

March 26, 2019

The Wythe County Board of Supervisors held its regularly scheduled meeting at 9:00 a.m., Tuesday, March 26, 2019. The location of the meeting was in the Boardroom of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia.

MEMBERS PRESENT:

Timothy A. Reeves, Sr., Chair

Joe F. Hale, Vice Chair

B. G. "Gene" Horney, Jr.

Ryan M. Lawson (by telephone)

Charlie G. Lester

Coy L. McRoberts

Brian W. Vaught

STAFF PRESENT:

Stephen D. Bear, County Administrator

Scot Farthing, County Attorney

Martha Collins, Administrative Assistant/Clerk

Bill Vaughan, County Engineer

OTHERS PRESENT:

Kim Aker

Roy Cox

Keith Dunagan

Andy Fowler

Pam Heath

David Manley

Paul Mathews

Linda Meyer

Wes & Gretchen Robinson

Tatum Robinson

One other VDOT representative

CALL TO ORDER

Chair Reeves determined that a quorum was present and called the meeting to order at 9:00 a.m.

ELECTRONIC MEETING POLICY

Chairman Reeves announced that Supervisor Lawson is out of town and read the following:

"In accordance with our Electronic Meeting Policy, Mrs. Lawson contacted the Chair and Vice-Chair and County Administrator to notify us that she would not be able to attend the meeting today because she is out of town. Mrs. Lawson is participating from her phone.

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There is a quorum present in our normal meeting room this morning and we have made arrangements for Mrs. Lawson to participate remotely through the use of a speaker phone which can be heard by all persons at our normal meeting room.

Approval is automatic unless someone wishes to move to disapprove this electronic participation.”

Hearing no motions, Chair Reeves stated that Mrs. Lawson is approved to participate.

INVOCATION AND PLEDGE OF ALLEGIANCE

Scott Farthing provided the invocation and Chair Reeves led the Pledge of Allegiance.

PRESENTATION OF SPORTS RESOLUTION – TATUM ROBINSON

Supervisor Vaught congratulated Tatum Robinson and read the following:

**WYTHE COUNTY RESOLUTION 2019-05
A RESOLUTION HONORING
TATUM ROBINSON
OF THE GEORGE WYTHE HIGH SCHOOL SWIM TEAM**

WHEREAS, George Wythe High School Freshman Tatum Robinson completed a very successful 2018-2019 swim season; and,

WHEREAS, Tatum advanced to the Regional 2C meet and placed first in the 100 meter Breast Stroke, 200 meter Individual Medley, and a member of the 200 Free Relay team; and,

WHEREAS, Tatum advanced to the 2018-2019 Virginia High School League State Class 1A/2A Swim & Dive Championship in Richmond, Virginia on February 14, 2019; and,

WHEREAS, Tatum defeated the competition capturing the 2018-2019 VHSL 1A/2A State Championship in the 200 Meter Individual Medley with a time of 2:11:09; and,

WHEREAS, Tatum is the first Wythe County athlete to capture a swimming state championship; and,

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WHEREAS, the Wythe County Board of Supervisors officially commends Tatum Robinson for her outstanding dedication, athletic ability, and sportsmanship.

NOW, THEREFORE, BE IT RESOLVED, that the Wythe County Board of Supervisors presents this resolution to Tatum Robinson in recognition of her 2018-2019 Swimming State Championship title; and

BE IT FURTHER RESOLVED, that a copy of this resolution be incorporated into the official minutes of the Wythe County Board of Supervisors.

Supervisor Vaught made a motion, seconded by Supervisor McRoberts, to adopt Resolution 2019-05 honoring Tatum Robinson. The vote was unanimous.

Supervisor Vaught added that he finds it odd during a year in which we've had so much rain, that we have our first State Championship swimmer in Wythe County. He said that while this Resolution is for Tatum, he also wanted to commend her parents who got her up every morning at 4:30 to go practice. Supervisor Vaught also mentioned that Tatum is an Honor Roll student and he congratulated her and extended thanks to her Mom and Dad.

Mr. Bear also said that he and his family have enjoyed watching Tatum swim for many years and he recalled his son saying that she would be the first State Champion from Wythe County. Mr. Bear congratulated Tatum on her achievement.

CITIZENS' TIME

Chairman Reeves inquired if anyone present wished to address the Board.

1. Pope Road – Mr. Roy Cox addressed the Board and stated that he lives on Pope Road and they've been trying for a long time to get the road black-topped but have not been too successful. Mr. Cox said the road is really bad and needs to be black-topped. He also said the bridge is still out. He asked the Board to please help to get the road black-topped and the bridge repaired.

Mr. Bear said that VDOT will address a number of these concerns today.

2. Pope Road – Mr. Paul Mathews addressed the Board and stated that he too lives on Pope Road. He is concerned that the ditches and drains have not been cleaned out in years and they are still stopped up. Mr. Mathews is also concerned as to why a guardrail has never been installed along the creek bank (out at the

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farm house about a mile from Ivanhoe on Pope Road). He said once you leave the blacktop, you're over the bank and if the trees don't stop you, then you end up in the creek. His son-in-law incurred around \$12,000 worth of damage to his vehicle when he lost control going around that turn. Mr. Mathews asked why can't they get some guardrails or use railroad crossing ties to create a barrier? It's very dangerous, he said. Mr. Mathews added that the bridge still needs to be put back in because that was one of the main ways in and out off of Route 619. He said that since the bridge is out, they have to come back to Ivanhoe. Mr. Mathews stated the road needs to be blacktopped, it would solve a lot of problems and it would cut down on the cost of maintenance. He would appreciate it if something could be done.

Chairman Reeves responded that Mr. Russell and Mr. Fowler (VDOT) can address his concerns later in this meeting.

With no one else wishing to address the Board, Chairman Reeves closed Citizens' Time.

PAYMENT OF COUNTY INVOICES

Supervisor Lester made a motion to pay the invoices for approval on March 26, 2019, for the various departments of County government. The invoices were paid on General Warrants 30103244-30103374 as follows:

EXPENDITURES BY DEPARTMENT BOARD OF SUPERVISORS March 26, 2019

CHECK #	ISSUE DATE	VENDOR	AMOUNT
30103244	03/18/2019	APPALACHIAN POWER	24,008.86
30103245	03/18/2019	CENTURYLINK	59.47
30103246	03/18/2019	CENTURYLINK	200.74
30103247	03/18/2019	CENTURYLINK	284.95
30103248	03/18/2019	CRIGGER JODY N	111.78
30103249	03/18/2019	LEONARD'S COPY SERVICE	1,241.24
30103250	03/18/2019	LIFE CHANGERS CHRISTIAN C	1,458.82
30103251	03/18/2019	WILSON SANDRA K	60.00
30103252	03/18/2019	XTERIOR PLUS INC	162.00
30103253	03/18/2019	ALLEY JERRY WILLIAM	20.00
30103254	03/18/2019	ALLISON GARY W	45.00
30103255	03/18/2019	ARNOLD HOLLY RENEE	44.76

