

The Wythe County Board of Supervisors held its regularly scheduled meeting at 9:00 a.m., Tuesday, March 27, 2007. 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
James E. Hagee, Vice Chair
Susan R. Crigger
Danny C. McDaniel

Martha P. Umberger
Charles S. Dix
Lisa R. Eaton

STAFF PRESENT:

R. Cellell Dalton, Clerk
Stephen D. Bear, Assistant County Administrator
Sam Crockett, Treasurer
Doug King, Sheriff

OTHERS PRESENT:

Justin Harmon, Enterprise
Kenneth Stone, Citizen
Walter Benda, Citizen
Ms. Benda, Citizen

CALL TO ORDER AND INVOCATION

The Chair determined that a quorum was present and called the regularly scheduled meeting to order at 9:00 a.m. The invocation was given by Mr. Harvey Atkinson of the Walker Mountain Lutheran Parish and the Chair led in the Pledge of Allegiance.

CITIZEN'S TIME

1. Reassessment – Mr. Walter Benda expressed his concern regarding the quality of the 2007 property reassessment and presented a prepared study for distribution to the Supervisors. Mr. Benda discussed current value based on a recent real estate transaction and reassessment values for 2007. Validity of reassessment value related to land value appears disproportionate per Mr. Bend and he expressed frustration with the option of the appeal process through the Board of Equalization. Mr. Benda's study referenced air quality, land use, development and access to high speed internet for the county. Ms. Benda expressed similar concerns articulated by her son Mr. Walter Benda and further stating her desire to maintain mountain and wood land vistas.

PUBLIC HEARING – PROPOSED ORDINANCE ENTITLED “2007 REAL ESTATE BOARD OF EQUALIZATION DEADLINES ORDINANCE OF WYTHE COUNTY”

The Chair stated that pursuant to the Code of Virginia, and amendments thereto, the Wythe County Board of Supervisors would conduct a public hearing on March 27, 2007, at 9:05 a.m. Notification of the public hearing was published in the *Wytheville Enterprise*. The Chair stated that the purpose of the public hearing was to hear public comment regarding the proposed Ordinance 2007-2 entitled “2007 Real Estate Board of Equalization Deadlines Ordinance of Wythe County, Virginia”. The Chair opened the hearing for comments at this time.

Hearing no comments the Chair closed the public hearing.

Supervisor McDaniel made a motion to adopt Ordinance 2007-2 entitled “2007 Real Estate Board of Equalization Deadlines”. Supervisor Eaton seconded the motion and the roll call vote is as follows:

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

NAYES: None

MINUTES OF PREVIOUS MEETINGS

The Board was presented with the February 13, 2007 minutes for adoption.

Supervisor Hagee made a motion to approve the February 13, 2007 minutes as presented. Supervisor Umberger seconded the motion and the roll call vote is as follows:

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

NAYES: None

ABSTAINED: Susan R. Crigger

The Board was presented with the February 27, 2007 minutes for adoption.

Supervisor Hagee made a motion to approve the February 27, 2007 minutes as presented. Supervisor Crigger seconded the motion and the roll call vote is as follows:

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

NAYES: None

PAYMENT OF INVOICES

Supervisor Dix made a motion to approve the revised invoices for February 13, 2007 in the amount of \$214,559.81. The invoices for February 13, 2007 were paid on General Warrants 30063045-30063121 as follows:

**EXPENDITURES BY DEPARTMENT
BOARD OF SUPERVISORS
March 27, 2007**

	<u>DESCRIPTION</u>		<u>AMOUNT</u>
1101	Board of Supervisors	\$	1,666.82
1202	County Administrator's Office		449.98
1209	Commissioner of the Revenue		53.50
1210	Assessors		387.02
1213	Treasurer		33.33
1301	Electoral Board		695.15
1302	Registrar		273.36
2102	General District Court		308.16
2106	Clerk of the Circuit Court		312.00
2108	Law Library		33.33
2201	Commonwealth's Attorney		33.33
3102	Enforcement & Traffic Control		7,712.98
3102A	Cops Universal Hiring Grant		342.65
3102J	Cops in Schools Grant		378.26
3301	Correction and Detention		79,745.00
3302A	Victim Witness Assistance		83.50
3401	Building Inspection		171.53
3501	Animal Control		1,343.70
3503	Medical Examiner		20.00
3504	E911 Department		449.79
3505	Office of Emergency Services		1,456.70
4203	Refuse Collection		3,141.95
4304A	Landfill Building		11.57
4304C	Courthouse Building		14,799.64

