

May 14, 2019

The Wythe County Board of Supervisors held its regularly scheduled meeting at 7:00 p.m., Tuesday, May 14, 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

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
 Scot Farthing, County Attorney

OTHERS PRESENT:

Billy Bowers
 Roland Cook
 Leysa Cox
 Jeremy Farley
 Charlie Foster
 Chalmer Frye
 Lori Guynn
 Buddy Johnstone
 Charlie Jones
 Rusty and Susan Jones
 Jenna Lewis

Anita Libby
 Linda Meyer
 Matthew Miller
 Manny O'neal
 Cathy Pattison
 Millie Rothrock
 Jamie Smith
 Kristina Smith
 Stacy Terry
 Mary Thomas
 and one other citizen

CALL TO ORDER

Chair Reeves determined that a quorum was present and called the meeting to order at 7:02 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Jeremy Farley, Restoration Church, provided the invocation and Chair Reeves led the Pledge of Allegiance.

PRESENTATION OF FORENSICS RESOLUTION – CHARLIE JONES

Supervisor Lester read aloud the following resolution and presented it to Charlie Jones:

**WYTHE COUNTY RESOLUTION 2019-12
A RESOLUTION HONORING
CHARLIE JONES
FORENSIC EXTEMPORANEOUS SPEAKING
STATE CHAMPION**

WHEREAS, George Wythe High School senior Charlie Jones completed an outstanding 2018-2019 forensics season; and,

WHEREAS, Charlie advanced to the 2018-2019 Virginia High School League Group 1A State Forensic Tournament at Clover Hills High School in Midlothian, Virginia on March 30, 2019; and,

WHEREAS, Charlie spoke on the topic of tax policy, capturing the 2018-2019 Extemporaneous Speaking State Championship title; and

WHEREAS, the Wythe County Board of Supervisors officially commend Charlie Jones for his dedication and hard work.

NOW, THEREFORE, BE IT RESOLVED, that the Wythe County Board of Supervisors presents this resolution to Charlie Jones, the 2018-2019 Forensics Extemporaneous Speaking 1A State Champion, for recognition of his achievements and hereby wishes him well in his future endeavors; and

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

Adopted this 14th day of May 2019.

Supervisor McRoberts made a motion, seconded by Supervisor Lester to adopt Resolution 2019-12 Honoring Charlie Jones Forensic Extemporaneous Speaking State Champion. The vote on the motion was unanimous.

CITIZENS' TIME

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

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

BUDGET PUBLIC HEARING FOR FISCAL YEAR 2020

Chair Reeves announced that pursuant to Section 15.2-2506 of the Code of Virginia and amendments thereto, the Wythe County Board of Supervisors will conduct a public hearing. The purpose of the public hearing is to give the citizens of Wythe County an opportunity to comments on the proposed County Budget (which includes the School board Budget) for Fiscal Year 2019-2020 and the tax levy for Calendar Year 2019. The public hearing will be held on Tuesday, May 14, 2019, in the Board Room of the Administration Building, 340 South Sixth Street, Wytheville, Virginia, at 7:00 p.m.

Mr. Bear reported that the proposed tax levy remains unchanged from the previous year with real estate remaining at \$.54, tangible personal property rate at \$2.32, machinery and tools rate of \$1.50, and merchant's capital rate of \$.56

Chair Reeves announced that with respect to Notice of Public Hearing for Proposed School Board Budget for Fiscal Year 2019-2020, pursuant to Section 15.2-2506 of the Code of Virginia and amendments thereto, the Wythe County Board of Supervisors will conduct a public hearing. The line item expenditure portion of the advertisement is for planning purposes; however, the total revenue and expenditures in total are as approved for advertisement. The public hearing will be held on Tuesday, May 14, 2019, in the Board Room of the Administration Building, 340 South Sixth Street, Wytheville, Virginia, at 7:00 p.m. The purpose of the public hearing is to give the citizens of Wythe County an opportunity to comment on the budget.

Mr. Bear provided the following highlights and summary of the FY20 budget:

- The total advertised budget for FY20 is \$83,429,892 representing a 3.71% increase over FY19 budget. The School Board's advertised budget is \$48,529,725 representing 58% of the total County budget and as previously stated the proposed budget does not include any tax increases.
- The required local effort for the School Board budget is just over \$8MM. The County-provided operational local funds are \$13.6MM plus debt service of \$3.279MM for total local funds of \$16,879,944.
- Local funding for School Board operations is \$500,00. Those funds combined with the State funds result in an average increase of 3% for all School Board employees. Current debt service amount is \$3.279MM and is estimated to remain above \$3MM until FY 2024. Wythe County's per capita funding is above that of

both Pulaski and Montgomery counties. Over 100% of our local real estate and personal property taxes go towards funding the school system.