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30103256	03/18/2019	BAKER JASON DAVID	20.00
30103257	03/18/2019	BLACKBURN CLIFTON	924.48
30103258	03/18/2019	BOCKES DAVID DUANE	254.88
30103259	03/18/2019	BURNETT JOHN WILLIAM	10.00
30103260	03/18/2019	CITRON DANA ROY & GLORIA	74.61
30103261	03/18/2019	COLLINS JEFFREY HAMPTON	123.09
30103262	03/18/2019	CORVIN JERRY W	30.78
30103263	03/18/2019	CORVIN LEWEY J	10.00
30103264	03/18/2019	CREW TRENTON G JR	68.04
30103265	03/18/2019	CROCKETT SIDNEY NEWTON	20.00
30103266	03/18/2019	DARLINGTON JR DONALD RAY	30.00
30103267	03/18/2019	DAVIS DOUGLAS R & ANN U	80.00
30103268	03/18/2019	DUTTON LACY M	29.93
30103269	03/18/2019	HAGEE TERESA R	1,271.03
30103270	03/18/2019	HARRISON ANN JEANETTE	80.62
30103271	03/18/2019	KAUFFMAN JR ABRAHAM D.	204.66
30103272	03/18/2019	KINCER DAVID L	60.00
30103273	03/18/2019	KIRBY EDWIN W SR	24.77
30103274	03/18/2019	MANUEL DOROTHY J	124.74
30103275	03/18/2019	MATNEY SETH M	142.31
30103276	03/18/2019	MCCONNELL PAMELA S	17.69
30103277	03/18/2019	MITCHELL MARK JOSEPH	53.26
30103278	03/18/2019	NESTER BARBARA JEAN	89.32
30103279	03/18/2019	NICHOLS JOHN B	473.69
30103280	03/18/2019	O'QUINN AUBREY M & PATRIC	10.00
30103281	03/18/2019	OSBORNE HELEN B	40.00
30103282	03/18/2019	R&R ENTERPRISES	1,469.34
30103283	03/18/2019	REN EDITH S	96.16
30103284	03/18/2019	SAFETY-KLEEN SYSTEMS INC	24.87
30103285	03/18/2019	STUART JERRY A	100.00
30103286	03/18/2019	UMBERGER RICKY F	54.72
30103287	03/18/2019	VANDERBILT MORTGAGE & FIN	57.82
30103288	03/18/2019	VAUGHT VIRGINIA L	20.00
30103289	03/18/2019	VIAR LINDA	135.34
30103290	03/18/2019	WALLACE CHARLES MARION	69.66
30103291	03/18/2019	WALLER TIMOTHY W	158.25
30103292	03/18/2019	WILDERNESS ROAD PENTECOST	191.71
30103293	03/18/2019	YOUNG BARBARA E	64.80

TOTAL EXPENDITURES 03/18/2019**\$34,408.19**

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30103294	03/26/2019	AKERS JR., DANIEL T	5.24
30103295	03/26/2019	APPALACHIAN POWER	12,483.11
30103296	03/26/2019	BKT UNIFORMS	277.94
30103297	03/26/2019	BLUE RIDGE AUTO PARTS INC	3.29
30103298	03/26/2019	BOXLEY	404.77
30103299	03/26/2019	CATRON, G W	930.30
30103300	03/26/2019	CENTURYLINK	39.98
30103301	03/26/2019	CENTURYLINK	148.17
30103302	03/26/2019	CENTURYLINK	232.30
30103303	03/26/2019	CENTURYLINK	358.60
30103304	03/26/2019	COGENT3D, INC	1,000.00
30103305	03/26/2019	COM TEC	1,650.00
30103306	03/26/2019	PAUL WIDENER	5,002.55
30103307	03/26/2019	CORE&MAIN LP	1,475.00
30103308	03/26/2019	CREATIVE GLASS INC	185.00
30103309	03/26/2019	CSG SYSTEMS, INC	1,641.02
30103310	03/26/2019	TREASURER OF VIRGINIA	300.00
30103311	03/26/2019	DEPT OF GENERAL SERVICES	13.00
30103312	03/26/2019	DEPT OF MOTOR VEHICLES	3,400.00
30103313	03/26/2019	DUNAGAN, KEITH	404.33
30103314	03/26/2019	EMS INC	1,235.00
30103315	03/26/2019	FN WHOLESALE LIGHTING & S	103.08
30103316	03/26/2019	GALLS	131.80
30103317	03/26/2019	GRANT, BRUCE M	4,136.75
30103318	03/26/2019	HOLSTON, CHAD A	78.84
30103319	03/26/2019	HUFF FORD	36.25
30103320	03/26/2019	HURT & PROFFITT INC	2,250.00
30103321	03/26/2019	JOHNSON CONTROLS	285.89
30103322	03/26/2019	LANE ENTERPRISES, INC	367.60
30103323	03/26/2019	LEAD MINES RESCUE SQUAD	10,000.00
30103324	03/26/2019	LEONARD'S COPY SERVICE	529.41
30103325	03/26/2019	MANSFIELD OIL CO	4,798.28
30103326	03/26/2019	MCI COMM SERVICE	34.07
30103327	03/26/2019	MCI COMM SERVICE	116.49
30103328	03/26/2019	MCI COMM SERVICE	512.20
30103329	03/26/2019	MEREDITH'S GARAGE	43.00
30103330	03/26/2019	MISTRAS GROUP INC	1,419.80
30103331	03/26/2019	NEW RIVER VALLEY JUVENILE	4,345.00

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30103332	03/26/2019	NORTHWESTERN EMERGENCY VE	14,762.03
30103333	03/26/2019	NOWERS, NATASHA	134.10
30103334	03/26/2019	OFFICE DEPOT	542.15
30103335	03/26/2019	OFFICE OF THE CHIEF MEDIC	40.00
30103336	03/26/2019	PAPER CLIP	969.48
30103337	03/26/2019	PEED & BORTZ LLC	2,560.00
30103338	03/26/2019	R&C TOWING & REPAIR CO	75.00
30103339	03/26/2019	R&R ENTERPRISES INC	135.00
30103340	03/26/2019	RENTAL HUB INC	50.00
30103341	03/26/2019	RIDDELL	1,311.99
30103342	03/26/2019	SALEM STONE	124.37
30103343	03/26/2019	SELECT PORTFOLIO SERVICIN	50.00
30103344	03/26/2019	SHENTEL	68.37
30103345	03/26/2019	SMG	29,939.94
30103346	03/26/2019	SMITH CONSULTANTS INC.	330.00
30103347	03/26/2019	SOUTHERN VA REAL ESTATE	57.00
30103348	03/26/2019	SOUTHWESTERN EQUIPMENT	1,575.63
30103349	03/26/2019	SOUTHWESTERN VA GAS SERVI	2,186.63
30103350	03/26/2019	STATE ELECTRIC SUPPLY CO	157.14
30103351	03/26/2019	SUPPLYWORKS	942.79
30103352	03/26/2019	TESLA ELECTRIC SERV	542.69
30103353	03/26/2019	THOMAS, ANITA S	9.23
30103354	03/26/2019	THOMPSON TIRE	19.50
30103355	03/26/2019	TOWN OF WYTHEVILLE	12,774.37
30103356	03/26/2019	TWO WAY RADIO	165.00
30103357	03/26/2019	UNIVERSITY OF VIRGINIA	265.00
30103358	03/26/2019	UPS STORE 5065	452.20
30103359	03/26/2019	US CELLULAR	67.35
30103360	03/26/2019	US CELLULAR	648.28
30103361	03/26/2019	US CELLULAR	28.66
30103362	03/26/2019	US CELLULAR	1,007.41
30103363	03/26/2019	VACORP	27,847.00
30103364	03/26/2019	VERIZON WIRELESS	80.02
30103365	03/26/2019	VIRGINIA BUSINESS SYST	789.45
30103366	03/26/2019	VUPS	63.00
30103367	03/26/2019	WHITMORE, LOUISE	58.80
30103368	03/26/2019	WYTHE CO HEALTH DEPT	62.69
30103369	03/26/2019	WYTHE TIRE AND MUFFLER	145.00
30103370	03/26/2019	WYTHEVILLE COMMUNITY COLL	10,949.00

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30103371	03/26/2019	WYTHEVILLE FIRE DEPT	240.00
30103372	03/26/2019	WYTHEVILLE METALS	2,525.77
30103373	03/26/2019	WYTHEVILLE OFFICE SUPPLY	1,986.76
30103374	03/26/2019	XEROX	475.92
TOTAL EXPENDITURES 03/26/2019			\$178,392.78

TOTAL EXPENDITURES APPROVED 03/26/2019 **\$212,800.97**

Mr. Bear wanted to clarify that there is a reimbursement that shows three charges for mileage (Invoice #101700) totaling \$930.30. Two of those charges should actually be recoded to Travel/Convention. Mr. Bear said there was a coding error in A/P and he wanted everyone to know it was not a total mileage charge of \$930.30. The actual mileage charge is \$116 and the rest was Travel/Convention fees.

Supervisor Horney seconded the motion and the roll call vote was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Ryan M. Lawson	Timothy A. Reeves, Sr.
	Joe F. Hale	

NAYS: None

MINUTES OF PREVIOUS MEETINGS

The Board was presented with the March 12, 18, 19, 20 & 21, 2019 minutes for approval.

