

August 11, 2009

The Wythe County Board of Supervisors held its regularly scheduled meeting at 7:00 p.m., Tuesday, August 11, 2009. The location of the meeting was in the Board Room of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia.

**MEMBERS PRESENT:**

Wythe B. Sharitz, Chair	Charles S. Dix
B.G. "Gene" Horney	Martha P. Umberger
Margaret O. "Maggie" Poole	Danny C. McDaniel
James E. Hagee, Vice Chair	

**STAFF PRESENT:**

R. Cellell Dalton, County Administrator  
Stephen D. Bear, Assistant County Administrator  
Martha G. Collins, Administrative Assistant  
Scot Farthing, County Attorney

**OTHERS PRESENT:**

Nate Hubbard  
Two Wythe County Deputies  
Theron Barrineau  
Pastor Brian Burch  
Thirteen Citizens

**CALL TO ORDER & INVOCATION**

The Chair determined that a quorum was present and called the meeting to order at 7:00 p.m. The invocation was given by Pastor Brian Burch of the Rural Retreat United Methodist Church. The Chair led in the Pledge of Allegiance.

**CITIZENS' TIME**

Chair Sharitz welcomed the citizens present at the meeting and inquired if there was anyone present who wished to address the Board.

1. Whetstone Drive – Ms. Patricia Arnold – Ms. Patricia Arnold of Whetstone Drive addressed the Board. She indicated that Mr. Dalton, Mr. Bear, and Supervisor Hagee were aware of the condition of the roads, as they had visited the proposed service district. She challenged the Wythe County Board of Supervisors to fund the paving project without charging the landowners. She referenced a road that the County approved to be taken over by the State. She stated that the residents were not made to pay for the improvements. Ms. Arnold also referred to a Town project where funds were approved in the amount of \$680,000 for a walkway. She commented that there is money available.

Ms. Arnold inquired of the Board if the payment could be extended to a ten or twelve year time period so that the increased tax amount would not be such a burden on landowners. She also asked for clarification on the boundaries for the paving.

Chair Sharitz informed Ms. Arnold that her concerns would be addressed during the public hearing.

2. Pope Road – Mr. Roy Cox – Mr. Roy Cox addressed the Board regarding the status of paving Pope Road. He stated his request that the road be paved throughout, from the west end to the east end.

Vice Chair Hagee indicated that there is no more funding available for the paving of dirt roads. He stated that the State has no money.

Mr. Cox asked if Supervisor Horney, as the Speedwell representative, was helping to have Pope Road paved through to his end.

Supervisor Horney reiterated that there is no money available. He stated that the Board has made a priority list of roads to be considered when there is funding.

Being no one else present to address the Board, Chair Sharitz closed Citizens' Time.

#### **PUBLIC HEARING – WHETSTONE/VINELAND TRANSPORTATION SERVICE DISTRICT**

Chair Sharitz announced that the Wythe County Board of Supervisors would conduct a public hearing for the creation of the Service District for the Vineland Lane & Whetstone Drive area of Wythe County for the consideration of street improvements to serve landowners pursuant to Section 15.2-2400 of the Code of Virginia. He explained that the purpose of the public hearings would be to hear from residents and property owners in the proposed districts. Chair Sharitz opened the hearing for citizen comment.

Vice Chair Hagee requested clarification on what sections are proposed for paving in the district.

Mr. Bear stated that the current proposal was for constructing all of Vineland Lane and Whetstone Drive to VDOT standards.

Ms. Arnold informed the Board that she did not believe any residents from Vineland were in attendance.

Two citizens indicated they own property on Vineland.

Supervisor McDaniel inquired what percentage of residents signed the petition in favor of the service district.

Mr. Bear stated that 17 property owners signed in favor of the road, and five were opposed. He noted that this was prior to the offer, which reduced the tax rate drastically.

Ms. Karen Nunn addressed the Board. She stated that she had only lived on the road for five years. She said that you could not keep a car running in that area for a year due to the condition of the roads. She stated that the residents need the service district.

Chair Sharitz addressed Ms. Arnold's comment during Citizens' Time about the money for a walkway. He stated that this was a project of the Town of Wytheville.

