

January 9, 2007

The Wythe County Board of Supervisors held its regularly scheduled meeting at 7:00 p.m., Wednesday, January 9, 2007. The location of the meeting was in the Board Room of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia.

**MEMBERS PRESENT:**

Susan R. Crigger, Chair  
James E. Hagee, Vice Chair  
Lisa R. Eaton  
Danny C. McDaniel

Charles S. Dix  
Martha P. Umberger  
Wythe B. Sharitz

**STAFF PRESENT:**

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

**OTHERS PRESENT:**

Sheriff Doug King  
Treasurer Sam Crockett  
Four Citizens

**CALL TO ORDER & INVOCATION**

The Chair determined that a quorum was present and called the regularly scheduled meeting to order at 7:00 p.m. The invocation was given by Pastor Chad Dunford of All Nations Church and the Chair led in the Pledge of Allegiance.

**GRAHAMFEST USA 2007**

Ms. Jody Gibson of J.A. Gibson & Associates appeared before the Board and made a presentation regarding the GrahamFest USA 2007. She reported that the festival will be held at the WW Ranch in Max Meadows at the Major Grahams Mansion. She reported that the festival will be held on Labor Day 2007 and estimated attendance is 5,000 or less.

Ms. Mary Lyn Brewer, an organizer of the GrahamFest USA, appeared before the Board and indicated that \$1.00 per ticket sale will be donated to the local Mount Rogers Community Services Board, specifically for their art programs. She indicated that the organizers have contacted residents in the community to work with them on this festival and to make it as community oriented as possible.

Supervisor Dix inquired what type music will be featured.

Ms. Brewer indicated that the music featured will be bluegrass, country, oldies, dance and jazz. She noted that there will be a comedy tent and that this event is very family oriented.

Ms. Gibson indicated that if ticket sales exceed 5,000, the necessary paperwork will be submitted to meet the county ordinances.

Mr. J.C. Weaver, event founder, appeared before the Board and thanked them for listening and for consideration of event.

Mr. Dalton noted that this event currently meets all terms of Wythe County Ordinance 1977-1, Amendment 1.

**PAYMENT OF COUNTY INVOICES**

Supervisor Dix made a motion to approve the revised invoices for January 9, 2007 in the amount of \$594,865.23. The invoices for January 9, 2007 were paid on General Warrants 30061688-30061827 as follows:

**EXPENDITURES BY DEPARTMENT  
BOARD OF SUPERVISORS  
January 9, 2007**

	<u>DESCRIPTION</u>		<u>AMOUNT</u>
1101	Board of Supervisors	\$	6,068.87
1202	County Administrator's Office		36,314.88
1209	Commissioner of the Revenue		1,060.33
1210	Assessors		7,215.39
1213	Treasurer		496.91
1301	Electoral Board		1,425.33
1302	Registrar		182.89
2102	General District Court		480.30
2102A	Juvenile & Domestic Relations Court		341.68
2103	Magistrate		66.38
2106	Clerk of the Circuit Court		1,584.18
2108	Law Library		570.15
2201	Commonwealth's Attorney		399.86
3102	Enforcement & Traffic Control		140,885.90
3102A	Cops Universal Hiring Grant		3,718.87
3102C	Vstop		47.45
3102D	Dare		566.82
3102J	Cops in Schools Grant		283.90

3202	Volunteer Fire Departments	4,259.92
3301	Correction and Detention	80,824.00
3302A	Victim Witness Assistance	139.38
3303	Probation Office	242.78
3401	Building Inspection	404.74
3501	Animal Control	638.69
3503	Medical Examiner	20.00
3504	E911 Department	2,714.05
3505	Office of Emergency Services	911.24
4203	Refuse Collection	44,519.58
4304A	Landfill Building	696.59
4304C	Courthouse Building	28,813.85
4304D	County Office Building	3,899.42
4304F	Library Building	231.99
4304H	Sixth Street Building	329.17
4320	B & G Maintenance	626.93
4401	Water Department	28,141.96
4401A	Regional WTP	49,697.40
4402	Wastewater Department	44,912.05
5401	District III Cooperative	3,458.75
7105	RR Lake Swimming Pool	131.52
7109	Recreation Commission	836.27
7110	RR Lake Campground	647.09
7111	Ager Park	454.45
7205	Festivals	10,695.00
8101	Planning Commission	720.29
8106A	Wythe County Progress Park	83,968.58
8305	Cooperative Extension Service	198.58
9201	Revenue Refunds	20.87
<b>TOTAL:</b>		<b>\$ 594,865.23</b>
Wythe County Water Department Fund	\$	28,141.96
Wythe County Wastewater Department Fund		44,912.05
Sixth Street Building (102)		329.17
Assessors (098)		7,215.39
Law Library		570.15
E-911 Department		2,714.05
Police Activity Fund		142,051.52
County General Fund		368,930.94
<b>TOTAL:</b>	<b>\$</b>	<b>594,865.23</b>