Supervisor McRoberts made a motion, seconded by Supervisor Horney, to approve the March 12, 18, 19, 20 & 21, 2019 minutes as presented.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Ryan M. Lawson	Timothy A. Reeves, Sr.
	Joe F. Hale*	

NAYS: None

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*Supervisor Hale abstained from voting on the minutes from meetings on March 18 and 19, 2019 due to his absence at those meetings.

TREASURER'S REPORT

Mr. Bear announced that Treasurer Guynn would be unable to attend today's meeting but he is happy to address any questions.

Supervisor Hale asked if there is an update on the tax collected from the APEX.

Mr. Bear replied that he just received the close-out information yesterday from SMG and copies are being made for the Board. He does know that last week's circus event brought in \$2,200.30 in attendance tax.

SHERIFF'S REPORT

Sheriff Dunagan stated that Mr. Bear has a letter asking the Board to consider the Sheriff's Department surplus property. Sheriff Dunagan said that most of the property is old and has already been replaced, so it's just taking up space in their office.

Separately, Mr. Bear said that the County uses inmates all throughout the County for picking up trash along the roadways and the County bills the collection hours to VDOT. He said the APEX Authority has requested to occasionally use the inmates for trash pickup on the APEX property, with the Authority providing trash bags and removing all the bags of collected trash. Mr. Bear added that it would not be chargeable to VDOT but he wanted to make sure the Board has no issue with that. It would be outside clean-up only.

Supervisor Vaught asked Mr. Bear if the Authority will reimburse the County for the time?

Mr. Bear responded no.

Supervisor Vaught raised concern that the County would be setting a precedent and asked what if another private business asks for trash pickup? He understands picking up trash on the banks along the roadway, but as for the APEX property, he is cautious about doing that.

Mr. Bear said he understands but the difference is this would be under the Authority and, he said, for years the JPSA had a trustee come and work at the transfer station helping them out. Mr. Bear is not advocating the County do this on any private property,

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but this is the Authority's property. The Board originally agreed to fund a deputy for inmate trash collection along the roads.

Supervisor Hale made a motion, seconded by Supervisor McRoberts, to approve the Authority's request to use an inmate at the APEX for trash collection.

Supervisor Vaught believes they would be opening up a can of worms. He is fine with them cleaning up on the bank but he recalled a previous discussion they had about them not cleaning up the Town roads.

Supervisor Hale said the APEX is on County property that we maintain, although that lease could change in five years. He agrees that we don't want to start a precedent of going to truck stops and doing it, but if the trash can get picked up before it gets on the right-of-way, it saves money in the long-run. East Lee Highway is bad the way the wind has been blowing. Supervisor Hale said to remember that we are collecting revenue from those people creating the trash. He believes people like to see the inmates being put to work and he thinks the inmates enjoy it too.

Chairman Reeves has been to the APEX several times and he has seen a minimal amount of trash compared to what's around the truck stops. He asked if we can charge the truck stops.

Mr. Bear replied that, per the Ordinance, we can charge them if they don't clean up the trash on the right-of-way but if it blows over to our property, he said, then we can't do anything about that other than civil action.

Supervisor Lester can see Supervisor Vaught's point but said it is County property and when people go up there and see the trash, it can reflect poorly on the County.

Supervisor Vaught understands that it is County property but, if he's not mistaken, the lease states that the Authority would maintain the property.

The role call vote on the motion was as follows:

AYES:	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Joe F. Hale	Timothy A. Reeves, Sr.
	Coy L. McRoberts	

NAYS: Brian W. Vaught

Ryan M. Lawson

BUDGET COMMITTEE REPORT

1. Firearms – Supervisor Lester made a motion, as recommended by the Budget Committee, to approve the transfer of \$9,150 to 31021-461260 for the purchase of firearms.

Mr. Bear asked that they amend the motion to include the transfer of that amount (\$9,150) from the jail processing fees to the Police Activity Fund.

Supervisor Vaught read the following disclosure statement, "I, Brian Vaught, as a member of the Wythe County Board of Supervisors, declare pursuant to the Virginia Conflict of Interest Act, that regarding this matter of surplus property involving the Wythe County Sheriff's Office, I have a personal interest because I am a full-time employee of the Wythe County Sheriff's Office which may be affected by the matters to be discussed today, and I declare that I am able to participate in this matter fairly, objectively and in the public interest."

Supervisor Lawson read the following disclosure statement, "I, Ryan Lawson, as a member of the Wythe County Board of Supervisors, declare pursuant to the Virginia Conflict of Interest Act, that regarding the Wythe County Sheriff's Office matters on the agenda being discussed today, I have a personal interest because my husband is a full-time employee of the Wythe County Sheriff's Office which will be affected by the matters being discussed today. And I declare that I am able to participate in this matter fairly, objectively and in the public interest."

Supervisor Lester made a motion, seconded by Supervisor Vaught, to amend the motion to include the transfer of \$9,150 from the jail processing fees to the Police Activity Fund.

Supervisor Hale challenged the procedure of conflict stating that Mrs. Lawson's husband is the one submitting the request to declare this property as surplus. He asked Mr. Farthing for clarification of the opinion from the State Ethics Commission.

Mr. Farthing said the opinion received last year related to the Supervisor's role as a School Resource Office when the Board was debating funding that position. Mr. Farthing said the answer they returned was very broad.

Chairman Reeves stated that the letter from the State Ethics Commission said they shouldn't participate in anything but the opinion from the Commonwealth Attorney in Giles County only responded to the SRO part.

Mr. Farthing referenced the conflicts sections where there is a clause that if a matter affects more than three people, they can read the disclosure and vote as long as it has a broader effect than just them individually and their spouse.

Supervisor Vaught said he abstains from voting on certain matters if he's not sure whether it directly affects him or not.

Supervisor Hale clarified that he is not challenging their right to vote but on this one matter it is clear, in his opinion, that surplus means that you got rid of or discontinued use of, so somebody is getting new weapons or they're already here. In this one case, Supervisor Hale questions the validity of what they're doing.

The roll call vote was as follows:

AYES:	Brian W. Vaught	B. G. "Gene" Horney, Jr.
	Charlie G. Lester	Timothy A. Reeves, Sr.
	Coy L. McRoberts	

NAYS: Joe F. Hale

ABSTAIN: Ryan M. Lawson

2. Sheriff's Office Surplus Weapons – Supervisor Lester made a motion, as recommended by the Budget Committee, to declare Sheriff's Office weapons surplus as listed in the memo from B.J. Lawson dated February 20, 2019.

The roll call vote was as follows:

AYES:	Brian W. Vaught	B. G. "Gene" Horney, Jr.
	Charlie G. Lester	Timothy A. Reeves, Sr.
	Coy L. McRoberts	

NAYS: Joe F. Hale

ABSTAIN: Ryan M. Lawson

3. Sheriff's Office Equipment – Supervisor Lester made a motion, as recommended by the Budget Committee, to declare Sheriff's Office equipment surplus as listed on the memo from B.J. Lawson dated March 15, 2019.

The roll call vote was as follows:

AYES:	Brian W. Vaught	B. G. "Gene" Horney, Jr.
	Charlie G. Lester	Timothy A. Reeves, Sr.
	Coy L. McRoberts	

NAYS: Joe F. Hale

ABSTAIN: Ryan M. Lawson

4. Gall's Uncashed Checks - Supervisor Lester made a motion, as recommended by the Budget Committee, to amend and appropriate the following funds:

3102-461265	\$1,454.05
31021-461265	\$517.39
31026-461265	\$447.70

This is for a payment to Gall's from the previous fiscal year but the check did not clear. Stop payment has been issued on the outstanding check and a new check will be sent.

The roll call vote was as follows:

AYES:	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Coy L. McRoberts	Timothy A. Reeves, Sr.

NAYS: Joe F. Hale

ABSTAIN: Ryan M. Lawson
Brian W. Vaught

WATER COMMITTEE REPORT

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1. VDEM Grant – Supervisor Horney made a motion, as recommended by the Water Committee, to accept the VDEM grant in the total amount of \$115,000 for the Fort Chiswell Pumping Station generator.

Supervisor Hale stated that he read the whole package and asked Mr. Bear if we can keep up with all the time commitments.

