

**September 11, 2018**

The Wythe County Board of Supervisors held its regularly scheduled meeting at 7:00 p.m., Tuesday, September 11, 2018. 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  
 Scot Farthing, County Attorney  
 Martha Collins, Administrative Assistant/Clerk  
 Tim Spraker, Building Official  
 Bill Vaughan, County Engineer

**OTHERS PRESENT:**

Anthony Cline  
 Mike Edmonds and family (5)  
 Charles Foster  
 Brian Lawson  
 Linda Meyer

Colleen Montgomery  
 Gary Slemper  
 John Thompson  
 Chad Trivitt  
 One Other

**CALL TO ORDER**

Chair Reeves determined that a quorum was present and called the meeting to order at 7:00 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Colleen Montgomery, Holy Trinity Lutheran Church, provided the invocation and Chair Reeves led the Pledge of Allegiance.

**PRESENTATION OF RETIREMENT RESOLUTION**

The Board reviewed and discussed Resolution 2018-31 in honor of Michael K. Edmonds as follows:

***WYTHE COUNTY RESOLUTION 2018-31  
 A RESOLUTION HONORING  
 MICHAEL K. EDMONDS***

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**WHEREAS**, Michael K. Edmonds was hired as a full-time deputy for the Wythe County Sheriff's Office in January 1982; and,

**WHEREAS**, Edmonds transferred to the New River Valley Regional Jail from April 1999 to December 1999; and,

**WHEREAS**, Edmonds became an investigator with the Wythe County Sheriff's Office in December 1999; and,

**WHEREAS**, having made over 200 arrests in one single year, Edmonds was presented the 2002 Investigations Division Award for Drug Enforcement; and,

**WHEREAS**, Edmonds was instrumental in the 2005 arrest of a subject wanted for murder in Tennessee; and,

**WHEREAS**, in October 2005, Edmonds was transferred to the Civil Division of the Wythe County Sheriff's Office, serving countless court papers, service calls and transports; and,

**WHEREAS**, Edmonds was promoted to Lieutenant in January 2016; and,

**WHEREAS**, on June 30, 2018, Edmonds officially retired from the Wythe County Sheriff's Office.

**NOW, THEREFORE BE IT RESOLVED**, the Wythe County Board of Supervisors assembled in regular session in Wytheville, Virginia, this 11<sup>th</sup> day of September, 2018, does hereby express its sincere appreciation to Michael Edmonds for his 36 years of dedicated law enforcement service and conveys its best wishes to him and his family for continued success, happiness and good health for years to come; and,

**BE IT FURTHER RESOLVED**, that the Wythe County Board of Supervisors does hereby direct that this resolution be incorporated in the official minutes of this Board and that a framed copy be given to Michael K. Edmonds as a token of their high regard.

Mr. Edmonds graciously accepted this award presented to him by Supervisor Vaught on behalf of the entire Board of Supervisors.

Supervisor Vaught made a motion, seconded by Supervisor Lawson, to adopt Resolution 2018-31 in honor of Mr. Edmonds.

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

Mr. Edmonds was also presented with a watch as a token of the Board's appreciation for his many years of service to Wythe County.

Mr. Edmonds thanked the Board of Supervisors as well as the four sheriffs he served under: Wayne Pike, Kermit Osborne, Doug King and Keith Dunagan. Mr. Edmonds stated that without them, he wouldn't have been able to do this job all these years. He greatly appreciates the opportunity to continue to serve Wythe County as a School Resource Officer at Rural Retreat Elementary.

#### **PUBLIC HEARING – PROPOSED NOISE ORDINANCE**

Chairman Reeves announced that in compliance with the Code of Virginia and amendments thereto, the Wythe County Board of Supervisors will conduct a public hearing to consider adopting an ordinance entitled, "Wythe County Noise Ordinance." The proposed ordinance will replace Ordinance 2017-2.

Chairman Reeves opened the public hearing and asked Mr. Bear to go over changes to the proposed Ordinance.

Mr. Bear explained that the proposed Ordinance, in the Prohibited Conduct section, establishes a time frame for the prohibited conduct between the hours of 11:00 p.m. until 6:00 a.m. Previously, only certain prohibited items were addressed in the Ordinance. Also, under this same section, item (4), we've added to the end of the sentence "and unnecessary discharging of firearms".

Mr. Bear reported that the following language is new to the proposed Ordinance:

(B) Exemptions

- (1) No provisions of this chapter shall apply the emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work.
- (2) No provisions of this chapter shall apply to the emission of sounds associated with agricultural activities.
- (3) No provisions of this chapter shall apply to the emission of sounds associated with and/or in conjunction with industrial operations.

(C) Report of Violation

Any person aggrieved by the prohibited conduct on Section 2 (A) above, which is not exempt by Section 2 (B), may report the violation of this ordinance to the Wythe County Sheriff's Office or Consolidated Dispatch Center. The person aggrieved and reporting a violation shall provide his/her name and contact information.

