AGENDA
PLANNING COMMISSION
March 4, 2019
7:00 p.m.

I. DETERMINATION OF QUORUM AND CALL TO ORDER

II. CITIZENS’ TIME

III. MINUTES OF PREVIOUS MEETING – February 4, 2019

IV. SUBDIVISION ORDINANCE
   A. Subdivision Plat Report
   B. Minor Subdivision – Hopkins
   C. Lot Line Revision/Minor Division – Cassell
   D. Family Subdivision – King
   E. Lot Line Revision - Maloskey

V. FAIRVIEW AGRICULTURAL AND FORESTAL DISTRICT

VI. TOURISM LETTER

VII. ENGINEERING REPORT

VIII. APEX REPORT

IX. EX-OFFICIO REPORT

X. ADJOURNMENT
February 4, 2019

The Wythe County Planning Commission held its regular monthly meeting on Monday, February 4, 2019, in the Board Room of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia beginning at 7:00 p.m.

MEMBERS PRESENT
Eric W. Crowgey, Chair
Douglas E. Wilson
Heidi D. Lyall
David P. Midkiff

MEMBERS ABSENT
None

OTHERS PRESENT
K. Michelle Cassell, Assistant Department Head
William E. Vaughan, County Engineer

DETERMINATION OF QUORUM AND CALL TO ORDER
Chair Crowgey determined that a quorum was present and called the meeting to order.

REORGANIZATION

1. Election of Chair - Mr. Vaughan opened the floor for nominations for the Wythe County Planning Commission for Chair for calendar year 2019.

   Mrs. Lyall nominated Mr. Eric Crowgey as Chair for calendar year 2019. Hearing no further nominations, Mr. Vaughan asked if there was a second to the motion.

   Mr. Walk seconded the motion that Mr. Eric Crowgey be elected as Chair for calendar year 2019 and the vote was as follows:

   AYES: Robert H. Walk
          Jeffery S. Lienhart
          Ronald C. Boone
          David P. Midkiff

   NAYS: None

   ABSTAIN: Eric W. Crowgey

   Mr. Vaughan turned the meeting over to Chair Crowgey.
2. **Election of Vice Chair** – Chair Crowgey opened the floor for nominations for Vice Chair for 2019.

Mr. Wilson nominated Mr. Robert Walk as Vice Chair for calendar year 2019. Hearing no further nominations, Chair Crowgey asked if there was a second to the motion.

Mr. Boone seconded the motion that Mr. Robert Walk be elected as Vice Chair for calendar year 2019 and the vote was as follows:

- **AYES:** Eric W. Crowgey, Douglas E. Wilson, Jeffery S. Lienhart, David P. Midkiff, Robert H. Walk, Heidi D. Lyall
- **NAYS:** None
- **ABSTAIN:** Robert H. Walk

3. **Election of Secretary/Treasurer** – Chair Crowgey opened the floor for nominations for Secretary/Treasurer for 2019.

Mr. Wilson nominated Mr. Ron Boone as Secretary/Treasurer for calendar year 2019.

Mr. Boone nominated Mr. Doug Wilson as Secretary/Treasurer for calendar year 2019.

Mr. Wilson withdrew his name from the nominations.

Mr. Lienhart made a motion that the nominations cease.

Hearing no further nominations, Chair Crowgey asked if there was a second to the motion. The motion was seconded by Mrs. Lyall.

Chair Crowgey called for a vote on the nominations ceasing and that Mr. Ron Boone will be elected as Secretary/Treasurer for calendar year 2019:

- **AYES:** Eric W. Crowgey, Douglas E. Wilson, Jeffery S. Lienhart, David P. Midkiff, Robert H. Walk, Heidi D. Lyall
- **NAYS:** Ronald C. Boone
CITIZENS TIME
Chair Crowgey asked if anyone wished to address the Commission during citizen’s time.

Hearing no comments, Chair Crowgey proceeded with the agenda.

APPROVAL OF MINUTES
A motion was made by Mr. Midkiff to approve the January 7, 2019 minutes as amended. The motion was seconded by Mr. Wilson and passed.

SUBDIVISION ORDINANCE
3. Adjoining Owner/Lot Line Revision – Dickens/Dunford – The Commission reviewed a subdivision plat showing an Adjoining Owner/Lot Line Revision approved by Ms. Cassell for Barry and Sherri Dickens and Kenneth and Sandra Dunford.

Completed divisions by staff will be included on the agenda each month to keep the Commission up to date on the divisions that are being done in the County.

PLANNING COMMISSION MONTHLY CALENDARS
The Commission reviewed and accepted the monthly calendar for February and March 2019.

TOURISM
Mr. Lienhart stated that he would like to share with the Planning Commission a discussion that he had with Supervisor Joe Hale. Mr. Lienhart advised that Mr. Hale suggested that since the county does not have a tourism board that it would be in our purview as a board of planning that tourism be a nice activity for the Planning Commission to take up and requested that he make a motion regarding such. Therefore, Mr. Lienhart made a motion that the Wythe County Planning Commission take-up concerns revolving around tourism in Wythe County and be a part of our regular monthly discussions. The motion was seconded by Mr. Wilson.

