

May 8, 2007

The Wythe County Board of Supervisors held its regularly scheduled meeting at 7:00 p.m., Tuesday, May 8, 2007. The location of the meeting was in the Board Room of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia.

**BOARD MEMBERS PRESENT:**

Wythe B. Sharitz, Chair  
James E. Hagee, Vice Chair  
Lisa R. Eaton  
Susan R. Crigger

Charles S. Dix  
Martha P. Umberger  
Danny C. McDaniel

**STAFF PRESENT:**

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

**OTHERS PRESENT:**

Keith Dunagan, Chief Deputy  
Sam Crockett, Treasurer  
Eric Crowgey  
Tony Damerel

Frances Emerson  
Sid Kitts  
Two 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 the Reverend Janet Richardson of the West End United Methodist Church. The Chair led in the Pledge of Allegiance.

**CITIZEN'S TIME**

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

With no one appearing before the Board to speak, the Chair closed Citizen's Time.

**PAYMENT OF COUNTY INVOICES**

Supervisor Dix made a motion to approve the invoices for May 8, 2007 in the amount of \$527,863.09. The invoices for May 8, 2007 were paid on General Warrants 30063813-30063892 as follows:

**EXPENDITURES BY DEPARTMENT  
BOARD OF SUPERVISORS  
May 8, 2007**

	<u>DESCRIPTION</u>		<u>AMOUNT</u>
1101	Board of Supervisors	\$	2,880.98
1202	County Administrator's Office		2,547.38
1209	Commissioner of the Revenue		117.06
1210	Assessors		1,077.34
1213	Treasurer		1,593.11
1302	Registrar		419.88
2102	General District Court		719.11
2102A	Juvenile & Domestic Relations Court		163.48
2103	Magistrate		47.42
2106	Clerk of the Circuit Court		1,007.80
2108	Law Library		549.21
2201	Commonwealth's Attorney		828.62
3102	Enforcement & Traffic Control		14,836.86
3102B	Courtroom Security		61.94
3102C	Vstop		342.95
3202	Volunteer Fire Departments		71.00
3203	Ambulance and Rescue Services		6,621.96
3301	Correction and Detention		88,396.00
3302A	Victim Witness Assistance		345.76
3303	Probation Office		213.03
3401	Building Inspection		255.48
3501	Animal Control		742.57
3504	E911 Department		3,027.33
3505	Office of Emergency Services		518.36
4203	Refuse Collection		87,944.11
4304A	Landfill Building		13.26
4304C	Courthouse Building		12,444.16
4304D	County Office Building		1,883.96
4320	B & G Maintenance		55.30
4401	Water Department		18,788.46
4402	Wastewater Department		33,488.75
7105	RR Lake Swimming Pool		500.77
7109	Recreation Commission		654.62
7110	RR Lake Campground		4,625.59
7111	Ager Park		1,261.75

8101	Planning Commission	3,710.45
8106A	Wythe County Progress Park	215,775.00
8305	Cooperative Extension Service	19,332.28
<b>TOTAL:</b>		<b>\$ 527,863.09</b>
Wythe County Water Department Fund		\$ 18,788.46
Wythe County Wastewater Department Fund		33,488.75
Assessors		1,077.34
E-911 Department		3,027.33
Law Library		549.21
Police Activity Fund		12,163.23
County General Fund		458,768.77
<b>TOTAL:</b>		<b>\$ 527,863.09</b>

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

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

NAYS: None

### COUNTY DECALS

Mr. Dalton referenced a report made by the Town of Wytheville at the Joint Governing Bodies Meeting concerning decals. He stated that a committee needs to address this matter.

Mr. Sam Crockett, Wythe County Treasurer, stated that 21,000 forms were printed and 18,000 stickers sold last year. He noted that the recent issues at the recycling centers have increased sticker sales.

Supervisor Hagee expressed concerns with policing if the decals are taken away and concerns with how long the state will hold funds.

Supervisor McDaniel inquired to Mr. Crockett what the Wytheville Treasurer, Mike Stephens opinion was concerning the DMV collecting fees.

Mr. Crockett indicated that Mr. Stephens would not mind trying the DMV method.