Mr. Bear replied that the time requirements have been given to staff, they're advertising the RFP, and he feels we can meet the time commitments. He said we definitely need that pump station.

The roll call vote was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Ryan M. Lawson	Timothy A. Reeves, Sr.
	Joe F. Hale	

NAYS: None

2. Raper Ridge Water Tank Project – Change Order #2 – Supervisor Horney made a motion, as recommended by the Water Committee, to approve Change Order No. 2 for the Raper Ridge Water Tank Project. This Change Order is a contract increase of \$3,432.87 and the addition of one day.

Supervisor Hale asked who caused the need for this change order.

Mr. Bear responded the drawings for this project showed a 20" valve and it ended up being a 16" valve. Incorrect data was recorded in the previous construction of that tank back in the early to mid-2000. Mr. Bear said the contractor would not have known this until he dug it up. He explained what is needed is a transitional piece to connect the 16" to the 20".

The roll call vote was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Ryan M. Lawson	Timothy A. Reeves, Sr.

Joe F. Hale

NAYS: None

3. Max Meadows Bridge Project – Supervisor Horney made a motion, as recommended by the Water Committee, to transfer \$155,615 out of the Utility Fund for the Max Meadows Bridge project, and to amend and appropriate the same.

Supervisor Hale asked about \$10k for a bond and wondered if that is a cash bond that we're transferring money into a residual account for VDOT, or are we actually buying a bond?

Mr. Bear said that it is a performance and abatement bond that the contractor is getting on this job. We are not buying a bond on it. That is the amount they had in there for their cost.

Supervisor Hale said if you're paying \$10k for a \$155k job, that is ridiculous that a bond would cost that much. This is not a VDOT bond and this contractor should be able to bond himself.

Mr. Bear explained that this came to the Board a couple of months ago, with a full recommendation to approve a contract and to amend and appropriate the funds and it was rejected at that time to go back for negotiations. It came back and at the previous Board meeting, the contract was approved for this amount; unfortunately, at that same meeting, language to amend and appropriate was not included.

Supervisor Hale said his point is that when they all approved it, they were only dealing with a bottom-line number. Now that they can see a breakdown of that money, in his opinion, it's unusual that we are paying for a bond.

The roll call vote was as follows:

AYES: Brian W. Vaught
Charlie G. Lester
Ryan M. Lawson
Joe F. Hale

Coy L. McRoberts
B. G. "Gene" Horney, Jr.
Timothy A. Reeves, Sr.

NAYS: None

4. Cardno – Mr. Bear requested approval of Cardno engineering agreement at a cost not to exceed \$12,340.

Supervisor Hale asked what percentage of the construction bid is that.

Mr. Bear responded that it's probably about 9%.

Supervisor Horney made a motion, seconded by Supervisor McRoberts, to approve the engineering agreement with Cardno, not to exceed the cost of \$12,340.

The roll call vote was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Ryan M. Lawson	Timothy A. Reeves, Sr.
	Joe F. Hale	

NAYS: None

COUNTY ADMINISTRATOR'S REPORT

County Administrator Stephen Bear appeared before the Board and reported the following:

1. Resolution 2019-06 – Census Awareness Day – Mr. Bear explained that we're coming up on a Census year and he has asked our PIO to start preparing information to disseminate on the upcoming Census Awareness Day. It has been requested that we declare April 1st as Census Awareness Day and Mr. Bear stated that we will do all that we can to help insure an accurate census count.

Chairman Reeves added that during his recent visit to Washington, the Census Bureau and the Rural Caucus spoke about the Complete Count Committee which a lot of counties are forming across the nation. The Chairman said the Complete Count Committee makes the communities aware of how important a complete count is, especially in the rural areas. Population counts for a lot of funding,

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grants and other help provided by State and Federal governments. Chairman Reeves said they hope to get at least 55% participation online and will encourage citizens (who may not have internet access) to utilize the computers in libraries. Cards will also be sent out as well as going house to house.

The Census Awareness Day Resolution is as follows:

**WYTHE COUNTY RESOLUTION 2019-06
CENSUS AWARENESS DAY**

WHEREAS, every ten years, Article 1, Section 2 of the United States Constitution mandates a count of all the people living in the United States and its territories; and

WHEREAS, the 2020 Census will address every household in the nation with a simple questionnaire with the goal of counting everyone once, only once, and in the right place; and

WHEREAS, data obtained by the survey will be used to help determine how approximately \$675 billion will be distributed from the federal government to state, local, and tribal governments annually; and

WHEREAS, up to \$2,000 of federal funding will be lost for each person not counted; as well as upwards of \$20,000 of federal funding lost every ten years; and

WHEREAS, a complete count requires that we bring together leaders from all communities of the Commonwealth, so that every Virginian regardless of racial, social, or economic background is counted; and

WHEREAS, Governor Ralph S. Northam has established the Virginia Complete Count Commission, which is comprised of 40 members to collaborate with community partners and local Complete Count Committees to ensure an accurate 2020 Census count;

NOW, THEREFORE, Wythe County Board of Supervisors hereby proclaim April 1, 2019, as Census Awareness Day.

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Supervisor Lester made a motion, seconded by Supervisor Vaught, to approve Wythe County Resolution 2019-06 Census Awareness Day.

The roll call vote was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Ryan M. Lawson	Timothy A. Reeves, Sr.
	Joe F. Hale	

NAYS: None

2. AEP – Byllesby-Buck Hydroelectric Project – Mr. Bear said this is for information only. The Federal Energy Regulatory Commission is taking steps required to run the dam a foot lower during winter months. The purpose is to reduce the risk of overtopping project structures due to ice jams such as those that occurred in January 2010. No other changes to operations or facilities are proposed at this time.

Supervisor Hale commented that Buck and Byllesby need to be maintained and kept in place and that they should never do away with those two dams or it will devastate the New River in Wythe County with roughly 200-500 acres of sludge built up behind the dams.

3. Wythe County Children's Services Act – Mr. Bear stated these are audit findings for your information. There were no findings subject to denial of funds, and all were basically correctable errors.

Supervisor Hale said he had occasion this past month to call on DSS for someone in his community, and they responded within hours and did a great job getting this person some help. He said it is great to see an agency work like it's supposed to and he asked that Mr. Bear please convey his thanks to the Director and her people for doing a great job.

4. Max Meadows Community Field Lights – Mr. Bear said at their last meeting, the Board agreed to replace the lights at Max Meadows ballfield with 1,000-watt lights and that the Max Meadows Ruritan Club was going to pay for replacing the poles. Unfortunately, Mr. Bear said, AEP won't agree to do it that way. AEP will put the poles in but they will not charge just a one-time fee for replacement of

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the poles as it's built into the price, and the price they quoted for the 1,000-watt bulbs was higher than what we had budgeted. Mr. Bear, therefore, requests approval to revise the request to replace all six poles and install six 400-watt light bulbs at a total estimated cost for one year around \$1,900. Mr. Bear said that once they're in, if we find that additional lighting is needed, then we could consider replacing one or two lights to a higher wattage at no additional charge.

Supervisor McRoberts made a motion, seconded by Supervisor Horney, to approve installation of six poles and 400-watt lights at the Max Meadows Community Ballfield.

The roll call vote was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Ryan M. Lawson	Timothy A. Reeves, Sr.
	Joe F. Hale	

NAYS: None

Supervisor Hale noted that the Ruritans will set aside the money they had allocated for this.

Supervisor McRoberts would like to thank the Max Meadows Ruritan Club for all they do for the people and especially the youth in our community. He said we should send them a thank you.

COUNTY ATTORNEY'S REPORT

County Attorney Scot Farthing appeared before the Board and reported the following:

1. Conflict Opinion – Mr. Farthing sent the Board a letter last month regarding clarification of the Conflict Opinion and asks if the Board wants him to proceed and send that letter.

Chairman Reeves believes they need clarification as there's already been a question of conflict arise today.

Supervisor Vaught said that the Ethics Commission seems to give different opinions to different people. He referenced the Russberg County Administrator

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who received a completely different opinion than what was given to Supervisor Vaught. When Supervisor Vaught sent it to the Executive Director asking for clarification and why different opinions are given in very similar situations, their response was that different lawyers have different opinions. Supervisor Vaught wonders how we can play by the rules when we don't even know what they are? He does not have much faith in the Ethics Commission based on the very broad answer they provided Mr. Farthing. Supervisor Vaught said perhaps they should go to the Commonwealth Attorney for the actual opinion.

