

The Wythe County Board of Supervisors held its regularly scheduled day meeting at 9:00 a.m., Tuesday, October 23, 2007, 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	Martha P. Umberger
James E. Hagee, Vice Chair	Charles S. Dix
Susan R. Crigger	Lisa R. Eaton
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:

Sam Crockett, Treasurer
Doug King, Sheriff
Mike Hall, Director of Social Services
Bill Ward
Gregory Dill, Crossroads Church of Christ
One Citizen

CALL TO ORDER & INVOCATION

The Chair determined that a quorum was present and called the regular meeting to order at 9:00 a.m. The invocation was given by Mr. Gregory Dill of Crossroad Church of Christ. The Chair led 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.

1. Social Services – Ms. Jennifer Shute appeared before the board and spoke in support of the Wythe County Department of Social Services (DSS) staff. She expressed concerns with staff being overloaded. She referenced all the responsibility of the DSS staff including court papers, attending court, etc. and they strive to do their best for each case.

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

PRESENTATION OF MR. BILL WARD'S SERVICE WEAPON

Sheriff Doug King presented Mr. Bill Ward his service weapon in recognition of his twenty years of service as a Wythe County Animal Control Officer.

MINUTES OF PREVIOUS MEETINGS

The Board was presented with the September 11, 2007 minutes for adoption.

Supervisor Hagee made a motion to approve the September 11, 2007 minutes as presented. 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

October 23, 2007

Charles S. Dix
 Danny C. McDaniel

Lisa R. Eaton

NAYS: None

The Board was presented with the September 25, 2007 minutes for adoption.

Supervisor Umberger made a motion to approve the September 25, 2007 minutes with correction of the date on the Treasurer's Report section.

Supervisor McDaniel stated that the reconvened session stated the wrong members present and it should state, "Chairman Sharitz reconvened the meeting" and that all members were present except Supervisor Hagee and Supervisor Dix.

Supervisor Umberger amended her motion to include the stated corrections. Supervisor Hagee 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

PAYMENT OF COUNTY INVOICES

Supervisor Dix made a motion to pay the invoices submitted for approval on October 23, 2007, 2007 for the various departments of County government. The invoices for October 23, 2007, 2007 were paid on General Warrants 30066076; 30066084-30066202 as follows:

EXPENDITURES BY CHECK #'S BOARD OF SUPERVISORS October 23, 2007

CHECK #	ISSUE DATE	VENDOR	TOTAL
30066076	10/15/07	UNITED STATES POSTMASTER	782.28
TOTAL FUND			782.28
30066084	10/23/07	AFTON COMMUNICATIONS CORP	238.45
30066085	10/23/07	APPALACHIAN POWER	11,973.92
30066086	10/23/07	APPLEBEE'S	100.00
30066087	10/23/07	ATKINS TIRE	632.00
30066088	10/23/07	ATS INTERNATIONAL INC	807.50
30066089	10/23/07	ATS INTERNATIONAL INC	6,612.00
30066090	10/23/07	AUSTIN, MAURICE	47.83
30066091	10/23/07	BARREN SPRINGS VOL FIRE DEPT	8,103.83
30066092	10/23/07	BILLY EXCAVATION	175.00
30066093	10/23/07	BKT UNIFORMS	489.50
30066094	10/23/07	BOLT, J D	40.00
30066095	10/23/07	BRENTAG MID-SOUTH INC	1,082.96
30066096	10/23/07	CDW GOVERNMENT, INC.	984.03
30066097	10/23/07	CHARLES S DIX	214.55
30066098	10/23/07	CHRISTIANSBURG PRINTING	1,500.00
30066099	10/23/07	COMMUNITY ANIMAL CLINIC, INC.	70.01
30066100	10/23/07	CONTROL EQUIPMENT COMPANY	352.00
30066101	10/23/07	CREATIVE PRODUCT SOURCING-DARE	226.54
30066102	10/23/07	CROSSPOINTE CONTRACTING, INC.	480.00
30066103	10/23/07	DANNY C. MCDANIEL	291.00

30066104	10/23/07	DAVID'S AUTO REPAIR	83.00
30066105	10/23/07	DEPARTMENT OF STATE POLICE	240.00
30066106	10/23/07	DOUGLAS W. KING	286.62
30066107	10/23/07	DUKE'S PRINTING	2,500.00
30066108	10/23/07	ECONOMY QUICK LUBE	21.95
30066109	10/23/07	EMBARQ	39.98
30066110	10/23/07	EMBARQ	2,122.90
30066111	10/23/07	EMBARQ	117.20
30066112	10/23/07	EMBARQ	59.48
30066113	10/23/07	EMBARQ	41.24
30066114	10/23/07	EMBARQ	38.47
30066115	10/23/07	EMBARQ	41.43
30066116	10/23/07	EMBARQ	41.43
30066117	10/23/07	EMBARQ	38.47
30066118	10/23/07	EMBARQ	37.72
30066119	10/23/07	EMBARQ	237.36
30066120	10/23/07	EMBARQ	38.83
30066121	10/23/07	EMBARQ	27.26
30066122	10/23/07	EMBARQ	148.98
30066123	10/23/07	EMBARQ	39.24
30066124	10/23/07	EMBARQ	103.54
30066125	10/23/07	EMS, INC.	1,390.00
30066126	10/23/07	ESI	378.50
30066127	10/23/07	EVERSOLE MOTORS	27.90
30066128	10/23/07	FERGUSON ENTERPRISES	68.79
30066129	10/23/07	FOOD COUNTRY	149.10
30066130	10/23/07	GALLS, INC.	612.33
30066131	10/23/07	GMAC GARAGE, INC.	48.95
30066132	10/23/07	HARPER & COMPANY	275.00
30066133	10/23/07	HARPO'S HARDWARE & BLDG SUPPLY	54.65
30066134	10/23/07	HD SUPPLY WATERWORKS	309.90
30066135	10/23/07	HOME & COMMERCIAL CLEANING	133.68
30066136	10/23/07	HOUSEMAN'S CITGO	57.79
30066137	10/23/07	IVANHOE FIRE DEPT	8,103.83
30066138	10/23/07	JAMES E HAGEE	67.90
30066139	10/23/07	JANPAK	892.58
30066140	10/23/07	JOINT PUBLIC SERVICE AUTHORITY	20.00
30066141	10/23/07	JOYCE ENGINEERING INC	1,950.40
30066142	10/23/07	KETCHUM MFG CO INC	1,060.26
30066143	10/23/07	LEAD MINES RESCUE SQUAD	8,330.65
30066144	10/23/07	LEE'S TIRES & MUFFLER SHOP, INC.	63.95
30066145	10/23/07	MATTHEW BENDER & CO INC	75.65
30066146	10/23/07	LISA R EATON	37.83
30066147	10/23/07	MARSHALL CONCRETE PRODUCTS	166.00
30066148	10/23/07	MARTHA P UMBERGER	47.35
30066149	10/23/07	MAX MEADOWS FIRE DEPT	8,103.83
30066150	10/23/07	MEDIA GENERAL	536.17
30066151	10/23/07	MEDIA GENERAL	114.64
30066152	10/23/07	MOORE MEDICAL	217.14
30066153	10/23/07	MT ROGERS COMMUNITY SERV BD	24,102.00
30066154	10/23/07	NRV JUVENILE DETENTION	520.00
30066155	10/23/07	NEXTEL	493.88
30066156	10/23/07	NTELOS	150.00
30066157	10/23/07	OTIS ELEVATOR CO	2,014.68
30066158	10/23/07	PACTRONICS	826.20
30066159	10/23/07	PUBLIC SAFETY SOLUTIONS	14,499.90
30066160	10/23/07	R & R SEPTIC	2,400.00
30066161	10/23/07	R & R SEPTIC	100.00