Chairman Reeves reported that two letters were received regarding the proposed Ordinance. He asked if anyone present wished to address the Board.

Mr. Gary Slemp addressed the Board, stating that he had to call the Sheriff's Department multiple times regarding dog barking. He believes the Ordinance references dog barking once a minute for ten minutes. Mr. Slemp would like to know if the Board has considered changing that in any way.

Chairman Reeves responded that the Board has not considered changing that, and he doesn't believe there've been any issues. Mr. Slemp was asked specifically what his concerns with the proposed Ordinance were.

Mr. Slemp said that the issue he had seems to have been corrected. He doesn't know what exactly was done, but it appears something was. Mr. Slemp said the situation has been rectified about 99% and he appreciates it.

Hearing no other comments, Chairman Reeves closed the public hearing.

Chairman Reeves said they will consider comments on the proposed Noise Ordinance and will put it back on the agenda for vote at the next scheduled meeting.

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**CITIZENS' TIME**

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

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

**PAYMENT OF COUNTY INVOICES**

Supervisor Horney made a motion to pay the invoices for approval on September 11, 2018, for the various departments of County government. The invoices were paid on General Warrants 30101792-30101865 as follows:

**EXPENDITURES BY DEPARTMENT  
BOARD OF SUPERVISORS  
September 11, 2018**

<b>CHECK #</b>	<b>ISSUE DATE</b>	<b>VENDOR</b>	<b>AMOUNT</b>
30101792	9/05/2018	APPALACHIAN POWER	1,668.87
30101793	9/05/2018	BUSINESS CARD	4,037.81
30101794	9/05/2018	CENTURY LINK	45.22
30101795	9/05/2018	CENTURY LINK	52.76
30101796	9/05/2018	CENTURY LINK	336.80
30101797	9/05/2018	CENTURY LINK	4,698.16
<b>TOTAL EXPENDITURES 09/05/2018</b>			<b>\$10,839.62</b>

<b>CHECK #</b>	<b>ISSUE DATE</b>	<b>VENDOR</b>	<b>AMOUNT</b>
30101798	9/11/2018	LITTLE B ENTERPRISES INC	112,983.86
30101799	9/11/2018	THOMPSON TIRE	279.94
30101800	9/11/2018	THRASHER GROUP INC	15,010.50
<b>TOTAL EXPENDITURES 09/11/2018</b>			<b>\$128,274.30</b>

<b>CHECK #</b>	<b>ISSUE DATE</b>	<b>VENDOR</b>	<b>AMOUNT</b>
30101801	9/11/2018	A.K. CALI HOME RESTORATIO	1,265.00
30101802	9/11/2018	AKERS, FRANCES C	235.31
30101803	9/11/2018	APPALACHIAN POWER	1,310.67
30101804	9/11/2018	BKT UNIFORMS	277.96
30101805	9/11/2018	BLUE RIDGE AUTO PARTS INC	155.31
30101806	9/11/2018	BROWN EXTERMINATING CO	45.00
30101807	9/11/2018	BUILDING & DESIGN OF VA	62,722.82.
30101808	9/11/2018	BUILDING INFORMATION SYST	48.50
30101809	9/11/2018	CARASOFT TECH CORP	2,039.56

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30101810	9/11/2018	CAVALIER SUPPLY CO	233.35
30101811	9/11/2018	CDW GOVERNMENT INC	1,739.50.
30101812	9/11/2018	CITIZENS TELEPHONE COOP	720.00
30101813	9/11/2018	COM TEC	675.00
30101814	9/11/2018	PAUL WIDENER	591.80
30101815	9/11/2018	DANNER, DAVID	2,500.00
30101816	9/11/2018	DELL MARKETING LP	2,082.15
30101817	9/11/2018	TREASURER OF VIRGINIA	13,455.00
30101818	9/11/2018	DEPT OF TRANSPORTATION	198,475.00
30101819	9/11/2018	DUNAGAN, KEITH	618.72
30101820	9/11/2018	ELECTRICAL EQUIP CO	87.00
30101821	9/11/2018	F&R ELECTRIC INC	450.00
30101822	9/11/2018	FERGUSON ENTERPRISES #5	78.30
30101823	9/11/2018	GALLS	274.54
30101824	9/11/2018	GOLDEN RULE CREATIONS	610.57
30101825	9/11/2018	GRANT, BRUCE M	4,136.75
30101826	9/11/2018	HARPO'S HARDWARE & BLDG S	341.75
30101827	9/11/2018	JOINT PUBLIC SERVICE AUTH	43,881.24
30101828	9/11/2018	KING, CAROLYN	48.00
30101829	9/11/2018	KING-MOORE INC	1,332.50
30101830	9/11/2018	LEXISNEXIS	207.00
30101831	9/11/2018	LOWE'S	1,427.65
30101832	9/11/2018	MANSFIELD OIL CO	8,105.69
30101833	9/11/2018	NEW RIVER REGIONAL WATER	13,493.96
30101834	9/11/2018	OFFICE OF THE CHIEF MEDIC	40.00
30101835	9/11/2018	BARRY DAVIDSON	48.80
30101836	9/11/2018	BRANDY DAVIS	111.50
30101837	9/11/2018	JOHN SHUPE	47.40
30101838	9/11/2018	MADOLON MALLCHOK	150.00
30101839	9/11/2018	THE SOBEY LAW FIRM	120.00
30101840	9/11/2018	THOOMAS KELDERHOUSE	18.00
30101841	9/11/2018	PAPER CLIP	98.06
30101842	9/11/2018	PITNEY BOWES	594.00
30101843	9/11/2018	PROTECT YOUTH SPORTS	225.90
30101844	9/11/2018	R&R ENTERPRISES INC	135.00
30101845	9/11/2018	RURAL DEVELOPMENT	2,282.00
30101846	9/11/2018	RURAL DEVELOPMENT	2,514.00
30101847	9/11/2018	RURAL DEVELOPMENT	11,572.00
30101848	9/11/2018	S&W FERTILIZER	5,377.60

