 14, 2020

The Wythe County Board of Supervisors held its regularly scheduled meeting at 6:00 p.m., Tuesday, July 14, 2020. The location of the meeting was in the Boardroom of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia.

MEMBERS PRESENT:

Brian W. Vaught, Chair
 Rolland R. Cook
 B. G. "Gene" Horney, Jr.

Coy L. McRoberts
 James D. "Jamie" Smith
 Stacy A. Terry

MEMBERS ABSENT:

Ryan M. Lawson, Vice Chair

STAFF PRESENT:

Stephen D. Bear, County Administrator
 Curtis Crawford, Emergency Services Coordinator
 Donald Martin, County Attorney
 Martha Collins, Administrative Assistant/Clerk

OTHERS PRESENT:

Barry Arnold
 Betty Blair
 Susan Branscome
 Payton Brewer
 Derrick Davis
 Mike Forrest
 Betsy Gillman
 Keith Goines

Tom Hager
 Matt Hooper
 Cody Jones
 Linda Meyer
 Bernie Ramirez
 David Ryan
 Zachary Wright

CALL TO ORDER

Chair Vaught determined that a quorum was present and called the meeting to order at 6:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Father Bernie Ramirez, St. Mary's Catholic Church, provided the invocation and Supervisor Cook led the Pledge of Allegiance.

CITIZENS' TIME

Chair Vaught inquired if anyone present wished to address the Board.

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1. 2nd Amendment Resolution – Ms. Linda Meyer appeared before the Board and stated “Good evening, gentlemen. A couple of weeks ago, I sent some information about a resolution that came from the VCDL concerning our gun rights and so on, and I was wondering - I wanted to make sure you had all seen it. You did see it. Okay, we all know what our Governor is always trying to pull. The resolution is very forthright and it will certainly protect all our citizens in this county and visitors, and I’d like to encourage you to take this resolution and make it an official Wythe County Resolution so all our citizens continue to have our rights and not have them restricted and not have visitors’ rights restricted or anything within the county. So, I am encouraging you to put that on your next agenda and if you need copies, I have extra copies.”
2. History Books in our Schools – Ms. Meyer further stated “In addition to that, considering the way our history is being twisted and turned and made upside down, I was wondering since Wythe County residents we fund our schools here if we can encourage the school board perhaps to give us some books, our history books in particular, and have our historical society, the Wythe County Historical Society, which we also do some funding of, look at those and make sure that our history is right, proper and truthful instead of having our kids perhaps being indoctrinated with ideas and untruths the way the histories are being turned. So, I wish you would think about that and approach the school board and ask them to also think about this to make sure our kids are getting a proper education when it comes to our history. Thank you.”
3. Wythe County Solar Project – Ms. Betty Blair appeared before the Board and stated “The Wythe County Solar Project is joining my land and I feel like that I would like you folks really to look into the pros and cons and not make a hasty decision about this project. I’m not sure; I think it just needs to slow down and make sure it is right for us. And so I don’t think I could probably answer any questions but I think Susan back here is going to be talking and she seems to – I have, if you look at the internet, you’ll find the bad and the solar project here you got some good so I guess there’s bad and good but I just wanted really to slow down and make sure that it is right for us. Thank you.”
4. Wythe County Solar Project – Mr. Cody Jones appeared before the Board and stated “I know my mother has a lot more to say on this issue than I do but growing up in the area and stuff I definitely worry about the project with our farms and our cattle and stuff definitely getting into the natural watersheds around there because if any of that water gets polluted either during construction or through the solar and its continued use, our entire farm is dead.

Our cattle rely on a lot of that natural water and stuff and we run on spring wells and all that, if that water gets polluted, we're pretty much done because the cost of going on the county water and stuff would be hugely great to what we already run through the normal water system that we have there with the ponds and natural streams and wells and things. And I have to live with that for the next 60-80 years hopefully. I'm holding out hope with that so having that issue for another 60-80 years would definitely greatly impact going forward because I would be the next inheritor to that land after my mother and my grandfather and stuff so I'd definitely like to keep the land safe from any inherent risk to that watershed and stuff because that farm, like I said, would pretty much go dead after that and the County would lose that tax revenue and the money and stuff that comes from that farm."