October 23, 2007

30066162	10/23/07	RAPID FUEL	12,595.48
30066163	10/23/07	RAYMOND EARL KOHL	32.94
30066164	10/23/07	RAYMOND EARL KOHL	22.82
30066165	10/23/07	RCI	175.00
30066166	10/23/07	RURAL RETREAT FIRE DEPT	8,103.83
30066167	10/23/07	RURAL RETREAT VOL EMG SERVICES	8,330.65
30066168	10/23/07	SALEM STONE	50.90
30066169	10/23/07	SELECT AUTO PARTS	226.94
30066170	10/23/07	SOUTHWESTERN EQUIPMENT	65.38
30066171	10/23/07	SPEEDWELL FIRE DEPT	8,103.83
30066172	10/23/07	SUNGARD	2,493.26
30066173	10/23/07	SUSAN L. CRIGGER	105.25
30066174	10/23/07	SVLAS	25.00
30066175	10/23/07	TEE'S PLUS	38.00
30066176	10/23/07	THOMPSON TIRE	908.64
30066177	10/23/07	THREE RIVERS MEDIA CORP	330.00
30066178	10/23/07	TOWN OF WYTHEVILLE	478.13
30066179	10/23/07	TOWN WYTHEVILLE	1,000.00
30066180	10/23/07	TUCKER PONTIAC	40.98
30066181	10/23/07	TWO WAY RADIO	225.00
30066182	10/23/07	USA BLUE BOOK	56.83
30066183	10/23/07	VACO	3,025.00
30066184	10/23/07	VAGP	35.00
30066185	10/23/07	VALLEY DUST TECH SERVICES	80.50
30066186	10/23/07	VERIZON	13.61
30066188	10/23/07	VITA	512.37
30066189	10/23/07	VORTECH PHARMACEUTICALS	103.27
30066190	10/23/07	VUPS	92.00
30066191	10/23/07	WALTER S. CROCKETT	100.00
30066192	10/23/07	WASTE INDUSTRIES	476.75
30066193	10/23/07	WATER & WASTE EQUIPMENT	6,892.93
30066194	10/23/07	WYTHE B SHARITZ	250.26
30066195	10/23/07	WYTHE COUNTY HEALTH DEPT	367.94
30066196	10/23/07	WYTHE COUNTY RESCUE SQUAD	10.00
30066197	10/23/07	WYTHE COUNTY RESCUE SQUAD	8,330.65
30066198	10/23/07	WYTHENET INC	400.00
30066199	10/23/07	WYTHEVILLE COMMUNITY COLLEGE	10,348.50
30066200	10/23/07	WYTHEVILLE FIRE DEPT	8,103.83
30066201	10/23/07	WYTHEVILLE OFFICE SUPPLY	445.71
30066202	10/23/07	XEROX	683.29
TOTAL FUND			\$ 202,808.12
TOTAL ALL CHECKS			\$ 203,590.40

The motion was seconded by Supervisor Hagee 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

TREASURER'S REPORT

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

1. Trial Balance & Revenue Statement – The Board reviewed and accepted the Bank Statement, Trial Balance and Revenue Statement as submitted Mr. Crockett for month ending September 30, 2007.
2. Credit Card Machines – Mr. Crockett reported credit card machines being installed in his office. He stated that Mike Stevens recently had machines installed at the Town Treasurer's Office since there are no fees charged.

Mr. Dalton stated that additional machines have been ordered for the Lake and Water Department.

SHERIFF'S REPORT

Mr. Doug King, Wythe County Sheriff, appeared before the Board and presented the Sheriff's Report as follows:

1. USDA Technology Grant – Sheriff King reported that there may be technology grant funds available through USDA. He reported that the Sheriff's Office is making application for funds for in-car video systems.

Supervisor Eaton inquired if there has ever been an instance in court where the video equipment may have assisted.

Sheriff King stated that the technology helps monitor what happens while patrolling and aids in discrepancies.

SUPERVISORS' REPORTS

1. Edith Bowling Wilson Exhibit – Supervisor Eaton encouraged everyone to attend the upcoming Edith Bowling Wilson Exhibit to be held at the Town Museum.
2. Plastic Recycling – Supervisor Umberger inquired if there is currently a market for recyclable plastics.

Mr. Dalton confirmed that there is a market for plastics currently but no market for glass.

Supervisor Umberger stated that citizens get upset when they've taken the time to recycle and it's dumped with the other trash. She inquired if there were other sources the county could use.

Mr. Dalton reported that he has asked Mount Rogers Planning District Commission whether localities could join together on recycling issues.

Supervisor Crigger inquired about the status of cardboard recycling at the centers.