Mr. Midkiff inquired if tourism is a part of the Planning Commission’s assignment.
February 4, 2019
Unapproved Minutes

Mr. Wilson asked what the Commission is being charged to do.

Chair Crowgey inquired if there is a tourism committee or director.

Ms. Cassell stated that Mr. Jeremy Farley did tourism work before he resigned.

Chair Crowgey asked if Mr. Stowers, his replacement, does tourism work.

Ms. Cassell stated that she does not believe that Mr. Stowers, the County’s PIO, does a lot of tourism work.

Chair Crowgey asked if there is any other staff member that deals with tourism activities.

Ms. Cassell confirmed that there is no other county staff member that performs tourism activities to her knowledge.

Mr. Lienhart commented that in his discussion with Mr. Hale, Mr. Hale feels that tourism needs are not being handled because there is no longer a tourism board. He stated that a tourism plan would be similar to a Comprehensive Plan that is established by the Planning Commission and a lot of the same ground would be covered. Mr. Lienhart stated that the Commission does serve at the pleasure of the Board of Supervisors.

Mr. Midkiff stated that the Town of Wytheville is promoting the county. He stated that he recently picked-up a brochure advertising Beagle Ridge Herb Farm and West Wind Winery.

Chair Crowgey stated that Rosa Jude, Tourism Director for the Town of Wytheville advertises areas in the County.

Chair Crowgey suggested that this idea/charge be discussed with the County Administrator and the full Board of Supervisors. He stated that he feels like some toes are being stepped on.

Mr. Lienhart agreed that he felt that way also and inquired if there is support from the full or majority of the Board to get into these activities instead of just one member.

Mr. Walk stated that he understands the concept; however, is accepting tourism responsibilities opening pandora’s box.

Mr. Midkiff stated that the county may want to let Town of Wytheville lead in promoting tourism considering they are already doing such and have the staff to do so.
Ms. Cassell stated that the Town of Wytheville has multiple tourism staff members and the county does not have any tourism staff members. She suggested that this may be a good time to have another joint meeting with the Board of Supervisors to discuss tourism and the Board’s ideas for the Commission.

Chair Crowgey stated that tourism needs to be addressed and promoted on the county level; however, the Planning Commission needs direction from the Board of Supervisors.

Mr. Lienhart stated that the proposal he was asked to bring forward is does the Planning Commission identify the tourism needs of Wythe County. He stated that the Planning Commission does not have a lot of tasks on a day to day basis other than the Comprehensive Plan. He stated basically what do we do in our meetings. Mr. Lienhart stated that it was made very clear to him why the Planning Commission can’t be utilized in other very closely related areas such as tourism.

Mr. Wilson stated that someone needs to check the state bylaws to determine if the Planning Commission can legally do tourism duties.

Mrs. Lyall stated that she spoke with Supervisor Vaught regarding this issue. Mrs. Lyall stated that this may have been a topic discussed among the Board of Supervisors and Mr. Vaught relayed to her that ultimately it is the Board of Supervisors decision to task the Commission with tourism duties.

After further discussion, Mr. Lienhart moved to remove his motion that the Wythe County Planning Commission take-up concerns revolving around tourism in Wythe County and be a part of our regular monthly discussions. The motion was seconded by Mr. Wilson and passed unanimously.

Mr. Lienhart made a motion to ask the Board of Supervisors if it is their intent to charge the Commission with tourism duties. The motion was seconded by Mr. Wilson and passed unanimously.

A motion was made by Mr. Midkiff to request a joint meeting with the Board of Supervisors to discuss the Board of Supervisors intent to charge the Commission with tourism duties. The motion was seconded by Mr. Lienhart and passed unanimously.

**ENGINEERING REPORT**


In addition, Mr. Vaughan reported to the Commission on the Exit 24 Wastewater Improvements; Speedwell Phase II and III Contract; Speedwell Phase II and III Project; Raper Ridge Tank Project; A/E Services for Fire Hydrant Flow Rate Analysis; Max
February 4, 2019
Unapproved Minutes

Meadows Bridge Waterline Replacement; Fort Chiswell Wastewater Treatment Plant Headworks; Fort Chiswell Well #2, Rickey Road Waterline Extension; Austinville Wastewater Treatment Plant Preliminary Engineering Report; Progress Park Connector Road; Ready Mix Road; I-81 Exist Intersection Safety Improvements; Fort Chiswell Sewer Extension; SCADA Project and Lot 20 Sewer Extension.

APEX CONSTRUCTION
The Commission reviewed an APEX Construction update dated February 4, 2019 prepared by Mr. Vaughan. Mr. Vaughan reported that construction progress is 95% based upon work-in-place dollar value. Mr. Vaughan also reported on certificate of occupancy issued January 17th; substantial completion January 22nd; current contract value $6,463,255.60; requests for proposals for additional perimeter road and west parking field perimeter road; parking; punch list; site work; seating; etc.