Mr. Dalton added that it is federal funding that is available for specific projects such as that one.

Mr. George Laughead addressed the Board of Supervisors. He stated that he lives at the turnaround. He inquired why the road is not going to be paved through to that end.

Mr. Bear addressed his question. He stated that the road has not been completely constructed to the referenced cul-de-sac. He stated that VDOT would only be paving to the end of the section that is traveled now.

Mr. Laughead asked why he would be taxed when he will not have access to his property from the paved road. He inquired about the markings on the road that the utility companies have made.

Mr. Bear addressed his concerns. He stated the tax increase would be applied because the road will access his property. He informed Mr. Laughead that Embarq and VDOT have marked the lines for the utilities.

With no other citizens present to comment, Chair Sharitz closed the public hearing.

Vice Chair Hagee made a motion to adopt Ordinance No. 2009-2, approving the Service District for Whetstone Drive and Vineland Lane of Wythe County.

Ms. Arnold asked for consideration of her request that the tax increase be extended to 10-12 years.

Mr. Dalton explained the County's policy of having the additional tax imposed over a seven-year period. He commented that it is a fair time frame and has been advertised that way for all public hearings and meetings regarding the proposed service districts.

Ms. Arnold indicated that residents have to keep in mind the next property assessments.

Mr. Dalton informed her that the next reassessment will be in 2012. He indicated that the service district is based on a definite amount to be collected each of the seven years. He stated that the tax rates have been lowered each time the assessed value was raised in the past two tax assessments.

Mr. Ray Rider stated that, considering the economic conditions, it is a miracle that the residents have this opportunity for road improvements.

Supervisor Poole seconded the motion, and with no further discussion the roll call vote is as follows:

AYES: Martha P. Umberger      B.G. "Gene" Horney  
Charles S. Dix                      M.O. "Maggie" Poole  
Wythe B. Sharitz                      Danny C. McDaniel  
James E. Hagee

NAYS: None

Ms. Arnold inquired if she was unable to pay the full tax amount each year if there would be a problem. Chair Sharitz and Vice Chair Hagee referred her to the Treasurer, indicating that she may be able to set a monthly payment plan.

**PAYMENT OF COUNTY INVOICES**

Supervisor Dix made a motion to pay the invoices submitted for approval on August 11, 2009 for the various departments of County government. The invoices for August 11, 2009 were paid on General Warrants 30072390 – 30072484 as follows:

**EXPENDITURES BY DEPARTMENT  
BOARD OF SUPERVISORS  
August 11, 2009**

<u>CHECK #</u>	<u>ISSUE DATE</u>	<u>VENDOR</u>	<u>TOTAL</u>
30072390	08/11/09	21 AUTO	\$222.00
30072391	08/11/09	AFTON COMMUNICATIONS CORP	\$251.80
30072392	08/11/09	ANDERSON & ASSOC INC	\$910.00
30072394	08/11/09	APPALACHIAN POWER	\$24,065.72