- General Governmental Administration shows proposed increase of 4.49%.
- The Judicial Administration proposed increase is higher than normal (7.67% increase) largely due to the General Assembly budget language requiring additional local funded position in the Commonwealth Attorney's Office. The Commonwealth Attorney has worked hard to soften the impact of that budget requirement.
- Health and Welfare reveals a 12.74% increase totaling over \$1MM primarily associated with State and Federal cost increases through the Department of Social Services. No local funding is requested.
- Community Development has a large proposed increase primarily attributed to \$500,000 for the Progress Park Connector Road and \$2MM for the Exit 77 Development Area project.
- Parks and Recreation only increased \$17,000 or 1.6% over previous year's budget.
- Public Safety sees a 4% funding increase proposed for FY20.
- Public Works shows an increase of 9.36% due in large part to increases in purchasing water as well as repair and maintenance of water/sewer lines.
- Capital improvements are around \$2.2MM, a \$40k increase over the prior year. Some of the larger items include \$1MM for the APEX Center, \$200k for Courthouse phone system, \$250k toward a centralized computer system, \$70k for Barren Springs community center, \$50k for a tractor, \$40k for rescue squads, and some waterline studies and improvements and wastewater system collection and repairs.
- Of the overall budget, 63% goes toward education, 12.3% toward health and welfare, 10.1% toward public safety and 4.8% toward community development.
- Real estate tax revenue is anticipated to be \$11.95MM. Since the last Board of Supervisors' meeting, the Treasurer's Office collected 97% of real estate taxes making the estimate for FY20 a very reliable number.

- Personal property tax collection is anticipated to be \$4.2MM. The Treasurer's Office has collected 94% as of the end of March.
- Revenue from local sales tax is estimated at \$3.7MM, meals tax about \$800k, and lodging tax between \$180-190k.

Mr. Bear reiterated that the 2019 real estate tax rate will remain at \$.54 (Grayson is \$.56, Bland is \$.60, Carroll is \$.69, Smyth is \$.74 and Pulaski is \$.77).

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

With no one wishing to address the Board, Chair Reeves closed the public hearing.

PAYMENT OF COUNTY INVOICES

Supervisor Horney made a motion to pay the invoices for approval on May 14, 2019, for the various departments of County government. The invoices were paid on General Warrants 30103559-30103746 as follows:

**EXPENDITURES BY DEPARTMENT
BOARD OF SUPERVISORS
May 14, 2019**

CHECK #	ISSUE DATE	VENDOR	AMOUNT
30103559	04/25/2019	APPALACHIAN POWER	1,340.91
30103560	04/25/2019	CENTURYLINK	148.09
30103561	04/25/2019	CENTURYLINK	232.10
30103562	04/25/2019	CENTURYLINK	358.32
30103563	04/25/2019	ENTERPRISE FM TRUST	6,153.61
30103564	04/25/2019	SUNTRUST	36,881.92
30103565	04/25/2019	VERIZON WIRELESS	80.02
TOTAL EXPENDITURES 04/25/2019			\$45,194.97

CHECK #	ISSUE DATE	VENDOR	AMOUNT
30103566	04/26/2019	WYTHE CO RESCUE SQUAD	8,600.00
TOTAL EXPENDITURES 04/26/2019			\$8,600.00

CHECK #	ISSUE DATE	VENDOR	AMOUNT
30103567	05/03/2019	APPALACHIAN POWER	712.12

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30103568	05/03/2019	BUSINESS CARD	2,071.40
30103569	05/03/2019	CENTURYLINK	45.26
30103570	05/03/2019	CENTURYLINK	200.84
30103571	05/03/2019	CENTURYLINK	248.20
30103572	05/03/2019	CENTURYLINK	3,398.05
30103573	05/03/2019	CENTURYLINK	4,819.70
30103574	05/03/2019	LOWE'S	891.21
TOTAL EXPENDITURES 05/03/2019			\$12,386.78