EX-OFFICIO REPORT
Mr. Vaughan reported that the Progress Park connector road was approved for smart scale funding. He stated that the project will be funded half by the county and half by the state. The project scored high at the state level for economic development and can begin any time after July.

FAIRVIEW AGRICULTURAL AND FORESTAL DISTRICT
Ms. Cassell reported that the update of the Fairview Agricultural and Forestal District will begin next week.

ADJOURNMENT
With no other business to come before the Commission, a motion was made by Mr. Wilson to adjourn the meeting. The motion was seconded by Mrs. Lyall and passed.

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Total Number of Parcels: 3

Selection Criteria: DateCompleted(1/31/2019 to 2/26/2019), Sorted By Landowner Name
Subdivision Report

To: Planning Commission
From: Michelle Cassell, Assistant Department Head
Date: 2/26/2019
Re: Minor Subdivision - Hopkins

Curtis and Carnella Hopkins recently subdivided their property of 3.927 acres located along U.S Route 11 (East Lee Highway) and State Route 762, (Coleman Road), in the Fort Chiswell Magisterial District. This minor subdivision created New Lot A of 1.331 acres and New Lot B of 2.596 acres.

Both properties will continue to be utilized for residential purposes and will be served by public water and public sewer. Both lots have adequate state road frontage to meet the ordinance requirements.

Staff will answer any questions that the Commission may have regarding this division.
Subdivision Report

To: Planning Commission

From: Michelle Cassell, Assistant Department Head

Date: 2/26/2019

Re: Lot Line Revision/Minor Division – Cassell

Monterey Layne Cassell recently resubdivided his property of two lots totaling 71.515 acres located along Frontage Road F-039, Bald Tree Lane, in the Black Lick Magisterial District to create three lots. Lot 1 is 23.497 acres; Lot 2 is 23.925 acres; and Lot 3 is 24.093 acres.

The properties will be continue to be utilized for residential purposes and any future development will be served by private water and private sewer. All three lots have adequate state road frontage to meet the ordinance requirements.

Staff will answer any questions that the Commission may have regarding this division.
Subdivision Report

To: Planning Commission
From: Michelle Cassell, Assistant Department Head
Date: 2/26/2019
Re: Family Subdivision - King

Charles and Karen King recently subdivided their property of 3.75 acres located along an existing 20’ wide right-of-way off of State Route 616, Milk Plant Road, in the Black Lick Magisterial District. This family division created a 1.20 acre lot (New Family Lot A) to be conveyed to Zackery and Heather Aker, daughter and son-in-law of Mr. and Mrs. King, and a 2.55 acre residual.

New Family Lot A is proposed for residential purposes and future development will be served by private sewer and public water from the Town of Rural Retreat. The residual property will continue to be utilized for residential purposes.

Staff will answer any questions that the Commission may have regarding this division.
Subdivision Report

To: Planning Commission
From: Michelle Cassell, Assistant Department Head
Date: 2/26/2019
Re: Lot Line Revision – Maloskey

Through a lot line revision, Joseph Maloskey recently resubdivided his property of three lots totaling approximately 23.338 acres located along SR 615, Kinder Valley Road, in the Black Lick Magisterial District to create two revised lots.

New Parcel B is 13.635 acres and the existing dwelling is served by private water and private sewer. New Parcel A is 9.703 acres and any future development will be served by the same. Both parcels will continue to be utilized for residential/agricultural purposes and have adequate state road frontage to meet the ordinance requirements.

Staff will answer any questions that the Commission may have regarding this division.
MEMORANDUM

TO: Stephen D. Bear, County Administrator

FROM: K. Michelle Cassell, Assistant Department Head

DATE: February 27, 2019

SUBJECT: Agriculture and Forestry Advisory Committee Appointments

Please see below the following individuals that are recommended for appointment to the Agricultural and Forestal Districts Advisory Committee:

Faye H. Barker
Samuel H. Cassell
Eural D. Clippard
James Collins
Eric W. Crowgey
James S. Huffard, III
Tom Jones
Phyl D. Snapp
Diane Stephens
Tim Reeves

Attached, for your information, is Section 15.2-4304 of the Code of Virginia regarding the agricultural and forestal districts advisory committee.

Thank you for your consideration in this matter.
§ 15.2-4304. Agricultural and forestal districts advisory committee

A. Upon receipt of the first agricultural and forestal districts application, the local governing body shall establish an advisory committee which shall consist of four landowners who are engaged in agricultural or forestal production, four other landowners of the locality, the commissioner of revenue or the local government’s chief property assessment officer, and a member of the local governing body. The members of the committee shall be appointed by and serve at the pleasure of the local governing body. The advisory committee shall elect a chairman and a vice-chairman and elect or appoint a secretary who need not be a member of the committee. The advisory committee shall serve without pay but the locality may reimburse each member for actual and necessary expenses incurred in the performance of his duties. Any expenditures of the committee shall be within the amounts appropriated for such purpose by the local governing body. The committee shall advise the local planning commission and the local governing body and assist in creating, reviewing, modifying, continuing or terminating districts within the locality. In particular, the committee shall render expert advice as to the nature of farming and forestry and agricultural and forestal resources within the district and their relation to the entire locality.