Chairman Reeves asked who has the final say - and what is the Ethics Council there for?

Mr. Farthing responded that the Ethics Council is to give guidance and direction. Mr. Farthing's understanding is if the Ethics Council is asked to reconsider or to clarify an issue, the matter would likely go to either a senior attorney or a committee to review and provide another opinion. If there is still disagreement or their opinion is too broad, then the next step would be to reach out to the Commonwealth Attorney. Mr. Farthing said the Commonwealth Attorney is your protection as he is the one who decides who gets prosecuted. If the Board desires, Mr. Farthing said they can skip the Ethics Council and go directly to the Commonwealth Attorney.

Supervisor Hale commented that over the years, there have been all kinds of conflicts and various rulings. Every time we meet and vote on matters, we are voting based on our perception of the issue at hand. He said the Ethics Council is there when it's a perception issue and not necessarily a legal issue.

Mr. Farthing recommends getting another opinion from the Ethics Council then they can decide whether to take it up with the Commonwealth Attorney.

Chairman Reeves asked Mr. Farthing to request an Ethics board or committee (not just one attorney) to respond with an opinion.

Supervisor Vaught said that if anyone believes they have a conflict, in his opinion, they have a right to seek written opinion of the Commonwealth.

VDOT

Mr. Andy Fowler of the Virginia Department of Transportation appeared before the Board and reported the following:

1. Pope Road – Mr. Fowler said that Pope Road is scheduled to be completed in 2021. They plan to get started mid-summer of 2020 and depending on how early they can get started, they may be able to finish it in 2020.

Chairman Reeves asked Mr. Fowler about the bridge that got washed out down there.

Mr. Fowler said he's not sure since it falls under the Bridge Division. He doesn't know how funds are allocated and priorities set for bridge replacement. He will check with the Bridge Division and forward that information to Mr. Bear so he can then advise Mr. Cox and/or Mr. Mathews.

Supervisor Hale would like to set up a meeting in Bristol for he and Chairman Reeves to meet with Mr. Hamilton to see if we can get that bridge work started and get funding for it.

2. Six-Year Plan Update – Mr. Fowler said completed routes include Sharons Drive (both sections), New Bethel (both sections) and Crawford Road. Work started late last fall on Nixon Road (grading and culvert pipes installed). They will continue that work as soon as the weather breaks. Pump Hollow Road recreational access work will begin soon. They've started the ditch work on Millers Creek and when they finish installing pipes, they will move to the surface treatment.

Supervisor Hale asked if VDOT, with \$114k allocated, can go beyond the intersection and across the two new pieces of work where the bridge is washed out?

Mr. Fowler said if the work comes in under budget and funds are left over, the County Administrator can discuss with Jeff Russell continuing the work on Millers Creek, in particular, the bridge.

Supervisor Hale asked when Major Grahams is scheduled, noting that it was scheduled for last year and it didn't happen.

Mr. Fowler said they were able to get secondary funding for Major Grahams so in addition to the \$300k, they received another \$500k.

Supervisor Hale said, in his opinion, that amount of money should put it past the Mansion and asked if it will include up to Red Hollow Road. He said if it can go up that hill, it will help significantly.

Mr. Fowler said they would go as far as they could with the money.

Supervisor Hale said he's received more complaints about Peppers Ferry Road and asked Mr. Fowler if they could schedule a site visit. One person in particular is willing to pay for a 20' pipe to fix the drainage issue that's pouring water onto her property instead of into the creek.

Mr. Fowler will make himself available at any time.

Mr. Fowler said the following projects are coming up in Spring of 2020: Mt. Airy Road (could possibly start this Fall), Wilkins Lane, and Pope Road. He provided the Board with an updated list of all roads scheduled. We have \$390,712 available to add just under two miles of routes. Mr. Fowler has received a couple requests from Mr. Bear to look at Payne Town Road, a one mile dead-end route that qualifies for Rural Rustic.

Supervisor Hale asked the Board that the next little section of Millers Creek be added from Smith Road to the new construction. He said they should do it now while there's a surplus and crews are already there.

The Chairman said it takes Board action to move anything up on the six-year plan.

Mr. Bear clarified that the money added (\$390,712) will go to new roads being added to the six-year plan and that is a decision the Board will make.

Supervisor Vaught inquired about Brushy Mountain and said it's a nice road until you get to where the homes are.

Mr. Fowler reviewed that route and it does qualify for Rural Rustic as does Payne Town Road and Sheffey Town Road.

Supervisor Lester asked about Sharitz Road and Mr. Fowler responded that it also qualifies.

Supervisor Hale would like to continue adding to Millers Creek, two miles to Peak Creek.

Supervisor McRoberts asked about Scratch Gravel as he has received a number of questions but he's not sure if it qualifies.

Mr. Fowler said there's a right-of-way issue because of the steep slopes and to qualify for Rural Rustic, you need certain width already in place. So typically, roads like Scratch Gravel would go into a construction project which is outside of the funding for the six-year plan. Significant work (purchasing right-of-way) would have to be done on Scratch Gravel, more work than what the Rural Rustic program would allow.

Supervisor McRoberts would like to see Dry Pond Road up to the top of the hill, which would qualify for Rural Rustic.

Supervisor Horney said he would at least like to see sections done of Greasy Creek Road (he's received several complaints), Ward Branch, Zion Church, Kiser Road and Porter Road. He believes they do not qualify for Rural Rustic.

Mr. Fowler will check all of those to see if they qualify for six-year and he will get back to Mr. Bear.

3. Route 749 – Guardrail Issue – Mr. Fowler reported that Todd Henderson (contract administrator) and he went out and measured that section and they agreed that there should be a guardrail there. The estimate is \$14,173.46 to install 250 feet of guardrail. Mr. Fowler said they can use the Wythe County safety money that has a remaining balance of approximately \$52,000.

Mr. Bear added that Supervisor Horney had requested this, the location which is about ¼ mile past Speedwell on the right where it drops off a cliff. It's a dangerous area and about 10 years ago, a County employee was killed when their vehicle went down over the cliff.

Supervisor Horney has received a lot of complaints from people and recognizes the need for a guardrail.

Supervisor Horney made a motion, seconded by Supervisor Vaught, to authorize installation of 250 feet of guardrail on Route 749 at an estimated cost of \$14,173. The vote on the motion was unanimous.

4. Pope Road Cont'd. – Chairman Reeves stated that Mr. Mathews has requested a guardrail or barrier on a section on Pope Road, as well as for the drains to be cleaned out.

Mr. Mathews explained the exact location to Mr. Fowler and how dangerous an area it is. If a guardrail can't be approved, then he suggested maybe using railroad ties staked down. Mr. Mathews also reiterated the need for the ditches to be cleaned out.

5. Plant Mix – Supervisor Vaught asked Mr. Fowler if the plant mix asphalt has changed. It seems that recently paved roads (Cedar Springs and Grayson Turnpike) are just not holding up as well.

Mr. Fowler responded that part of the issue could be as a result of using recycled mill material (old pavement that's been milled and recycled). He's not certain but they have noticed some areas not holding up well and said they just recently repaved Route 619 and it is already failing. Mr. Fowler added that Mr. Russell is looking into the issue.

6. Painters Hill Road – Chairman Reeves asked the status of Painters Hill Road.

Mr. Fowler replied that it is on the schedule for this summer.

7. Grouse Ridge Road – Mr. Bear said a couple of things are going on; we've received estimates last week from AEP and CenturyLink for relocating the power lines. There are two options: (1) go underground from Meadowview Estates Road down through the dip and back up on the other side or (2) go cross-country to try and get new easements and clear new right-of-ways to come out on Meadowview Estates Road. The estimate is in the \$90k range and Mr. Bear said the original estimate might have been around \$25k in utility relocation costs. They could rerun the estimates and review the effects on the tax district. Secondary to that, Mr. Bear said the gas line currently has an easement running through there where the road would cross the gas line. VDOT would need signed documentation by the gas company to the effect that their easement is

subservient to VDOT’s easement in that area but Mr. Bear doesn’t see that as an issue.