5. Wythe County Solar Project – Ms. Susan Branscome appeared before the Board and stated "Thank you for giving us this time and I also want to say, Mr. Vaught, I appreciate the letter that you sent on behalf of Cliff Dicker and family for the parole on Mr. Wheeler and keeping him there. Any of us who were there that day, we still have a place in our heart and it's not a day that we don't go by that thinks about him so thank you very much for sending that letter for this entire county. On the solar project, I have done a lot of research because my land is one of the lands that is attached to the solar project. And, actually, solar is not really as green as what they say it is. It only has an efficiency rate of 22.2%. It's not a continuous energy source; it's an intermittent energy source. In order to mine, manufacture and transport the quartz to the silicone, it is 300 times more toxic waste per unit of electricity generated than a nuclear power plant. It's 17,200 times more potent on our carbon footprint than the greenhouse gases are. And when I went to this public meeting the other day, they said *'You know, as long as they stay intact, everything's fine'*. But they are made with sulfuric acid, phosphine gases, chromium, cadmium, lead. And if any of that leaks into our systems, we have three natural watersheds there. They also go to the New River. What does the County use as one of its water sources? It uses the New River. How much is that going to cost the County to have to purify that water if any of this stuff happens to go to it? Wythe County alone has more than \$140MM in tourism. People come to Wythe County because of our beauty, our mountains, our parks, our trails. They're proposing to take 858 acres to service 14,000 homes; 14,000 homes that are not in Wythe County. It's going to a power grid. The power grid there goes to other areas besides us. When I asked them what benefit it was to Wythe County, they said *'We're going to give them \$100,000 in taxes each year.'* When I asked them about subsidies they said *'It's 80%'*. They get a federal tax cut

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of 80%. There's 255,000 pounds of cattle that go off that farm. Even at a dollar a pound, that's \$255,000 in revenue that comes to Wythe County. There's 400,000 bushels of corn that comes off of that. When you put these solar panels up, you kill the natural vegetation, you kill the animals that we have; there's degradation of the soil and topsoil because it kills it out because the solar panels are 5° cooler underneath them. So, it is going to kill out natural vegetation to them with it. When you lose the topsoil, you lose the ability for growth. Now, solar panels have a 20-30 year shelf life. They can't go to a landfill. They have to go to a special place because of the hazardous materials for them. When I asked the gentleman about who was going to take care of this in 20-30 years, he said *'Oh, when we're done with the project, we'll probably sell it to one of our European investors.'* Now I don't know about you but I'm not too crazy about European investors having our power sources or having land or anything like that because what happens if something goes wrong? Who do you go to? Who's going to fix it? Even with a power purchase to a power company, who's going to fix it for us? For me, the EMF and the radiation that's going to come from this, it increases your liver and brain cancer. It's going to take an entire community away from you all because you know once they start to come in, they continue to encroach on land. You lose an entire community, you lose an entire farming community, you lose multi-generational family farms who are there because of a solar power farm who's only going to serve 14,000 people when it could do so much more and it could show so much more value to Wythe County than what you all are utilizing now. Solar farm, when I have looked on the internet, it decreases the value of your land by 3% at least, and up to 5%. It also causes commercial property taxes, it causes erosion, flooding, grading, degradation, all of that stuff. You know when we ask them about how close it was going to be, because we have cattle on either side of this, it's going to be within 50 feet. What happens if the cattle get through? There's no buffers; there's no anything like that. When we ask them about the New River Park they said *'Oh, well we're going to put it behind the tree line because the park is considered a natural historic.* You're still going to have issues because of the heat that's going to be coming from it because of the grading that they're going to have to do for all of this. So, there's going to be a lot of different things that I hope you all will take into consideration that's going to happen to Wythe County, to the families who have been there for years, to your environment, and I hope that you all will consider that this project is not right for Wythe County and that we need to do other things because agriculture alone brought in over \$65MM in sales for them. You know it has an income of over \$2MM to some of the farm families here. Mr. Horney, I know that you've been a farm for many years so you can understand how the loss is going to affect

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us with this solar farm coming in because there's 21,000 people who die daily from starvation. If we continue this land-grab and we continue to take our land and we continue to take the farms away, the land of plenty is going to go hungry because right now you have 1 in 6 children who are hungry every day. So, I hope that you all will take that into consideration as you're planning. Thank you very much."

6. Wythe County Solar Project – Mr. David Ryan appeared before the Board and stated "Thank you, Mr. Chairman. I'm here to speak on a different solar project. The solar project I'm here to speak on is on Lovers Lane. I believe theirs is on the New River, correct? Basically, I've spoke with about $\frac{3}{4}$ of the landowners in that area that abut to this piece of property. We were not aware of a meeting that was going to happen back in April and, of course, the COVID stopped the meeting, and they had some kind of teleconference meeting and nobody knew about it. So, we weren't able to speak on this issue. I believe Ms. Branscome covered most of what I would like to speak about too. Our is coming all the way out to Lovers Lane and we are concerned. There are houses within 75 feet of these solar panels and we have a great concern. And we would like for the Board to reach out it's CadenEnergix is who's doing this project so that we can have a meeting scheduled and voice our concerns. We're not opposed to it, per se. We're opposed to it coming out as far as it is. We want a buffer where we don't have to look at this from Lovers Lane. We're worried about property values, we're worried about a little bit of everything, just like the lady said. She put it pretty much in stone all of our concerns and we would just like to have the opportunity to meet with this company and speak with them about our concerns and see where we go from there."