Mr. Dalton reported that the cardboard matter was discussed with George Hamilton of Lusk Disposal at the last Solid Waste Committee meeting. He reported that at the time of the meeting, the containers were ready but attendants were instructed to not take it yet.

Supervisor Umberger referenced Supervisor Crigger's concerns about the containers having tops and she stated that Mr. Hamilton indicated that tops would not be necessary; that water will not harm the cardboard.

October 23, 2007

Supervisor Eaton stated that the Solid Waste Committee also discussed setting a box at centers for businesses to recycle cardboard.

Mr. Dalton reported that in researching this matter further; a box for businesses may have to be located at Lusk for collection.

BUDGET COMMITTEE

1. CSA Supplemental Allocation – Supervisor Dix made a motion, as recommended by the Budget Committee, to amend & appropriate a total of \$651,642.00 (\$176,464.65 Local; \$475,177.35 State) for the CSA Supplemental Allocation.

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

2. Tax Credit – Supervisor Dix made a motion, as recommended by the Budget Committee, to advertise an amendment to Wythe County Ordinance 78-5 in regards to the age credit amounts as follows:

Income	\$ 30,000.00
Net Worth	\$ 80,000.00
Exemption Amount	\$ 200.00

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

3. Max Meadows Fire Department – Supervisor Dix made a motion, as recommended by the Budget Committee, to amend and appropriate an additional \$10,350 for the repair of the Max Meadows Fire Department pumper truck.

Mr. Dalton reported that the committee reviewed the tank once it was removed from the truck. He noted that the Committee agreed to the additional work as it will extend the life of the truck by 15 years.

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

4. Budget Amendment – Overtime – Supervisor Dix made a motion, as recommended by the Budget Committee, to amend and appropriate

\$1,110.00 to 3102-46009 (Vehicle Supplies); funds received from VACo for a vehicle claim and \$5,040 to 3102-41200 (Traffic Control Overtime Pay) funds received from Mountain Rock Music for overtime reimbursement for security at Graham Fest.

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

5. District III Bus – Supervisor Sharitz inquired about bids on a District III bus.

Mr. Dalton stated that the Committee agreed to bid on all buses and if awarded any; to bring back to the Board for approval.

6. Department of Social Services Budget Request – Supervisor McDaniel inquired about the status of the Department of Social Service’s budget request.

Mr. Dalton reported that the Committee requested additional information from Mr. Hall.

Mr. Hall stated that the committee inquired about the amount of out-of-office trips taken by staff. He reported that in a two week span, from October 7-20, 2007, his staff traveled approximately 3,540 miles: 78 in county and visits to Kingsport, Danville, Abingdon (three times) Bristol, Pulaski (three times, including one court case), Charlottesville, and Haymarket, Virginia. He stated that these trips were made by 10 to 12 various staff members.

The board and staff discussed staffing needs and solutions.

Supervisor Umberger inquired if DSS ever works with families to keep them together.

Mr. Hall confirmed Supervisor Umberger’s question. He stated that he is to a point where he can’t ask more of his staff.

Supervisor Hagee inquired who sets the criteria for social workers.

Mr. Hall explained that criteria are set at a state and local level and there are different pay grades depending on qualifications and duties. He indicated that the state typically provides 30% and localities 20%; however, funding for the three positions requested does not have any state match. He did note that there was some federal match available at 50% local match for the eligibility workers and 87.5%:12.5% ratio for Social Worker Aids.

Supervisor Hagee expressed concerns that the state demands criteria but will not fund the positions and if the local government picks it up; it becomes their responsibility.

Mr. Dalton indicated that more information has been requested by Mr. Hall by letter.

Supervisor McDaniel requested this matter be resolved by the October 29, 2007 meeting.

BUILDING & GROUNDS COMMITTEE

1. Recreation Facility Usage Rules – Supervisor McDaniel made a motion, as recommended by the Building & Grounds Committee, to accept the facility usage rules for Ager Park, Max Meadows and Rural Retreat Lake Park as proposed by the Parks & Recreation Director. 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

2. Building & Grounds Maintenance Crew Tools – Supervisor Hagee indicated that some of the crew has stated their tools are wore out. He also inquired of the age of the lawn mowers.

Mr. Dalton reported that the lawn mowers are approximately 2-3 years old and that the Building & Grounds Supervisor doesn't relay this same message. He will check on the matter.

COUNTY ADMINISTRATOR'S REPORT

1. JPSA/SVSWMA – Conversion Technologies Presentation – The Board reviewed a letter dated October 3, 2007 from Roger Repass, Operations Manager for the Joint Public Service Authority. The letter provided an invitation to the Southwest Virginia Solid Waste Management Association's meeting at the Wytheville Meeting Center on Wednesday, December 12, 2007 from 10:00 a.m. to 12:00 Noon with a catered lunch to follow. Mr. Mel Finstein, a Professor Emeritus from Rutgers University, will be sharing a detailed seminar about biogesters, reclamation, and recycling.
2. Request for Road Name – The Board reviewed a memorandum dated September 5, 2007 from Brandy Nichols, proposing the road name "Glenwood Hollow" for a right-of-way off Bertha Farms Road.

Supervisor Hagee made a motion, seconded by Supervisor Dix to approve the road name "Glenwood Hollow". The roll call vote on the motion 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

3. Joyce Engineering – Groundwater Monitoring Report – The Board reviewed a letter dated September 26, 2007 from Jeremy Kerly, Staff Consultant for Joyce Engineering to Dallas Sizemore with the Virginia Department of Environmental Quality. Joyce Engineering submitted the Second Semiannual Groundwater Monitoring Report of 2007 for the Wythe County Landfill Permit No. 105. There were no Groundwater Protection Standard exceedances reported for this event.