CHECK #	ISSUE DATE	VENDOR	AMOUNT
30103575	05/14/2019	ADAMS, DOUGLAS E.	30.00
30103576	05/14/2019	ANDERSON, MARK M.	30.00
30103577	05/14/2019	APPALACHIAN POWER	3,494.77
30103578	05/14/2019	AYERS & SONS SEPTIC LLC	2,625.00
30103579	05/14/2019	AYERS, DAVID A.	30.00
30103580	05/14/2019	BIG WALKER SWCD	1,530.00
30103581	05/14/2019	BKT UNIFORMS	1,040.76
30103582	05/14/2019	BLUE RIDGE AUTO PARTS INC	174.32
30103583	05/14/2019	BOWLES, TERRI M	824.21
30103584	05/14/2019	BROWN EXTERMINATING CO	45.00
30103585	05/14/2019	BSN SPORTS INC	80.00
30103586	05/14/2019	BURCHAM, LYNDSIE A.	30.00
30103587	05/14/2019	BURRIS, JEFFREY P.	30.00
30103588	05/14/2019	CARROLL COUNTY PSA	15,962.00
30103589	05/14/2019	CASSELL & CREWE	120.00
30103590	05/14/2019	CAVALIER SUPPLY CO	696.10
30103591	05/14/2019	CDW GOVERNMENT INC	6,399.26
30103592	05/14/2019	CENTRAL BUILDERS INC	25,858.37
30103593	05/14/2019	CENTURYLINK	45.76
30103594	05/14/2019	CENTURYLINK	115.73
30103595	05/14/2019	CENTURYLINK	304.23
30103596	05/14/2019	CITIZENS TELEPHONE COOP	720.00
30103597	05/14/2019	CLEARWATER INC	2,835.66
30103598	05/14/2019	COLLINS AUTO REPAIR INC	84.37
30103599	05/14/2019	COLLINS, KENNETH D.	30.00
30103600	05/14/2019	COLLINS, MARTHA	38.85
30103601	05/14/2019	COLON, TUCKER W.	30.00
30103602	05/14/2019	COVERT, JINJER A	2,499.00
30103603	05/14/2019	CRAWFORD, CHERYL L.	30.00

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30103604	05/14/2019	CREGER, AVA S.	30.00
30103605	05/14/2019	CROCKETT, FREDRICK B	30.00
30103606	05/14/2019	CROWN AWARDS	113.80
30103607	05/14/2019	CROY, SAMUEL M	30.00
30103608	05/14/2019	DAVIS, CALEB O.	37.20
30103609	05/14/2019	DEANS DIESEL & SERVICES L	1,968.50
30103610	05/14/2019	DELL MARKETING LP	13,289.23
30103611	05/14/2019	DEPOT DESIGNS OF RURAL RE	375.00
30103612	05/14/2019	DEPT OF MOTOR VEHICLES	4,435.00
30103613	05/14/2019	DUNAGAN, KEITH	240.92
30103614	05/14/2019	EADS, DARRELL B.	30.00
30103615	05/14/2019	EAST COAST EMERGENCY VEHI	1,891.92
30103616	05/14/2019	EEIS-ELEVATOR EQUIP INSPE	375.00
30103617	05/14/2019	EMS INC	1,325.00
30103618	05/14/2019	FARTHING, SCOT S	120.00
30103619	05/14/2019	FASTENAL	424.88
30103620	05/14/2019	FERGUSON ENTERPRISES #5	4,587.08
30103621	05/14/2019	FIDELITY POWER SYSTEMS	1,808.78
30103622	05/14/2019	FIRE RESCUE AND TACTICAL	2,798.14
30103623	05/14/2019	FLINCHUM, LINDA M.	30.00
30103624	05/14/2019	FOOD COUNTRY	11.18
30103625	05/14/2019	FURSTNAU, ANTHONY M.	30.00
30103626	05/14/2019	GALLS	68.27
30103627	05/14/2019	GAYLORD BROS INC	286.53
30103628	05/14/2019	GEORGE WYTHE DECA	100.00
30103629	05/14/2019	GORDON, SCOTT A.	30.00
30103630	05/14/2019	GRANT, BRUCE M	4,136.75
30103631	05/14/2019	GRAVELY, TONY W.	30.00
30103632	05/14/2019	GUN SHOP	3,249.80
30103633	05/14/2019	HALE, JOE	136.00
30103634	05/14/2019	HALL, JAMES A.	30.00
30103635	05/14/2019	HARLESS, MORETTA D.	30.00
30103636	05/14/2019	HARPO'S HARDWARE & BLDG S	73.94
30103637	05/14/2019	HAUN, ERIC E.	30.00
30103638	05/14/2019	HEYWARD INCORPORATED OF V	613.88
30103639	05/14/2019	HOMESTEAD OIL CORP	451.97
30103640	05/14/2019	HORNEY, B. GENE JR	129.60
30103641	05/14/2019	HUFF FORD	96.00
30103642	05/14/2019	HURT & PROFFITT INC	6,798.00