The Chairman asked where exactly on Lover's Lane is the subject property.

Mr. Ryan replied "It's a piece of property that a man named Eric Crowgey purchased just about two and a half to three years ago and it is partially in the County and partially in the Town, and if you happen to know where the cell phone tower is on Lover's Lane, it's dead in front of there, and it's basically going to cover roughly I think 135 acres of the 157. It's basically covering the whole farm other than where they found sink holes at, and we're concerned about the road leading to this where the construction entrance is, is 17' wide. We're concerned about all the construction traffic on it, there's just a lot of concerns we have and we want to be heard and we want to voice our opinion on this. It has gone through the process of being permitted. I spoke with Rhonda today with

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the County and they don't have a building permit issued on it but it is gone through the EPA permitting, I think the Department of Wildlife, basically, all the permits are in place and it's supposed to start construction in August of this year and last nine months. So, I don't know, Mr. Bear might be able to lead some into this. Do they require a permit when there's engineers involved? Do you have to have a building permit for this project?"

Mr. Bear responded that they inquired about zoning permits but since Wythe County does not have any zoning, Mr. Bear is uncertain what steps were taken with the Town of Wytheville regarding zoning.

Mr. Ryan added that "It's been cleared because it's an A-1 Agriculture."

Mr. Bear stated that the County's Building Official is looking into what type of permits would be required. He added that Mr. Hooper, who's in attendance tonight, will speak about what Savion Energy is going through with DEQ, permitting, etc.

Mr. Ryan responded "Well, all of the permits through DEQ are in place. It's online where it's easy to research what's going on and we just want our voices heard. We want to have a say in this. We feel like that it was kind of done under a veil of secrecy and here it is; it's happened that quick. They're down there core drilling and that's kind of what woke us up to something's going on down here. I had reached out to Supervisor Smith about a month ago, and spoke with him on this matter and, of course, I knew there wasn't any zoning in the County but I just feel like that when you have a project like this that's going to affect people immediately in that area, we should have a right to at least voice our opinion. So, that's pretty much about all I have to say about it at this point. I don't know where we go from here. If we could get a meeting set up."

Mr. Bear has contact information for CadenEnergix as well as the landowner. When CadenEnergix advertised the public meeting, which was postponed and then rescheduled, their advertisement indicated the plan was available to review at various places, one of which was here, and they did provide a copy.

Mr. Ryan added that "None of the neighbors were aware of this. None of the adjoining landowners and I don't know how you go about contacting them if it's just through the paper, through radio. There has to be a better way, in my opinion. I mean, he could at least put a sign up notifying people. I mean,

anything to let you know what's going on so we can at least come out and have our voice heard."

Ms. Branscome also added "I can tell you the public meeting for ours was held in Matney Flats with little to no notification, and Matney Flats is about 45 minutes away from where the actual site is. You can look up Beagle Ridge. It's pretty far out and there was very little public notification. The way I found out about it was from an email that was sent to one of the landowners who had a vested interest in it was the only way we knew about it. So, I feel like he does – know it was kept very quietly because they didn't want to have any issues with it. I can tell you it has aggravated us to death; they have cut locks off, they've been on properties that they had no business to be on, they left gates open and let cattle out. It could be class 1 misdemeanors because it's been a constant thing, well, for a little while and then it went away and then here it is again."

The Chair said they would look into it and at least provide contact information.

Mr. Bear clarified that these are other agencies advertising per their public hearing requirements. This is not a Wythe County requirement.

Mr. Ryan asked if the advertising is required by law? Mr. Bear does not know the law but he believes that part of their permitting process may require them to advertise and hold a public hearing.

7. APEX Audit – Mr. Mike Forrest appeared before the Board and stated "Later tonight, you have an agenda matter to review the financial audit for the APEX Center for its first two years of operation that ended in June 30, 2019. On page 10 of the audit, the auditor stated that 80% of the revenue for the APEX Center for these two years was provided by Wythe County. That's almost \$342,000. Also, in the board packet, there are the financials for the APEX through April of this year; 10 months' worth of financials. According to that statement, \$521,000 revenue but out of that \$301,000 (or 58%) was provided by the County. These numbers do not include the debt service which, correct me if I am wrong, is about \$350k a year. So, if you add that for a couple of years, well over \$1MM has been contributed by the County. Also, on page 10, number 6 says that APEX is to start paying the debt payments \$41,250 every quarter and then that would double in 2014. There is no way this APEX is going to have those funds. I don't believe, if they've been losing money for the three years it's been in operation, I don't think it will ever break even. This money is coming from the taxpayers of

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Wythe County. We can't go on throwing it away. This project is a pipe dream from previous boards. This Board has opportunity to hopefully correct some of this. Make a contingency plan. If this thing doesn't work by the end of four years, you need a plan in place so that it doesn't go into a fifth year while you decide to do something with it. Maybe you give it to the IDA to sell or promote for another use but this should not be on the citizens of the County – this loss. This is a lot of money. Just as an example, this is more money than is in the budget for the seven fire departments in the County; about \$500k from the County; fire departments, for all 7 combined. APEX is sucking in a whole lot more money than that. I hope you will consider it when you get to the line item. I hope you look at the financials that were in the packet and see what it looks like for the current year, just 10 months in. Thank you."

