

The Wythe County Board of Supervisors held its regularly scheduled meeting at 6:00 p.m., Tuesday, May 11, 2021. 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
Ryan M. Lawson, Vice Chair
Rolland R. Cook
B. G. "Gene" Horney, Jr.

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

STAFF PRESENT:

Stephen D. Bear, County Administrator
Martha Collins, Administrative Assistant/Clerk
Matthew C. Hankins, Assistant County Administrator
Don Martin, Assistant County Attorney
Elizabeth Sweeney, Public Information Officer
Regina Williams, Director of Finance

OTHERS PRESENT:

Barry Ayers
Denise Davis
Jim & Dee Ennis
Jeremy Farley
Landon & Jennifer Ferguson
Gus Kincer
Adrian Lowry
Mark & Mason Mabry
David Manley

Linda Meyer
Cade Minton
Dickie Morgan
Allen Parris
Madelyn Snow
James Tolliver
Josh & Julia Tomiak
Zach Wright and one other

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

Pastor Jeremy Farley, Restoration Church, provided the invocation and Supervisor Cook led the Pledge of Allegiance.

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PRESENTATION OF SPORTS RESOLUTION

Supervisor Cook read and presented the following resolution to the George Wythe High School Scholastic Bowl Team:

**WYTHE COUNTY RESOLUTION 2021-15
A RESOLUTION HONORING
THE GEORGE WYTHE HIGH SCHOOL
SCHOLASTIC BOWL TEAM STATE CHAMPIONSHIP**

WHEREAS, George Wythe High School Scholastic Bowl Team completed an outstanding 2020-21 season; and,

WHEREAS, George Wythe High School Scholastic Bowl Team went undefeated in the Mountain Empire District and VHSL Region 1C Tournament; and,

WHEREAS, at the Virginia High School League Class 1 Tournament held on March 20, 2021, the George Wythe High School Scholastic Bowl Team emerged victorious, capturing the state championship title for the second consecutive year; and,

WHEREAS, team captain Joshua Tomiak was one of the top five leading scorers in the entire Commonwealth, earning him a position on the All-State Team.

NOW, THEREFORE, BE IT RESOLVED, that the Wythe County Board of Supervisors officially commends the George Wythe High School Scholastic Bowl Team comprised of Joshua Tomiak, Mason Mabry, Kade Minton, Colton Alley, Landon Ferguson, Madelyn Snow and coach Jennifer Ferguson for their exemplary season and dedication to excellence for which we all should strive, 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 11th day of May 2021.

Supervisor Cook made a motion, seconded by Supervisor Smith, to adopt Resolution 2021-15 Honoring the George Wythe High School Scholastic Bowl Team on their State Championship.

The vote on the motion was unanimous.

INTRODUCTION OF PUBLIC INFORMATION OFFICER

Assistant County Administrator Matt Hankins introduced Ms. Elizabeth Sweeney as Wythe County's new Public Information Officer and Grant Writer. Ms. Sweeney is a 2020 graduate of Virginia Tech and a 2017 graduate of Fort Chiswell High School. Wythe County is very pleased to welcome Ms. Sweeney.

Ms. Sweeney thanked the Board for this great opportunity and she is eager to get started. Her door is open and she is here to help everyone any way she can.

CITIZENS' TIME

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

1. Wythe County Public Schools' Budget – Ms. Denise Davis appeared before the Board and stated "Good evening, board members. This is just some information I gave the last time. It's just the maps on the localities in Virginia that fund more above the required local effort than Wythe County and those that don't also. In 2018, Wythe County Public Schools received 78% more than was required by the State for school operations from the Board of Supervisors, and Wythe County's rank for education among the 135 localities in the State was 69. In 2019, Wythe County Public Schools received 65% more than was required by the State for school operations and Wythe County's rank among the localities went from 69 to 86. In 2020, Wythe County Public Schools received 50% more than was required by the State for school operations and the State ranking among localities fell to 102. Each year, or the past few years, this Board has given less and less than was required by the State to fund our schools. Now granted, you are giving more than the 45% that is required but so is every other locality in Virginia, because we all know that no school can operate on a bare minimum and provide quality educational opportunities. But Wythe County is in a downward trend in school funding and it seems that Wythe County will continue to fall in the rankings for 2021. 75% of the localities in Virginia provide more school funding than is required above the required local effort than Wythe County. 75% of localities provide more funding than is required than Wythe County. Wythe County is in the bottom 25% of localities that provide less funding than is required by the

