

June 8, 2021

The Wythe County Board of Supervisors held its regularly scheduled meeting at 6:00 p.m., Tuesday, June 8, 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
 Regina Williams, Director of Finance

OTHERS PRESENT:

Karen Akers
 Barry Ayers
 Kim Ayers
 Beth & Bill Conaway
 Jim & Dee Ennis
 Charlie Foster
 Betsy Gillman
 Michael Hoback

Crystal Holliday
 Gus Kincer
 Zack Lester
 Linda Meyer
 Dickie Morgan
 Brenda Thomas
 Barbara Young

CALL TO ORDER

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

JOE HALE

Chair Vaught announced the recent passing of former Board member, Joe Hale, and asked that everyone keep his family in their prayers. Although he and Mr. Hale did not always agree, the Chair respected him and truly admired his humble and generous nature.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Michael Hoback, Wytheville First Assembly of God, provided the invocation and Supervisor Cook led the Pledge of Allegiance.

CITIZENS' TIME

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

1. APEX Center – Mr. Barry Ayers appeared before the Board and stated “I told them when I came in you don’t hear much out of me usually. I want to thank the Board for allowing me this time to speak my concerns. In reviewing the FY2021-2022 budget, I noticed a \$419,854 expected expenditure for a money pit cast on the citizens of Wythe County in 2017. Yes, I am referring to what is commonly known as the APEX Center. Not sure of the cost of construction to date. Looking at figures published in 2017 newspaper articles, I’m guessing \$14-15M, maybe more. I know some of you got copies of this and my figure on there was different but I’ve talked to a few and they said it was probably a lot closer, maybe \$15M. My guess is we have never covered the operating cost with the events that have been presented there. Per their website, currently there are five events scheduled for this year. With what revenue would be collected from promotor for tickets sales, the little revenue generated from food sales, I don’t believe the cost of operating during these events will be recovered. I believe it’s time for the County to look into cutting our cost and putting the facility on the market. There would be more revenue generated if it was used as a stock market, though Wythe County does not need another one; two’s enough. It’s time for the Board of Supervisors to start moving to get us out of this sinkhole and put our tax dollars to better use, such as our schools or better recreation facilities for our youth sports leagues. This would be a better investment of our tax dollars and into the future of our County. Thank you for your time.”
2. APEX Center – Mr. Mike Forrest submitted the following to the Board of Supervisors:

“I requested and received the April 2021 APEX financial report from the APEX Center (attached). Based on the first 10 months financials of FY 2020-2021 the APEX Center has lost **\$41,718.39** even after receiving \$150,000 from the taxpayers of Wythe County. If the BOS (i.e. Wythe County taxpayers) had NOT given APEX this \$150,000, the APEX Center losses would be \$191,718.39 for the past 10 months. Please see the attached spreadsheet.

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To add insult to injury, the APEX Center Board requested **\$390,000** from the taxpayers of Wythe County for FY 2021-2022. This ridiculous request was made after the joint workshop with the BOS and the APEX board. During the workshop the APEX board verbally attacked the BOS and Chairman Vaught rightly ended the meeting.

You did include \$200,000 in the FY 22 budget for the APEX Center. In my opinion this amount of \$200,000 too much for a failed idea. On June 8, 2021 you will adopt the FY 2022 county budget. I urge each of you to reconsider the \$200,000 in the budget for the APEX Center and stop all county funding of the APEX Center. In short, it's "*time to fold 'em, time to walk away*" from the APEX Center. The Wythe County taxpayers cannot afford to continue this pipe dream of a **former Board of Supervisors**.

The majority of you were elected because you opposed the wasteful APEX Center. Now is the time for you to step-up and stop funding this fiasco.

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

PAYMENT OF COUNTY INVOICES

Vice Chair Lawson made a motion to pay the invoices for approval on June 8, 2021, for the various departments of County government. The invoices were paid on General Warrants 30109762-30109855 as follows:

EXPENDITURES BY DEPARTMENT BOARD OF SUPERVISORS June 8, 2021

CHECK #	ISSUE DATE	VENDOR	AMOUNT
30109762	06/08/2021	103 TOWING & RECOVERY LLC	\$ 85.00
30109763	06/08/2021	ALL TRAFFIC SOLUTIONS INC	2,995.00
30109764	06/08/2021	ALPHA & OMEGA REPAR SERVI	5,272.54
30109765	06/08/2021	AMAZON	161.25
30109766	06/08/2021	AMERICAN BUSINESS FORMS I	1,184.66
30109767	06/08/2021	AMERICAN MINE RESEARCH IN	1,125.00
30109768	06/08/2021	APPALACHIAN POWER	1,412.96
30109769	06/08/2021	ATMOS ENERGY	13.11
30109770	06/08/2021	AUSTINVILLE LIMESTONE CO	116.99
30109771	06/08/2021	BEAR, STEPHEN	384.30
30109772	06/08/2021	BEVERLY SUTHERS	1,068.75