With no one else signed up to address the Board, Chair Vaught closed Citizens' Time.

ECONOMIC DEVELOPMENT COMMITTEE

1. Wythe County Solar Project LLC – Supervisor Terry made a motion, as recommended by the Economic Development Committee, to seek a review by the Planning Commission of the Wythe County Solar Project LLC proposed by Savion Energy to see if it is in substantial accord with the comprehensive plan.

Mr. Bear explained that Wythe County Solar Project LLC has requested a waiver of the review that the project is in substantial accord with the comprehensive plan. The Economic Development Committee recommends the Planning Commission conduct a review, and provide their recommendation, and does not wish to grant the waiver. Mr. Bear added that the comprehensive plan does not directly address solar facilities.

Chair Vaught announced that the Planning Commission meetings are open to the public and those meetings are posted on the County website. Each district has a member appointed by the Board of Supervisors and their contact information is on the County website as well. The next Planning Commission meeting is on Monday, August 3rd.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Rolland R. Cook	B. G. "Gene" Horney, Jr.

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James D. "Jamie" Smith

Stacy A. Terry

NAYS: None

ABSENT: Ryan M. Lawson

PAYMENT OF COUNTY INVOICES

Supervisor McRoberts made a motion to pay the invoices for approval on July 14, 2020, for the various departments of County government. The invoices were paid on General Warrants 30107080-30107151 as follows:

**EXPENDITURES BY DEPARTMENT
BOARD OF SUPERVISORS
July 14, 2020**

CHECK #	ISSUE DATE	VENDOR	AMOUNT
30107080	07/09/2020	SUNTRUST	\$ 36,881.92
TOTAL EXPENDITURES 07/09/2020			\$ 36,881.92

CHECK #	ISSUE DATE	VENDOR	AMOUNT
30107081	07/14/2020	BUSINESS INFORMATION SYST	\$ 2,116.66
30107082	07/14/2020	CATRON, G W	189.08
30107083	07/14/2020	CITIZENS TELEPHONE COOP	729.95
30107084	07/14/2020	DALTON, BRADLEY G	14.96
30107085	07/14/2020	FN WHOLESALE LIGHTING & S	872.31
30107086	07/14/2020	FRANCOTYP-POSTALIA, INC	135.00
30107087	07/14/2020	GRANT, BRUCE M	4,343.59
30107088	07/14/2020	LESTER, LINDA F	33.06
30107089	07/14/2020	LEXISNEXIS	1,448.00
30107090	07/14/2020	BOBBY EPPERSON	16.36
30107091	07/14/2020	CARL HUTTON	28.00
30107092	07/14/2020	CHARLENE MILLER	4.20
30107093	07/14/2020	CHRISTOPHER C. KING	13.92
30107094	07/14/2020	DAVE CHILDRESS	29.40
30107095	07/14/2020	DAVID P. MIDKIFF	69.60
30107096	07/14/2020	DOUGLAS E. WILSON	33.06
30107097	07/14/2020	ERIC W. CROWGEY	4.64
30107098	07/14/2020	FRANK SARGENT	18.00
30107099	07/14/2020	HEIDI D. LYALL	69.60