Supervisor Hagee seconded the motion and the roll call vote is as follows:

AYES:	Martha P. Umberger	Susan R. Crigger
	Charles S. Dix	Lisa R. Eaton
	Wythe B. Sharitz	Danny C. McDaniel
	James E. Hagee	

NAYS: None

**CHAIRMAN FOR 2007**

Chair Crigger stepped down as Chairman and turned the meeting over to Mr. Dalton for the election of Chairman for 2007.

Mr. Dalton commended Supervisor Crigger for her dedication and work as Chairman throughout 2006. He then called for nominations for Chairman for 2007.

Supervisor Umberger nominated Supervisor Sharitz as Chairman for 2007.

Hearing no other nominations, Mr. Dalton called for a motion to close nominations.

Supervisor Hagee made a motion to close nominations. Supervisor Crigger seconded the motion and it passed unanimously.

Mr. Dalton called for the vote on the nomination for Supervisor Sharitz as Chairman for 2007, which is as follows:

AYES:	Martha P. Umberger	Susan R. Crigger
	Charles S. Dix	Lisa R. Eaton
	Danny C. McDaniel	James E. Hagee

NAYS: None

ABSTAIN: Wythe B. Sharitz

Mr. Dalton turned the meeting over to Chair Sharitz.

**VICE CHAIRMAN FOR 2007**

Chair Sharitz opened the floor for nominations for Vice Chairman for 2007.

Supervisor Eaton nominated Supervisor Hagee as Vice Chairman for 2007.

Hearing no other nominations, Chair Sharitz called for a motion to close nominations.

Supervisor Umberger made a motion to close nominations. Supervisor Crigger seconded the motion and it passed unanimously.

Chair Sharitz called for the vote on the nomination for Supervisor Hagee as Vice Chairman for 2007, which is as follows:

AYES:	Martha P. Umberger	Susan R. Crigger
	Charles S. Dix	Lisa R. Eaton
	Danny C. McDaniel	Wythe B. Sharitz

NAYS: None

ABSTAIN: James E. Hagee

**CITIZEN'S TIME**

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

1. Max Meadows Eighth Street Road Request – Mr. E.R. Shaffer appeared before the Board and request Eighth Street in Max Meadows be reopened as closing it has landlocked some of his property.

Supervisor Hagee inquired if the Board has the authority to reopen this road.

Mr. Farthing stated that he is not sure at this time but will research the matter.

Supervisor Eaton explained that this is not technically a gravel or paved road, that currently it is only indicated on the plat as a road.

Mr. Shaffer stated that he owns 18 lots in the proximity he is referring to and will have to sell seven of these lots if the road cannot be reopened.

Chair Sharitz referred this matter to the Subdivision Committee.

Supervisor Eaton noted that the roads and lots in Max Meadows are a major issue.

As no one appeared before the Board to speak, the Chair closed Citizen's Time and proceeded with the agenda.

## **RULES OF PROCEDURE FOR 2007**

The Board reviewed the proposed Rules of Procedure for 2007.

Mr. Dalton explained that the only changes are the dates of the fiscal year end meeting and the November meeting, which always coincides with the annual VACO meeting.

Chair Sharitz inquired if the Chairman may legally sit in on committee meetings as a non-participating member. He noted that his last term spent as chairman, he appointed himself to each committee to be familiar with topics and received some criticism for this.

Mr. Dalton explained that a meeting of four or more board members constitutes a quorum and these members could technically take action in a non-official meeting. He stated that the committees could be reduced to two members and the chairman.

Mr. Farthing concurred with Mr. Dalton's explanation.

Supervisor Umberger expressed concerns with the recommendations from committee meetings. She suggested the recommendations be more thorough so board members not on the committee are better informed of what they are voting on. She referenced the recent vote on the tourism brochure.