Mr. Hartwell Roberts of 1106 Major Grahams Road referenced having antique vehicles that do not require a sticker and therefore, aren't able to drop trash off at the centers.

Supervisor Eaton recommended Mr. Roberts carry his tax ticket to verify taxes paid on these vehicles.

Mr. Dalton recommended this matter be referred to the County Attorney for review and make a report back to the Board.

The Board concurred.

**ARTISAN CENTER**

Mr. Eric Crowgey spoke in regards to the proposed use of the Spiller Annex for an artisan center. He reported that the current center on Main Street generated \$2,700 in its best month. He stated that if the Board allows the artisans center use of the Spiller Annex, they can obtain a grant for renovations.

Chair Sharitz clarified that the county would have to apply for the grant since it owns the building. He expressed concerns with interruptions of grant funding if this building was ever conveyed to the Town or a non-profit agency.

Supervisor Hagee, Supervisor McDaniel and Supervisor Eaton all expressed concerns being caught repaying the grant funding if the center is not successful or it restricts the future use of the building.

Supervisor McDaniel recommended discussing this matter at the next Town/County Committee meeting.

**WYTHE COUNTY COMPREHENSIVE PLAN**

Mr. Dalton reported that the Planning Commission approved the proposed Comprehensive Plan with minor revisions.

Mr. Bear distributed the revisions for the Board's review.

Supervisor McDaniel made a motion to approve the Comprehensive Plan as presented with the corrections recommended by the Planning Commission. Supervisor Dix seconded the motion and the roll call vote is as follows:

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

NAYS: None

Supervisor Eaton expressed her disappointment with the citizen's amount of participation at the public hearings.

Mr. Bear noted that lack of participation may signify satisfaction with the direction the County is taking.

### **SIXTH STREET UTILITY BUILDING**

Supervisor Crigger made a motion, as recommended by the Building & Grounds Committee, to accept the proposal from King & King for the utility building to be located on the new Sixth Street Parking Lot.

Mr. Dalton stated that he met with Ms. Tibbett Spears who requested the minutes reflect that the Board has agreed to provide a buffer between the Spears house and parking lot. He indicated that he has contacted a landscaping specialist to provide an opinion to the best foliage and trees to plant to provide a buffer and make the parking lot and building blend aesthetically with the community.

The Board concurred provide a buffer between the utility building and Spears house.

Supervisor Umberger stated that she has received comments opposing the garage concept but that they are fine with the parking lot.

Mr. Dalton stated that the garage concept was derived due to complaints from the citizens regarding the parked equipment and vehicles that were parked on the previous lot.

Supervisor Eaton inquired about how reducing the size of the storage will affect the amount of storage originally needed.

Mr. Dalton explained that some of the equipment not needed on a regular basis will be stored a proposed utility building to be located near the transfer station.

Chair Sharitz stated that he voted against this in the Committee meeting and will again because a utility building was not part of the original intent when the Board purchased the property. At this time Chair Sharitz called for the question and the roll call vote is as follows:

AYES:	Charles S. Dix	Lisa R. Eaton
	Danny C. McDaniel	Susan R. Crigger

NAYS: James E. Hagee  
Wythe B. Sharitz

Martha P. Umberger

**NORFOLK & SOUTHERN RAIL SIDING**

Supervisor Hagee made a motion, as recommended by the Industrial Site Committee, to proceed with negotiations with Norfolk & Southern for the rail siding to be constructed between Gatorade and Lane Industries. Supervisor McDaniel seconded the motion and the roll call vote is as follows:

AYES: Martha P. Umberger  
Charles S. Dix  
Wythe B. Sharitz  
Susan R. Crigger

James E. Hagee  
Lisa R. Eaton  
Danny C. McDaniel

NAYS: None

**DHCD FAIR HOUSING RESOLUTION**

Supervisor McDaniel made a motion to adopt the following Fair Housing Resolution:

**WHEREAS**, the congress has enacted the Federal Fair Housing Act of 1968 as amended; and

**WHEREAS**, federal and state law provide equal housing opportunity for all citizens regardless of race, color, religion, national origin, sex, age, familial status, or handicap; and

**WHEREAS**, the County of Wythe has provided programs to assist the development of decent, affordable housing for citizens of all income; now

**THEREFORE**, We, the Board of Supervisors, do enforce the concept of Fair Housing and call upon the citizens of Wythe County and government officials along with those in banking and housing industries to join and work together in this observance for free and equal housing treatment for all.