30107100	07/14/2020	JESSICA LUSTER	8.00
30107101	07/14/2020	JOYCE REAVIS	38.70
30107102	07/14/2020	LARRY JOHNSON	18.00
30107103	07/14/2020	LEE SMITH	18.00
30107104	07/14/2020	ROBERT H. WALK	55.68
30107105	07/14/2020	RURAL RETREAT BAPTIST CHU	60.00
30107106	07/14/2020	SARINA SIMMONS	18.00
30107107	07/14/2020	SHAYLA SMYTHERS	46.00
30107108	07/14/2020	STANLEY HURST	18.00
30107109	07/14/2020	PRINTELECT	1,700.00
30107110	07/14/2020	R&R ENTERPRISES INC	455.00
30107111	07/14/2020	R.E. MICHEL COMPANY, LLC	54.36
30107112	07/14/2020	RURAL DEVELOPMENT	2,282.00
30107113	07/14/2020	RURAL DEVELOPMENT	2,514.00
30107114	07/14/2020	RURAL DEVELOPMENT	11,572.00
30107115	07/14/2020	TOWN OF WYTHEVILLE	700,719.00
30107116	07/14/2020	TREASURER OF WYTHE COUNTY	115.85
30107117	07/14/2020	TRI CITIES/SW VA REGIONAL	128.10
30107118	07/14/2020	VACO	5,981.00
30107119	07/14/2020	VIRGINIA COURT CLERKS' AS	25.00
30107120	07/14/2020	AKERS, KAREN L.	49.38
30107121	07/14/2020	ALPHA & OMEGA REPAR SERVI	2,583.74
30107122	07/14/2020	APPALACHIAN POWER	1,601.11
30107123	07/14/2020	BUSINESS CARD	1,630.25
30107124	07/14/2020	CENTURYLINK	52.76
30107125	07/14/2020	CENTURYLINK	119.59
30107126	07/14/2020	CENTURYLINK	120.17
30107127	07/14/2020	CENTURYLINK	297.66
30107128	07/14/2020	CENTURYLINK	3,398.05
30107129	07/14/2020	FERGUSON ENTERPRISES #5	695.86
30107130	07/14/2020	HOME DEPOT PRO	57.69
30107131	07/14/2020	J. KEITH GOINES	101.47
30107132	07/14/2020	JOINT PUBLIC SERVICE AUTH	52,395.28
30107133	07/14/2020	MANSFIELD OIL CO	9,623.51
30107134	07/14/2020	MEADE TRACTOR	47.76
30107135	07/14/2020	QUADIENT FINANCE USA, INC	1,465.25
30107136	07/14/2020	JASON GIBSON	166.40
30107137	07/14/2020	POWER HOME SOLAR, LLC	50.00
30107138	07/14/2020	PAPER CLIP	132.08

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30107139	07/14/2020	JOHN DEERE FINANCIAL	1,211.61
30107140	07/14/2020	STATE ELECTRIC SUPPLY CO	69.89
30107141	07/14/2020	TOWN OF WYTHEVILLE	6,273.47
30107142	07/14/2020	TRANSUNION RISK & ALTERNA	50.00
30107143	07/14/2020	UNIFIRST CORP	82.75
30107144	07/14/2020	US CELLULAR	1,014.35
30107145	07/14/2020	USA BLUE BOOK	1,563.00
30107146	07/14/2020	V&M RECYCLING	57,790.04
30107147	07/14/2020	VERIZON WIRELESS	120.03
30107148	07/14/2020	VIRGINIA BUSINESS SYST	644.39
30107149	07/14/2020	VIRGINIA ELECTRIC SUPPLY	599.49
30107150	07/14/2020	WYTHE CO WATER & WASTEWAT	296.58
30107151	07/14/2020	WYTHEVILLE OFFICE SUPPLY	41.78
TOTAL EXPENDITURES 07/14/2020			\$880,341.47

TOTAL EXPENDITURES APPROVED 07/14/2020 **\$917,223.39**

Supervisor Smith seconded the motion and the roll call vote was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Rolland R. Cook	B. G. "Gene" Horney, Jr.
	James D. "Jamie" Smith	Stacy A. Terry

NAYS: None

ABSENT: Ryan M. Lawson

MINUTES OF PREVIOUS MEETINGS

The Board was presented with the June 30, 2020, minutes for approval.

Supervisor Smith made a motion, seconded by Supervisor Horney, to approve the June 30, 2020, minutes as presented.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Rolland R. Cook	B. G. "Gene" Horney, Jr.
	James D. "Jamie" Smith	Stacy A. Terry

NAYS: None

ABSENT: Ryan M. Lawson

APPOINTMENTS

1. New River/Mount Rogers Workforce Development Board – Supervisor Smith made a motion, seconded by Supervisor Terry, to appoint Jeff Dunnack to the Workforce Development Board.

The roll call vote was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Rolland R. Cook	B. G. "Gene" Horney, Jr.
	James D. "Jamie" Smith	Stacy A. Terry

NAYS: None

ABSENT: Ryan M. Lawson

2. Mount Rogers Planning District Commission – Supervisor Terry made a motion, seconded by Supervisor McRoberts, to appoint Billy Anderson to the Mount Rogers Planning District Commission.

The roll call vote was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Rolland R. Cook	B. G. "Gene" Horney, Jr.
	James D. "Jamie" Smith	Stacy A. Terry

NAYS: None

ABSENT: Ryan M. Lawson

Mr. Bear announced that Mountain Community Action Program meets quarterly on the third Tuesday at either 6-6:30 p.m. They still have a vacancy and would prefer someone with a financial background.

FIRE DEPARTMENT POOL FILLING REQUEST

Mr. Bear shared a draft policy and procedure for pool filling by fire departments. The fire departments of Rural Retreat, Wytheville and Max Meadows indicated they are not filling pools. The other three are apparently interested. Mr. Bear said that if we move

forward, it is essential to have a centralized policy in place to avoid any potential liabilities. He summarized the proposed fee schedule, policy and guidelines, and touched upon potential implications. The fire departments' goal is to use this as a way to raise money since their normal fundraising has been hampered by COVID.