4. New River/Mt. Rogers Workforce Investment Board – Round Table Discussion – The Board reviewed a letter dated October 15, 2007 from Ronnie Martin, Executive Director for the New River/Mt. Rogers (NR/MR) Workforce Investment Board. The NR/MR Workforce Investment Board will hold a round table discussion on the workforce training needs of Wythe, Smyth and Bland Counties. This event will be held at 10 a.m., Wednesday, November 28, 2007 at the Wytheville Meeting Center.
5. DEQ – Litter Prevention & Recycling Program – The Board reviewed a letter dated October 5, 2007 from Stephen Coe, Grants Program Manager, announcing a grant award of 410,184 has been approved for Wythe County and the Town of Rural Retreat's Litter Prevention and Recycling Program activities for the period of July 1, 2007 to June 30, 2008. The grand award shall be distributed as follows: Wythe County, \$9,100; Rural Retreat, \$1,084.
6. Compensation Board – Mr. Dalton briefly reviewed a budget reduction plan for the Compensation Board. He explained that the Compensation Board will now restrict use of turnover funds for all constitutional officers, will delay by 90 days the approval of filling vacant positions and will restrict use of vacancy savings for Circuit Court Clerks, Treasurers, Directors of Finance and Commissioners of the Revenue. This 90-day delay does not apply to Sheriffs, Regional Jails or Commonwealth's Attorneys.
7. VACo Group Self-Insurance Programs – Annual Business Meeting – The Board reviewed invitations to the VACo Group Self-Insurance Association and Rick Pool's Annual Business Meeting at the Homestead on November 13, 2007.
8. Big Walker Soil & Water Conservation District – Annual Awards Dinner – The Board reviewed an invitation to the Big Walker Soil & Water Conservation District Annual Awards Dinner to be held at 6 p.m., November 1, 2007 at the Bland Lutheran-Presbyterian Fellowship Hall.
9. Water Service Request – Mr. Dalton presented a request for Town water service at 378 Pump Hollow Road. He indicated that the County does not provide water service in this area and recommended the Board approve this request.

Supervisor Crigger made a motion to grant approval to the Town to provide water service at 378 Pump Hollow Road. Supervisor Hagee 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

Chair Sharitz inquired about requesting MRPDC to conduct a survey regarding wells failing.

Mr. Dalton reported that a water & sewer study will be conducted to obtain documentation on water needs and the structure of services and systems.

October 23, 2007

COUNTY ATTORNEY'S REPORT

Mr. Farthing stated that he received a call from an attorney representing Camelot who has several concerns regarding the proposed Juvenile and Adult Facilities Ordinance. He stated that part of the goal of the facility is to assist families to re-unite. He referenced concerns with the ordinance regarding the review of septic systems by the Department of Health.

Supervisor Eaton inquired who Camelot reports to and who sets its regulations.

Mr. Farthing stated that Camelot receives their licensure through the Department of Mental Health.

Supervisor Hagee stated that he would like to get details of the Camelot facility in writing.

CONSENT CALENDAR

A motion was made by Supervisor Dix to approve the Consent Calendar for October 23, 2007, 2007 as follows:

1. Salaries for September 2007 –

Water Department	\$	22,144.99
Wythe County Wastewater Fund		7,008.40
Police Activity Fund		67,372.45
Courthouse Security Fund		8,874.72
E-911 Department		6,843.96
General County Fund		389,743.50
TOTAL	\$	501,988.02

Check Numbers: 30065740-30065775; 30065867-30065911

Voucher Numbers: V717001-V717123; V718000-V718130

Voided Check Numbers: 30065712-30065739

2. Status Reports –

Animal Control – Danny Blanchett
 Building Inspection – Kenny Hurst
 Emergency Services – Ikey Davidson
 Parks and Recreation – Raymond Kohl
 Planning Commission – Michelle Cassell

3. Personnel –

- A. Copeland, James D. (3102 – Sheriff Department) – Hired Full-time County Grant 911 Communications Operator, Effective September 16, 2007; Annual Salary \$19,734
- B. Whittaker, Kayla (2201 – Commonwealth's Attorney) – Terminated Effective October 5, 2007
- C. King, Stacy (1204 – Finance Department) – Hired Full-time Budget & Finance Director, Effective October 9, 2007; Annual Salary \$62,655
- D. Ward, Bill (3501 – Animal Control) – Retirement Effective October 4, 2007
- E. King, Kimberly T. (4401 – Water Department) – Resignation Effective October 19, 2007

- F. Harmon, Dawn (4401 – Water Department) – Hired Full-time Secretary, Effective October 15, 2007; Annual Salary \$20,277
 - G. Blevins, Karen (4402 – Wastewater Department) – Hired Full-time Wastewater Operator, Effective September 24, 2007; Annual Salary \$22,363
 - H. Whalen, Mike (4402 – Wastewater Department) – Promoted to Full-time Wastewater Operator, Effective September 17, 2007; Annual Salary \$24,259
4. Budget Amendments –
- A. Board of Supervisors (1101-43030) – \$50.00 – Donation from Wytheville Technologies, Inc. – County Picnic Door prizes

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

AYES: Susan R. Crigger
James E. Hagee
Charles S. Dix
Danny C. McDaniel

Martha P. Umberger
Wythe B. Sharitz
Lisa R. Eaton

NAYS: None

VACO'S 2008 DRAFT LEGISLATIVE PROGRAM

The Board reviewed VACO's draft Legislative Program for 2008.

HIGHWAY MATTERS

Mr. Junior Goad, Resident Administrator for the Virginia Department of Transportation (VDOT), appeared before the Board to address highway matters.

1. Resident Engineer's Report –
 - A. Brimm Lane – Mr. Goad reported that a landowner has requested abandonment of a portion of Brimm Lane which would required the Board's approval and posting.

Mr. Bear requested the steps and procedures to follow so the landowner can request this in writing.
 - B. Six-Year Plan – Mr. Goad recommended postponing the Six-Year Plan public hearing until Spring.
2. Supervisors' Requests –
 - A. Blackberry Road – Supervisor Crigger commended VDOT for the work on Blackberry Road.

Supervisor Eaton further complimented Mr. Cox for following up with her on some issues.
 - B. Route 607 – Supervisor Hagee reported that Route 607 is in need of shoulder and patching repairs.
 - C. Reed Creek Drive – Supervisor Eaton commented that the citizens are really excited about the Reed Creek Drive project.

- D. Rockdale Road – Supervisor McDaniel requested attention to the guardrail issue on Rockdale Road.
3. Resident Engineer Retirement – Mr. Goad announced his retirement around the first of December. He expressed his appreciation to the board and working with him over the past few years. He recommended the board keep the 81-77 study in mind and the Exit 77 extension.