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30103643	05/14/2019	IRVIN, ALISON C.	30.00
30103644	05/14/2019	JACKSON, SURENA M	23.99
30103645	05/14/2019	JAMES B COVERT	1,715.00
30103646	05/14/2019	JERRY B PETERS SALES INC	855.81
30103647	05/14/2019	JOINT PUBLIC SERVICE AUTH	44,350.80
30103648	05/14/2019	JONES, MICHAEL D	740.60
30103649	05/14/2019	KILGORE, WILLIAM R	330.48
30103650	05/14/2019	KING-MOORE INC	877.50
30103651	05/14/2019	LACKEY, MEGHAN K	866.82
30103652	05/14/2019	LANDSCAPE SUPPLY	495.00
30103653	05/14/2019	LANTAGNE LEGAL PRINTING	218.09
30103654	05/14/2019	LAWSON, RYAN M	204.80
30103655	05/14/2019	LEAD MINES RESCUE SQUAD	7,528.15
30103656	05/14/2019	LEXISNEXIS	207.00
30103657	05/14/2019	LEXISNEXIS	724.00
30103658	05/14/2019	LOVERN, GARY D.	30.00
30103659	05/14/2019	LOWE, JENNIFER C.	30.00
30103660	05/14/2019	LUMOS NETWORKS	31.25
30103661	05/14/2019	MALAVE, AMY	23.59
30103662	05/14/2019	MANSFIELD OIL CO	7,238.29
30103663	05/14/2019	MATTHEW BENDER & CO INC	106.43
30103664	05/14/2019	MCCORMICK, JERRY L.	30.00
30103665	05/14/2019	MCROBERTS, COY L	153.60
30103666	05/14/2019	MEADE TRACTOR	43.00
30103667	05/14/2019	MEREDITH'S GARAGE	425.93
30103668	05/14/2019	MIDKIFF, DAVID P	30.00
30103669	05/14/2019	MILO C COCKERHAM INC	1,005.60
30103670	05/14/2019	MULLENAX, LOLAN D.	56.10
30103671	05/14/2019	MUSSER, JEREMIAH	391.85
30103672	05/14/2019	NATIONAL POOLS	887.64
30103673	05/14/2019	MAILROOM FINANCE, INC	705.20
30103674	05/14/2019	MAILFINANCE INC	474.00
30103675	05/14/2019	NEW RIVER REGIONAL WATER	18,291.95
30103676	05/14/2019	NEW RIVER VALLEY JUVENILE	2,172.50
30103677	05/14/2019	NEW RIVER VALLEY REGIONAL	122,815.00
30103678	05/14/2019	NICHOLE, TROY E.	30.74
30103679	05/14/2019	NOREN-MATZ, REBECCA L.	30.00
30103680	05/14/2019	OFFICE OF THE PUBLIC DEFE	120.00
30103681	05/14/2019	OFFICE OF THE CHIEF MEDIC	20.00

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30103682	05/14/2019	PANNELL, JOHNATHAN R	30.00
30103683	05/14/2019	PAPER CLIP	2,750.40
30103684	05/14/2019	PARNELL, NANCY B.	30.00
30103685	05/14/2019	PARTNERSHIP SCREENING INT	14.40
30103686	05/14/2019	PEED & BORTZ LLC	66,900.00
30103687	05/14/2019	PROTECT YOUTH SPORTS	411.85
30103688	05/14/2019	R&R ENTERPRISES INC	415.00
30103689	05/14/2019	REAVIS, TERRY L.	29.36
30103690	05/14/2019	REEVES, TIMOTHY A SR	125.20
30103691	05/14/2019	RICE, LAWRENCE C.	30.00
30103692	05/14/2019	ROSENBAUM, JOHN D.	30.00
30103693	05/14/2019	RURAL DEVELOPMENT	2,282.00
30103694	05/14/2019	RURAL DEVELOPMENT	2,514.00
30103695	05/14/2019	RURAL DEVELOPMENT	11,572.00
30103696	05/14/2019	SENTRY SERVICES	18.21
30103697	05/14/2019	SHEFFEY, THOMAS W.	30.00
30103698	05/14/2019	SHINAULT, TINA M.	19.62
30103699	05/14/2019	SIRCHIE FINGER PRINT LABO	603.56
30103700	05/14/2019	SKYLINE DOOR & HARDWARE I	270.00
30103701	05/14/2019	SMITH, KELCI N	909.65
30103702	05/14/2019	JOHN DEERE FINANCIAL	407.99
30103703	05/14/2019	SOUTHWESTERN EQUIPMENT	96.33
30103704	05/14/2019	SOUTHWESTERN VA GAS SERVI	536.77
30103705	05/14/2019	STATE ELECTRIC SUPPLY CO	227.02
30103706	05/14/2019	STOOTS, DARLENE N.	30.00
30103707	05/14/2019	STORMS, GAYE L	30.00
30103708	05/14/2019	STUART, COURTNEY H.	30.00
30103709	05/14/2019	TAYLOR, WILLIAM R.	5.30
30103710	05/14/2019	TAYLOR, EMILY S.	30.00
30103711	05/14/2019	TESSCO INC	358.43
30103712	05/14/2019	THE CROM CORPORATION	44,013.21
30103713	05/14/2019	THOMPSON TIRE	23.99
30103714	05/14/2019	TOWN WYTHEVILLE	21,730.20
30103715	05/14/2019	TRACTOR SUPPLY COMPANY	1,980.45
30103716	05/14/2019	TRANSUNION RISK & ALTERNA	50.00
30103717	05/14/2019	TREASURER OF WYTHE COUNTY	169.19
30103718	05/14/2019	TRI CITIES/SW VA REGIONAL	648.10
30103719	05/14/2019	TRI COUNTY GLASS INC	425.65
30103720	05/14/2019	TWO WAY RADIO	70.00