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required local effort. I don't think the industries or medical professionals would want to think about locating in Wythe County if they knew these statistics. For the past three years, Wythe County has requested the same amount for school funding and has received it, but now you want to decrease that amount. Why? If \$13.6M is reduced at all, cuts will have to be made within the school system. It won't be you making those cuts but it will be you requiring those cuts. The School Board hasn't given you a wish list of what they want; they've given you the amount it will take to provide quality educational opportunities to Wythe County students. They've given you the amount it will take to provide school employees with salary increases they have worked for and absolutely deserve. Thank you to Mr. Smith, Mr. Cook and Ms. Lawson for not wanting to cut what the School Board has asked for. More than half, 53%, of Wythe County students are living in poverty and these students are at a higher risk for cognitive and literacy challenges, both academically and socio-economically before they even begin school. Our teachers do all they can to make sure that all the students get the same learning experiences but teachers need the proper resources to be able to do that, and when you cut school funding, you are telling those students who are already in an educational disadvantage that you don't put their education as a priority. But guess what? 101 other localities in Virginia do. I'm on the Board of Directors for the Virginia Education Association and I often have contact with student VEA members across the state. And when asked how my county is when it comes to school funding, I have to say "*Well, not so good, and it doesn't look like it's going to get any better.*" How many of those future teachers do you think want to seek a position in Wythe County after I tell them that?

On a different note, Mr. Vaught, I have obtained email correspondence between the Supervisors from March 1st to April 9th and Mr. Vaught, you stated at the last meeting that the School Board had not attempted to contact you about meeting to discuss the budget. But on March 9th Mr. Bear did send you and Ryan Lawson an email asking if you wanted to set up a meeting with the School Board as you had done before. And you replied that you did not see the need unless they had specific items they wanted to discuss. But Ms. Lawson did reply that she would like to discuss the building project plan for Scott, and that the ball might be in the Supervisors' court for a meeting. I can't imagine that the School Board members, or Dr. Jefferies, would not have been interested in discussing the school budget. And I just wanted to make that clear.

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Oh, and Mr. Terry, in your emails you had stated that Ms. Megan Patrick was an idiot in your correspondence with those supervisors, and I disagree with that assessment."

With no one else signed up to speak, Chair Vaught closed Citizens' Time.

PAYMENT OF COUNTY INVOICES

Supervisor Horney made a motion to pay the invoices for approval on May 11, 2021, for the various departments of County government. The invoices were paid on General Warrants 30109588-30109673 as follows:

EXPENDITURES BY DEPARTMENT BOARD OF SUPERVISORS May 11, 2021

CHECK #	ISSUE DATE	VENDOR	AMOUNT
30109588	04/29/2021	RURAL RETREAT VOL EMERG SERVICES	\$ 5,000.00
TOTAL EXPENDITURES 04/29/2021			\$ 5,000.00

CHECK #	ISSUE DATE	VENDOR	AMOUNT
30109589	05/11/2021	AMAZON	\$ 311.82
30109590	05/11/2021	APPALACHIAN REGIONAL EXPO	50,000.00
30109591	05/11/2021	APPALACHIAN POWER	968.02
30109592	05/11/2021	ATMOS ENERGY	46.85
30109593	05/11/2021	BKT UNIFORMS	2,367.05
30109594	05/11/2021	BLUE RIDGE ANALYTICAL, LL	2,465.00
30109595	05/11/2021	BRENNTAG MID-SOUTH INC	2,354.32
30109596	05/11/2021	BSN SPORTS INC	1,254.31
30109597	05/11/2021	BUSINESS CARD	809.70
30109598	05/11/2021	BUSINESS INFORMATION SYST	31.52
30109599	05/11/2021	CAVALIER SUPPLY CO	595.68
30109600	05/11/2021	CENTURYLINK	4,904.86
30109601	05/11/2021	DEPOT DESIGNS OF RURAL RE	120.00
30109602	05/11/2021	DUNAGAN, KEITH	282.10
30109603	05/11/2021	EDITH BOLLING WILSON BIRT	2,000.00
30109604	05/11/2021	ENTERPRISE FM TRUST	8,731.89
30109605	05/11/2021	F&R ELECTRIC INC	13,285.00
30109606	05/11/2021	FARTHING, SCOT S	2,887.50
30109607	05/11/2021	FERGUSON ENTERPRISES #5	143.99