Supervisor Smith expressed concerns with various liabilities associated with pool filling by the fire departments (i.e. damage to property, inability to respond to fire calls).

Supervisor Cook asked if the liability form would stand up in court.

Mr. Martin, County Attorney, responded that there's no guarantee.

Chair Vaught said if we grant the fire departments permission to do this, perhaps it's with the caveat that they only do it within their own district. He understands the financial strains caused by the pandemic, but he'd hate to see something tragic happen (i.e. loss of life over a recreational desire).

Supervisor McRoberts also understands the fire departments have lost a lot of their donations; money is tight and he doesn't see it getting any better. He said the fire departments raised good money when they got water out of the creek (free) and then received \$200-250 donation for delivering that water to someone. But this proposal would change all of that.

Supervisor Terry shares the liability concerns. He too understands the financial struggles but there seems to be too much risk associated with this.

Supervisor Horney sees both the pros and the cons with pool filling by the fire departments. He said that sometimes they take trucks out of the county for training and there's liability with that. He can go either way with this.

If no action is taken, then Mr. Bear will instruct the fire departments not to proceed with pool filling.

APEX AUTHORITY

Mr. Tom Hager, Interim General Manager, appeared before the Board to provide an update on the APEX Center.

The only staff employed at this time are Mr. Hager and Ms. Lewis and they are currently advertising for the GM position. Mr. Hager distributed a list of events that have been

booked for the fall. Although they continue to meet with promoters and book events, most promoters are wanting to push their events to next year due to COVID. Given we are still in Phase 3 of COVID restrictions, the events are smaller with reduced/limited seating. Mr. Hager said they are working on a Bingo event with the Ruritans (Max Meadows and Pulaski) and may possibly pull in the Moose Lodge. The Rodeo Association is considering an event in October, but may push it back to late January. Mr. Hager also met with a woman from Raleigh, NC regarding a 3-day 'Everything Equine' event. She would like to have two events in April and one in October 2021, as well as a smaller event this fall geared more toward the kids. There is a cattle show the weekend after next (300-500 cattle) and they hope to be able to use the barn then. Mr. Hager said the new barn should yield a good return for APEX events.

Mr. Hager announced there will be a BBQ show on October 31st and they are trying to get a band in that Saturday evening to partner with the BBQ event. They are also working to get a cattle sale in the barn that same day where each event that weekend would feed off the other. Mr. Hager said they provided pricing to a gun show promoter who is interested in a 2-day event (Oct-Mar) which could prove to be a very large event for the APEX.

Mr. Hager reported that they are in the process of redesigning their website and Facebook; both will allow for online donations and sponsorships.

The Authority's goal is to bring in as much revenue as possible while minimizing costs. But a number of promoters are finding venues that are much cheaper than the APEX. Mr. Hager said that many of those other facilities are funded by major contributors including colleges and universities.

Supervisor Cook asked if they are pricing themselves out of business.

Mr. Hager replied no, not at all. The pricing is based on revenue the APEX needs to meet their financial obligations and operate in the green. Therefore, they will remain 100% business-minded. What the APEX has going for them, he said, is their prime location which draws people from all over.

Supervisor Smith asked about pricing.

Mr. Hager said the pricing depends on the event (agricultural vs other) and that the pricing is customized. Some promoters just want to pay one flat fee, so all the other

costs would need to be factored in. Some events may require use of APEX equipment (panels, skid steer, tractor) so those costs would also have to be factored into a flat rate.

Supervisor Smith asked to see a price list.

Mr. Hager will email that to the Supervisors but he said the rate for a regular one-day event is \$2,500 (\$2,000/day if the event is more than one day). On top of that fee, they would be charged for EMS, security, cleaning and administrative fee. Mr. Hager will also email the details of the line-item, pass-through costs.

Chair Vaught said at the last Authority meeting he attended (pre-COVID) it seemed the new members have a good plan. However, he is bothered that some promoters are making \$30-40k from their events on the backs of Wythe County taxpayers.

Mr. Hager responded that most of the agricultural events are not making much. The events making the most money are the Monster Trucks, Circus, and Victory Sports to some extent, which is why Mr. Hager is trying to renegotiate those contracts. COVID or not, he said they are not going to be giving away the APEX, and promoters will need to relinquish more of their ticket sales.

Regarding the audit, Mr. Bear recommended the Board accept the audit, as they typically do with other Authorities. Mr. Corbin Stone, who spoke at the last Authority meeting, said he is pleased with the audit results especially from such a young organization. Financially, there are steps to take to continue to improve the operations, but no major concerns.

Chair Vaught indicated he was pleased to see positive results from their first audit.