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30103721	05/14/2019	UNDERWOOD, MICHELLE L.	30.00
30103722	05/14/2019	UNIFIRST CORP	69.08
30103723	05/14/2019	US CELLULAR	67.35
30103724	05/14/2019	US CELLULAR	673.86
30103725	05/14/2019	USA BLUE BOOK	1,588.65
30103726	05/14/2019	V&M RECYCLING	64,356.70
30103727	05/14/2019	VAUGHT, BRIAN W	222.00
30103728	05/14/2019	VIAR, DONNA C.	30.00
30103729	05/14/2019	VIRGINIA BUSINESS SYST	899.35
30103730	05/14/2019	VIRGINIA ELECTRIC SUPPLY,	661.34
30103731	05/14/2019	VIRGINIA LAWYERS WEEKLY	184.50
30103732	05/14/2019	VIRGINIA RESOURCES AUTHOR	3,418.77
30103733	05/14/2019	VITA	164.11
30103734	05/14/2019	VITA	249.51
30103735	05/14/2019	VUPS	77.70
30103736	05/14/2019	WALKER, KRISTINE E.	34.17
30103737	05/14/2019	WALLER, CHARLES D SR	30.00
30103738	05/14/2019	WOODRUFF, WILLIAM	47.22
30103739	05/14/2019	WYTHE CO WATER & WASTEWAT	266.57
30103740	05/14/2019	WYTHE CUSTWOM WELDING INC	90.00
30103741	05/14/2019	WYTHE TIRE AND MUFFLER	413.26
30103742	05/14/2019	WYTHE VCE	2000.00
30103743	05/14/2019	WYTHEVILLE COMMUNITY COLL	157.50
30103744	05/14/2019	WYTHEVILLE METALS	18.00
30103745	05/14/2019	WYTHEVILLE OFFICE SUPPLY	719.50
30103746	05/14/2019	XEROX	493.15
TOTAL EXPENDITURES 05/14/2019			\$567,126.64

TOTAL EXPENDITURES APPROVED 05/14/2019 **\$633,308.39**

Supervisor Lester 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 MEETING

The Board was presented with the April 23, 2019 minutes for approval.

Supervisor Vaught made a motion, seconded by Supervisor McRoberts, to approve the April 23, 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

BUILDING & GROUNDS COMMITTEE

1. Grouse Ridge Road – Supervisor Hale made a motion, as recommended by the Building & Grounds Committee, to hold a public hearing on June 11, 2019 at 7:00 p.m. for the Grouse Ridge Road transportation service district.

The motion passed unanimously.

2. Lamar Advertising – Supervisor Hale made a motion, as recommended by the Building & Grounds Committee, to authorize Lamar Advertising to access county property to cut vegetation on adjoining property that is in the sight line of their billboard sign.

Mr. Bear explained the property is on the Exit 77 development area property adjacent to the APEX property. The billboard is on the adjoining owner's property to the east and the trees have grown and are now blocking the billboard. Mr. Bear said Lamar wants to clear the area out and he sees no objection. He added that the County may also want to negotiate with Lamar to have them do some tree removal for the County in the process.

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
Joe F. Hale

Timothy A. Reeves, Sr.

NAYS: None

ECONOMIC DEVELOPMENT COMMITTEE

1. PepsiCo Gatorade's Site Plan Modification – Supervisor Lester made a motion, as recommended by the Economic Development Committee, to approve PepsiCo Gatorade's site plan modification to install an above-ground water storage tank.