On behalf of the board, Chair Sharitz thanked Mr. Goad for his work and wished him well in his retirement.

HUMANE SOCIETY AGREEMENT

Mr. Stephen Bear, the Assistant County Administrator, referenced the new humane society agreement and stated that he and both of the Animal Control Officers meet with several members of the humane society to go over the agreement terms. He said that they were fine with the changes that were made to the contract.

Supervisor Umberger inquired about the number of dogs on the agreement being 40. She asked how much acreage they would have to have to obtain a license. Her concern was the large number of dogs that each person with a kennel license was allowed to have.

Mr. Bear stated that the ordinance limits the number to 40 dogs. Also, before the Treasurer's Office sells any of the kennel licenses, an Animal Control Officer goes to inspect the kennel to ensure it is suitable for holding that number of dogs. With this in effect, there are no acreage restrictions. Mr. Bear reviewed the changes of the humane society agreement with the Board. He touched on each issue that the Board of Supervisors was concerned about, as well as, the issues that the humane society wanted resolved. In this review, Mr. Bear touched on the fact that their basic concern was they felt the other contract was an infringement on their rights. The Lanter Road issue was the biggest problem the humane society had. They felt that Board members and other people were going onto this person's property without any right. Mr. Bear assured the humane society that no trespassing by any county employee had taken place.

Supervisor Crigger stated, for the record, "I did not get out of my car that morning." She stated, "I did not get out of my car. I drove down the road, past the house, and back up the road."

Supervisor McDaniel made a motion to approve the agreement with Supervisor Hagee seconding the motion. The roll call vote was as follows:

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

NAYS: None

ABSTAINED: Susan R. Crigger

Mr. Cellell Dalton informed the Board that the humane society is asking for the Supervisors to consider a claim for \$138 for medical expenses for the puppy that was injured. The situation is being advertised in the paper and online.

Stephen Bear referenced an online petition that has 216 signatures from all over the United States, requesting that everyone be held responsible for that dog not having immediate veterinarian care. The dog involved had to have its leg amputated when it was taken to the vet. The lady who took Spirit, the dog, to the vet has submitted that amount to see if the County would be interested in paying that bill.

Supervisor Eaton inquired that if procedure had been followed in the case of Spirit, would we have the bill for the dog's amputation anyway?

The County Administration answered that the dog would have been euthanized. With that being said, Mr. Dalton said that his recommendation to the Board was not to pay the bill.

Supervisor Hagee made a motion to deny claim with Supervisor Dix seconding to the motion.

Supervisor Eaton raises a discussion with concerns about denying the claim. She expressed her understanding that the County is under some unusual circumstances, but she does feel that the County is responsible to some extent. She stated that protocol was not followed, and the situation flowed downhill from that point resulting in this situation. She stated that we, as a County, need to bring it back to a professional level and take responsibility for our negligence.

Mr. Dalton responded to Ms. Eaton's concerns by stating that once ownership was turned over to these people they also took responsibility.

With the motions already being made, the roll call vote was as follows:

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

NAYS: Lisa R. Eaton

Supervisor McDaniel commented that he may have voted differently if the owners had taken the dog to the vet immediately after taking it into their possession.

CLOSED MEETING – PROSPECTIVE INDUSTRY

A motion was made by Supervisor Umberger to enter into Closed Meeting under Section 2.2-3711-A.7 (Discussion of Prospective Industry) of the Code of Virginia. This motion was seconded by Supervisor Hagee and the roll call vote is as follows:

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

NAYS: None

Upon returning to open meeting a motion was made by Supervisor Umberger 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
	Lisa R. Eaton	James E. Hagee
	Wythe B. Sharitz	Martha P. Umberger
	Charles S. Dix	

NAYS: None

RECESS

At approximately 12:36 p.m. Chair Sharitz recessed the meeting until 6 p.m., Tuesday, October 23, 2007 for the Camelot Informational Meeting to be held at Draper Valley Pentecostal Holiness Church Fellowship Hall.

RECONVENE

The Board reconvened at approximately 6:05 p.m., Tuesday, October 23, 2007 in the Fellowship Hall of the Draper Valley Pentecostal Holiness Church. Chair Sharitz stated that all members were present.

CAMELOT GROUP HOME INFORMATIONAL MEETING

Mr. Larry Morrisett provided a presentation on the Camelot group homes of Virginia and specific plans for the Wythe County facilities. He responded to questions from the Board of Supervisors and community.

Note: Please see attachment for summary of meeting.

RECESS

With no further business to discuss at this time, Chair Sharitz recessed the meeting until 4:00 p.m., Monday, October 29, 2007. The Board will hold a public hearing to consider the adoption of proposed Ordinance 2007-6 entitled, "Juvenile & Adult Facilities Ordinance of Wythe County, Virginia."

RECONVENE

The Board reconvened at 4:03 p.m., Monday, October 29, 2007 in the Board Room of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia. All Board members were present. Staff present included Mr. Dalton, Mr.

Bear, Mr. Farthing and Ms. Collins. Others present were Mike Hall, Director of Social Services, Sheriff Doug King and approximately 30 citizens.

ANIMAL & FOWL ORDINANCE 2007-5

Chair Sharitz stated that the Board has considered the proposed Animal & Fowl Ordinance.

Supervisor McDaniel made a motion, seconded by Supervisor Umberger to approve Ordinance 2007-5 Animal & Fowl Ordinance of Wythe County, Virginia.

Supervisor Crigger requested clarification of the amount of dogs by Code.

Mr. Farthing reported that the Board allows for 20 per kennel license but the Code allows for up to 50.

PUBLIC HEARING – PROPOSED JUVENILE & ADULT FACILITIES ORDINANCE

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 Monday, October 29, 2007, at 4:00 p.m. Notification of the public hearing was published in the *Wytheville Enterprise*. The Chair stated that the purpose of the hearing was to hear public comment regarding the proposed Wythe County Ordinance 2007-6 entitled, "Juvenile & Adult Facilities Ordinance of Wythe County, Virginia." The Chair opened the hearing for comments at this time and requested the County Administrator summarize the situation at hand.