Mr. Bear added that it's been beneficial having an accounting firm assist the APEX with their financials.

Supervisor Cook made a motion, seconded by Supervisor Horney, to accept the audit prepared by Robinson, Farmer, Cox Associates for the two years ended June 30, 2019.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Rolland R. Cook	B. G. "Gene" Horney, Jr.
	James D. "Jamie" Smith	Stacy A. Terry

NAYS: None

ABSENT: Ryan M. Lawson

COVID-19 UPDATE

Mr. Curtis Crawford appeared before the Board to provide a COVID-19 update. Although Virginia has progressed to Phase 3, the Governor is recommending (especially on the eastern shore) that everyone continues to practice safe distancing, wear masks, and be diligent with hand-washing. Mr. Crawford reported that Wythe County is currently at 60 cases (19 active). The Sheriff's Office has been sanitized and staff that were exposed have been tested. In our area, he said, testing continues by the Health Department, Dr. Dove's office, Wythe County Community Hospital, and the New River Valley and Marion hospitals. Wythe County is slowly growing in numbers, Smyth has increased a little, while both Grayson and Carroll's numbers are significantly higher.

Regarding PPE, Mr. Crawford said the CARES Act funding is being used to purchase an ample supply of PPE to carry Wythe County through a second wave and/or into next year. Although much of the PPE is on back-order, he said they do have a good supply today (masks, sanitizers, gloves) for those who need it.

Chair Vaught spoke with Dr. Poole today who said the School Board purchased a mister that should ship in the next 3-4 days. He understands that Social Services received their protective sneeze guards today. Lastly, the Chairman thanked Mr. Crawford very much for the continuous updates.

2019 DELINQUENT PERSONAL PROPERTY & REAL ESTATE TAX LISTINGS

Mr. Bear requested the Board approve publishing this information on August 1st. It was noted that one or some names appeared in error having to do with a tax district where not all taxes had been applied (i.e. applied to the property and not the improvements).

Supervisor Terry made a motion, seconded by Supervisor Smith, to publish the delinquent real estate taxes in the newspaper on August 1st, and to publish both real estate and personal property delinquents on the County website.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Rolland R. Cook	B. G. "Gene" Horney, Jr.
	James D. "Jamie" Smith	Stacy A. Terry

NAYS: None

ABSENT: Ryan M. Lawson

MOUNT ROGERS HAZARDOUS MITIGATION PLAN AMENDMENT

Mr. Bear explained that in recent meetings there were concerns raised about significant flooding. This amendment, that Mr. Crawford prepared, should help us in obtaining grant or program funding for problem areas (Max Meadows and Speedwell).

Supervisor Smith asked if progress has been made to remove the root ball up against Max Meadows bridge.

Mr. Crawford replied that the County Engineer is contacting VDOT to see if this is something they can address or if an outside crew will need to come in. Mr. Crawford is not sure a determination has been reached as yet.

Supervisor Terry made a motion, seconded by Supervisor Horney, to approve the amendment to the Mount Rogers Hazardous Mitigation Plan as presented.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Rolland R. Cook	B. G. "Gene" Horney, Jr.
	James D. "Jamie" Smith	Stacy A. Terry

NAYS: None

ABSENT: Ryan M. Lawson

JUNE 23, 2020 ABSTRACT OF VOTES

Supervisor Horney made a motion, seconded by Supervisor Terry, to accept the June 23, 2020 Abstract of Votes as presented.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Rolland R. Cook	B. G. "Gene" Horney, Jr.
	James D. "Jamie" Smith	Stacy A. Terry

NAYS: None

ABSENT: Ryan M. Lawson

APPROPRIATION REQUEST

Mr. Bear explained that appropriations are done quarterly, and based on the agreement we have with the Town of Wytheville, payment in full is required.

Supervisor McRoberts made a motion, seconded by Supervisor Horney, to appropriate \$146,681 to 32026 Wytheville Fire Rescue for the full allotment.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Rolland R. Cook	B. G. "Gene" Horney, Jr.
	James D. "Jamie" Smith	Stacy A. Terry

NAYS: None

ABSENT: Ryan M. Lawson

BUDGET COMMITTEE

1. GWHS Construction Project Overage – Supervisor Smith made a motion, as recommended by the Budget Committee, to transfer of \$378,108 from the High School Construction Fund 700-260617 to the General Fund for the overage on the George Wythe High School construction project.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Rolland R. Cook	B. G. "Gene" Horney, Jr.
	James D. "Jamie" Smith	Stacy A. Terry

NAYS: None

ABSENT: Ryan M. Lawson

SUPERVISORS' REPORTS

1. Orion Drive – Supervisor Smith received a call from a concerned resident on Orion Drive.

Mr. Bear responded that funding has been applied for and we should hear something very soon.