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

2. Land Use Permit – Supervisor Lester made a motion, as recommended by the Economic Development Committee, to adopt the following resolution for necessary Land Use Permits for the Speedwell Dollar General Store project:

WYTHE COUNTY RESOLUTION 2019-13

WHEREAS, it becomes necessary from time to time for the County of Wythe to obtain land use permits from the Virginia Department of Transportation to install, construct, maintain and operate certain public works and public utilities projects along, across over and upon highway systems of the Commonwealth of Virginia; and,

WHEREAS, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting to the County of Wythe by the Virginia Department of Transportation of said permits for the work aforesaid;

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors this 14th day of May, 2019:

Section 1: That in accordance with the provisions of Section 24VAC30-151-720 of the Land Use Permit Regulations of the Virginia Department of Transportation, the County of Wythe does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the County of Wythe and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damage that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one-million dollars (\$1,000,000) each occurrence to protect the Commonwealth Transportation Board members and the Virginia Department of Transportation's agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Commonwealth Transportation Board, the Virginia Department of transportation or the Commonwealth of Virginia in the event of suit.

Section 2: That the County Administrator, or their designee, be, and hereby is authorized to execute on behalf of the County of Wythe all land use permits and related documents of the Virginia Department of Transportation.

Section 3: That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.

Section 4: That the County of Wythe shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

BE IT STILL FURTHER RESOLVED that the County Administrator, or their designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein.

The foregoing Resolution was adopted by the Wythe County Board of Supervisors, at its regular meeting held on the 14th day of May, 2019 in Wytheville, Virginia.

Adopted this 14th day of May, 2019.

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

APEX CONSTRUCTION COMMITTEE

1. Change Order #17 – Supervisor McRoberts made a motion, as recommended by the APEX Construction Committee, to approve the resubmittals in reference to Change Order #17 (17b, 17c and 17d), totaling \$17,498.07.

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. Request for Bids for Barn – Supervisor McRoberts made a motion, as recommended by the APEX Construction Committee, to issue a request for bids for the barn in the following manner:
 - A. Base bid for an approximately 32,000 square foot facility (200' x 160') as designed by HDH. Includes paved floor, electrical outlets, lighting, water, etc. as shown on plans.

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- B. Deductive alternative for an approximately 16,000 square foot facility (100' x 160') with paved floor, electrical outlets, lighting, water, etc. as per the plans – reduced to the smaller size building.
- C. Alternative bid for construction of 32,000 square foot facility (200' x 160') using alternative materials than what is designed by HDH. This alternative will require submission of plan documents for approval.

Supervisor Hale explained that there are two types of specifications normally used. Prescriptive is where the A/E firm actually specifies every part of the building including ways to cut the building community out of any input they may have to save money, which often leads to change orders. Mr. Hale said that method is not being used and he recommends a performance-type specification some of which includes the following design criteria: basic high speed wind of 115 mph (statewide code); live load capability of 30 pounds psf; roof live load is 30; ground snow load is 30; seismic importance design factor of 1; and seismic site class is D. Supervisor Hale said all these specifications (and more) go into the bidding process.

Mr. Bear said the original plans had different sized barns than what is currently proposed. Input from the APEX Authority led to the recommendation for a different size barn in order to maximize the number of stalls. While the deductive alternative is a little bit larger than the originally proposed building, it does tie in with our grant application and grant we received from the Tobacco Commission. Mr. Bear added that building a larger building is not going to impact that grant. It just means more will come out of the local funds. The full size at 32,000 sf could cost up to \$800-1MM and the deductive alternative could bring it back down to a more manageable size/cost.

Chairman Reeves mentioned that some of the APEX Authority members are currently present. He understands they visited other facilities who recommended to the Authority to build a larger building. Apparently, those others regretted going with a smaller barn.

Supervisor Vaught asked if we're asking for bids on all these?

Mr. Bear responded that we would be seeking bids on all three options.

Supervisor Vaught said we have a \$400k grant and it was understood that the barn would cost little tax money, and now you're talking about an \$800k barn.

Supervisor Lester responded that we won't know for sure what it will cost until we receive the bids.

Mr. Bear added that the APEX Authority has been working with several individuals who are optimistic they can provide good bids, and if the Board is not satisfied with any of the bids, you can reject them.

Supervisor Lawson asked for clarification, and if they're just recommending that all three options for the barn be advertised for bids?

The Chairman replied yes.

The roll call vote was as follows:

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

NAYS:	Brian W. Vaught	Ryan M. Lawson
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ABSTAIN: Joe F. Hale

3. RGM Retainer – Supervisor Hale made a motion, as recommended by the APEX Construction Committee, to approve holding \$100,000 in retainage on the RGM contract.