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30109608	05/11/2021	FIDELITY POWER SYSTEMS	2,100.00
30109609	05/11/2021	FN WHOLESALE LIGHTING & S	156.60
30109610	05/11/2021	FOOD COUNTRY	1.88
30109611	05/11/2021	FP MAILING SOLUTIONS	800.00
30109612	05/11/2021	GALLS	343.51
30109613	05/11/2021	GENUINE PARTS COMPANY	813.75
30109614	05/11/2021	HARPO'S HARDWARE & BLDG S	8.99
30109615	05/11/2021	JOINT PUBLIC SERVICE AUTH	49,500.72
30109616	05/11/2021	KING-MOORE INC	2,613.00
30109617	05/11/2021	LEXISNEXIS	724.00
30109618	05/11/2021	LOWE'S	1,360.57
30109619	05/11/2021	MANSFIELD OIL CO	12,440.36
30109620	05/11/2021	MEADE TRACTOR	19.44
30109621	05/11/2021	MEREDITH'S GARAGE	2,627.90
30109622	05/11/2021	JEFFERY LEE MILLER	5,027.50
30109623	05/11/2021	MXN CORPORATION	11,960.00
30109624	05/11/2021	NATIONAL POOLS	1,033.52
30109625	05/11/2021	QUADIENT FINANCE USA, INC	961.98
30109626	05/11/2021	MAILFINANCE INC	474.00
30109627	05/11/2021	NEW RIVER REGIONAL WATER	56,947.91
30109628	05/11/2021	NORFOLK SOUTHERN RAILWAY	767.71
30109629	05/11/2021	OFFICE OF THE CHIEF MEDIC	60.00
30109630	05/11/2021	BRUCE PADGETT	30.00
30109631	05/11/2021	DOUG TUCK	232.91
30109632	05/11/2021	E. WAYNE KIRBY	215.59
30109633	05/11/2021	FISTER, ELISHA R.	82.63
30109634	05/11/2021	GOODSON, TIM W.	2.35
30109635	05/11/2021	HEATHER LUNDY	30.00
30109636	05/11/2021	MICHAEL CLINE	30.00
30109637	05/11/2021	NORLEN C YELTON	30.00
30109638	05/11/2021	SAGE, TRICIA & MICHAEL	72.29
30109639	05/11/2021	SHERRY DIX	30.00
30109640	05/11/2021	SOLARIS WYTHE LLC	76.36
30109641	05/11/2021	WHITNEY RICHARDSON	96.74
30109642	05/11/2021	PARTNERSHIP SCREENING INT	72.00
30109643	05/11/2021	PROFESSIONAL COMMUNICATIO	9,390.50
30109644	05/11/2021	PROFESSIONAL COMM SYSTEMS	1,880.00
30109645	05/11/2021	PROJECT LIFESAVER INC	124.77
30109646	05/11/2021	PROTECT YOUTH SPORTS	15.95