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30109773	06/08/2021	BSN SPORTS INC	120.69
30109774	06/08/2021	BUSINESS CARD	5,152.87
30109775	06/08/2021	CARROLL COUNTY PSA	3,270.81
30109776	06/08/2021	CDW GOVERNMENT INC	2,453.06
30109777	06/08/2021	CENTURYLINK	49.99
30109778	06/08/2021	CENTURYLINK	52.01
30109779	06/08/2021	CENTURYLINK	4,912.64
30109780	06/08/2021	CENTURYLINK/DAMAGE CLAIMS	776.88
30109781	06/08/2021	CITIZENS TELEPHONE COOP	994.65
30109782	06/08/2021	COMM OF REV ASSOC OF VA	250.00
30109783	06/08/2021	COMM OF THE REV ASSOC OF	340.00
30109784	06/08/2021	COUNTY OF WYTHE	4,250.01
30109785	06/08/2021	CSG SYSTEMS, INC	350.00
30109786	06/08/2021	DEPT OF MOTOR VEHICLES	2,550.00
30109787	06/08/2021	DISTRICT THREE	3,890.00
30109788	06/08/2021	DIVERSIFIED INTEGRATION I	337.50
30109789	06/08/2021	ESP	2,209.07
30109790	06/08/2021	FARMER'S MULCH AND ROCK O	120.00
30109791	06/08/2021	FERGUSON ENTERPRISES #5	1,880.73
30109792	06/08/2021	FOOD COUNTRY	1.88
30109793	06/08/2021	GALLS	425.50
30109794	06/08/2021	GENUINE PARTS COMPANY	720.95
30109795	06/08/2021	GUYNN, LORI C	34.66
30109796	06/08/2021	HARPO'S HARDWARE & BLDG S	687.32
30109797	06/08/2021	JOINT PUBLIC SERVICE AUTH	44,645.12
30109798	06/08/2021	JONES, RANDY	6,200.00
30109799	06/08/2021	KING-MOORE INC	702.00
30109800	06/08/2021	LANE GROUP	17,400.00
30109801	06/08/2021	LOWE'S	2,408.16
30109802	06/08/2021	JEFFERY LEE MILLER	4,744.50
30109803	06/08/2021	MOUNT ROGERS COMMUNITY SE	41,087.25
30109804	06/08/2021	MUSSER, JEREMIAH	93.21
30109805	06/08/2021	NATIONAL POOLS	437.68
30109806	06/08/2021	NEW RIVER REGIONAL WATER	56,989.15
30109807	06/08/2021	OFFICE OF THE CHIEF MEDIC	20.00
30109808	06/08/2021	AMANDA DAVIS	56.00
30109809	06/08/2021	AMBER RUSSELL	65.00
30109810	06/08/2021	BILLY BOWERS	150.00
30109811	06/08/2021	EVERY DETAIL MOBILE CAR W	180.00

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30109812	06/08/2021	JENNA RUFFIN	10.00
30109813	06/08/2021	JENNIFER DUNFORD	22.00
30109814	06/08/2021	JEREMIAH BETZ	70.00
30109815	06/08/2021	JESSICA SHRADER	16.00
30109816	06/08/2021	JOSEPH L COUICK	26.97
30109817	06/08/2021	KAREN NORRIS	80.00
30109818	06/08/2021	PAM WADDELL	20.00
30109819	06/08/2021	SOLARIS WYTHE LLC	76.72
30109820	06/08/2021	STEPHEN GROSECLOSE	92.14
30109821	06/08/2021	SUSAN AKERS	132.21
30109822	06/08/2021	TRACY D HANKS	11.32
30109823	06/08/2021	WALLACE POUNCY	97.10
30109824	06/08/2021	OWEN G DUNN CO	1,875.00
30109825	06/08/2021	PAPER CLIP	238.19
30109826	06/08/2021	PROFESSIONAL COMMUNICATIO	765.24
30109827	06/08/2021	PROTECT YOUTH SPORTS	90.25
30109828	06/08/2021	R&R ENTERPRISES INC	150.00
30109829	06/08/2021	R.E. MICHEL COMPANY, LLC	104.64
30109830	06/08/2021	RENTAL HUB INC	250.00
30109831	06/08/2021	RGM ERECTORS INC	25,000.00
30109832	06/08/2021	SECOM SYSTEMS INC	7,621.28
30109833	06/08/2021	THE SHERWIN-WILLIAMS CO.	146.14
30109834	06/08/2021	SOUTHERN STATES CARROLL C	759.92
30109835	06/08/2021	STATE ELECTRIC SUPPLY CO	178.21
30109836	06/08/2021	TESSCO INC	831.61
30109837	06/08/2021	THOMPSON TIRE	249.00
30109838	06/08/2021	THREE RIVERS MEDIA CORP	330.00
30109839	06/08/2021	TIDEWATER FLEET SUPPLY LL	11,317.40
30109840	06/08/2021	TRANSUNION RISK & ALTERNA	75.00
30109841	06/08/2021	TREASURERS' ASSOC OF VA	400.00
30109842	06/08/2021	TWO WAY RADIO	1,662.81
30109843	06/08/2021	UNIFIRST CORP	98.56
30109844	06/08/2021	USA BLUE BOOK	4,009.13
30109845	06/08/2021	V&M RECYCLING	73,719.47
30109846	06/08/2021	VA DEPT OF TRANSPORTATION	2,000,000.00
30109847	06/08/2021	VIRGINIA BUSINESS SYST	19.20
30109848	06/08/2021	VITA	145.26
30109849	06/08/2021	VITA	184.70
30109850	06/08/2021	WILSON BAIT & TACKLE INC	331.40