Mr. Fowler added that basically VDOT would have to have primary right-of-way.

Mr. Bear further stated that they met on site with gas company and AEP and there is just not enough room to move the poles. He said it seems that underground is about the only option.

- 8. Dyer Road – Chairman Reeves said there have been requests for Dyer Road in Barren Springs.

Mr. Bear said it’s right across from Reed Creek Drive on Route 100; dead-end road that runs toward Pulaski. They would like that one considered for revenue sharing. Mr. Bear will pull the plats for it but he believes it’s old enough to meet the requirements.

- 9. Rakestown Road – Supervisor McRoberts inquired about Rakestown Road right before Powder Mill. They’ve patched it several times but it doesn’t last.

Mr. Fowler said they would look into that one too.

- 10. Fleming Road – Supervisor Horney asked if VDOT could check that road too stating that it’s in need of scraping and gravel.

CONSENT CALENDAR

Supervisor Horney made a motion to approve the consent calendar as presented for March 26, 2019, as follows:

1. PAYROLL – February 2018:

General County Fund	\$	527,002.13
Police Activity Fund		67,469.98
Courthouse Security Fund		11,486.25
Water Department Fund		19,229.73
Wythe County Wastewater Fund		18,211.42
TOTAL	\$	643,399.51

Check Numbers: 20000432-20000453

Voucher Numbers: 6713-7071

2. STATUS REPORTS:

- A. Animal Control – Arlan Dunford
- B. Building Inspection – Tim Spraker
- C. Consolidated Dispatch – Darlene Lang
- D. Engineering – Bill Vaughan
- E. Finance – Bruce Grant
- F. Parks & Recreation – Kevin Williams
- G. Planning Commission – Michelle Cassell
- H. Public Information Office – Blake Stowers
- I. Solid Waste – Billy Bowers
- J. Water & Wastewater – Don Crisp

3. PERSONNEL:

- A. Joshua Blevins – Compensation Board Increase, Sheriff Deputy, Annual Salary \$37,157, Effective February 1, 2019
- B. Brewer, Peyton – Compensation Board Increase, Sheriff Deputy, Annual Salary \$33,871, Effective February 1, 2019
- C. Brewster, Jennifer – Compensation Board Increase, Sheriff Deputy, Annual Salary \$37,117, Effective February 1, 2019
- D. Carter, Joshua - Compensation Board Increase, Sheriff Deputy, Annual Salary \$34,871, Effective February 1, 2019
- E. Coleman, Robert – Compensation Board Increase, Sheriff Deputy, Annual Salary \$39,366, Effective February 1, 2019
- F. Danner, David – Compensation Board Increase, Sheriff Deputy, Annual Salary \$41,479, Effective February 1, 2019
- G. Evans, David – Compensation Board Increase, Sheriff Deputy, Annual Salary \$44,767, Effective February 1, 2019
- H. Goins, Jacob - Compensation Board Increase, Sheriff Deputy, Annual Salary \$34,864, Effective February 1, 2019
- I. Meredith, David – Compensation Board Increase, Sheriff Deputy, Annual

Salary \$40,868, Effective February 1, 2019

- J. Puckett, Zachary – Compensation Board Increase, Sheriff Deputy, Annual Salary \$38,048, Effective February 1, 2019
- K. Queen, Eric – Compensation Board Increase, Sheriff Deputy, Annual Salary \$33,871, Effective February 1, 2019
- L. Sadler, Jerrod – Compensation Board Increase, Sheriff Deputy, Annual Salary \$38,774, Effective February 1, 2019
- M. Smith, Mark – Compensation Board Increase, Sheriff Deputy, Annual Salary \$35,580, Effective February 1, 2019
- N. Terry, Christopher – Compensation Board Increase, Sheriff Deputy, Annual Salary \$38,157, Effective February 1, 2019
- O. Vaught, Brian – Compensation Board Increase, Sheriff Deputy, Annual Salary \$40,445, Effective February 1, 2019
- P. Ward, Christy – Hired, Full-time Consolidated Dispatch, Annual Salary \$28,560, Effective February 11, 2019
- Q. Hunley, Brandi – Hired, Full-time Consolidated Dispatch, Annual Salary \$26,421, Effective February 16, 2019
- R. Roach, Thomas – Hired, Full-time Wastewater Operator, Annual Salary \$27,031, Effective February 19, 2019
- S. Hawks, Christopher – Hired, Full-time Sheriff Deputy, Annual Salary \$31,629, Effective March 1, 2019
- T. House, Phyllis – Resigned, Full-time Custodian, Effective March 5, 2019
- U. Shaw, Christopher – Resigned, Full-time Sheriff Deputy, Effective March 6, 2019

4. BUDGET AMENDMENTS:

- A. \$1,738 (8110-470015) – Donation from Max Meadows Ruritan Club for purchase of two (2) AED's for the APEX Center
- B. \$762 (7112-461200) - Donation from Max Meadows Ruritan Club for purchase of materials to repair roof at Max Meadows Community Ballfield

- C. \$513.60 (1101-458060) – Reimbursement for VACO Trip January 8-9, 2019
- D. \$12,262.03 (32031-470030) – Auto Claim, Light Tower on Lead Mines Rescue truck, June 16, 2019

Supervisor McRoberts seconded the motion.

The roll call vote on the motion was as follows:

AYES:	Charlie G. Lester	Coy L. McRoberts
	Ryan M. Lawson	B. G. "Gene" Horney, Jr.
	Joe F. Hale	Timothy A. Reeves, Sr.

NAYS: None

ABSTAIN: Brian W. Vaught

FY19 FOURTH QUARTER APPROPRIATIONS

The Board reviewed the FY19 Fourth Quarter Appropriations for approval.

Supervisor McRoberts made a motion, seconded by Supervisor Lester, to approve the FY19 Fourth Quarter Appropriations as presented.

The roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Ryan M. Lawson	Timothy A. Reeves, Sr.
	Joe F. Hale	

NAYS: None

(The Board took a 5-minute break)

CLOSED MEETING – DISCUSSION OF PERSONNEL MATTERS

Supervisor Lester made a motion, seconded by Supervisor McRoberts, to enter into Closed Meeting under Section 2.2-3711.A.5 (Prospective Business or Industry) and 2.2-3711.A.1 (Personnel – Employee Performance Review) of the Code of Virginia.

The motion passed unanimously.

Supervisor Lester made a motion, seconded by Supervisor Horney, to return to open meeting.

The motion passed unanimously.

Upon returning to open meeting, Supervisor Lester made a motion, seconded by Supervisor McRoberts, 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 meeting was conducted in conformity with Virginia law; and,

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 roll call vote on the motion was as follows:

AYES:	Brian W. Vaught	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Ryan M. Lawson	Timothy A. Reeves, Sr.
	Joe F. Hale	

NAYS: None

BUDGET DISCUSSIONS

Mr. Bear stated that he emailed the Board information from the budget requests, along with a few revisions (which he summarized) and his initial analysis. He tried to leave the salary budgets as is for further discussion but basically it amounts to \$1.4MM. Mr. Bear explained that \$330,000 is coming out of the surplus fund, bringing the total down to \$1.1MM.

Chairman Reeves said, with Board approval, he would ask Mr. Bear to put together a salary schedule of what we can do regarding salary increases without increasing taxes, as well as any areas he recommends cutting.

Supervisor Hale asked about the reserve fund, and Mr. Bear responded that there was a debt reserve requirement set by a previous bond. The County has maintained funds above that threshold.

Supervisor Hale suggested going back three years to review those numbers that have not been increasing. He does not understand how the County's food/hotel tax is not going up with a good economy and feels we're getting taken by the voluntary taxes.

Mr. Bear referenced page 220 of the Board package delineating local sales and use tax revenue for the last several years.

Supervisor Hale is adamant that unless we perform some type of audit, we will continue to be taken advantage of by the retailers in this County. There is a million dollars out there that is not being paid on taxes. He said the County is losing a lot by people not claiming/paying tax on all their personal property. Supervisor Hale suggested going business to business. He noted three businesses at Exit 80 that are busy 24/7 and they are filing all their taxes under one entity. He said if we considered what they're paying against a similar business, we would immediately know there is something wrong. Without an audit, Supervisor Hale said, we cannot depend on voluntary taxation. With the current economy, tax revenue should not be flat; the numbers just don't make sense to him.