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30072395	08/11/09	ATMOS ENERGY	\$333.22
30072396	08/11/09	BARREN SPRINGS VOL FIRE DEPT	\$6,707.00
30072397	08/11/09	BLAIR, MARJORIE J	\$361.18
30072398	08/11/09	BLUE RIDGE AUTO PARTS INC	\$25.57
30072399	08/11/09	CANDU AUTO SALES & SERVICE	\$622.90
30072400	08/11/09	CONSOLIDATED PIPE & SUPPLY INC	\$716.35
30072401	08/11/09	DELL MARKETING LP	\$4,952.42
30072402	08/11/09	DEPT OF MUSEUMS HERITAGE	\$1,250.00
30072403	08/11/09	DLB INC	\$205,607.48
30072404	08/11/09	DUKE'S BAR-B-QUE	\$119.85
30072405	08/11/09	EEIS-ELEVATOR EQUIP INSPECT SERV	\$300.00
30072406	08/11/09	ELBERTS REPAIR SERVICE	\$40.83
30072407	08/11/09	ELEVEN WEST INC	\$29.18
30072408	08/11/09	EMBARQ	\$159.64
30072409	08/11/09	EMS INC	\$2,930.00
30072410	08/11/09	ESI	\$23.33
30072411	08/11/09	FARTHING, SCOT S	\$2,500.00
30072412	08/11/09	FLEETONE LLC	\$318.37
30072413	08/11/09	FOLEY COMPANY	\$105.00
30072414	08/11/09	FOOD COUNTRY	\$53.46
30072415	08/11/09	FOWLKES MACHINE CO INC	\$8.94
30072416	08/11/09	GALLS INC	\$247.18
30072417	08/11/09	GRAINGER	\$1,243.80
30072418	08/11/09	HARPO'S HARDWARE & BLDG SUPPLY I	\$56.14
30072419	08/11/09	HORNEY, HAYDEN H	\$274.75
30072420	08/11/09	HUFF FORD SUBARU INC	\$63.19
30072421	08/11/09	I-81 TRAVEL PLAZA GARAGE & SERV	\$300.00
30072422	08/11/09	INTERACTIVEGIS INC	\$2,850.00
30072423	08/11/09	INTERSTATE TRS	\$600.00
30072424	08/11/09	JANPAK	\$861.35
30072425	08/11/09	JANPAK	\$878.87
30072426	08/11/09	JOINT PUBLIC SERVICE AUTHORITY	\$60,943.12
30072427	08/11/09	KANGAROO FUEL SOLUTIONS	\$13,929.79
30072428	08/11/09	KING, DOUGLAS W	\$269.20
30072429	08/11/09	LEE'S GARAGE	\$41.00
30072430	08/11/09	LEXISNEXIS	\$580.00
30072431	08/11/09	LOWE'S	\$852.43
30072432	08/11/09	MATTHEW BENDER & CO INC	\$452.20
30072433	08/11/09	MCI	\$62.60
30072434	08/11/09	NEW RIVER VALLEY JUVENILE DET	\$12,110.53
30072435	08/11/09	NEW RIVER-HIGHLANDS RC&D	\$700.00
30072436	08/11/09	NEXTEL	\$613.24
30072437	08/11/09	NORTH CENTRAL LABORATORIES	\$531.19
30072438	08/11/09	NTELOS	\$30.90
30072439	08/11/09	OFFICE OF THE CHIEF MEDICAL EXAM	\$20.00

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30072440	08/11/09	PEED & BORTZ LLC	\$5,000.00
30072441	08/11/09	POOLE, MAGGIE	\$39.00
30072442	08/11/09	R & R ENTERPRISES INC	\$125.00
30072443	08/11/09	R & R SEPTIC	\$50.00
30072444	08/11/09	RURAL DEVELOPMENT	\$1,686.00
30072445	08/11/09	RURAL DEVELOPMENT	\$7,577.00
30072446	08/11/09	RURAL DEVELOPMENT	\$1,428.00
30072447	08/11/09	RURAL DEVELOPMENT	\$79.00
30072448	08/11/09	RURAL DEVELOPMENT	\$330.00
30072449	08/11/09	RURAL DEVELOPMENT	\$1,015.00
30072450	08/11/09	RURAL DEVELOPMENT	\$345.00
30072451	08/11/09	RURAL DEVELOPMENT	\$2,282.00
30072452	08/11/09	RURAL DEVELOPMENT	\$2,514.00
30072453	08/11/09	RURAL DEVELOPMENT	\$18,319.00
30072454	08/11/09	RURAL DEVELOPMENT	\$11,572.00
30072455	08/11/09	RURAL DEVELOPMENT	\$2,295.00
30072456	08/11/09	SAFEGUARD	\$648.97
30072457	08/11/09	SALEM STONE	\$55.68
30072458	08/11/09	SELECT AUTO PARTS	\$56.27
30072459	08/11/09	SIRCHIE FINGER PRINT LABORATORIES	\$207.27
30072460	08/11/09	SOUTHWEST SIGNS	\$55.00
30072461	08/11/09	SPEEDWAY SUPERAMERICA LLC	\$139.66
30072462	08/11/09	STATE ELECTRIC SUPPLY COMPANY	\$59.35
30072463	08/11/09	STEVE'S AUTO SALES & REPAIR	\$129.37
30072464	08/11/09	SUNTRUST	\$36,881.92
30072465	08/11/09	THOMPSON TIRE	\$705.46
30072466	08/11/09	THREE RIVERS MEDIA CORP	\$330.00
30072467	08/11/09	TOWN OF RURAL RETREAT	\$1,818.85
30072468	08/11/09	TRI COUNTY GLASS INC	\$124.95
30072469	08/11/09	TWO WAY RADIO	\$423.44
30072470	08/11/09	UPS STORE 5065	\$7.30
30072471	08/11/09	USA BLUE BOOK	\$650.58
30072472	08/11/09	V&M RECYCLING	\$57,631.53
30072473	08/11/09	VDH - WATERWORKS TECH ASSIST	\$4,409.55
30072474	08/11/09	VERIZON	\$13.61
30072475	08/11/09	VIRGINIA COURT CLERK ASSOCIATION	\$320.00
30072476	08/11/09	VIRGINIA PUBLIC WORKS EQUIPMENT	\$525.64
30072477	08/11/09	VITA	\$253.33
30072479	08/11/09	VITA	\$495.53
30072480	08/11/09	WORDSPRINT	\$604.00
30072481	08/11/09	WYTHE CO WATER & WASTEWATER	\$75.00
30072482	08/11/09	WYTHE COUNTY HEALTH DEPT	\$388.50
30072483	08/11/09	WYTHEVILLE OFFICE SUPPLY	\$285.22
30072484	08/11/09	XEROX	\$554.74
<b>TOTAL FUND</b>			<b>\$513,632.44</b>