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

AYES: Martha P. Umberger  
Charles S. Dix  
Wythe B. Sharitz  
Susan R. Crigger

James E. Hagee  
Lisa R. Eaton  
Danny C. McDaniel

NAYS: None

**PROPERTY & CASUALTY RENEWAL QUOTATION**

Upon review, Supervisor Hagee made a motion to accept the Property & Casualty Renewal Quotation provided by VACo for FY 2007-08. Supervisor McDaniel seconded the motion and the roll call vote is as follows:

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

NAYS: None

**MRPDC – APPRAISAL PROCUREMENT**

The Board reviewed a memorandum dated May 18, 2007 from David Barrett, Executive Director of the Mount Rogers Planning District Commission (MRPDC). The letter referenced the process for regional procurement of appraisal services for 2008-2014.

Mr. Dalton reported that he has sent comments to the MRPDC requesting they not choose based on price alone for future procurements. He stated that he recommended the County’s have a choice between several open end firms.

The Board concurred with this recommendation.

**LAW LIBRARY FUNDING REQUEST**

The Board reviewed a letter dated April 30, 2007 from Hayden Horney, Clerk of Circuit Court, requesting the Law Library budget be amended by \$3,030.00 due to the increase in cost for the use of the Lexis Law system.

Supervisor Hagee made a motion to amend the Law Library budget by \$3,030.00. Supervisor McDaniel seconded the motion and the roll call vote is as follows:

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

NAYS: None

**VDHCD – FINAL AUDIT & CLOSEOUT – GRANT NO. 03-28**

The Board reviewed a letter dated February 28, 2007 from Todd Christensen, Deputy Director for the Virginia Department of Housing & Community Development, concerning the final audit and closeout of Community Improvement Grant No. 03-28.

Mr. Dalton stated that staff is to be commended for completing this grant and referenced Ms. Slusher specifically.

Chair Sharitz requested the Board's thanks be passed along to Ms. Slusher.

**VDHCD – INTERIM AUDIT – GRANT NO. 05-CED-27**

The Board reviewed a letter dated February 28, 2007 from Todd Christensen, Deputy Director for the Virginia Department of Housing & Community Development, concerning the interim audit for Community Improvement Grant No. 05-CED-27.

**WYTHE-GRAYSON REGIONAL LIBRARY – APPOINTMENT**

The Board reviewed a letter dated April 19, 2007 from Ms. Mary Etta Clemons, Acting Director for the Wythe-Grayson Regional Library. The letter recommended an appointment of Ms. Miriam Booker to the Wythe-Grayson Regional Library Board to fill the unexpired term of Ms. Linda St. John.

Supervisor Crigger made a motion to appoint Ms. Miriam Booker to the Wythe-Grayson Regional Library Board to fill the unexpired term of Ms. Linda St. John. Supervisor Umberger seconded the motion and it passed unanimously.

**COURTHOUSE SECURITY FEE**

The Board reviewed a memorandum dated May 4, 2007 from Mr. Dalton concerning the Courthouse Security Fee. Mr. Dalton reported that effective July 1, 2007, Senate Bill 1082 (Chap 0377) increases the cap of the Courthouse Security Fee from \$5.00 to \$10.00 as the maximum amount to be assessed as part of the criminal or traffic court costs against a convicted defendant. He reported that the Board adopted an ordinance authorizing the fee in 2002. He stated that a public hearing will have to be scheduled to consider an amendment to the ordinance.

Supervisor Hagee made a motion to set a public hearing for June 12, 2007 at 7:05 p.m. Supervisor Dix seconded the motion and it passed unanimously.

**LIVE SCAN MAINTENANCE COSTS**

The Board reviewed a letter dated April 5, 2007 from Sheriff Doug King requesting a budget amendment in the amount of \$2,317.00 for the Live Scan annual maintenance costs.