Mr. Dalton reported that the Board was approached by the citizens of Grahams Forge with concerns of the proposed group home. Their concerns ranged from safety to not knowing about the facility to concerns about their groundwater wells. He indicated that after consulting with the County Attorney, there were only two subjects to look at. One being that the Code allows in County's non-zoned to require a public hearing for any potential group home and the second issue is to protect the public safety and welfare under the state water regulations. He reported that Wythe County has already had a well or two contaminated with groundwater problems in that area which brought concerns of the people due to the risk of their wells in the area. He stated that the ordinance was drafted to address these issues requiring a public hearing for group homes and the protection of groundwater and local wells. He asked the County Attorney to speak on this matter.

Mr. Farthing stated that the ordinance distributed today provides changes from the advertised ordinance. The changes were made to make the ordinance essentially read better and he added the definition of a group home. He referenced two additional recommended changes to Sections 6.2 and 7.2. Under Section 6.2 to delete, "and providing a security plan to address health, welfare and safety of local residents" and under Section 7.2 to delete the last sentence of the paragraph concerning a safety plan. He doesn't feel the Board can require either a safety or security plan for the facilities.

Supervisor Hagee stated that Wythe County is non-zoned and requested clarification that zoning would not pertain to this situation under state law anyway.

Mr. Dalton stated that the state code does allow for the county to require a public hearing for such facilities locating within its boundaries if the county doesn't have zoning.

Supervisor Eaton requested verification that this ordinance required facilities to approach the county before locating within it.

Mr. Farthing verified this statement but indicated that the ordinance doesn't allow the Board to say the facility can't locate there.

Supervisor McDaniel inquired if there was anyway the county could technically say these facilities can't locate within it.

Mr. Farthing stated that the facilities would have to comply with the ordinance and referenced the wastewater system being sufficient for the facility.

Supervisor Hagee commented that the location of the contaminated county well was near this site.

Mr. Dalton confirmed this statement and indicated that the contaminated well was directly down grade of the site.

Chair Sharitz inquired who makes the determination of the sanitary system.

Mr. Farthing stated that the ordinance requires certification by a professional independent engineer.

Supervisor Hagee inquired if the Health Department has any say.

Mr. Farthing clarified that the ordinance requires certification by a professional engineer per the Virginia Department of Health regulations.

Chair Sharitz stated that the Board will take comments from the citizens at this time.

Mr. Mike Hall, Director of the Wythe County Department of Social Services, spoke in opposition of adopting the proposed ordinance. He stated that this ordinance is reactive in nature and not proactive. From his estimation, the ordinance is a hastily developed effort to respond to a public outcry. He has been a Wythe County resident for 25+ years and knows that this board and past boards have had the opportunity to be proactive in terms of adopting a well thought out land use ordinance that would responsibly guide the growth and development of the county. Instead, the board chooses to use land use on the basis of a reaction to a specific business or entity locating in the county. He stated that this is not good leadership. He also thinks that the number of times he has appeared before the board most recently talking about the needs for this locality related to children, specifically the children located in the responsibility of the Wythe County Department of Social Services, that the board knows factually that two-thirds of the children in custody of the department are placed outside this county. He stated that if the board adopts this ordinance, it is taking an action that will make the current reality a future certainty. He indicated that at precisely a time when the board has been questioning to some extent the cost of providing that care, serving the needs of children that come into custody due to abuse and neglect, the adoption of this ordinance in his estimation will guarantee the cost of placement of these children will continue to increase. Mr. Hall continued by saying the department will continue to serve these children and will pay for their care. The adoption of this ordinance will be guaranteeing with an ever increasing degree of certainty that Wythe County children will be placed outside the area and that the cost attached to serving them will be higher. He questioned if this is appropriate; he thinks not. He stated that given the homes are licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services are serving disabled and handicapped adults and children. He stated that he believes the adoption of this ordinance serves to discriminate against disabled individuals protected by

federal and state fair housing law. He thinks the adoption of this ordinance will put the board on public record as supporting discrimination against disabled and handicapped persons. He questioned if this is appropriate; he thinks not. Mr. Hall concluded by encouraging the board to defeat the adoption of this ordinance.

Supervisor Hagee stated that there is no guarantee that all these children will be from Wythe County.

Mike confirmed Supervisor Hagee's comment and noted that there is no guarantee the children from the Presbyterian Children's Home doesn't have all children from Wythe County. He reported that it provides additional resources so the kids don't necessarily have to go out of the County.

Supervisor Eaton stated that Mr. Hall's comments regarding the board making hasty decisions troubles her considering he was contacted and asked for specific information, they were deferred to Pulaski County Social Services who then referred them back to Wythe County that he had prior knowledge to this going on and it affecting the county. She stated that if he were as concerned as he is today about this, he would have approached the board and gave it time to have considered this matter but he chose not to even having prior knowledge of this.

Mr. Hall indicated that when Camelot approached the county as they obviously approached other counties to ascertain there is a business need to develop the services. Social Services shared with them the number of children in foster care and where those children typically go. He noted that Camelot made the decision about location, not the department; the department and he as Director had no role to play in the decisions to where these facilities would locate.

Supervisor Eaton restated that Mr. Hall had prior knowledge and did not approach the board with this information.

Mr. Hall stated that he didn't know it was a requirement.

Supervisor Eaton stated that if the concern is as great as he says it is, and he feels the board should have the ability to know then it's not asking too much whether it's a requirement or not – it's a courtesy.

Mr. Hall stated that he did not think that this would create such an issue as it has created. When children are being abused and neglected and the need for services are there; the departments position from his prospective would be to serve them as close to home as possible when appropriate. He's shared with Mr. Dalton that the department has 15 young men in the current case load that could be served by the proposed Camelot facilities. He questioned whether any of those would be placed at the Camelot facilities and indicated that it is subject to review on a case by case basis to determine if Camelot's services are appropriate. If in the future there's a need for him to approach the board relative to inquiries about delivery of services in the community, which he gets pretty frequently, he'd be happy to do so in the future.

Supervisor Eaton stated that she would certainly appreciate him letting the board know. She stated that her concern is for the citizens as well as for the children that could possibly be located there. She stated that if they're already disabled children without a home and are located there, their water source goes bad and they have to move again. She questioned how this benefits a child. She stated that this is something that has to be addressed for the citizens,

October 23, 2007

the children and for everyone involved. She stated that it's not a negative response.