2. Richardson Property – Supervisor Smith said the site distance is an issue again with overgrown brush. The ditch line seems to be okay but residents want the property maintained as a whole.

Mr. Bear said, unfortunately, we don't have anything that governs vacant properties.

3. Route 94 Flooding – Mr. Bear said that Route 94 experienced flooding a few weeks ago (per Supervisor McRoberts) and that some repair work was done. Mr. Bear understands that a contractor may be coming in this week.

Mr. Bear is also addressing a litter complaint that Supervisor McRoberts received.

4. Barrett Mill Road Water – Supervisor Horney received a call from resident regarding water on Barrett Mill Road. He will bring the issue to the Water Committee at their next meeting.
5. Second Amendment Resolution – Supervisor Terry said he would like the Board to consider moving forward with the 2nd Amendment Resolution that Ms. Meyer discussed.

Mr. Bear will draft a resolution for the Board's review and consideration.

6. Mount Airy Road – Chair Vaught said VDOT finally finished the work on that!
7. Smyth County Interconnect – Chair Vaught asked for an update on the study.

Mr. Bear said that Mr. Crisp had followed-up on that a month or two ago but he's not sure the result. Mr. Bear sent a letter today to new County Administrator, congratulating him on his new position, and he hopes to meet with him in the near future. However, Mr. Bear wants everyone to know that the agreement is between Smyth County and the Engineer, so there is only so much we can do to push this along.

8. Chairman Pro Tem – Chair Vaught announced he won't be able to attend the next Board of Supervisors' meeting, and with Vice Chair Lawson out indefinitely, a

Chairman Pro Tem should probably be appointed. After a brief discussion, the Chair appointed Supervisor Terry as Pro Tem in Vice Chair Lawson's absence. He also asked that everyone keep Vice Chair Lawson and her family in their prayers.

9. Lead Mines Building – Supervisor McRoberts asked what the timeline is on this building.

Mr. Bear replied that he has met with staff and they are working on getting it resolved but he does not have a solid timeframe.

10. Barren Springs Community Center Building – Supervisor McRoberts asked the status of the community building.

Mr. Bear responded that he met with the Building & Grounds Department and that the County Engineer has reviewed the plans and the three design proposals received from engineering firms. This will be on the next week's B&G Committee agenda for their review and recommendation. Unfortunately, all three firms who submitted design proposals, projected costs well above what we anticipated. Mr. Bear stated they are still trying to determine the best location - up on the hill or down at road level.

Supervisor McRoberts would like very much to get this project done already, and he would appreciate anything that can be done to help move this along.

11. Assistant County Administrator Position – Chair Vaught said even though we have a Personnel Committee, he believes filling this position should involve the Board of Supervisors.

Mr. Bear welcomes the Board's input. Historically, he said, the Personnel Committee reviews the applications, narrows it down to a few candidates, then the full board interviews those candidates. Mr. Bear recommends that process.

CLOSED MEETING

Supervisor McRoberts made a motion, seconded by Supervisor Terry, to enter into Closed Meeting under Section 2.2-3711(A)(7) Consultation with Legal Counsel (discussion of potential litigation regarding performance agreements) of the Code of Virginia.

The roll call vote on the motion was as follows:

AYES: Brian W. Vaught Coy L. McRoberts
Rolland R. Cook B. G. "Gene" Horney, Jr.
James D. "Jamie" Smith Stacy A. Terry

NAYS: None

ABSENT: Ryan M. Lawson

Supervisor Cook made a motion, seconded by Supervisor Smith, to return to open meeting.

The roll call vote on the motion was as follows:

AYES: Brian W. Vaught Coy L. McRoberts
Rolland R. Cook B. G. "Gene" Horney, Jr.
James D. "Jamie" Smith Stacy A. Terry

NAYS: None

ABSENT: Ryan M. Lawson

Upon returning to open meeting, Supervisor McRoberts made a motion, seconded by Supervisor Horney, 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
	Rolland R. Cook	B. G. "Gene" Horney, Jr.
	James D. "Jamie" Smith	Stacy A. Terry

NAYS: None

ABSENT: Ryan M. Lawson

SOLAR CLARIFICATION

Chair Vaught asked if the Board needs to take action on the waiver request.

Mr. Bear explained that the Board's action to recommend review by the Planning Commission was done in lieu of granting a waiver. No further action is necessary.

EXTRA DAY OFF FOR 4TH OF JULY WEEKEND

Mr. Bear, on behalf of all the County employees, thanked the Board for the extra day off. Staff continue to work through the pandemic and deserve a little extra credit. Mr. Bear wanted the Board to know the extra day off was very much appreciated.

Chair Vaught received one complaint from a citizen, to which the Chair replied that the extra day off was well-earned.

ADJOURNMENT

With no other business to come before the Board, Chair Vaught adjourned the meeting at approximately 8:02 p.m.

Brian W. Vaught, Chair