Mr. Bear distributed a payment request from RGM that Mr. Vaughan received today. The amount outstanding is \$317,363.83. The Committee recommends releasing \$217,363.83 and holding \$100,000 in retainage. In addition, they recommend approval of the work to date of \$5,860 on one of the change orders (snow guards) and \$53,999.57 on combined grade/earth work for a total payment of \$277,223.40.

Supervisor Lester made a motion, seconded by Supervisor McRoberts, to pay RGM \$277,223.40.

Mr. Bear further clarified amounts requested and the related work. He said RGM requested \$3,800 for the access road and parking lot but some of that work still needs to be fixed so they do not recommend paying for that now. All other items total \$277,223.40.

Supervisor Hale said that part of the road was not in RGM's original contract. He asked if we are going to change the numbers the Committee approved?

Mr. Bear replied no. We are holding \$100k of the \$317,363.83, and are recommending payment of grade work and snow guards (work the Board previously approved) for a total payment to RGM of \$277,223.20.

Supervisor Hale asked what the value is of a 100% performance and payment bond? He said we have a local contractor who has spent their money and paid their subs, and now we're holding back this money while we're already covered 100% by the performance and payment bond.

Mr. Bear explained that we'll pay them \$277,223.20 today and if they finish fixing/paving that area in the parking lot, he will then recommend releasing the rest of that money. If and when they complete the rest of the grading and stormwater management work, then we will recommend releasing payment for that, and then we can consider lowering the retainage. Mr. Bear said that because the original grading work resulted in controversy with Baker Construction, we had no retainage and repairs needed to be made. He wants to make certain we have that covered now.

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

APPALACHIAN REGIONAL EXPOSITION CENTER

1. Introduction of Staff – Matthew Miller appeared before the Board to introduce the new faces of the APEX Center. The Authority advertised three positions since

severing ties with SMG (management company). The General Manager is Ms. Kristina Smith, a native of southwest Virginia, who has nearly a decade of experience at the Berglund Center and oversaw as many as 60-70 people in her role at the Berglund. She is very knowledgeable and experienced with most all event types and Mr. Miller said they are thrilled to have Ms. Smith on staff.

Mr. Manny O'neal also came from the Berglund Center where he was responsible primarily for set-up. His role at the APEX is Operations Manager and he'll be responsible for set-up, break-down, turnover, equipment management, etc.

Mr. Miller said another critical position is that of Office Manager and they are excited to have Ms. Jenna Lewis in that position. She was previously employed by Ft. Chiswell High School and is very knowledgeable about everything from accounting to office management, and has great rapport with all our promoters.

Mr. Miller also wanted to update the Board regarding the promoter who recently appeared before them with some unpleasant things to say about her experience at the APEX. He shared a copy of her letter with Mr. Bear who provided copies to the Board. Mr. Miller reported that every promoter who has booked the APEX previously, is either booked or holding future dates – every single one!

Mr. Miller read aloud the following from Mr. Jeremy Burnett from Millbridge Speedway: *"We at Millbridge Speedway were excited when we found a new venue opening up not far from all our competitors. We chose the Apex Center to host our karting event and our demolition derby. We were excited to bring in competitors from North Carolina, South Carolina, Virginia, and West Virginia to Wythe County. We are thrilled to be back in August to showcase our second demolition derby at the Apex Center. We hope to continue our relationship and host many more events in the building. Everyone was great during our two events. Everyone was very helpful and solved any issues that arose in the brand-new building. We can't wait to be back for the Appalachian Destruction!"*

Mr. Miller also read aloud the following from Mr. Sam Gammon of Victory Sports. Victory Sports started in 1986 and is based out of Blountville, TN, operating motorcycle and ATV events in Tennessee, Virginia, North Carolina, South Carolina, Kentucky, Georgia and Pennsylvania. Their press release from May 6th reads *"Victory Sports and the FMF INDOOR WINTER MOTOCROSS SERIES traveled to the APEX Center in March and it was an epic event. The new facility and the location are a great addition to our Winter Indoor Series. We are excited for this*

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new venue and look forward to going back in November of this year." Mr. Miller also added that Victory Sports is booked on three different dates in the coming months.