Mr. Dalton reported that each committee meeting is recorded and minutes transcribed that may be emailed to the board for review prior to Board meetings.

Supervisor Hagee made a motion to approve the Rules of Procedure for 2007 as presented. Supervisor Crigger seconded the motion and the roll call vote is as follows:

AYES:	Martha P. Umberger	Susan R. Crigger
	Charles S. Dix	Lisa R. Eaton
	Wythe B. Sharitz	Danny C. McDaniel
	James E. Hagee	

NAYS: None

## **VEHICLE BID TABULATION**

The Board reviewed a bid tabulation for vehicles and heavy equipment recently auctioned on [www.govdeals.com](http://www.govdeals.com).

Mr. Dalton reported that all bids exceeded the reserve amounts and staff recommends these items be declared surplus and accept the bids.

Supervisor Hagee made a motion to declare the items surplus and accept the bids through [www.govdeals.com](http://www.govdeals.com). Supervisor Eaton seconded the motion and the roll call vote is as follows:

AYES:	Martha P. Umberger	Susan R. Crigger
	Charles S. Dix	Lisa R. Eaton
	Wythe B. Sharitz	Danny C. McDaniel
	James E. Hagee	

NAYS: None

### **WYTHE COUNTY AUDIT – FISCAL YEAR 2005-06**

The Board reviewed the Wythe County Audit for fiscal year 2005-06 as completed by Robinson, Farmer, Cox Associates.

Mr. Dalton briefly addressed the concerns presented by the Auditors.

Supervisor McDaniel made a motion to accept the Wythe County Audit for fiscal year 2005-06 as presented. Supervisor Hagee seconded the motion and it passed unanimously.

### **BUDGET COMMITTEE REPORT**

1. Mid-Atlantic Government Opportunity Funds – Supervisor Hagee made a motion, as recommended by the Budget Committee, to amend and appropriate \$40,000 to 8106B-6000 for Mid-Atlantic. The roll call vote is as follows:

AYES:	Martha P. Umberger	Susan R. Crigger
	Charles S. Dix	Lisa R. Eaton
	Wythe B. Sharitz	Danny C. McDaniel
	James E. Hagee	

NAYS: None

2. VSTOP Grant – Supervisor Hagee made a motion, as recommended by the Budget Committee, to accept the VSTOP grant in the amount of \$23,725 in Federal Funds and \$22,174 in matching funds for a total award of \$45,899.

Mr. Dalton noted that this grant has already been budgeted.

The roll call vote on the motion is as follows:

AYES:	Martha P. Umberger	Susan R. Crigger
	Charles S. Dix	Lisa R. Eaton
	Wythe B. Sharitz	Danny C. McDaniel
	James E. Hagee	

NAYS: None

3. Fire Services Grant – Supervisor Hagee made a motion, as recommended by the Budget Committee, to accept the Fire Services Grant in the amount of \$8,876; and, to amend and appropriate these funds to the appropriate department.

Mr. Dalton noted that these funds will be used for the purchase of (1) Notebook Computer, (1) Projector, (1) Rear Projection TV, DVD/VCR Combo, FF I & II DVDs for the Max Meadows Fire Department.

The roll call vote on the motion is as follows:

AYES:	Martha P. Umberger	Susan R. Crigger
	Charles S. Dix	Lisa R. Eaton
	Wythe B. Sharitz	Danny C. McDaniel
	James E. Hagee	

NAYS: None

## APPOINTMENTS

1. Alcohol Safety Awareness Program – Supervisor Hagee made a motion to reappoint Supervisor Crigger to the Alcohol Safety Awareness Program Board. Supervisor Eaton seconded the motion and it passed unanimously.
2. Budget Committee – Chair Sharitz appointed Supervisor Umberger, Supervisor Dix and Supervisor Hagee to the Budget Committee.
3. Chief Local Elected Officials Board – Chair Sharitz agreed to serve on the Chief Local Elected Officials Board.
4. District III Governmental Cooperative – Chair Sharitz agreed to serve on the District III Governmental Cooperative.