4304D	County Office Building	2,739.20
4320	B & G Maintenance	95.31
4401	Water Department	8,671.17
4401A	Regional WTP	22.00
4402	Wastewater Department	11,420.87
6101B	VRS Payment	68,775.61
7109	Recreation Commission	1,476.74
7110	RR Lake Campground	2,744.83
7111	Ager Park	258.89
7205	Festivals	633.99
8101	Planning Commission	680.95
8106A	Wythe County Progress Park	3,137.00
Total:		\$ 214,559.81
Wythe County Water Department Fund		\$ 8,671.17
Wythe County Wastewater Department Fund		11,420.87
PWRF 098 Assessors		387.02
E-911 Department		449.79
Law Library		33.33
Sheriff's State Asset Forfeiture Funds		400.97
Police Activity Fund		2309.60
County General Fund		190,887.06
TOTAL:		\$ 214,559.81

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

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

NAYES: None

TREASURER'S REPORT

Mr. Sam Crockett, Wythe County Treasurer appeared before the Board and presented the Treasurer's Report as follows:

1. Revenue Statement – An updated Revenue Statement was presented. Discussion was held regarding rules and regulations of the new dog tag ordinance. Audit management requirements were also discussed.

SHERIFF'S REPORT

Sheriff Doug King appeared before the Board and presented the Sheriff's Report as follows:

1. Resignation – Sheriff King reported the resignation of the part time security position. He indicated that background checks will be done on recent applicants to fill the position.
2. Dare Graduation – Sheriff King extended an invitation to the Board of Supervisors to celebrate graduation.
3. Department of Corrections – Sheriff King indicated that all annual inspections have passed.

SUPERVISOR'S REPORTS

1. VACO – Supervisor McDaniel reminded the Board of the April 16, 2007 meeting at 6:30 p.m. in Abingdon.
2. Agriculture Expo – Chair Sharitz reported that Site Selection Committee is still reviewing site options.

COUNTY ADMINISTRATOR'S REPORT

Mr. Dalton addressed the DHCD (compliance review) letter indicating the Benefit Letter has been signed and mailed but the Financial Management Letter is not finalized as of this date. The Smyth County Engineering Agreement, approving start of construction of the water line, was submitted by Mr. Dalton for signature of Chair Wythe B. Sharitz. Discussion was held regarding requested approval to remove constituents from the testing perimeters required by Environmental Quality related to landfill sites. Approved inspection of the Animal Pound is on file as reported by Mr. Dalton. Industrial Park parking congestion and signage was discussed and Mr. Dalton informed the Board that an internal parking system has been implemented; however scheduled appointments cannot enter until designation appointment time. Hazardous road side parking conditions, right of way, speed limit signage and building up of road shoulder were discussed. Mr. Dalton shared information regarding the simplified one page Land Use Ordinance application form. Discussion was held regarding determining Land Use terminology. Further discussion was held regarding air quality enforceable guidelines and woodlands acreage assessment.

Mr. Dalton reported that County Attorney, Scot F. Farthing is working on issues previously requested by the Board.

CONSENT CALENDAR

A motion was made by Supervisor McDaniel to approve the Consent Calendar for March 27, 2007 as follows:

1. Salaries for February 2007 –

General County Fund	\$	380,085.30
Water Department		25,578.05
Wythe County Wastewater Fund		9,877.73
E-911 Department		6,615.30
Courthouse Security Fund		7,650.26
Police Activity Fund		60,131.57
TOTAL:	\$	489,938.21

Check Numbers: 30062386-30062553; 30062625-30062797

2. Status Reports –

- Animal Control
- Building Inspection
- Emergency Management
- Parks & Recreation
- Planning Commission

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

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

NAYS: None

FOURTH QUARTER APPROPRIATIONS

Supervisor McDaniel made a motion to amend and appropriate the Fourth Quarter Appropriation report. The motion was seconded by Supervisor Dix.