**TOTAL REPORT**

**\$513,632.44**

Vice Chair Hagee seconded the motion. The roll call vote is as follows:

AYES: Martha P. Umberger      B.G. "Gene" Horney  
Charles S. Dix                      M.O. "Maggie" Poole  
Wythe B. Sharitz                      Danny C. McDaniel  
James E. Hagee

NAYS: None

**ANIMAL CONTROL COMMITTEE**

Supervisor Umberger made a motion, as recommended by the Animal Control Committee, to terminate the agreement between the Wythe County Board of Supervisors and the Humane Society.

Supervisor McDaniel inquired if the Humane Society is currently not in compliance.

Mr. Dalton responded that when the Animal Control Officers checked the Humane Society Members, they were not in compliance with State and local laws. He stated that at last check, they still had not met the requirements.

The roll call vote is as follows:

AYES: Martha P. Umberger      B.G. "Gene" Horney  
Charles S. Dix                      M.O. "Maggie" Poole  
Wythe B. Sharitz                      Danny C. McDaniel  
James E. Hagee

NAYS: None

**CRIFA MEETING - APPOINTMENT**

Chair Sharitz informed the Board that at the last Crossroads Regional Industrial Facility Authority meeting, it was brought to his attention that he had not been reappointed to the authority.

Vice Chair Hagee made a motion to reappoint Chair Sharitz to the CRIFA. Supervisor Poole seconded the motion. The roll call vote is as follows:

AYES: Martha P. Umberger      B.G. "Gene" Horney  
Charles S. Dix                      M.O. "Maggie" Poole  
Wythe B. Sharitz                      Danny C. McDaniel  
James E. Hagee

NAYS: None

### **WATER DEPARTMENT**

The Board reviewed two letters from the Office of Drinking Water. Mr. Dalton explained that the two letters were notifications that the Speedwell and the Ivanhoe/Max Meadows water systems are in violation of the *Waterworks Regulations* due to failure to monitor the bacteriological quality. Mr. Dalton informed the Board that this issue was discussed in the personnel committee, and the Water and Wastewater Departments are being reevaluated. He commented that the County is in the process of obtaining additional employees for the vacant positions in the departments.

Supervisor McDaniel inquired how the customers would be notified of the violations.

Mr. Dalton responded that a notice is being prepared and will be mailed to Speedwell customers. He reported that the notice for Ivanhoe/Max Meadows would also go in the Consumer Confidence Report that is required annually.

### **VICTIM WITNESS PROGRAM GRANT**

Mr. Dalton reviewed a letter, dated July 14, 2009, advising that a grant for the Victim Witness Program has been approved in the amount of \$44,182 in State General Funds.