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30109851	06/08/2021	WYTHE CO WATER & WASTEWAT	238.35
30109852	06/08/2021	WYTHE TIRE AND MUFFLER	35.00
30109853	06/08/2021	WYTHEVILLE COMMUNITY COLL	11,410.00
30109854	06/08/2021	WYTHEVILLE OFFICE SUPPLY	1,161.64
30109855	06/08/2021	XEROX	22.52
TOTAL EXPENDITURES 06/08/2021			\$2,368,903.23

TOTAL EXPENDITURES APPROVED 06/08/2021 **\$2,368,903.23**

Supervisor Horney 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 May 25, 2021 minutes for approval.

Supervisor McRoberts made a motion, seconded by Supervisor Smith, to approve the May 25, 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

ADOPTION OF FY22 REVENUE & EXPENDITURE BUDGET

Mr. Bear stated that over the past few months, the Board has analyzed, reviewed and discussed the 2021-2022 budget at great length. A public hearing was held on May 25th and the Board considered comments received. The Final FY22 Budget, as recommended by the Board, totals \$85,576,332.

Vice Chair Lawson asked if the Board could vote on the APEX budget separately.

Mr. Bear responded that the Board would first need to amend the budget for whatever change(s) they deem appropriate, then adopt a resolution for the amended budget.

Vice Chair Lawson made a motion, seconded by Supervisor Terry, to amend the resolution for FY22 Budget removing the APEX funding in the amount of \$208,873.

Supervisor Smith asked if the motion is approved, is the Board going to further discuss the APEX funding?

Mr. Bear said they can make a motion at any time on any item, but the FY22 Budget Revenue & Expenditure would be for the final budget amount approved tonight.

Supervisor McRoberts thought this was a done deal and that the Board hashed this out at their last meeting; therefore, he will not support the Vice Chair's motion.

The Vice Chair apologized to the APEX Authority who she said has worked so hard on this project but she said the majority of her area do not want her to approve the budget as presented, and she feels this is the right thing to do.

Supervisor Smith said based on conversations with many in his area, he cannot support the Vice Chair's motion either.

The roll call vote on the motion was as follows:

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

The motion failed 3/4.

Supervisor McRoberts made a motion, seconded by Supervisor Horney, to adopt the Resolution for the Wythe County Revenue & Expenditure Budget for Fiscal Year 21-22 as presented.

The Vice Chair commented that if the majority of the Board wants to keep the APEX funding in the budget, she will support that because she doesn't want to vote against the entire budget.

Both the Chair and Supervisor Terry agreed.

Chair Vaught also wanted to state that early in the budget season, he filed his Conflict Disclosure with Mrs. Collins acknowledging his and his wife's employment. The Chair asked that it be entered into the official minutes.

Both Vice Chair Lawson and Supervisor Horney confirmed their Conflict Disclosures were previously submitted and that it be entered into the official minutes.

Supervisor Cook commented that he will submit a Conflict Disclosure that his wife works for the school district and enter into the official minutes.

Mr. Bear confirmed that there is, in fact, a disclosure on file for Mr. Cook.

Regarding the budget, Supervisor Smith stated that he will support the budget as it needs to get approved, but he wished they had been able to fully fund the schools at the \$13.6 amount.

The Vice Chair agreed and said she is pleased with how far they've come with the budget.

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

Mr. Bear said that he appreciates everyone's hard work on this year's budget, adding that it is never easy but it is a necessity.

Chair Vaught noted that there was no change to our tax rates, but that many of our surrounding counties have had to raise taxes on real estate and personal property. He is

proud to have made it through the pandemic without increasing taxes and said that Mr. Bear and his staff are to be commended.