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30109647	05/11/2021	R&R ENTERPRISES INC	305.00
30109648	05/11/2021	SEGRA	94.22
30109649	05/11/2021	SIRCHIE FINGER PRINT LABO	187.14
30109650	05/11/2021	SOUTHERN REFRIGERATION CO	42.52
30109651	05/11/2021	SOUTHWEST VIRGINIA CRIMIN	1,190.00
30109652	05/11/2021	SOUTHWESTERN VA GAS SERVI	220.59
30109653	05/11/2021	TESSCO INC	409.15
30109654	05/11/2021	TRANSUNION RISK & ALTERNA	75.00
30109655	05/11/2021	TREASURER OF VIRGINBIA	217.25
30109656	05/11/2021	TREASURER OF VIRGINIA	1,894.53
30109657	05/11/2021	TWO WAY RADIO	6,175.00
30109658	05/11/2021	UNIFIRST CORP	98.56
30109659	05/11/2021	UNIVERSITY OF VIRGINIA	100.00
30109660	05/11/2021	V&M RECYCLING	62,911.86
30109661	05/11/2021	VEST'S SALES & SERVICE IN	5,352.74
30109662	05/11/2021	VIRGINIA ELECTRIC SUPPLY,	433.35
30109663	05/11/2021	VITA	145.26
30109664	05/11/2021	VITA	197.83
30109665	05/11/2021	VUPS	99.75
30109666	05/11/2021	WAMPLER EANES APPRAISAL G	18,292.50
30109667	05/11/2021	WYTHE CO WATER & WASTEWAT	298.25
30109668	05/11/2021	WYTHE CO WATER & WASTEWAT	62.94
30109669	05/11/2021	WYTHE CO WATER & WASTEWAT	116.26
30109670	05/11/2021	WYTHE CO WATER & WASTEWAT	135.68
30109671	05/11/2021	WYTHE CO WATER & WASTEWAT	227.37
30109672	05/11/2021	WYTHE TIRE AND MUFFLER	1,273.85
30109673	05/11/2021	WYTHEVILLE OFFICE SUPPLY	1,509.10

TOTAL EXPENDITURES 05/11/2021 **\$358,780.74**

TOTAL EXPENDITURES APPROVED 05/11/2021 **\$363,780.74**

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.
	Ryan M. Lawson	Stacy A. Terry
	James D. "Jamie" Smith	

NAYS: None

MINUTES OF PREVIOUS MEETING

The Board was presented with the April 27, 2021 minutes for approval.

Supervisor McRoberts made a motion, seconded by Supervisor Terry, to approve the April 27, 2021 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.
	Ryan M. Lawson	Stacy A. Terry
	James D. "Jamie" Smith	

NAYS: None

VDOT – ABANDONMENT OF OLD ROUTE 11

The Board had previously been provided with the March 23rd letter from Ms. Heath, VDOT, regarding the abandonment of the Old Route 11. Mr. Bear stated that VDOT has since requested that the Board of Supervisors either submit a resolution or a letter of support for the abandonment of the right-of-way, an area that serves no public interest.

Supervisor Terry made a motion, seconded by Supervisor Horney, to approve sending the letter to VDOT in support of abandoning the right-of-way on Old Route 11.

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.
	Ryan M. Lawson	Stacy A. Terry
	James D. "Jamie" Smith	

NAYS: None

BROADBAND STUDY CONTRACT TERMS

Mr. Hankins explained that proposals were received last week to provide Broadband, and that Design Nine (Blacksburg) was selected last year develop a strategy to bring Broadband to Wythe County. Mr. Hankins recommends continuing with Design Nine to utilize their technical expertise in an effort to review the proposals and make the best

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possible determination. The same contract terms would apply, but simply extend the date. The costs would come out of the professional services line item.

Vice Chair Lawson made a motion, seconded by Supervisor Smith, to approve the contract extension with Design Nine for the Broadband Study.

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.
	Ryan M. Lawson	Stacy A. Terry
	James D. "Jamie" Smith	

NAYS: None

APPOINTMENTS

Mr. Bear commented that there are two vacancies coming up on June 30th (Wytheville Community College Board) and a recent vacancy on the APEX Authority.

Chair Vaught mentioned to Ms. Davis that two vacancies on WCC Board will need to be filled, if she has an interest or knows anyone that would be a good fit. Mr. Bear can provide her with more detailed information as to the required qualifications.

AUSTINVILLE SANITARY SEWER PROJECT

Mr. Bear commented that the County and the Building & Grounds Committee have been working diligently on this project, and at the last meeting, this Board approved an extension on the closing date for the subject loan. The VRA offered funding in the amount of \$810,650 of which \$607k+ was a loan, and \$203k+ was principal forgiveness. Mr. Bear said that a public hearing was advertised for an additional 10% of loan funding from DEQ.