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30101849	9/11/2018	SMG	4,000.00
30101850	9/11/2018	SUNTRUST	36,881.92
30101851	9/11/2018	TAKE A BREAK FROM THE INT	500.00
30101852	9/11/2018	THOMPSON TIRE	531.36
30101853	9/11/2018	THREE RIVERS MEDIA CORP	330.00
30101854	9/11/2018	TURNER LEASING COMPANY, I	150.00
30101855	9/11/2018	UNIVERSITY OF VIRGINIA	80.00
30101856	9/11/2018	US CELLULAR	66.10
30101857	9/11/2018	USA BLUE BOOK	705.03
30101858	9/11/2018	V&M RECYCLING	64,646.36
30101859	9/11/2018	VITA	163.18
30101860	9/11/2018	VITA	203.30
30101861	9/11/2018	WITMER PUBLIC SAFETY GROU	526.00
30101862	9/11/2018	WYTHE CO WATER & WASTEWAT	62.26
30101863	9/11/2018	WYTHE TIRE AND MUFFLER	105.00
30101864	9/11/2018	WYTHEVILLE OFFICE SUPPLY	203.05
30101865	9/11/2018	XEROX	119.75
<b>TOTAL EXPENDITURES 09/11/2018</b>			<b>\$496,273.17</b>

**TOTAL EXPENDITURES APPROVED 09/11/2018** **\$635,387.09**

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 MEETINGS

The Board was presented with the August 28 and September 4, 2018, minutes for approval.

Supervisor McRoberts made a motion, seconded by Supervisor Vaught, to approve the August 28 and September 4, 2018, minutes as presented.

The roll call vote on the motion was as follows:





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Ryan M. Lawson  
Joe F. Hale

Timothy A. Reeves, Sr.

NAYS: None

3. Radon Mitigation – Supervisor Hale made a motion, as recommended by the Building & Grounds Committee, to adopt Appendix F of the United States Building Code, making radon mitigation mandatory for all new construction and a minimum fee for any radon mitigation.

Mr. Spraker provided an explanation of radon, which is an odorless gas that comes up from the ground. He said with the exception of smoking, radon is the next biggest cause of lung cancer. Mr. Spraker added that a lot of people don't know about radon and its effects. He feels that new construction should include radon mitigation, and although it may only eliminate 50%, it's better than nothing. Mr. Spraker added that it is estimated to add \$50-300 of additional construction expense. The adoption of Appendix F will apply only to new construction.

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

4. Manufactured Home Ordinance – Supervisor Hale made a motion, as recommended by the Building & Grounds Committee, to set a public hearing for the consideration of proposed Amendment #2 of the Wythe County Manufactured Home Ordinance.

Mr. Bear explained that approval is requested, for clarity sake, to add language to Section 7.8 Campgrounds and Parks for Travel Trailers, requiring a new special use permit for any expansion to an existing campground or park.

The Board recommends that a public hearing be set for October 9, 2018.

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

5. Abandonment of Buckley Drive – Supervisor Hale made a motion, as recommended by the Building & Grounds Committee, to issue a Notice of Intent for the abandonment of Buckley Drive.

Mr. Bear explained that Buckley Drive (a State maintained road) runs from US11 and dead-ends at the right of way of Interstate 81. Land owner who owns property on both sides of Buckley Drive, requests consideration of abandonment of this road by VDOT. Mr. Bear said that steps to do this first require publishing a Notice of Intent to hold a public hearing. If no one expresses interest in a public hearing, then you can proceed with abandonment. He said if anyone wants a public hearing, then we will schedule it and proceed from there.