Mr. Harold Street, the Victim Witness Coordinator for Wythe County, addressed the Board. He announced that the State reinstated 8% in funds to the program that was cut the previous year.

Supervisor McDaniel made a motion to accept the grant for the Victim Witness Program for \$44,182. Vice Chair Hagee seconded. The roll call vote is as follows:

AYES:	Martha P. Umberger	B.G. "Gene" Horney
	Charles S. Dix	M.O. "Maggie" Poole
	Wythe B. Sharitz	Danny C. McDaniel
	James E. Hagee	

NAYS: None

### **LANDFILL MONITORING REPORT**

Mr. Dalton explained a July 24, 2009 letter from the Department of Environmental Quality regarding the Wythe County Landfill. He stated that the facility would remain in the Phase II monitoring program because several inorganic and organic constituents were detected. Mr. Dalton commented that the constituents did not exceed the Groundwater Protection Standard and is likely due to the excess rainfall this year.

### **ECONOMIC DEVELOPMENT ACCESS ROAD POLICY**

Mr. Dalton reviewed a letter from the Virginia Department of Transportation that was dated July 22, 2009. The letter informed the Board of a change in the Economic Development Access Road Policy. Mr. Dalton commented that the maximum allocation for industrial access roads was increased to \$650,000 annually.

### **ECS MID-ATLANTIC, GEOTECHNICAL REPORTS – LOTS 24 & 32**

The Board reviewed the Preliminary Report of Subsurface Exploration and Geotechnical Analysis Reports from ECS Mid-Atlantic. The reports included the results of soil test borings, ER survey and analysis, laboratory analysis, and general recommendations for Lot 24 and Lot 32 in Wythe County's Progress Park.

### **HOUSE BILL 837**

Mr. Dalton reviewed information from the Department of Conservation and Recreation regarding House Bill 837. He explained that the Dam Break Inundation Zone Legislation information would need to be referred to the Planning Commission. He discussed beginning to identify subject points by using the County's mapping software.

Stephen Bear stated that the Emergency Management Coordinator had data references that could be used in identifying flood inundation zones in Wythe County.

Chair Sharitz referred House Bill 837 to the Planning Commission for review.

### **FAIRVIEW AGRICULTURAL & FORESTAL DISTRICT**

The Board reviewed an August 5, 2009 memorandum from Mr. Stephen Bear. The memo explained that the Agricultural and Forestal Advisory Committee and the Planning Commission approved the recommendation of the Fairview Agricultural and Forestal District to the Board of Supervisors.

Mr. Dalton informed the Board that they would need to schedule a public hearing to consider the district as soon as possible, because the district expires August 31, 2009.

Supervisor Poole made a motion to set a public hearing for consideration of the Fairview Agricultural and Forestal District. Vice Chair Hagee seconded.

Supervisor McDaniel inquired why the process could not roll past the deadline.

Mr. Dalton responded the wording in the ordinance states to "terminate" the district on August 31, 2009. He stated that the County would have to begin the process over if the project went past the deadline.

Mr. Bear informed the Board that approximately 660 acres were withdrawn or not renewed to the district. He commented that some land was added, but not a significant amount.

The motion to set a public hearing passed unanimously.

**PULASKI COUNTY ELECTED OFFICIALS PICNIC**

The Board reviewed an invitation for the Pulaski County Elected Officials Picnic that would be held August 23, 2009 at 4:00 p.m.

Chair Sharitz, Supervisor McDaniel, and Vice Chair Hagee stated their plans to attend the event.

**EDITH BOLLING WILSON DAY**

Chair Sharitz relayed to the Board members that he received a request to declare October 15 as Edith Bolling Wilson Day. He asked that staff work up a resolution to honor Edith Bolling Wilson and her birthday.

**FIRE ASSOCIATION MEETING**

Mr. Dalton informed the Board that a Fire and Rescue Association Meeting would be held August 17, 2009 at 7:00 p.m. He noted that the meeting would be at the Wytheville Community College.

**ADJOURNMENT**

With no other business to come before the Board, Chair Sharitz adjourned the meeting.

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Wythe B. Sharitz, Chair