Discussion was held regarding carryover and budget amounts. Mr. Stephen Bear explained appropriation analysis as shown on the report submitted. Modification and/or addition to the report showing spent appropriations year to date were requested by the Board.

The roll call vote is as follows:

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

NAYES: None

VARIANCE REQUEST, STONE PROPERTY

Assistant County Administrator, Mr. Bear referred to the 20' building set back requirements on the Subdivision Plat prepared for Mr. Kenneth Stone, subdividing his property into three (3) lots in 2003, further stating Mr. Kenneth Stone conveyed the property to his son Darren Stone. A building has been erected encroaching said set back measuring 9'9" from the property line as reported by Mr. Hodges to Mr. Bear, who further stated, that in May of 2006 the Building Inspection Department approved the footer location. Due to unintentional errors on the property owner and county officials waiving of set back requirements is being requested. The permanent concrete slab and building cannot be moved. The Board suggested allowing Mr. Stone to obtain a letter from the adjacent property owner, Mr. Beasley, indicating no objection to the building location. Mr. Bear recommended presenting the letter at the scheduled Public Hearing Monday, April 2nd, 2007, as time is of the essence relating to power for the building.

RECESS

At approximately 10:22 a.m. Chair Wythe B. Sharitz called for a short recess.

RECONVENE

The Board reconvened at 11:14 a.m. and was called to order by Chair Wythe B. Sharitz.

WALL OF HONOR APPOINTMENT

Supervisor Hagee made a motion to accept the Wall of Honors recommendation for Robin Wright to the Wall of Honor Committee. Supervisor Crigger seconded the motion and the roll call vote is as follows:

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

NAYES: None

RETIREMENT - MR. PUD MOORE – PRESENTATION

Supervisor Crigger made a motion to pass a resolution honoring Mr. James P. Moore as follows:

RESOLUTION HONORING MR. JAMES D.MOORE

Whereas, James D. Moore was first hired by Wythe County Board of Supervisors as a full time Heavy Equipment Operator for the Solid Waste Department on February 20th, 1979; and,

Whereas, Mr. Moore operated heavy equipment for 19 years in an efficient and exemplary manner and his supervisor noted “he’s as good an operator as he had seen”; and,

Whereas, Mr. Moore was later transferred to the Water Department on February 2, 1998; and,

Whereas, Mr. Moore was an excellent County employee always agreeable to accept whatever challenge assigned, perform to the best of his abilities, operated and took care of the equipment as if it were his own; and,

Whereas, Mr. Moore was an outstanding employee working many weekends, holidays and responded to calls to fix water leaks after regularly worked hours; and,

Whereas, the many years of employment are so noted; and,

Whereas, Mr. Moore has submitted an application for retirement effective April 1, 2007; and,

Now, Therefore Be It Resolved, the Board of Supervisors of Wythe County wishes to thank Mr. Moore for his dedication.

Be it Further Resolved, a copy of this Resolution be given to Mr. Moore as a token of appreciation from the Board of Supervisors.

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

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

NAYES: None

Chair Sharitz read the resolution and a gift was presented to Mr. Moore from the Board of Supervisors.

Mr. Dalton also presented gifts of appreciation to Mr. Moore and thanked him for his many years of service.

HIGHWAY MATTERS

Mr. Junior Goad reported on the placement of previous requested signage. Discussion was held regarding the completion of the logging operations on Fairview Road. Voting precinct usage at VDOT facility agreement and processing fee of Ten Dollars (\$10.00) was requested by Mr. Goad. The status of several road projects was reviewed. Mr. Goad reported on the completion of Kitchen Road with a balance of approximately Fifteen Thousand Dollars (\$15,000.00). Mr. Goad further reported Blackberry Road is in the early stage of construction and utilities locations were reviewed. Mr. Goad indicated only enough funds are available to surface treat Sunny Road which should be completed this summer. Speed signage on 619 and Ft. Chiswell shops were discussed. Supervisor Susan R. Crigger inquired of communication with Mr. Kelly regarding Connors Valley. Gunton Park Road potholes and Mayapple debris in right of way was discussed as well as legal options if property owners do not comply. Supervisor Crigger expressed appreciation for the trash pick up and inquired about the schedule for continued clean up options. Discussion was held regarding an off duty sheriff deputy overseeing prisoners. Sheriff Doug King reported he has been speaking with the regional jail relating to unrestricted prisoners. Concern regarding outside perimeters and entrance signage at Carter's Park was addressed by Supervisor Eaton. Supervisor Hagee spoke regarding flooding on Millers Creek following a heavy rain.