Supervisor Horney made a motion, seconded by Supervisor McRoberts, to approve the request for an additional \$60,755 in loan funds from DEQ in order to complete the Austinville Sanitary Sewer project.

Mr. Bear added that the amount of \$60,755 is the maximum allowed by DEQ bringing the total loan to \$668,313 and \$203,092 in principal forgiveness.

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.
	Ryan M. Lawson	Stacy A. Terry
	James D. "Jamie" Smith	

NAYS: None

DRAFT SECONDARY SIX-YEAR PLAN

Mr. Bear explained that this draft of the Six-Year Plan simply adds to the end of the list, roads that the Board previously agreed upon. VDOT is advertising a public hearing for this new draft. No action is required from the Board at this time. This draft version adds portions of Gap of Ridge Road, Conners Valley Road, Porter Road, Poplar Drive, Bluebird Road, Riverview Road, Edgewood Road and Scenic Trail.

Supervisor Smith asked Mr. Bear if VDOT communicated with him about the 1.2 miles of Conners Valley Road.

Mr. Bear responded no but that VDOT plans to put the full 1.2 miles (estimate) in for Conners Valley Road. As more roads come in under budget, we may be able to add even more to Conners Valley Road.

SHERIFF'S RETIREMENT ANNOUNCEMENT

Chair Vaught read the following letter from Sheriff Keith Dunagan:

Dear Board Members,

I am writing this letter to inform you of my retirement as the Sheriff of Wythe County. I have faithfully served the citizens of Wythe County for 38 years. While struggling with this decision I realize the importance of spending more time with my family. Therefore, my effective retirement date will be August 1, 2021.

My career has spanned nearly 4 decades. I have had several major accomplishments during my career but none make me more proud than protecting our children. Working with the board and getting a school resource/security officer in every school to protect our county's number one resource. We now have police vehicles in front of our schools to deter criminal activity. My main goal while serving as Sheriff was to protect our children at all costs. Our schools are safer today than they were in years past.

The current climate towards police officers and communities around the country has seen challenging times. The citizens of Wythe County support our office and this can be attributed to the positive relationships that have been built. To continue these positive relationships Chief Deputy Charles Foster will be in charge of the office until an election can be held.

While my last day of employment will be August 1, 2021, if you have any questions please contact me.

Sincerely,

W.K. Dunagan

The Board of Supervisors extended their congratulations to Sheriff Dunagan and would like to petition the court to hold a special election.

Mr. Bear said that within 15 days of a vacancy, the court shall be petitioned. Or, if a resignation letter is received, you can petition the circuit court to set a special election. Staff recommend holding this during the November elections to save on costs.

Supervisor Cook made a motion, seconded by Supervisor Terry, requesting the County Attorney to draft a writ of election to petition the circuit court for the November general election.

The roll call vote on the motion was as follows:

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

NAYS: None

ABSTAIN:	Brian W. Vaught	Ryan M. Lawson
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NON-EMERGENCY TRANSPORT RESOLUTION

Mr. Hankins explained that Abingdon Ambulance Service ("AAS") and C-TRANS are interested in establishing a non-designated emergency response transport in Wythe County, similar to our agreement with Richardson Ambulance Service. He said that both companies are already here in Wythe County and there is a real need for non-

emergency support. This resolution is required before the companies can be licensed to provide these services.

Vice Chair Lawson asked if these services would be taking revenue away from Wythe County. The health and wellbeing of our citizens come first but she would not want to see revenue taken away from the County Rescues.

Mr. Hankins responded that the County could potentially lose revenue but the recent shortage of available transports indicates a need for additional resources.

Supervisor Cook asked if there is an order of dispatch.

Mr. Hankins replied that because they are a "non-emergency" transport, they are not dispatched. They would respond only when telephoned by our Dispatch or others.

Supervisor McRoberts mentioned that several years ago there was a rescue squad that found themselves in trouble when it was alleged they were transporting people in their personal vehicles, and he asked if AAS or C-TRANS was part of that. He was told there was no relation.