5. Wythe/Grayson Regional Library Board –Chair Sharitz reappointed Supervisor McDaniel to the Wythe/Grayson Regional Library Board.
6. Mount Rogers Mental Health & Mental Retardations Services Board – Supervisor Umberger made a motion to reappoint Denise Grego to the Mount Rogers Mental Health & Mental Retardations Services Board. Supervisor Hagee seconded the motion and it passed unanimously.
7. New River Regional Jail Authority – Supervisor Dix made a motion to appoint Supervisor Hagee as primary appointee to the New River Regional Jail Authority and Mr. Dalton as alternate. Supervisor Eaton seconded the motion and it passed unanimously.
8. Joint Public Service Authority – Supervisor McDaniel made a motion to appoint Supervisor Dix to the Joint Public Service Authority. Supervisor Hagee seconded the motion and it passed unanimously.
9. Subdivision Committee – Supervisor Hagee made a motion to appoint Supervisor Eaton, Supervisor McDaniel, Chair Sharitz and Mr. Farthing to the Subdivision Committee. Supervisor Crigger seconded the motion and it passed unanimously.
10. Wytheville/Town County Committee – Chair Sharitz appointed Supervisor McDaniel and Supervisor Umberger to the Wytheville/Town County Committee.
11. A-Corridor – Supervisor Hagee made a motion to reappoint Supervisor McDaniel to the A-Corridor Board. Supervisor Crigger seconded the motion and it passed unanimously.
12. Water & Wastewater Committee – Chair Sharitz appointed Supervisor Eaton, Supervisor Hagee and Supervisor Crigger to the Water & Wastewater Committee.
13. Mount Rogers Planning District Commission – Planning Commission Representative – Supervisor Hagee made a motion to reappoint Eural Clippard to the Mount Rogers Planning District Commission as Wythe County’s Planning Commission representative. Supervisor Umberger seconded the motion and it passed unanimously.
14. Agricultural & Forestal District Committee – Chair Sharitz appointed Supervisor Dix to the Agricultural & Forestal District Committee.

15. Workforce Investment Board – Supervisor Hagee made a motion to reappoint David Elmore to the Workforce Investment Board. Supervisor Dix seconded the motion and it passed unanimously.

#### **AEP FUEL SURCHARGE INCREASE**

The Board reviewed a letter dated December 12, 2006 from Garry Simmons, regulatory Consultant for Appalachian Power (AEP) regarding the proposed AEP fuel surcharge increase.

Supervisor Hagee made a motion to write a letter opposing the proposed AEP fuel surcharge increase. Supervisor Crigger seconded the motion and it passed unanimously.

#### **JET BROADBAND**

The Board reviewed a proposed ordinance and resolution for the proposed Jet Broadband cable television franchise.

Mr. Dalton reported that the state is taking over collection of franchise fees and the fee will be raised to 5%.

Supervisor McDaniel made a motion to set a public hearing for 7:05 p.m., Tuesday, February 13, 2007 for consideration of an ordinance accepting Jet Broadband as a cable television franchise operating in Wythe County, Virginia. Supervisor Hagee seconded the motion and it passed unanimously.

#### **HOPE MINISTRIES**

The Board reviewed a letter dated December 13, 2007 from Andy Kegley, Executive Director of the HOPE Ministry Center, requesting the real estate tax in the amount of \$1,690.00 for HOPE Ministry center be refunded.

Supervisor Dix made a motion to make a donation in the amount of \$1,690.00 to HOPE Ministry Center. Supervisor Hagee seconded the motion and the roll call vote is as follows:

AYES:	Martha P. Umberger	Susan R. Crigger
	Charles S. Dix	Lisa R. Eaton
	Wythe B. Sharitz	Danny C. McDaniel
	James E. Hagee	

NAYS: None

#### **NEW RIVER HIGHLANDS RC&D – FINANCIAL STATEMENT**

The Board reviewed the New River Highlands Resource Conservation & Development financial statements for year ending 2006.

### **WYTHE COUNTY LANDFILL**

The Board reviewed a letter dated December 22, 2006 from Linda Stull, Compliance & enforcement Specialist II for the Virginia Department of Environmental Quality, Southwest Regional Office. The letter indicated that during the recent compliance inspection of the Wythe County Landfill, no violations of the permit of regulatory requirements were found.

### **BUDGET CALENDAR**

The Board reviewed a revised budget calendar for 2007.

Supervisor McDaniel requested consideration for the entire Board to sit in on budget hearings on March 19-22, 2007 so all members are better informed of the budget requests.

The Board concurred.

Supervisor McDaniel made a motion to adopt the budget calendar for 2007 as revised. Supervisor Crigger seconded the motion and it passed unanimously.

