January 11, 2022

The Wythe County Board of Supervisors held its regularly scheduled meeting at 6:00 p.m., Tuesday, January 11, 2022. The location of the meeting was in the Boardroom of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia.

MEMBERS PRESENT:
Brian W. Vaught, Chair  
B. G. “Gene” Horney, Jr.  
Ryan M. Lawson, Vice Chair  
James D. “Jamie” Smith  
Rolland R. Cook  
Stacy A. Terry

MEMBER ABSENT:
Jesse R. Burnett

STAFF PRESENT:
Stephen D. Bear, County Administrator  
Martha Collins, Administrative Assistant/Clerk  
Matt Hankins, Assistant County Administrator  
Don Martin, Assistant County Attorney  
Regina Williams, Finance Director

OTHERS PRESENT:
Kim Ayers  
Dickie Morgan  
Jeremy Farley  
David Rose  
Charlie Foster  
Brenda Thomas  
Crystal Holliday  
Kathy Vaught  
Gus Kincer  
Zach Wright  
Linda Meyer

CALL TO ORDER
Stephen Bear, County Administrator, determined that a quorum was present and called the meeting to order at 6:00 p.m. He then announced that the newest board member, Jesse Burnett, is unable to attend tonight due to illness. The Board looks forward to Supervisor Burnett’s healthy return.

INVOCATION AND PLEDGE OF ALLEGIANCE
Pastor Jeremy Farley, Restoration Church, provided the invocation and Supervisor Cook led the Pledge of Allegiance.
ELECTION OF CHAIR FOR 2022
Mr. Bear took a moment to thank both Chair Vaught and Vice Chair Lawson for their efforts this past year. He then opened the floor for nominations for the Wythe County Board of Supervisors Chair for calendar year 2022.

Supervisor Terry nominated Brian Vaught as Chair for 2022.

Supervisor Smith made a motion, seconded by Supervisor Lawson, to re-elect Brian Vaught as Chair for 2022.

The motion passed unanimously with Brian Vaught abstaining, and with one absent.

Chair Vaught said that 2021 was very good with respect to economic development, and it is his hope that 2022 is just as fruitful.

ELECTION OF VICE CHAIR FOR 2022
Chair Vaught opened the floor for nominations for Vice Chair for calendar year 2022.

Supervisor Terry nominated Supervisor Ryan Lawson as Vice Chair for 2022.

Supervisor Smith made a motion, seconded by Supervisor Horney, to close the nomination and re-elect Ryan Lawson as Vice Chair for 2022.

The motion passed unanimously with Ryan Lawson abstaining, and with one absent.

Chair Vaught appointed Supervisor Smith as pro-tem.

RULES OF PROCEDURE & MEETING CALENDAR FOR 2022
Mr. Bear presented the Board with an updated Rules of Procedure and Meeting Calendar for 2022.

Vice Chair Lawson made a motion, seconded by Supervisor Cook, to adopt the Rules of Procedure and Meeting Calendar for 2022 as presented.

Supervisor Smith asked if the Board would consider changing the time of the committee meetings.

Mr. Bear replied that committee meetings do not fall under the Rules of Procedure and, as such, can be altered at any time.
The vote on the motion was unanimous with one absent.

CITIZENS’ TIME
Chair Vaught inquired if anyone present wished to address the Board.

1. APEX Center – Ms. Linda Meyer appeared before the Board and stated “The upcoming schedules are probably very, very busy so I’d like you to pencil in these dates if you could possibly attend. There’s a rodeo January 28 and 29 at the APEX Center, and then coming in February, just to pencil it in so you know, that on the 19th there’s a Blue Ridge Bash which is cars and so on, and then for those of you that do go-cart racing, February 25 and 26. So we’ve got three upcoming events. So, if you could pencil that in, it would be appreciated.”

With no one else wishing to address the Board, Chair Vaught closed Citizens’ Time.

PAYMENT OF COUNTY INVOICES
Supervisor Terry made a motion to pay the invoices for approval on January 11, 2022, for the various departments of County government. The invoices were paid on General Warrants 30111456-30111522 as follows:

EXPENDITURES BY DEPARTMENT
BOARD OF SUPERVISORS
January 11, 2022

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

**AYES:**
- Brian W. Vaught
- Rolland R. Cook
- Ryan M. Lawson
- James D. “Jamie” Smith
- B. G. “Gene” Horney, Jr.
- Stacy A. Terry

**NAYS:**
- None

**ABSENT:**
- Jesse R. Burnett

**MINUTES OF PREVIOUS MEETING**
The Board was presented with the December 28, 2021 minutes for approval. Supervisor Smith made a motion, seconded by Supervisor Terry, to approve the December 28, 2021 minutes as presented.

The roll call vote on the motion was as follows:

**AYES:**
- Brian W. Vaught
- James D. “Jamie” Smith
DAVENPORT & COMPANY – DAVID ROSE
Mr. Bear welcomed Mr. David Rose, Senior Vice President at Davenport & Company, who will be discussing capital funding. Mr. Bear said the capital funding relates to the Scott Memorial project as well as the water/sewer projects in the industrial park.

Mr. Rose first wanted to emphasize that the County is in excellent financial shape. Davenport was here about a year ago and did refunding with excellent results. Because interest rates are on the rise, now is a good time to address funding strategies. Mr. Rose suggested possibly refunding up to four Rural Development loans, purely for savings, not to extend any debt.