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

#### **NINTH DISTRICT DEVELOPMENT FINANCING**

Mr. Bear said the Ninth District Development Financing (NDDF) sent us a letter requesting Ms. Jennifer Atwell, who is currently serving, be reappointed to the Board of Directors. Ms. Atwell's term expires December 31, 2018 and she is more than willing to continue serving in this capacity. Reappointment will be for two years.

Supervisor Horney made a motion, seconded by Supervisor Lawson, to reappoint Ms. Jennifer Atwell to the NDDF Board of Directors.

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

### **APEX CENTER UPDATE**

Mr. Bear provided a status update on the APEX Center. He said that current completion date of construction is still November 11<sup>th</sup>. Mr. Bear reports that Mr. Vaughan is working on additional non-construction items, Mrs. Collins is working on furniture options, purchase orders are issued for the sound and lightning systems (previously approved) and those things are coming in. Mr. Bear said that at the end of August, the unencumbered funds out of the original budget is approximately \$479k. He said they budgeted \$350k for capital funds and this year's budget puts us at \$829k. He also said that Mr. Vaughan is having regular meetings with the contractor (twice a month). He is still working with contractor on pricing for surface treatment of Ready Mix Road.

Mr. Bear also stated that the sidewalks and grading will be done, and they're working on storm water management. Excess dirt will be used for the road, but we can't proceed with the road until all the dirt has been moved.

Mr. Bear reported that the building and most of the parking will be finished by November 11<sup>th</sup>, but there will be additional work the County will do on the lower parking area, as well as hard surface paths or possibly donated steps coming up from the lower area.

Mr. Bear and Mr. Vaughan are still discussing several contracts and closing out on some of the bid items. Mr. Bear said that Mr. Stowers is still working on grant applications.

Mr. Bear reported that the furnishings need to be finalized as soon as possible, and that the APEX Construction Committee will be meeting this week to look at some of those items and get recommendations to the Board.

Supervisor Vaught asked about the signage and funding for same.

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Mr. Bear responded that we are applying to Southwest Economic Development Division of the Tobacco Commission for a grant (50/50 match). The Tobacco Commission postponed their Spring grant cycle to later this Fall.

Supervisor Vaught asked what our priority is for additional items, stating that signage should be a priority. He inquired how these additional items are being prioritized.

Mr. Bear replied that this is why he's keeping everyone informed, and that the Board will have to establish that priority. He said that fencing is a high priority for the Authority especially for the cattle and horse events. Mr. Bear said signage is also a priority but can run from \$250k up to one million dollars.

Supervisor Vaught, not to be pessimistic, said he's yet to see any sponsorship money that he's heard about for several years.

Supervisor Hale said it's been there. There is sponsorship money involved. Now.

Regarding Ready Mix Road, Mr. Bear reported that he and Mr. Vaughan met with VDOT onsite, and they're now waiting on VDOT approval of our design for the curb and gutter, then we can proceed with getting cost proposals and putting that in.

Supervisor Lawson asked about cleaning up the area (trees and bushes) so you can get a better view from the road.

Mr. Bear said VDOT went up there and did excellent job cleaning that area. The Building & Grounds Department also bush hogged a much wider path up Ready Mix Road, and they'll return with chainsaws to cut and chip the trees. Mr. Bear said they're also looking at cutting additional trees on the property to remove out of the line of sight from the interstate.

Mr. Bear reported that VDOT submitted their invoice to us for half of the Ready Mix Road revenue sharing. He said it is good to go and approved so they can start taking the road over.

Mr. Bear stated that No Parking signs were placed out there, but the first one didn't make it 24 hours. He said they're moving some of them to other areas, and will request law enforcement to help us encourage people parking there to move along.

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Supervisor Vaught asked if the County can adopt a No Parking Ordinance? He said currently the fine \$30. He also said that in the Town of Wytheville's ordinance, they started issuing significant fines to the big trucks in Walmart and Lowes, and word has spread. Supervisor Vaught feels that if we hit them with a \$100-150 fine, word will spread very fast and possibly correct the parking issue.

Mr. Bear and Chairman Reeves agreed that we should look into that.

Mr. Bear said regarding the Smart Scale application, VDOT doesn't believe that full signalization at Exit 80 works well, and that we should consider flashing red/yellow lights. He said that VDOT is looking at this as a safety item. Mr. Bear also said that AEP can run a wire from their existing pole to run those lights, and hopes this can be accomplished in the next couple of months. He said he's meeting with VDOT and AEP next week.

**ADJOURNMENT**

With no other business to come before the Board, Chair Reeves adjourned the meeting at approximately 8:00 p.m.

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Timothy A. Reeves, Sr., Chair