B. The local governing body may designate the planning commission to act for and in lieu of an agricultural and forestal districts advisory committee if the membership of the planning commission includes at least four landowners who are engaged in agricultural or forestal production.


The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.
§ 15.2-4311. Review of districts

The local governing body may complete a review of any district created under this section, together with additions to such district, no less than four years but no more than ten years after the date of its creation and every four to ten years thereafter. If the local governing body determines that a review is necessary, it shall begin such review at least ninety days before the expiration date of the period established when the district was created. In conducting such review, the local governing body shall ask for the recommendations of the local advisory committee and the planning commission in order to determine whether to terminate, modify or continue the district. When each district is reviewed, land within the district may be withdrawn at the owner’s discretion by filing a written notice with the local governing body at any time before it acts to continue, modify or terminate the district. The local planning commission or the advisory committee shall schedule as part of the review a public meeting with the owners of land within the district, and shall send by first-class mail a written notice of the meeting and review to all such owners. The notice shall state the time and place for the meeting; that the district is being reviewed by the local governing body; that the local governing body may continue, modify, or terminate the district; and that land may be withdrawn from the district at the owner’s discretion by filing a written notice with the local governing body at any time before it acts to continue, modify or terminate the district. The local governing body shall hold a public hearing as provided by law. The governing body may stipulate conditions to continuation of the district and may establish a period before the next review of the district, which may be different from the conditions or period established when the district was created. Any such different conditions or period shall be described in a notice sent by first-class mail to all owners of land within the district and published in a newspaper having a general circulation within the district at least two weeks prior to adoption of the ordinance continuing the district. Unless the district is modified or terminated by the local governing body, the district shall continue as originally constituted, with the same conditions and period before the next review as that established when the district was created.

If the local governing body determines that a review is unnecessary, it shall set the year in which the next review shall occur.


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</tr>
</tbody>
</table>

- May 5: PC/Advisory Comm Hold Public Mtg 5-7 pm, PC Mtg - 7 pm
- May 7: Optional Advisory Committee Meeting
- May 14: BoS Set PH for June 11th Meeting
- May 29: Advertise PH
<table>
<thead>
<tr>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thu</th>
<th>Fri</th>
<th>Sat</th>
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<tbody>
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<td>7</td>
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<tr>
<td>PC - 7 pm</td>
<td></td>
<td></td>
<td>Advertise PH</td>
<td></td>
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<tr>
<td>9</td>
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<td>11</td>
<td>12</td>
<td>13</td>
<td>14</td>
<td>15</td>
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<tr>
<td>PH Hearing Ag District</td>
<td></td>
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<td>30</td>
<td></td>
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</tr>
</tbody>
</table>
Amendment Number 1

ORDINANCE NO. 1999 – 4
FAIRVIEW AGRICULTURAL AND FORESTAL DISTRICT ORDINANCE
OF WYTHE COUNTY, VIRGINIA

Delete Article VI – Requirements and Procedures in its entirety

Add Article VI – Requirements and Procedures

6.1 The Fairview Agricultural and Forestal District is hereby established for a period of ten (10) years beginning on the first day of September, 2009, and ending on the 31st day of August, 2019. The District shall automatically continue with the same conditions specified as originally constituted in accordance with 15.2-4311 unless the Board of Supervisors determines that a review is necessary.

6.2 The Fairview Agricultural and Forestal District shall consist of approximately 2,059 acres. The district shall be located in the East and West Wytheville Magisterial Districts and shall include the following parcels:

<table>
<thead>
<tr>
<th>MAP #</th>
<th>NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>24-6, 24-48A</td>
<td>AUSTIN, JAMES A.</td>
</tr>
<tr>
<td>24-63B</td>
<td>CASSELL JEAN WALTERS</td>
</tr>
<tr>
<td>25-56A</td>
<td>CASSELL JOSEPH MICHAEL &amp;</td>
</tr>
<tr>
<td>12-31</td>
<td>CASSELL SAMUEL H &amp; MARY N</td>
</tr>
<tr>
<td>12-10</td>
<td>CASSELL SAMUEL H</td>
</tr>
<tr>
<td>25-56</td>
<td>CASSELL SAMUEL H (FOR LIFE)</td>
</tr>
<tr>
<td>25-14</td>
<td>CROWGEY ERIC WAYNE &amp;</td>
</tr>
<tr>
<td>25-10A</td>
<td>CROWGEY LEONARD JOSEPH JR</td>
</tr>
<tr>
<td>25-10B</td>
<td>CROWGEY LEONARD JOSEPH JR</td>
</tr>
<tr>
<td>25-15</td>
<td>CROWGEY LEONARD JOSEPH JR</td>
</tr>
<tr>
<td>24-55</td>
<td>CROWGEY LEONARD JOSEPH JR</td>
</tr>
<tr>
<td>25-13</td>
<td>CROWGEY LEONARD JOSEPH JR</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>MAP #</th>
<th>NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>24-46</td>
<td>DEAL WILLIAM READ</td>
</tr>
<tr>
<td>24-43B</td>
<td>DEAL WILLIAM READ</td>
</tr>
<tr>
<td>11-6</td>
<td>HARDIN TERESA B &amp; STEVEN D &amp;</td>
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<tr>
<td>11-6A</td>
<td>HARDIN TERESA B &amp; STEVEN D &amp;</td>
</tr>
<tr>
<td>12-4</td>
<td>HARDIN TERESA B &amp; STEVEN D &amp;</td>
</tr>
<tr>
<td>12-5</td>
<td>HARDIN TERESA B &amp; STEVEN D &amp;</td>
</tr>
<tr>
<td>12-6</td>
<td>HARDIN TERESA B &amp; STEVEN D &amp;</td>
</tr>
<tr>
<td>24-48</td>
<td>HARDIN TERESA B &amp; STEVEN D &amp;</td>
</tr>
<tr>
<td>24-41</td>
<td>KATE HILL FARM INC</td>
</tr>
<tr>
<td>24-43A</td>
<td>LACY CHARLES C &amp; JANE E</td>
</tr>
<tr>
<td>24-47</td>
<td>SCOTT DANNY LYLE &amp;</td>
</tr>
<tr>
<td>24-49</td>
<td>SCOTT WILLIAM EST ETALS</td>
</tr>
<tr>
<td>24-52</td>
<td>CROWGEY LEONARD JOSEPH JR</td>
</tr>
<tr>
<td>---------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>25-10</td>
<td>CROWGEY LEONARD JOSEPH JR</td>
</tr>
<tr>
<td>25-12</td>
<td>CROWGEY LEONARD JOSEPH JR</td>
</tr>
<tr>
<td>25-11</td>
<td>CROWGEY LEONARD JOSEPH JR</td>
</tr>
<tr>
<td>24-54</td>
<td>DAVIS SHIRLEY J (FOR LIFE)</td>
</tr>
<tr>
<td>24-54A</td>
<td>DAVIS SHIRLEY J (FOR LIFE)</td>
</tr>
<tr>
<td>24-54B</td>
<td>DAVIS SHIRLEY J (FOR LIFE)</td>
</tr>
</tbody>
</table>

6.3 A map representing the Fairview Agricultural and Forestal District is attached and made a part hereof.

6.4 The owners of the land within the Fairview District shall not terminate the district except in accordance with Section 15.2, Chapter 43 of the Code of Virginia of 1950, and amendments.

6.5 The withdrawal of any property owner from a district shall not serve to terminate the existence of such district.

6.6 All County ordinances and regulations shall remain applicable within said district; provided, such ordinances and regulations are not in conflict with the Agricultural and Forestal Act. Further, it is the intention of the Board of Supervisors that land use planning decisions or ordinances enacted to implement the same shall take into account the special status of land within the district.

6.7 An exception of secondary roads, either within or along the boundary of said district is hereby created, and consequently there is hereby excepted form said district a strip of land extending twenty-five (25) feet from both sides of the center line of all existing secondary roads within or along said district from the terms of this ordinance.

6.8 Ninety (90) days prior to the renewal of the District each property owner shall submit a renewal application to the Administrator which can be obtained at the Administrators office. A fee shall be charged upon each renewal and the fee shall be set annually by the Board of Supervisors.

6.9 In order to qualify for land use incentives, each property owner within the district shall comply with the current Wythe County Ordinance Number 76-3.
entitled, “An Ordinance for Special Assessments for Agricultural, Horticultural, Forest or Open Space Real Estate”.

6.10 The property owner shall notify the Administrator and the Commissioner of Revenue prior to selling or transferring any of the property which is a part of this district. Furthermore, the property owner of land within this district shall notify the purchaser that property is included within the Fairview Agricultural and Forestal District.

6.11 Landowners shall not develop land to a more intensive use other than more intensive agricultural production and forestal production per Section 15.2-4309 of the Code of Virginia of 1950.

Amendment Number 1 to this ordinance was duly considered following a required public hearing held on August 31, 2009 and was adopted by the Board of Supervisors or Wythe County, Virginia, at a meeting held on August 31, 2009 the members voting as follows:

<table>
<thead>
<tr>
<th>NAME</th>
<th>FOR</th>
<th>AGAINST</th>
<th>ABSENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wythe B. Sharitz</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charles S. Dix</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Danny C. McDaniel</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Martha P. Umberger</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Margaret O. Poole</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B.G. Horney, Jr.</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>James E. Hagee</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

This ordinance shall become effective at 12:01 am on September 1, 2009 after the adoption of this Amendment.

R. Cellell Dalton, Clerk

F:\Co Admin\Letters 09-10\Ordinances\831092009FairviewAF.docx
ORDINANCE NO. 99-4
FAIRVIEW AGRICULTURAL AND FORESTAL DISTRICT ORDINANCE
OF WYTHE COUNTY, VIRGINIA

1.1 Title. This ordinance shall hereinafter be known as the “Fairview Agricultural and Forestal District Ordinance of Wythe County, Virginia”, Ordinance No. 99-4.