Supervisor Horney made a motion, seconded by Supervisor McRoberts, to approve Resolution 2021-16 Authorizing Operation of Certain Non-Emergency Ambulance Services in Wythe County.

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.
	Ryan M. Lawson	Stacy A. Terry
	James D. "Jamie" Smith	

NAYS: None

FY 2021-2022 BUDGET

Mr. Bear shared with the Board the proposed revenue budget, expenditure budget and school board budget. The total proposed budget is \$85,456,195 of which the school board is \$50,306,793. Mr. Bear said the Board can still make changes to the budget but it has to be advertised before the public hearing which the Board had set for May 25th.

Supervisor Smith made a motion, seconded by Supervisor Horney, to approve advertising the FY22 Budget for Wythe County and the School Board for a public hearing to be held on May 25, 2021.

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.
	Ryan M. Lawson	Stacy A. Terry
	James D. "Jamie" Smith	

NAYS: None

BUDGET COMMITTEE REPORT

- 1. Medical Examiner Expenses – Supervisor Smith made a motion, as recommended by the Budget Committee, to amend and appropriate \$100 to 3503-430150 for additional medical examiner expenses this fiscal year.

The roll call vote was as follows:

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

NAYS: None

- 2. New River Regional Water Authority – Supervisor Smith made a motion, as recommended by the Budget Committee, to amend and appropriate the following amounts to the New River Regional Water Authority budget:

11003-319019	\$2,985
44013-411100	\$2,473
44013-412100	\$ 300
44013-422100	\$ 212

Mr. Bear added that the \$2,985 was payroll from July of last year when fiscal agent switched to the Town of Wytheville. The County received these funds back

and are now amending it to the budget to eliminate a negative. This results in no fiscal impact to the County.

The roll call vote was as follows:

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

NAYS: None

SUPERVISORS' REPORTS

1. Speeding (Rt. 94 @ Intersection of 52) – Supervisor Smith has received a few calls about speeding on Route 94 from the intersection of 52 up Ivanhoe Road toward St. Paul PHC. Residents are very upset over a few incidents that were near-miss accidents, especially around the curves near the Johnson residence down to Jewel Lane. Supervisor Smith asked that VDOT look into this matter.
2. Trash – Supervisor Smith mentioned that trash on Chapman Road is bad. The area from Lots Gap up to the truck stop is a mess and it would be great if Chief Deputy Foster could get a crew on it.

Chief Deputy Foster said the crew is currently on 21 but will get to that area next. Mr. Bear added that he will be at a Jail Authority meeting this Friday and will try to get an update on getting more trusties to help.

Chair Vaught saw the "skeleton" crew last week working on 21 and the crew consisted of one trusty and one jail officer who was also picking up trash. There has to be a better solution.

3. Bottomly Spraying – Chair Vaught asked if there have been any updates on this and the effects on the water.

Mr. Bear spoke with VWR and reviewed the concerns. Their initial response was they did not believe there was anything they could do regarding no-wake zones, but they would look into it to determine what other opportunities may exist. Mr. Bear will follow-up with VDACS and others on the spraying.

4. Clarification on BOS Emails – Chair Vaught wanted to clarify that the request to meet with the school was not a request to meet with the entire School Board, which is what he would have preferred to do. The email request was just to meet with the Superintendent and the Chair. He said the School Board has an open invitation to come and meet, as a Board, any time they wish.
5. Crimson Lane – Supervisor Smith has received complaints about Crimson Lane and although some repairs were made to the shoulder, all the water is going to the middle of the road instead of to the ditch.
6. South Crest Drive – Supervisor Smith asked for an update on this road.

Mr. Bear responded that Mr. Kincer and Ms. Cassell have been working on the revenue sharing plan for South Crest Drive versus setting up a tax district.

7. Cattle/Fencing Issue – Supervisor Smith mentioned there is an issue on Carterville Heights Road. The fences are subpar and cattle are ending up in neighboring yards and destroying landscaping.