### **SHERIFF DEPARTMENT GRANTS**

The Board reviewed a letter dated December 27, 2006 from Leonard Cooke, Director of the Virginia Department of Criminal Justice Services. The letter indicated that Wythe County has been approved for \$5,000 in Federal Byrne Justice Assistance Grant funds, \$5,000 in Federal Safe & Drug Free Schools Funds, and \$1,667 in Matching Funds for a total award of \$11,667 for the GOSAP – Youth & Community in Service Together Program.

Supervisor Dix made a motion to accept the GOSAP – Youth & Community in Service Together funds in the total amount of \$11,667 and to amend and appropriate funds to the appropriate department. Supervisor Hagee seconded the motion and the roll call vote is as follows:

AYES:	Martha P. Umberger	Susan R. Crigger
	Charles S. Dix	Lisa R. Eaton
	Wythe B. Sharitz	Danny C. McDaniel
	James E. Hagee	

NAYS: None

### **JOINT GOVERNING BODIES MEETING**

Mr. Dalton reported that the next Joint Governing Bodies meeting will be held at 7:00 p.m., Monday, January 29, 2007 at the Rural Retreat Town Chambers. He requested any agenda items be submitted to staff.

**LEGISLATIVE DAYS**

Mr. Dalton reported that Legislative Days is January 31-February 2, 2007 and inquired which Board members will be attending.

All Board members indicated they will be attending except Supervisor Umberger and Supervisor Dix.

Mr. Dalton noted that driving arrangements will be made at the next meeting.

**MAX MEADOWS CLOSING OF RIGHT-OF-WAY**

Mr. Bear reported the Building & Grounds Committee was presented with a request from Mr. Barry Catron to close a right-of-way in Max Meadows. He reported that all costs associated with preparing a plat and recordation will be Mr. Catron’s responsibility.

Supervisor McDaniel made a motion, as recommended by the Building & Ground Committee, to set a public hearing for consideration of closing a right-of-way in the Max Meadows area contingent upon all costs being the responsibility of Mr. Catron. The motion passed unanimously.

**CHARITY DONATION**

Supervisor Umberger and Supervisor Crigger referenced the Board making a private donation to a local charity such as Crossroads Shelter in honor of the recent holiday season.

**CLOSED MEETING**

A motion was made by Supervisor Umberger to enter into Closed Meeting under Section 2.2-3711-A.5 (Discussion of Prospective Industry) of the Code of Virginia. This motion was seconded by Supervisor McDaniel and the roll call vote is as follows:

AYES:	Danny C. McDaniel	Susan R. Crigger
	Charles S. Dix	Lisa R. Eaton
	James E. Hagee	Wythe B. Sharitz
	Martha P. Umberger	

NAYS: None

Upon returning to open meeting a motion was made by Supervisor Crigger 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 a meeting was conducted in conformity with Virginia law;

**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 motion was seconded by Supervisor Dix and the roll call vote is as follows:

AYES:	Danny C. McDaniel	Susan R. Crigger
	Charles S. Dix	Lisa R. Eaton
	James E. Hagee	Wythe B. Sharitz
	Martha P. Umberger	

NAYS:       None

**PROJECT GALAXY**

Supervisor McDaniel made a motion to direct the Chairman and staff to sign the necessary paperwork for the Project Galaxy proposal options A & B. Supervisor Hagee seconded the motion and it passed unanimously.

**FAIRVIEW INDUSTRIAL PARK**

Chair Sharitz stated that there is a request before the Board to address trucks entering Fairview Road and missing the Industrial Park. He inquired if the JIDA may have any suggestions for this issue.

Dr. Alan Hawthorne indicated that he will see what the JIDA can do to assist on this matter.

**LOT ACCEPTANCE ORDINANCE**

Supervisor Hagee made a motion to direct the County Attorney to draft an ordinance for the acceptance of lots located in Progress Park based on certain conditions. Supervisor McDaniel seconded the motion and the roll call vote is as follows:

AYES:	Danny C. McDaniel	Susan R. Crigger
	Charles S. Dix	Lisa R. Eaton
	James E. Hagee	Wythe B. Sharitz
	Martha P. Umberger	

NAYS: None

**ADJOURNMENT**

With no other business to come before the Board, Supervisor Hagee made a motion to adjourn the meeting. Supervisor McDaniel seconded the motion and it passed unanimously.

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Wythe B. Sharitz, Chair