1.2 Authority. It is adopted pursuant to Section 15.2, Chapter 43 of the Code of Virginia of 1950, as amended.

1.3 Jurisdiction. The provisions of this ordinance shall apply to all land specified herein that lies within the East and West Wytheville Magisterial District of Wythe County and which does not lie within the jurisdiction of an incorporated municipality.

ARTICLE II - Purpose

2.1 It is the policy of Wythe County to conserve and protect as well as encourage the development and improvement of its agricultural and forestal lands for the production of agricultural and forest products. It is also the policy of Wythe County to conserve and protect agricultural and forestal land as valued natural and ecological resources. It is the purpose of this ordinance to provide a means by which agricultural and forestal lands may be protected and enhanced as a viable segment of the economy.

ARTICLE III - Rules

3.1 In the construction of this ordinance, the rules contained in this section shall be observed and applied, except when the context clearly indicates otherwise.

3.1-1 Words used in the present tense shall include the future, and words used in the singular form shall include the plural form, and the plural the singular;

3.1-2 The word “lot” includes the words “plat” and “parcel”; 

3.1-3 The word “shall” is mandatory and not discretionary;

3.1-4 The word “may” is permissive and not mandatory;

3.1-5 The word “approve” shall be considered to be followed by the word “disapprove”;
The masculine gender includes the feminine and neuter; and

Any reference to this ordinance includes all ordinances amending or supplementing the same.

**ARTICLE IV - Definitions**

4.1 For the purpose of this ordinance, certain words or terms used herein shall be defined as follows:

4.1-1 **Administrator.** The representative of the Board of Supervisors appointed to serve as the agent of the Board in administering all provisions of this ordinance shall be the Commissioner of the Revenue.

4.1-2 **Agricultural Products.** Shall mean crops, livestock and livestock products which shall include, but not be limited to, the following:

4.1-2a Field crops, including corn, wheat, oats, rye, barley, hay, tobacco, peanuts, potatoes and soybeans.

4.1-2b Fruits, including apples, peaches, grapes, cherries and berries.

4.1-2c Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.

4.1-2d Horticultural specialties including commercial flowers, nursery stock, ornamental shrubs, ornamental trees and Christmas trees.

4.1-2e Livestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, fur-bearing animals, milk, eggs and furs.

4.1-3 **Agricultural Production.** Shall mean the production for commercial purposes of crops, livestock and livestock products, and shall include the processing on retail sales by the producer of crops, livestock or livestock products which are produced on the parcel or in the district. This shall not be deemed to expand the area of land eligible for land use assessment.

4.1-4 **Agriculturally and Forestally Significant Land.** Shall mean land that has recently or historically produced agricultural or forestal products, is suitable for agricultural or forestal production as determined by such factors as soil quality, topography, climate, markets, farm structures and other relevant factors.

4.1-5 **Board.** The Wythe County Board of Supervisors.

**ORDINANCE 99-4**
District. An agricultural, forestal or agricultural and forestal district.

Forestal Production. The production for commercial purposes of forestal products and shall include the processing or retail sales by the producer of forestal products which are produced on the parcel or in the district. This shall not be deemed to expand the area of land eligible for use value assessment and taxation.

Forestal Products. Shall include, but are not limited to, saw timber, pulpwood, posts, firewood, Christmas trees and other tree and wood products.

Landowner or Owner of Land. Any person holding a fee simple interest in property but shall not include the holder of an easement.

Person. Any person, partnership, association, corporation or other legal entity.

ARTICLE V - Administration

Administrator. The Commissioner of the Revenue is hereby delegated to administer this ordinance. The Commissioner of the Revenue shall be considered the agent of the governing body.

Additional Authority. In addition to the regulations herein contained, the Administrator may, from time to time, establish any reasonable administrative procedures deemed necessary for the proper administration of this ordinance or such other authority as the Board might delegate.

ARTICLE VI - Requirements and Procedures

The Fairview Agricultural and Forestal District is hereby established for a period of ten (10) years beginning on the 1st day of September, 1999, and terminating on the 31st day of August, 2009.

The Fairview Agricultural and Forestal District shall consist of 2,655.27 acres. The district shall be located in the East and West Wytheville Magisterial Districts and shall include the following parcels:

Bowles, Jerry W. & Linda C. 24-48
Blount, Dean T. & Mary W. 25-50
Cassell, Alyson J. 25-65D
Cassell, Jean W. & Ralph B. 24-63B
Cassell, Samuel H. 12-31, 25-56
Corvin, Cletia Nuckolls (for Life) 11-6, 6A; 12-4, 5, 6
Linda & Jerry Bowles
Crowgey, Leonard J., Jr. 24-52, 55; 25-10, 10A, 10B, 11, 13, 14, 15
Davis, Charles L. & Shirley 24-54B
Deal, William R. & Olyvia A. 24-43B, 24-46
Felty, Craig U. 25-65
Felty, Emory C. & Shirley N. 25-65C
Fowler, Anthony E. & Teresa B. 24-45C, 45D
Hurst, Virgil R. & Nellie S. 24-40
Kate Hill Farm, Inc. 24-41, 43, 44, 45
Kegley Farm Inc. 24-56, 56A, 57, 58
Lacy, Charles C. & Jane E. 24-43A
Lamney, Phern D. & Davis, Louise M. 24-47
Scott, William H. (est. etals) 24-49
Sexton, Harold T. & Patsy E. 25-47
Shumate, Thomas J. & Elizabeth J. 11-4A
Stephens, Alfred W. & Sharon D. 25-62A, 63, 64
Umberger, Margaret Musser 24-32A, 34, 35, 36, 37, 38
Umberger, Mark L. & Deborah C. 11-3B
Umberger, Owen T. (et ux) & Jean F. 24-39
Walters, Elbert Ray & Genevieve K. 24-63
Winston, Diane G. 25-50A

6.3 A map showing the exact location of the Fairview Agricultural and Forestal District is attached and made a part hereof.

6.4 The owners of the land within the Fairview District shall not terminate the district except in accordance with Section 15.2, Chapter 43 of the Code of Virginia of 1950, and amendments.
6.5 The withdrawal of any property owner from a district shall not serve to terminate the existence of such district.

6.6 The district shall continue in effect until it is reviewed in 2009. Said review of the districts is to be completed in accordance with Section 15.2 of the Code of Virginia, and amendments thereto.

6.7 All County ordinances and regulations shall remain applicable within said district; provided, such ordinances and regulations are not in conflict with the Agricultural and Forestal Districts Act. Further, it is the intention of the Board of Supervisors that land use planning decisions or ordinances enacted to implement same shall take into account the special status of land within the district.

6.8 An exception for secondary roads, either within or along the boundary of said district is hereby created, and consequently there is hereby excepted from said district a strip of land extending twenty-five (25) feet from both sides of the center line of all existing secondary roads within or along of said district from the terms of this ordinance.

6.9 90 days prior to the renewal of the District each property owner shall submit a renewal application to the Administrator which can be obtained at the Administrators office. A fee shall be charged upon each renewal and the fee shall be set annually by the Board of Supervisors.

6.10 In order to qualify for land use incentives, each property owner within the district shall comply with the current Wythe County Ordinance No. 76-3 entitled, “An Ordinance for Special Assessments for Agricultural, Horticultural, Forest or open Space Real Estate”.

6.11 The property owner shall notify the Administrator prior to selling or transferring any of the property which is a part of this district.

6.12 The values for forestal use shall be the same as for agricultural use.

ARTICLE VII - Legal Status Provisions

7.1 Certified Copies of Ordinances. Certified copies of this ordinance, and all amendments thereto shall be filed in the offices of the Planning Commission, the County Administrator, and the Clerk of the Circuit Court of Wythe County, Virginia.
7.2 Validity. Should any article, section, subsection or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not effect the validity or constitutionality of this ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

7.3 Conflicting Ordinances. All ordinances or portions thereof in conflict with this ordinance are hereby repealed to the extent of their conflict.

7.4 Effective Date. This ordinance was duly considered following a required public hearing held on August 10, 1999, and was adopted by the Board of Supervisors of Wythe County, Virginia, at its regular meeting held on August 24, 1999, the members voting as follows:

<table>
<thead>
<tr>
<th>NAME</th>
<th>FOR</th>
<th>AGAINST</th>
<th>ABSENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wythe B. Sharitz</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mark C. Munsey</td>
<td>X</td>
<td></td>
<td></td>
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<tr>
<td>Charles S. Dix</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>S. Clay Lawrence</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Danny C. McDaniel</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Howard W. Manley</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harvey E. Atkinson, III</td>
<td>X</td>
<td></td>
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</tr>
</tbody>
</table>

This ordinance shall become effective on September 1, 1999.

I certify this to be a true and correct copy taken from the August 24, 1999 minutes of the Wythe County Board of Supervisors meeting.

R. Cellell Dalton, Clerk
February 8, 2019

Stephen D. Bear
County Administrator
340 South 6th Street
Wytheville, VA 24382

Dear Stephen:

The Planning Commission, at its February 4, 2019 meeting, after much discussion concurred unanimously to inquire if it is the Board of Supervisors intent to charge the Commission with tourism duties.

In addition, the Planning Commission respectfully requests a joint meeting with the Board of Supervisors to discuss this issue.

Thank you for your consideration in this matter and I look forward to hearing from you.