Chairman Reeves noted that three of the last five months we have seen increases in meals tax.

Supervisor Hale said the law requires tax on any food prepared onsite, but he doesn't believe it's happening.

Mr. Bear said if the Board is in agreement, and more funds are put in the budget, perhaps the Commissioner can get an audit firm to come in and start auditing these businesses.

Regarding the Reserve Fund, Mr. Bear commented that reserve funds will be used for certain capital improvement projects, but he does not recommend regular operational costs coming out of that fund. He understands it is not easy to make cuts to this budget, and he has asked the School Board to look more closely at their budget.

Mr. Bear would like to hear the Board's comments or recommendations after they've had a chance to review this information.

Supervisor Hale asked why the PAF needs to be that large. He understands that it had gotten dangerously low but it now seems to be quite good.

Mr. Bear said that last year the Sheriff requested PAF no longer fund the School Resource Officers; that money now comes out of the General Fund 100%. Decrease of expenditures in the PAF over the past few years has resulted in PAF growth. Mr. Bear added that the PAF does fund six or seven additional deputies.

Supervisor Vaught responded that the Comp Board is supposed to fund one deputy per 1,500 people but said they haven't fully funded that since 2008.

Chairman Reeves added that it's both sides of the General Assembly who won't put money in the Comp Board to fund those positions.

Mr. Bear said the supplements of the \$87,500 in Hazardous Duty pay they currently give was requested by the Sheriff a long time ago (pay increases). Several deputies are getting PAF funded supplements and they have the ability to earn a lot more in overtime pay. He added that it's increasingly more difficult to balance the budget while recommending additional funding of approximately \$49,000 in Commonwealth Attorney's office due to the number of body cameras by the Sheriff's Department. This expenditure will come from the General Fund.

Mr. Bear said, regarding salaries, those positions that are in the upper teens and low 20's need to come up.

Supervisor Hale suggested giving a higher percentage increase to those making the least. We invest in these people (training) and then we lose them to higher-paying jobs.

RECESS

The Board recessed at 1:03 p.m. until Tuesday, April 2nd at 5:00 p.m.

RECONVENE

The Wythe County Board of Supervisors reconvened on Tuesday, April 2, 2019 at 5:00 p.m. for a budget work session.

MEMBERS PRESENT:

Timothy A. Reeves, Sr., Chair
Joe F. Hale, Vice Chair
B. G. "Gene" Horney, Jr.
Ryan M. Lawson

Charlie G. Lester
Coy L. McRoberts
Brian W. Vaught

STAFF PRESENT:

Stephen D. Bear, County Administrator
Martha Collins, Administrative Assistant/Clerk
Bill Vaughan, County Engineer

OTHERS PRESENT:

Josh Blevins
Maggie Bowers
Jennifer Brewster
Peyton Brewer
Josh Carter
Anthony Cline
Rolland Cook
Stacy Dixon
Keith Dunagan
Tammy Dunagan
Charles Foster
Jeff Hall
Doug Hudson
Jack Hudson
Dakota Hunter

Joseph Kincer
Brian Lawson
David Meredith
Zach Puckett
Eric Queen
Joseph Quesenberry
Millie Rothrock
Jerrod Sadler
Jamie Smith
Chris Terry
John Thompson
Doug Tuck
Stu Vaught
Clayton Wright

CALL TO ORDER

Chair Reeves determined that a quorum was present and called the budget work session to order at approximately 5:15 p.m.

BUDGET WORK SESSION

Mr. Bear provided a brief overview of last week's session and distributed summary budget information of recommendations. The bottom line is a shortfall of \$798,900 without making any changes to the School Board who is asking for a 4.6% increase over last year. Mr. Bear has asked them to go back and look at the numbers again.

Mr. Bear said that one of the larger increases is Mount Rogers Community Services who have worked with surrounding localities to come up with comparable per capita to be more consistent.

Mr. Bear said the New River Regional Jail is looking at about a 5.5% increase in their per diem rate. If that stays, it would amount to around a \$75k increase. Their board is looking to see what they can do to decrease costs.

Mr. Bear explained there will be a \$24k increase in refuse collection, and Water/Wastewater projects will likely come out of reserves or loan funds. The County would look at borrowing money for Exit 77 development area (\$2MM) as well as borrowing the money for the APEX capital improvements (\$1MM). In addition, there's the \$500k for Progress Park Connector Road some of which may come from reserve/capital project fund for the industrial park.

With respect to salaries, Mr. Bear stated they're considering a 3% increase for all constitutional officers (comp board raise). The general figure for County staff is a 2% increase except for those employees making in the low \$20k range to bring them up to around \$26,250. Those salary increases and total personnel costs amount to an increase of \$463,133. The Commissioner's office is looking at a 13% increase for three of their employees to bring them up from \$23k to \$26k, \$24k to \$27k, and \$25k to \$28k. The Treasurer's office has two vacant positions starting at \$22,250 and is asking to increase that to \$27,250 (Mr. Bear cut it back to \$26,250). The Clerk of Circuit Court are all looking at a 3% increase except for Kimberly Caudle whose salary is in the \$20k range and will be increased accordingly. The Commonwealth Attorney's office shows a 13% which is 3% comp board and 10% in lieu of the County providing another position for that office. Enforcement and Traffic Control numbers show 3% for most employees. This does not include the \$115k requested for supplemental pay from the County. Mr. Bear concluded that the total increase in personnel costs is \$463,133; a large part of the \$798k shortfall (as is the \$611k from the School Board).

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Mr. Bear is uncertain of the number of new school positions, but for the County he said they're possibly considering three new positions. The budgeted amount for the Assistant County Administrator position is \$77k+ (\$97k including insurance etc.). Animal Control is looking to make the part-time employee full-time. Mr. Bear also said that we may get funding (grant) for an additional SRO.

In response to Supervisor McRoberts query, Mr. Bear explained that the \$2MM for Exit 77 is to construct and build the road, water, sewer and five lots on Chapman Road. Money from the sale of those five lots would be used to pay down what they borrowed (similar to what they did at Progress Park).

In response to Supervisor Lawson's query about the APEX, Mr. Bear said the operations budget is \$200k and the total for capital expenditures is \$1MM. They anticipate borrowing the \$1MM so the following year you would have debt service on that \$1MM (about \$70k a year in debt service).

Supervisor Vaught asked about the lease with the Authority and the payback schedule. Will the Authority be paying back the \$1MM?

Mr. Bear responded that it is not in the current lease agreement. The payback schedule in the lease begins in Year 3 consisting of payments for half the normal amount, and in Year 5, the payments will be for the full amount.

Regarding the School Board, Mr. Bear believes they need an increase in their operating revenue but thinks the 4.6% increase is a little high. He has recommended they go back and take another look at their numbers.

Chairman Reeves doesn't understand how the School Board can raise their budget up over \$1MM in one year.

Supervisor Hale said if you consider non-State paid, when we reclassified all these students (special-needs students), that necessitated the hiring of more teachers because they're only allowed so many special-needs students per class. So that reclassification has resulted in new jobs.

Supervisor Vaught asked Supervisor Hale if he is accusing them of moving students into special-ed to improve their ranking in the State and now it's costing us.

Supervisor Hale responded that it is not an accusation. He asked how can you go from 39th in the State to 7th in one year? The School Board told the Board of Supervisors that they demanded more of their teachers, although Supervisor Hale believed they were already doing a good job. But how do you explain making such a jump in one year?

Supervisor Lawson acknowledges the need for the funding the School Board is requesting and she believes Dr. Jefferies is not asking for more than what he truly needs. She therefore wants to do everything she can to help them get what they requested.

Chairman Reeves asked if we give the School Board what they're asking, are we then looking at a tax increase?

Mr. Bear said it's either that or we pull the money out of reserves. He added that the tax increase last year was five cents and it brought in \$1.1MM (each cent brings in about \$220k).

Supervisor McRoberts asked if the Exit 77 work will really cost that much (\$2MM) and who came up with that figure?