Supervisor Hagee inquired if there are 15 males from 12-17 years of age in Wythe County that could be served by Camelot.

Mr. Hall confirmed Supervisor Hagee's question and stated that it is subject to the specific population Camelot would serve.

Mr. Hall stated that as in the past, each situation will be looked at to determine if Camelot will be the appropriate place for the child. He stated that some children may come from a more restrictive environment and as a result of progress, will be moved to a facility such as Camelot. He referenced the various facilities the department uses.

Mr. Hall referenced the significantly low pay for foster parents and the difficulty to recruit foster parents because of this. He referenced an analysis he did once that determined that the state pays more to board dogs than to foster parents.

Supervisor Hagee stated that there's something wrong with the system; Mr. Hall agreed.

Supervisor Dix inquired if the local Department of Social Services board was informed of this group home locating in Wythe County.

Mr. Hall stated that it was not discussed as a formal agenda item prior to the decision of Camelot to locate here but the reality is that the resources are needed here. He is astonished that there would be any objection to this.

Supervisor Dix inquired if Mr. Hall thinks the DSS board should have been informed of this matter. Mr. Hall agreed.

Supervisor Umberger inquired if Mr. Hall would like this type facility in his neighborhood.

Mr. Hall stated that it really wouldn't matter to him where the facilities are located because they are needed in this community. He stated that wherever it's located, there needs to be a supporting, accepting and caring community.

Supervisor Umberger inquired if Mr. Hall knows where Camelot is proposing to locate and if he thinks it's a good place for children. Mr. Hall confirmed he did know the location but it wasn't his call to make if it is a good place or not.

Supervisor Umberger stated that there are no regulations on the land needs but she has concerns with putting eight little boys there; it's not a good place.

Mr. Hall questioned the board proposing an ordinance that indicates it's not appropriate to put eight boys at a facility there but it would be appropriate to allow a family of 8-10 to live there. He stated that the board is setting standards for group facilities that are not consistent or relative to a large family. He referred to Code Section 15.2-2291 which pertains to counties without zoning, that no conditions more restrictive than those imposed on residences occupied by those related by blood, marriage or adoption shall be for such facility.

Reverend Brian Wyke spoke regarding justice concerning children needing a place to live. Some people live in substandard residents already. Children born to these situations do not ask for it. Many families end up in divorce over the issue of children that are hard to care for. Reverend Wyke commented on the

unfairness of our children being taken hours, hundreds of miles away from their homes, cultures, and families. Prior to becoming a Pastor, he was a Mortgage broker which makes him think about the Federal Fair Housing Act. One thing that concerns him is the manner in which the discussion have been carried out, and the decision that are going to be made that possibly affect the future of so many young people. He referenced the Joint Statement of the Department of Justice and the Department of Housing and Urban Development. He stated that these groups issued a joint resolution on group homes, local land use, and other fair housing in conjunction with this. He read a portion of document, quoting, "The Fair Housing Act prohibits a broad range of practices that discriminate against individuals on the basis of race, color, religion, sex, national origin, familial status, and disability. The Act does not pre-empt local zoning laws, however the act applies to municipalities and other local government entities and prohibits them from making zoning or land use decisions implementing land use policies that exclude or otherwise discriminate against protected persons including individuals with disabilities." He stated that his purpose was not to argue, but the FHA raised interesting questions about the ability of local government officials to consider neighborhood feelings when considering a group home's permit. He commented that a government would be violating the Fair Housing Act if it blocks a group home or denies a requested reasonable accommodation in response to neighbor's stereotypical fears or prejudices about persons with disabilities. He stated that what he is asking is that if it's not this specific location, an ordinance could prohibit homes from locations about anywhere reasonable. His request is that the County not pass this particular resolution, but write an ordinance that would make a group home still available in the County.

Supervisor Hagee inquired about the disabled children comments and questioned when anyone had said these kids are disabled.

Mr. Wyke responded, stating that under the law they are considered disabled. There is a large statue about what is considered to be disabled, and that includes children with mental retardation and mental health issues.

Mr. Wyke gave a handout of the resolution to the Board and responded to a question that he pastors at Glenwood United Methodist Church in Barren Springs.

Reverend Laura Wyke addressed the Board to express her complete agreement with Mr. Hall and Reverend Wyke's comments. She serves at St. Paul United Methodist Church in Wytheville. She wanted to convey her shock and the reaction of others to this situation and ordinance. This ordinance is reactionary and is targeted at group homes that are placed in communities to help adolescents that are in need.

Reverend Leonard Davis was the next speaker to address the Board of Supervisors. He stated that there have been miscommunications from the beginning. He questioned what we can do now to go forward because these young children need love, security, and a place to stay. He commented that we are here to help one another. He questioned what happens if we don't provide for these children. If we don't who will?

Supervisor Eddie Hagee inquired if Mr. Davis' children that he fosters are from Wythe County.

Reverend Davis verified that they are indeed from Wythe County and surrounding areas.

October 23, 2007

Doris Gridley addressed the Board. She stated that she appreciates all comments that were made regarding children today. She has taught school for the entirety of her adult life. She does agree that a facility is needed for these children, but she feels that we need to look carefully at the location. She feels that the ordinance almost had to be reactive due to the home's secrecy. This ordinance will help children more than hurt them, because she feels it would not be a safe place for children if sewer system is not appropriate. She doesn't feel anything is being discriminatory. Safety is a major concern for children with these special needs. The people in Grahams Forge are not against children, they just want a safe place for them. She indicated that Mr. Morrisett stated he would oppose this ordinance based on his moral principles.

Mark Black, an attorney from Roanoke, was the final person to address the Board. He is present because he is representing Brian Coake, Don & Doris Gridley, and the Sampson Family. His clients are in favor of the ordinance, and he stated that it is taken straight from VA State Code, reference section 15.2-2207, which is titled "Public Notice of Juvenile Residential Care Facilities in Certain Localities." The ordinance states that anyone trying to place a group home must allow for a public notice and participate in a hearing. This ordinance gives notice and allows for protection of health and safety of citizens, as well as, safeguarding the water source. He and his clients support ordinance.