Supervisor Umberger made a motion to amend and appropriate \$2,317.00 to 3102-3005 for the Live Scan Maintenance costs. Supervisor Crigger seconded the motion and the roll call vote is as follows:

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

NAYS: None

**D.A.R.E. PROGRAM**

The Board reviewed a letter dated March 27, 2007 from Sheriff Doug King requesting an appropriation in the amount of \$2,500 from the Police Activity Fund to the D.A.R.E. Overtime budget (3102D-1002). The letter reported that funds were received from Royce Publications for the Sheriff’s Department annual calendar project.

Supervisor Hagee made a motion to appropriate \$2,500.00 to 3102D-3005 for the D.A.R.E. overtime budget. Supervisor Crigger seconded the motion and the roll call vote is as follows:

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

NAYS: None

**WELLHEAD PROTECTION GRANT AWARD**

Upon review, Supervisor Hagee made a motion to amend the Water Department’s budget in the amount of \$37,104.00 for the Wellhead Protection Grant award. Supervisor McDaniel seconded the motion and the roll call vote is as follows:

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

Susan R. Crigger

NAYS: None

**WYTHE-BLAND COMMUNITY FOUNDATION GRANT AWARD**

The Board reviewed a letter date April 1, 2007 from Gail Catron, Executive Director for the Wythe-Bland Community Foundation, announcing a grant award in the amount of \$50,000 to Wythe County for conducting a rescue services needs assessment. The grant was awarded contingent upon Wythe County inviting Bland County to participate in the project.

Supervisor McDaniel made a motion to accept the grant in the amount of \$50,000 from the Wythe-Bland Community Foundation and to appropriate the same to the Emergency Services Department. Supervisor Dix seconded the motion and the roll call vote is as follows:

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

NAYS: None

**BIG WALKER HEIGHTS SUBDIVISION**

The Board reviewed a memorandum dated May 3, 2007 from Stephen Bear, Assistant County Administrator, regarding the Big Walker Heights Subdivision. The memorandum reported that Someday, LLC desires to vacate the 88 lots within the "Big Walker Heights Subdivision".

Mr. Bear explained that the County Attorney has advised that there are two methods in which the Board may vacate these lots. He reported that there is also a Vacation of Right-of-Way policy the Board adopted in January 2004 requiring the owner to purchase the right-of-way from the county. He noted that his property will remain a farm.

Supervisor McDaniel stated that the current policy indicates a price of \$60,000 for the purchase of the right-of-ways for these 88 lots. He stated that the current owners did not place these right-of-ways and is not sure charging \$60,000 is fair.

Supervisor Eaton inquired if this policy has been imposed previously.

Mr. Bear stated that the policy has been imposed but for smaller purchases.

Supervisor Hagee expressed concerns with charging the current owner for purchasing the right-of-ways when he did not place them on the property.

Mr. Farthing stated that the previous owner requested the public right-of-ways for subdividing so the property is now owned by the county.

Supervisor McDaniel stated that he feels the action the Board takes will set precedence but feels this is an excessive amount to charge.

Mr. Bear suggested using the current land use value instead of the assessed value.

Supervisor Hagee made a motion to allow Someday, LLC to purchase the right-of-way contained within Big Walker Heights Subdivision at the land use value of \$450.00/per acre. Supervisor Dix seconded the motion and the roll call vote is as follows:

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

NAYS: None

#### **BOARD OF EQUALIZATION – TIME EXTENSION REQUEST**

The Board reviewed a letter dated May 3, 2007 from James Willis, Chairman of the Wythe County Board of Equalization. The letter requested a time extension of 30 days to complete the Board of Equalization tasks.

Mr. Dalton noted that a public hearing will have to be scheduled for consideration of this request.

Supervisor Umberger made a motion to schedule a public hearing for June 12, 2007 at 7:10 p.m. to consider extending the Board of Equalization deadline by 30 days. Supervisor Eaton seconded the motion and it passed unanimously.

#### **NACO CONFERENCE**

The Board reviewed a brochure for the NACo conference to be held in July.

Mr. Dalton asked that board members to confirm their attendance with Ms. Collins.

**ADJOURNMENT**

With no other business to come before the Board,

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Wythe B. Sharitz, Chair