GOOD FRIDAY HOLIDAY

Supervisor Eaton inquired regarding the recognition of Good Friday as a paid holiday. Mr. Dalton reminded the Board that it agreed to follow the State schedule.

RECESS

Chair Sharitz recessed the meeting until 7:00 p.m., Monday, April 2, 2007 at the Max Meadows Elementary School for a public hearing on the proposed Comprehensive Plan.

RECONVENE

The Board reconvened at 7:00 p.m. and was called to order by Chair Wythe B. Sharitz. All Board members were present except Supervisor Dix and Supervisor McDaniel.

PUBLIC HEARING – COMPREHENSIVE PLAN

The Chair stated that pursuant to the Code of Virginia, and amendments thereto, the Wythe County Board of Supervisors would conduct a public hearing on April 2, 2007, at 7:00 p.m. Notification of the public hearing was published in the *Wytheville Enterprise*. The Chair stated that the purpose of the public hearing was to hear public comment regarding the proposed Wythe County Comprehensive Plan. The Chair turned the hearing over to Mr. James Huffard, Chairman of the Wythe County Planning Commission.

Mr. Huffard opened the hearing for comments at this time.

Hearing no comments, the Chair closed the public hearing.

STONE – REQUEST FOR WAIVER

Mr. Bear reported that the Board of Supervisors, at its March 27, 2007 meeting, addressed a request submitted by Thomas G. Hodges, Attorney at Law, on behalf of his client, Darren C. Stone. He explained that Mr. Stone is requesting that the Board of Supervisors consider waiving the setback requirement or adjusting the setback to accommodate a building that was placed in the building setback area in error.

He explained that the Board requested that Mr. Stone notify his adjoining owner, Clinton L. Beasley, of the building encroaching upon the setback area and that a letter be provided from Mr. Beasley confirming that he does not have any objection to the location of the building. Mr. Bear distributed a letter, for the Board's review, from Mr. Beasley dated March 27, 2007 stating that he does not have any objection to the location of the building. Mr. Bear stated that Ms. Cassell received verbal confirmation from Mr. Beasley that he endorsed the letter since it was not notarized.

After brief discussion, a motion was made by Supervisor Hagee to grant a waiver to the building setback requirement established by plat dated May 19, 2003 for property currently owned by Darren C. Stone to allow the permanent building that was constructed that encroaches upon the building setback area. The motion was seconded by Supervisors Crigger and passed.

RECESS

With no further business to come before the Board at this time, Chair Sharitz recessed the meeting until 9:00 a.m., Thursday, April 5, 2007 for the Wythe County School Board Budget Presentation.

RECONVENE

The Board reconvened at 9:00 a.m. and was called to order by Chair Sharitz. All Board members were present except Supervisor Hagee. Others present were Mr. Dalton, Mr. Bear, Martha Collins, Dr. Al Armentrout, Alan Wilder, Chalmer Frye, Bill Kidd, Wes Poole, LaDonna Meade and Sarah Dickens.

WYTHE COUNTY SCHOOL BOARD BUDGET PRESENTATION

Dr. Al Armentrout, Wythe County Schools Superintendent, appeared before the Board and presented the 2007-08 School Board budget.

AMCOR SIGNAGE

Supervisor McDaniel reported that the Industrial Site Committee reviewed the wall mounted and monumental signs presented for the Amcor facilities. He indicated that the signs meet all terms of the park covenants.

Supervisor McDaniel made a motion, as recommended by the Industrial Site Committee, to approve the signs for the Amcor facilities. The roll call vote on the motion is as follows:

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

NAYES: None

ABSENT: James E. Hagee

ADJOURNMENT

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

Wythe B. Sharitz, Chair