Mr. Miller also read the following from Michael Harper from Monster Trucks " *Our company Monster Truck Wars promotes over 100 events annually, with one of those taking place at the new APEX Center in VA. In 2019, we had two sold-out events at the APEX. The entire staff did everything in their power to assist us with the event. This was the first capacity crowd in the new arena. Everything from parking/ushers/security and management, were all on point, and a pleasure to deal with. We were expecting to have some issues with a new venue, but had none related to staffing and management. It was a pleasure having the event there, and we look forward to upcoming years.*"

Mr. Miller read one more communication from Garden Bros Circus that was sent directly to Ms. Lewis. " *Hello Jenna, we had a wonderful experience at the APEX Center. So much so, we would like to do a three-year contract with your facility to make Garden Bros Circus an annual event in the town of Wytheville. I believe it was a wonderful turnout for the venue as well as the circus. Thank you so much for all of your hard work and help in bringing GARDEN BROS CIRCUS back to the APEX Center.*"

Mr. Miller concluded by stating how excited they are about the upcoming GWHS graduation and other events. He said the building will look phenomenal, professional and top-notch for the graduation. Shortly after graduation, Bear Jam will be hosting their music event followed by several other events in June. Mr. Miller encourages the Board to take time to meet Ms. Smith, Mr. O'neal and Ms. Lewis and is confident we will see great things coming out of their talent.

Mr. Miller provided the Board of Supervisors with a copy of the letter from Ms. Smith that addresses the recent contractual issues with one promoter. The letter should alleviate concerns that any promoter may have with the APEX.

Chairman Reeves said that he has met all three new hires and he believes they are doing an excellent job, as is the APEX Authority. He added that the Authority members are unpaid and have put in a significant amount of time and hard work to make the APEX a great success for Wythe County, and he said we ought to be proud.

TREASURER'S BUDGET AMENDMENT REQUEST

Mr. Bear explained the Treasurer's Office has already spent their funding in professional services this year, much of which has to do with DMV Stop fees. Mrs. Guynn has been very aggressive using the DMV Stop fees to help get uncollected taxes paid. She is requesting \$17,000 be amended to 1213-430150. To date, we have received \$43,300 (\$18,300 above what was projected in DMV stop fees). Mr. Bear recommends approval to amend and appropriate \$17,000. Typically, this would go first to the Budget Committee but, he said, time is of the essence as bills need to be paid.

Mrs. Guynn explained the budget line item is at \$28k which predominantly covers the cost for DMV fees. They have worked hard pursuing DMV Stops this past year and have put on 2,500 DMV Stops. At the time she made the request to Mr. Bear (May 6th) she was already over budget by \$3,100. Estimating what her bills have been running with DMV to release those, she estimates she'll be \$17,000 short. Mrs. Guynn reported that as of May 3rd, they have collected over \$43k in DMV stop fees and she doesn't want to risk DMV discontinuing a service that brings us tax revenue.

Supervisor Vaught made a motion, seconded by Supervisor Horney, to amend and appropriate \$17,000 to 1213-430150.

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

READY MIX ROAD CHANGE ORDER

Mr. Bear referenced letter from Mr. Vaughan requesting a change order in the amount of \$5,344.80. This work was not included in any of the contractor's bid documents. Mr. Vaughan reviewed bid documents from all bidders and this item is still lower than the other bids. Mr. Bear said the contractor is there doing the work at this time (removing and replacing the 18" pipe under the road). Because time is of the essence, Mr. Bear recommends approval of this change order now.

Supervisor Lester made a motion, seconded by Supervisor Horney, to approve the change order to Ready Mix Road project in the amount of \$5,344.80.

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

APPOINTMENTS

Mr. Bear reported that Dr. Stephanie Davis has regretfully resigned from the Wythe Grayson Regional Library Board as she has been appointed by the Governor to the Commission on Local Government. In addition, Mr. Jackson Case does not wish to be reappointed and his appointment expires June 30th. The WCC Board also has an appointment expiring June 30th and we will be seeking interested people to fill any of these vacancies.

Mr. Bear added that the Rescue Squad Boards are all filled.

SURPLUS VEHICLE

Mr. Bear stated that at an earlier meeting, the Board approved classifying one of the Sheriff's vehicles as surplus (2014 Ford F150), but Animal Control now has a need for that vehicle. Mr. Bear spoke with the Sheriff and based on comparable sources, the value of the vehicle ranges between \$12,600-14,100. Mr. Bear recommends \$13,500 and requests that amount be transferred from General Fund to PAF since the vehicle was originally purchased through PAF, and transfer the vehicle to the Animal Control Department.

Supervisor Hale made a motion¹ to transfer \$13,500 from the General Fund to the Police Activity Fund.

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 this matter of purchase of a vehicle from the Wythe County Sheriff's Office, I have a personal interest because my husband is a full time employee of the Wythe County Sheriff's Office which will be

¹ There was no second to the motion.

affected by the matters discussed in our meeting this evening and I declare that I am able to participate in this matter fairly, objectively, and in the public interest.”

The roll call vote 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

ADJOURNMENT

With no other business to come before the Board, Chair Reeves adjourned the meeting at approximately 8:04 p.m.

Timothy A. Reeves, Sr., Chair