Supervisor McDaniel inquired who determines approval or disapproval of the applications, the Board or the State of Virginia.

Mr. Black said that Board can fully consider whether they feel it complies with the standards of health safety and welfare, the Board can deny that if they feel it does not.

The County Attorney, Scot Farthing, referenced the zoning section of the ordinance that doesn't give the Board authority to deny the group home but does require the facility to have a public hearing. The general police powers allows for protection of health, safety & welfare of the citizens. The proposed ordinance means two things: It requires the public hearing as suggested by the statue, and it attempts to protect the citizens by questioning what the structure of the wastewater system.

Supervisor Umberger verified that this ordinance would not have anything to do with a family and eight children.

Lisa Moore, Executive Director of MRC SB, addressed the Board. She works with the Board of Supervisors jointly and has for the past 35 years. Her concerns about the ordinance are in reference to VA code section 15.2-2291, the zoning ordinance statement. The intention of the Commonwealth is that a group home of 8 or fewer not be treated differently than a family dwelling of 8 or fewer. She suggested clarification on the matter be sought. She commented on the licensure requirements. There is a high degree of accountability associated with group homes related to health and safety. It is important to note that the County is addressing concerns of the citizens; however, no one can guarantee a risk free environment. Her comments are directly aimed at the future application of this ordinance. She hopes that we embrace the needs of our children and welcome homes that help children.

Supervisor Hagee asked for clarification of 8 children plus how many and of what.

Ms. Moore offered that it is stated 8 children plus 1 or more resident counselors or staff.

Supervisor Dix stated that not one member of the Board disagrees that these children need help, but they are just concerned with the location and population.

Curley Amos declared that the backbone of this is the dollar. Human trafficking what it appears to him to be. He stated that no one against children, but he is against the location being on the interstate and concerned with them not being able to restrain the kids. He thinks the kids will get in the interstate and get hurt.

Robert Dirks, a resident of Wythe County and Town of Wytheville, approached to address the Board of Supervisors. He stated that he is a former director of Mental Health for thirty years. There is no requirement that says this group home has to be advertised or anyone has to be told. The reason for that is that many years ago, this same battle was fought. Most people do not want this type of facility in their backyard. The regulations on the operating of these homes are all taken care of through the licensure process. These homes can go in by right and for the Board to start setting conditions on these homes going into neighborhoods is inappropriate and probably illegal. The Fair Housing Group in Richmond is sending a letter to Board of Supervisors on this very matter. There will most likely be an investigation. Mr. Dirks requested re-consideration of this matter and its discrimination of our disabled citizens.

Mr. Hagee questions what happens if the home goes in and the sewer is contaminated. He inquired about what happens when the situation has already happened and it is too late.

Mr. Dirks commented that it could happen to anyone. His also wanted to clarify that to his recollection, 80 square feet is the requirement for bedroom space only. That is not for all common space, and it is very adequate.

Supervisor Eaton referenced the licenses and questioned who oversees it. Her job as a supervisor is to look out for the citizens. The citizens don't have a licensing process and someone to oversee them except for the Board.

Bill Sampson addressed the Board. He stated that at the last meeting, the Board was supposed to get numbers. He said that he admired the way the facilities set up in Marion, Wytheville, Pulaski, and Roanoke. He visited the home in town, and he said that it is really nice. The amount of space versus the number of kids, staff, and visiting parents may still make it a bit cramped. When the sewer to Loves was put in, they didn't think of the residents. No one objects to the homes coming, just the location. Mr. Morrisett was asked 5 times if this home would go in despite the objections; finally, the fifth time he said he'd have to talk to someone. Mr. Sampson stated that he appreciates the Board taking questions and having meetings to represent the citizens.

James Hagerman, a resident of the Town of Wytheville who once lived in Grahams Forge approached to Board. He stated that this disability that everyone keeps talking about ranges, and that he was a child that had that disability. He referenced dealing with depression. He stated that he is not an attorney, but he believes that passing an ordinance such as this would make him question if Wythe County is such a great place as he originally thought. He feels that the County is making a hasty decision and being judgmental and looking down on the people with a mental condition. To a civil and human rights activist, this is a true discriminatory act. He asked that the Board of Supervisors take this into consideration before passing ordinance.

Hearing no other comments at this time, Chair Sharitz closed the public hearing.

October 23, 2007

Supervisor Eaton comments that it has been very troubling since the onset of the matter. For some, it is what's best for the children, but for others it is a personal stand point and a way to draw the line. This ordinance is meant to be proactive. If the public had been made more aware of situation, this would not have had to be a reactive situation.

Supervisor Eaton made a motion to adopt the proposed Juvenile & Adult Facility Ordinance as amended. Supervisor Hagee seconded the motion.

Supervisor Umberger stated that she agrees with Supervisor Eaton. She stated that the county tried to find out more information about the group home and feels the board was treated unfairly by not knowing up front.

Supervisor McDaniel stated that he will vote against this ordinance. The only part of the ordinance he likes is the public hearing requirement before locating in the area. He doesn't think the proposed group home location is a good place and if the community were made aware of the plans before hand the situation may be different. He stated that he cannot vote for the ordinance as written.

Chair Sharitz stated that one thing that really bothers him is this ordinance would apply to a group home and not a family residence of eight or more. He concurred with Supervisor McDaniel's comments on the community knowing about the situation earlier. He expressed concerns with hearing the adult perspective on this matter and not the children's. He does think this ordinance was done in haste and doesn't feel it would accomplish what it's set out to accomplish.

The motion presented passed with a roll call vote as follows:

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

NAYS:	Danny C. McDaniel	Wythe B. Sharitz
-------	-------------------	------------------

RECESS

With no further business to come before the Board at this time, Chair Sharitz recessed the meeting until 7:00 p.m., Monday, October 29, 2007 for the Joint Governing Bodies Meeting to be held at the Rural Retreat Town Chambers.

RECONVENE

The Board reconvened at 7:00 p.m., Monday, October 29, 2007 at the Rural Retreat Town Chamber. Chair Sharitz stated that all members were present.

JOINT GOVERNING BODIES MEETING

The Board participated in the Joint Governing Bodies Meeting.

ADJOURNMENT

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

Wythe B. Sharitz, Chair