Sincerely,

[Signature]

Eric W. Crowgey
Chair

EWC/kmc
Engineering Department

PROJECT STATUS REPORT
(Water and Wastewater)

As of February 19, 2019

WATER PROJECTS
## Water Projects Synopsis

### 2009 - 2018

<table>
<thead>
<tr>
<th>Project</th>
<th>Project Cost</th>
<th>Line Contract Cost</th>
<th>%</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
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<td>$5,468,300.00</td>
<td>$4,270,887.30</td>
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<td></td>
</tr>
<tr>
<td>Water Storage Tank</td>
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<td>$4,270,887.30</td>
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<tr>
<td>Old School Road Extension</td>
<td>$1,076,700.00</td>
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<td>Budgeted cost: $1,002,100</td>
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<tr>
<td>Route 619</td>
<td>$805,838.80</td>
<td>$756,921.47</td>
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<td>Stiltsville/RI 619</td>
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<tr>
<td>Speedwell Div 1B</td>
<td>$795,516.50</td>
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<tr>
<td>Speedwell Div 1C</td>
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<tr>
<td>Water Storage Tank</td>
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<td>Balance of funds used for Speedwell Pk (II)</td>
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<tr>
<td>barren School St 32</td>
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<tr>
<td>Barren Springs Phase I</td>
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<td>$880,191.00</td>
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<td>Wythe Co. funded</td>
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<tr>
<td>Barren Springs Div IA</td>
<td>$603,267.55</td>
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</tr>
<tr>
<td>Barren Springs Div III</td>
<td>$1,062,602.00</td>
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<tr>
<td>Water Storage Tank</td>
<td>$3,754,000.00</td>
<td>$507,711.00</td>
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<tr>
<td>Kitchen Nelson-Wilkow Road</td>
<td>$884,000.00</td>
<td>$560,195.75</td>
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<td>Final connections, etc.</td>
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<tr>
<td>Speedwell Phase II Div IA</td>
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<td>Balance of funds to Speedwell Pk (III)</td>
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<td>Speedwell Phase II Div IB</td>
<td>$972,749.50</td>
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<td>Speedwell Phase III Div 1</td>
<td>$499,567.85</td>
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<td>100</td>
<td>Closeout complete</td>
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<tr>
<td>Speedwell Phase III Div 2 (Booster station)</td>
<td>$2,818,200</td>
<td>$466,526.69</td>
<td>100</td>
<td>Tank completed, project suspended for weather</td>
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<tr>
<td>Rickey Road Waterline Extension</td>
<td>$296,000.00</td>
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</tr>
<tr>
<td>Faeder Ridge Water Tank</td>
<td>$1,252,500.00</td>
<td>N/A</td>
<td></td>
<td>Tank completed, project suspended for weather</td>
</tr>
</tbody>
</table>

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**UNDER CONSTRUCTION**

![Under Construction Icon](image)
UNDER CONSTRUCTION

Raper Ridge Water Tank Project

- Progress: 96%.
- Final site work, ESC, etc. suspended awaiting better weather conditions.
  - Suspension expires 16 March.

WASTEWATER PROJECTS
Exit 24 Wastewater Improvements

Final Administrative Actions

- DEQ closeout requirements.
  - DEQ Abingdon final project evaluation submittal to Richmond week of 18 February; recommendation for final draw request payment.

- Final draw requests submitted.
  - Draw # 6, $324,272.84.
  - Draw # 7, $140,955.88.

PROJECT PROCUREMENT
Max Meadows Bridge Waterline Replacement

- Additional failure of brackets on Bridge ca. 11 August.
  o Water Department isolated line.
  o Max Meadows on well.
- "Emergency" fee proposal requested from CARDNO to expedite bridge attachment option.
  o 4 Sept 18.
    - Executed by County Administrator on 12 Sep 18.
  o Fee: $18,000.

- Budget.
  o Current working estimate: $109,000.
    - Low bid: $144,500 (Central Builders).
    - Working value engineering (VE) possibilities to reduce bid cost to budget.
      - Final negotiated price of $130,250 accepted by Board on 12 February.

Fort Chiswell WWTP Headworks

- Bid opening August 9th.
  o Low bidder: Coalfield Services, Inc.
  o Bid: $149,000.
  o A/E recommendation to award: 15 Aug 18.
  o Draft Notice of Award, 15 Aug 18.
Engineering Services Proposals

- Austinville Waterwater Treatment Services PER.
  - Fee of $22,500 accepted by Board on February 12th.

SCADA

- Prior bids rejected.
- New procurement strategy:
  - Peed & Bortz preparing RFP, coordinating with County staff for scope-of-work.
PROJECT PLANNING

Rickey Road Waterline Extension

- Request for fee proposal forwarded to Peed & Bortz.
  - Executed agreement by A/E: 27 Sep 18.
  - Final concurrence by USDA RD: 27 Sep 18.

- Preliminary design phase @ 50%.
PROJECT PLANNING

Fort Chiswell Sewer Extension

- Fort Chiswell Sewer Extension PER.
  - Presentations completed 5 and 9 October.
    - Water Committee Source Selection Board recommendation: Peed & Bortz.

- Fee proposal (rec'd 19 Dec 18) accepted by Board on January 22nd.
  - $16,900.

PROJECT PLANNING

Lot 20 Sewer Extension

- Lot 20 Sewer. This project is ready for advertisement. However, procurement activities were held in abeyance pending final disposition of the Branch Botanicals construction project on Lot 20.

- DHCD grant project: $359,695 (sewer construction project).
REPORT WILL BE PRESENTED AT THE MEETING