Mr. Bear has shared the tax rates with the Public Information Officer in order to put out a press release that the County adopted the budget without having to increase real estate, personal property or machinery/tool tax rates. He said this is a “balancing act” and while we are having to pull from surplus, it’s a very manageable amount.

APPOINTMENTS

Mr. Bear announced two vacancies on Wytheville Community College (“WCC”) Board, along with one on the Wythe Grayson Regional Library Board and one on the APEX Authority.

Vice Chair Lawson made a motion, seconded by Supervisor Terry, to reappoint Ms. Kimberly Ayers to the Wythe Grayson Regional Library Board.

The vote on the motion was unanimous

Mr. Bear clarified that any appointee to the Workforce Development Consortium Board must be an elected official. There may be vacancies on the Workforce Investment Board and Mr. Bear would like he and Ms. Ayers to discuss this further with Ms. Holliday.

The Chair mentioned that Supervisor Terry may know of someone for the WCC Board.

CAPITAL IMPROVEMENT PLAN (“CIP”)

Mr. Hankins distributed the CIP to the Board for their review and for discussion at the next meeting.

AUSTINVILLE WASTEWATER PROJECT – RESOLUTION AND FINANCING AGREEMENTS

Mr. Bear explained the County previously bid this project out but that it came in over budget. However, after negotiations, the funding agency agreed to provide additional funding. Staff, therefore, request adoption of the Resolution Authorizing the Issuance and Sale of a General Obligation Bond in an Amount Not to Exceed \$668,300.

Supervisor McRoberts made a motion, seconded by Supervisor Horney, to adopt the Resolution as presented.

The roll call vote on the motion was as follows:

Lastly, Mr. Bear requests approval of Change Order #1 where E. C. Pace is decreasing the total amount due to value engineering. The County appreciates their willingness to help keep us within the bond amount.

Supervisor Cook made a motion, seconded by Supervisor Smith, to approve Change Order #1 for E. C. Pace Company, Inc. decreasing the total contract price to \$591,757.80 (down from \$684,910.00).

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

BICENTENNIAL HISTORY BOOK

Mr. Bear explained that although Ms. Kegley is the author of this book, it is copyrighted 1989 by Wythe County Board of Supervisors. Accordingly, Ms. Kegley is seeking the Board's permission to reprint Chapter 9 and add information.

Supervisor Horney made a motion, seconded by Vice Chair Lawson, to approve Ms. Kegley's request to reprint Chapter 9 and add information.

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

SUPERVISORS' REPORTS

1. Cruise-In Event – Supervisor Terry conveyed Tommy Hundley's thanks to the Board, on behalf of Downtown Wytheville, for supporting this weekend's car event and allowing them to use the County parking lots.

Mr. Hankins added that he has notified all the departments to have their vehicles moved for the weekend event. Additionally, all the lines have been repainted in the parking lots and they look great.

2. W. Lee Highway Accidents – Chair Vaught mentioned that he had reached out to VDOT (Mr. Fowler) about the accidents occurring on a section of West Lee Highway. He asked that Mr. Bear please follow-up with Mr. Fowler.
3. Orion Drive – Chair Vaught understands we don't treat private drives but apparently the Water Department regularly uses this road and, due to the heavy weight of their trucks, the road has deteriorated. Residents are asking, at the very least, if the potholes could be filled with gravel.

Mr. Bear said that, while it's a long way off (2024), Orion Drive has been approved for revenue sharing. But he will check and see what can be done to rectify the situation in the interim.

CLOSED MEETING

Supervisor Terry made a motion, seconded by Vice Chair Lawson, to enter into Closed Meeting under Code of Virginia Section 2.2-3711-A.5, Prospective New Business or Industry (Project Glove), and Section 2.2-3711-A.29, Award of Public Contract (Broadband).

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

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

The vote on the motion was unanimous.

For the record, it was noted that Supervisor Terry left the closed session at 7:08 p.m. due to a family emergency.

Upon returning to open meeting, Supervisor McRoberts made a motion, seconded by Supervisor Smith, 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	James D. "Jamie" Smith
	Rolland R. Cook	Coy L. McRoberts
	Ryan M. Lawson	B. G. "Gene" Horney, Jr.

NAYS: None

ABSENT: Stacy A. Terry

HOLIDAY

Mr. Bear mentioned that Juneteenth is a State Holiday and because it falls on a Saturday this year, the holiday will be observed on Friday, June 18th and our offices will be closed. Our personnel policy should also be updated to reflect this holiday.

NEXT BOARD MEETING

Mr. Bear reminded everyone that the last Board of Supervisors meeting for this fiscal year will be on Wednesday, June 30th at 6:00 p.m.

ADJOURNMENT

With no other business to come before the Board of Supervisors, Chair Vaught adjourned the meeting at approximately 7:22 p.m.

Brian W. Vaught, Chair