Mr. Bear said if cattle are in the VDOT right-of-way, VDOT can use Animal Control or the Sheriff's Office to assist. But if it's a landowner fence issue, that is a separate matter.

8. Max Meadows vs Wytheville Address – Supervisor Smith said that a lot of residents in Max Meadows are wanting their addresses to go back to Max Meadows instead of Wytheville. However, he is not sure what, if anything, the Board of Supervisors can do about it, as it seems to be a US Postal Service matter.
9. Fence In / Fence Out – Chair Vaught asked if this is something that can be put on a referendum.

Assistant County Attorney Don Martin is not certain but he will look into it.

Chair Vaught can see both sides of the issue but with the volume of complaints, perhaps it's time to put this on a referendum. When the rule was switched from fence in to fence out, there was a lot of push back from the Farm Bureau and others. He feels it's time the Board consider switching it back to fence in.

Supervisor Horney said, as a farmer, it seems like a weird law. If his cattle got out and went down the road and ended up in someone's yard, he would take responsibility for that (damage or no damage).

Chair Vaught mentioned civil liability, regardless whether it's fence in or fence out.

Mr. Bear added that he recently received two complaints about this, which he shared with the Board. He had asked counsel to research the issue hoping to find some middle ground in the Code, but that was not the case.

The Chair asked Chief Deputy Foster approximately how many tickets did he write back when the law was fence in.

The Chief Deputy responded that he could not recall any.

CLOSED MEETING

Supervisor Smith made a motion, seconded by Supervisor Horney, to enter into Closed Meeting under Code of Virginia Section 2.2-3711-A.1, Discussion of Personnel Matters (County Administration Review), Section 2.2-3711.A.3, Disposition of Real Property (Progress Park Lot 1), Section 2.2-3711-A.5, Prospective New Business or Industry (Project Flow), Section 2.2-3711-A.7, Consultation with Legal Counsel (Fire and Rescue), and Section 2.2-3711-A.29, Discussion of Awarding Public Contract (JIDA Revenue Note & Support Agreement).

The vote on the motion was unanimous.

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

The vote on the motion was unanimous.

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.
	Ryan M. Lawson	Stacy A. Terry
	James D. "Jamie" Smith	

NAYS: None

Chair Vaught noted for the record that Supervisor Smith stepped out of the closed meeting during Project Flow discussion, due to a potential conflict of interest.

STS AND PROGRESS PARK LOT 1B

Supervisor Smith made a motion, seconded by Supervisor Cook, authorizing staff to approve Lot 1B for STS, and proceed with surveying of that lot.

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.
	Ryan M. Lawson	Stacy A. Terry
	James D. "Jamie" Smith	

NAYS: None

RECESS

Supervisor Terry made a motion, seconded by Vice Chair Lawson, to recess until Tuesday, May 18, 2021 at 5:00 p.m. for a Budget Work Session.

The vote on the motion was unanimous.

RECONVENE

The Board reconvened on Tuesday, May 18, 2021 at 5:00 p.m.

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

Matthew C. Hankins, Assistant County Administrator

Scot Farthing, County Attorney

Martha Collins, Administrative Assistant/Clerk

BUDGET WORK SESSION

Mr. Hankins provided a business plan model for the APEX Center and what he believes is necessary to make the center profitable. He encourages the use of high-volume concert events as the main driver for the center's income. Mr. Hankins also presented the Board with a model spreadsheet demonstrating income potential for the APEX Center.

(Supervisors McRoberts, Horney and Terry left the meeting for approximately 20 minutes to attend a JPSA meeting.)

CLOSED MEETING

Supervisor Cook made a motion, seconded by Supervisor Smith, to enter into Closed Meeting under Code of Virginia Section 2.2-3711.A.3, Disposition of Real Property (Exit 77 Properties).

The vote on the motion was unanimous with one absent.

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

The vote on the motion was unanimous with one absent.

Upon returning to open meeting, Supervisor McRoberts made a motion, seconded by Supervisor Terry, 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

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May 11, 2021

ADJOURNMENT

With no other business to come before the Board of Supervisors, Chair Vaught adjourned the meeting at approximately 7:11 p.m.

Brian W. Vaught, Chair