The estimate came from the engineers doing the work, Mr. Bear replied. Perhaps it could be less if we only did one or two of the lots and didn't fully grade all the lots while constructing the road in there. But Mr. Bear explained that the \$2MM expenditure is offset by a \$2MM loan so even if you remove it from the equation, you're still looking at a \$798k shortfall.

Supervisor Lawson asked if the Board could discuss the Sheriff's budget since there are so many deputies here and we don't want to hold them up.

Mr. Bear said basically the biggest difference that he already spoke about is the comp board increases which doesn't include supplemental pay requested from the County which would add roughly \$110k to the \$798k shortfall.

Both Supervisors Lawson and Lester believe we need to include the supplemental pay or else we continue to risk losing deputies to higher paying jobs.

Supervisor Vaught added that the Sheriff's Department is the only department in the County that generates revenue.

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Mr. Bear thinks that money (supplemental pay) can come out of the PAF fund. It was in there as an incentive fund for them. Currently, there's \$30k for supplemental pay coming out of PAF. Last year, Mr. Bear said, we took about \$200k of expenses away from the PAF fund and moved it into a general fund to fund the SRO's plus we added \$300k more. We're dealing with a half million-dollar budget with the SRO's and while we need to continue the SRO program, we need more revenue.

Supervisor Hale doesn't think there's any waste in the County but until we can increase revenue, we'll be facing a continuous battle. We need to have development and new businesses to get our taxes up. He said it's all about revenue.

Supervisor Vaught stated we have all these projects already in place (Lot 24, APEX, etc.) so maybe it's time we tap into those reserves. He said we've gambled on projects we think will produce revenue so let's extend that gamble and use that money to pay our people and hope that they stay.

Mr. Bear said the amount of reserves is around \$28MM and we've just about reached the lowest level we can have.

Chairman Reeves said if we do a one cent tax increase, that will generate \$220k. But he said we can't give raises to the Sheriff's Department and not give everyone else a raise.

Supervisor Hale noticed that Rural King has exceeded their monthly projections and that we should be getting more from them. He thinks that between that and the two new Dollar General stores, our revenue should be increasing and that should offset some of our costs.

Mr. Bear stated that we have \$3.75MM estimated in sales and use tax which is up \$20k over our approved budget last year. Through the first eight months of FY19, we're at \$2.8MM in Wythe County local sales and use tax. It's possible, he said, that we could go up another \$100-200k in revenue in sales tax.

Supervisor Hale believes revenue from the trucks stops probably exceeds anything Rural King would ever do, and it should be up also. He asked about a public service tax.

Mr. Bear said we're up to \$1.6MM which is about a \$100k increase over last year's budget.

Chairman Reeves asked the Board if they are ruling out any kind of tax increase this year?

Supervisor Hale is the only one in favor of a tax increase to cover the shortfall, but he would rather create new revenue streams than increase taxes.

Mr. Bear went through every department and worked hard to get all the numbers down. He added that some Board members said we need the Assistant County Administrator position, so he left that in (\$100k).

Mr. Bear suggested possibly cutting two vehicles from the SRO budget (\$70k).

Supervisor Vaught suggested possibly working with Enterprise for the used vehicles.

With respect to the School Board, Chairman Reeves stated that we funded them \$100k last year and the year before that and asked if they explained why they're asking for so much this year?

Mr. Bear said they pretty much covered everything in their budget presentation but the special education cost was a big thing, salaries increases, IT position. While we have a good working relationship with the Board and the staff, he did ask them to consider where they can make cuts. Personnel costs account for 78-80% of their total budget. Mr. Bear added that whatever the school may have in carryovers could very well go towards the ongoing construction project.

Mr. Bear is not opposed to pulling some money out of reserves (Water, Wastewater, PAF) to help balance the budget, stating those accounts are healthy enough right now.

As for falling below the minimum required for the reserve account, Mr. Bear said the penalty, while it may not be significant, could affect the bond rating going forward resulting in higher interest rates.

Supervisor Vaught reiterated taking care of our people here and now before looking further down the road.

Supervisor Lawson asked if we can reduce the \$1MM capital improvements for the APEX.

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Mr. Bear said it doesn't really impact the \$800k shortfall considering next year's debt service payment. To get the \$800k down, we need to go back and look at drastic cuts to the School Board numbers and additional cuts to other departments. He has spent the past few weeks going through the initial budget requests making cuts where he could.

Supervisor Vaught asked about County employees' salaries, specifically, a department head making \$62k and looking at a 4% increase. He believes that is too large an increase when someone is already making \$62k.

Mr. Bear responded most employees are getting 2% with the exception of a few employees are making in the low 20's. Mr. Bear explained the department head getting the 4% increase is to keep that salary in the same range as the school's IT department head.

Supervisor Lawson agrees that 4% is too high although IT people can go almost anywhere and make more money than what they're making here.

Mr. Bear clarified that the 4% increase for the IT head only amounts to about \$2,500. In the Sheriff's Department you have an employee making \$59k with a proposed supplement of \$6,500; another employee making \$55K with a proposed supplement of \$6,500; and an employee at \$48k with a proposed supplement of \$6,500.

Supervisor Vaught said that everyone knows what his argument is.

Supervisor Lawson said that while the starting salaries for the officers need to be increased, it won't help us retain the officers we already have unless we can increase their pay accordingly. She asked what kind of increase is proposed for the Sheriff's Office IT person.

Mr. Bear responded that person is getting a 7.8% increase. He added that if we're going to consider salary supplements for the Sheriff's Office, do we look at comparable supplements for all the other departments? The total increase with salary and supplements for all the Sheriff's Office employees is about 10.39%. Mr. Bear asked if we should run around 6-7% for all the other departments?

Supervisor Lester said to run those numbers for all departments except for the higher paid staff and then see where we are.

Supervisor Hale suggested they do what they did before, rather than a set across-the-board increase; for example, give 2% for above a certain rate, and give 3% for below a certain rate.

Mr. Bear said if the Sheriff's Office were to fund the supplements out of the PAF, that would be fine. But if it comes out of the General Fund, then Mr. Bear thinks it should be more in line with what other County employees are making.

Supervisor Lawson said if the deputies quit writing tickets and quit working overtime, we are really going to be hurting with the Sheriff's Office budget.

Mr. Bear said that the Sheriff's deputies are eligible to earn additional overtime pay, but no other departments have that opportunity to earn more money.

Mr. Hall of the Wytheville Police Department asked why must the other departments have to be treated the same especially when they're not revenue-producing? They should be paid differently.

Supervisor Lawson doesn't see the Commissioner, Treasurer or Clerk of the Court complaining about law enforcement making what they deserve in a supplement.

Supervisor Vaught said he has a bachelor's degree and has been a deputy since 1997 and is now making what a first-year teacher makes. And he gives thanks to God that he is not Jacob Goins who got shot at the Greyhound station making, after 20 years, what a first-year teacher makes.

Chairman Reeves said they are striking the position of Assistant County Administrator, and with the exception of Animal Control (part-time to full-time position), there are no new positions being considered.

Supervisor McRoberts doesn't think we should take away from the Sheriff's Office to give to the School Board.

Chairman Reeves stated that a big chunk of the money is the school so we should have them go back and make some cuts.

Supervisor Vaught feels the School Board should've prepared us during the joint meetings throughout the year. He said we should have had this discussion before as they know what their special-ed numbers are.

Mr. Bear said the School Board average pay increase for SOQ positions must come out to an average of 3%.

The Chairman reiterated that County employees are looking at a 2% raise, not 3% like the schools.

Mr. Bear explained he was trying to be conservative with his budget, but he will go back and look at the Constitutional officers and all county positions and calculate a higher rate increase under a certain salary level, and a lower increase above a certain salary.

Chairman Reeves said we also need to consider how much we can take out of the general fund each year and how long we can do that without some kind of revenue increase.

Mr. Bear said the only other option is we go back to everyone and ask them to cut 10% from their budget.

The Chairman feels we're currently operating at "bare bones" now.

The Board of Supervisors agreed to another budget work session on Tuesday, April 9, 2019 at 5:00 p.m.

ADJOURNMENT

With no other business to come before the Board, Chair Reeves adjourned the meeting at approximately 7:09 p.m.

Timothy A. Reeves, Sr., Chair