Mr. Rose mentioned the challenge of rising interest rates.

Davenport recommends a “dual track strategy”, basically the same as what they did last year. They will contact the banks first and then consider VPSA and VRA. Mr. Rose said it won’t cost the County anything to “shop around”. He also mentioned that the County is expecting a substantial decrease in debt service in a couple of years, so the new funding for Scott Memorial can be “layered” in.

Davenport recommends borrowing up to $12M locking in up to 20 years to reduce any unknown interest rate risk. An interest rate of 2.25% would equate to $800k per year; and a rate of 2.75% would be $830k per year. Mr. Rose said that by restructuring debt appropriately, adding $12M in new funding will still allow the County to remain under FY22 and FY23 debt service levels, with a $6M cushion. If State money is available, that too will be secured to pay down some of the debt.

Chair Vaught asked about the Literary Loan program.

Mr. Rose explained that although there’s the possibility of getting a 2% rate, the issue with the Literary Loan program is that it’s front loaded with larger payments very early on. He also said the program is not as flexible and has many strings attached.
Regarding utility refunding opportunities, Mr. Rose said there is currently about $3.5M in outstanding loans in the mid 4% range, pre-payable at any time without penalty. While the current market is not as good as it was last week, we could still be looking at savings above $700k. He added that if the savings were not that great, they would probably recommend holding off. Current utility debt goes out to 2058, as utility financing (rural development) is typically for 40 years. Mr. Rose also said that with a $6M cushion, the County might consider “interim” (new money) funding for utility needs rather than tap into reserves.

Mr. Rose asked permission from the Board to send out requests to various financial institutions with the hope of receiving responses by mid-February, then present to the Board on February 22\textsuperscript{nd}. Mr. Rose also asked the Board to set a public hearing (required for any new money) on that same date, and then move to close with the new rates at the end of February or early March.

Mr. Bear requests the Board authorize Davenport to proceed with dual track for direct loans, and VRA/VPSA as a back-up.

Supervisor Cook asked about reserves and whether there’s a number that gets us the best rate? At a minimum, how much should we have in reserves?

Mr. Rose would have to look at what is in reserves but said the County has done a great job having a very solid reserve. While he doesn’t have a set figure for a “bare minimum”, he said the less you have, the less desirable you’ll look to the banks. As interest rates rise, the reserves will not only help with credit but it will also be earning interest that helps grow General Fund. Mr. Rose said that when you have substantial reserves, you’re less likely to need any short-term borrowing.

Mr. Bear added that, financially, we are probably in better shape than we were two years ago.

Supervisor Cook’s concern is not wanting the reserves to go so low that it would affect the County’s credit.

Supervisor Cook made a motion, seconded by Supervisor Smith, to authorize Davenport & Company to proceed with dual-track financing as discussed.

The roll call vote on the motion was as follows:
January 11, 2022

AYES:    Brian W. Vaught        James D. “Jamie” Smith
         Rolland R. Cook          B. G. “Gene” Horney, Jr.
         Ryan M. Lawson          Stacy A. Terry

NAYS:     None

ABSENT:  Jesse R. Burnett

**BODY-WORN CAMERA GRANT**
Mr. Bear requested the Board authorize receipt of the subject grant, and to amend and appropriate same to the Sheriff’s budget.

Supervisor Terry made a motion, seconded by Supervisor Smith, to accept the $25,000 Body-Worn Camera Grant and to amend and appropriate same.

The roll call vote on the motion was as follows:

AYES:    Rolland R. Cook        B. G. “Gene” Horney, Jr.
         James D. “Jamie” Smith    Stacy A. Terry

NAYS:     None

ABSTAIN:  Brian W. Vaught       Ryan M. Lawson

ABSENT:  Jesse R. Burnett

**FORT CHISWELL WELL TERMINATION AGREEMENT**
Mr. Bear explained that we have two wells that are no longer in service (off of Orion Lane). The County Attorney prepared a lease termination agreement divesting the County’s interest in the wells. Although the County has ceased use, they will not be tearing out the wells, as the current landowner would like to use for processing. The County will, however, remove a generator that’s on site.

Supervisor Smith made a motion, seconded by Supervisor Cook, to approve the Fort Chiswell Well Termination Agreement as presented.

The roll call vote on the motion was as follows:

AYES:    Brian W. Vaught        James D. “Jamie” Smith
BUDGET CALENDAR FY22-23
Mr. Bear stated the primary dates are:

- March 14-18: Budget Presentations
- April 12: Budget Reviewed and Tax Levy Set
- May 17: Public Hearing on Tax Levy
- May 24: Public Hearing on County and School Board Budgets
- June 14: Adoption of Tax Levy and Budgets

Mr. Bear added that considering the reassessment and depending on the tax rate that gets adopted, it may require 30-day notification of the new tax rate.

Supervisor Horney made a motion, seconded by Supervisor Terry, to approve the Budget Calendar for FY22-23 as presented.

The vote on the motion was unanimous with one absent.

BOARD OF EQUALIZATION APPOINTMENTS
Mr. Bear said the Board of Equalization (BOE) is made up of citizens from Wythe County to hear and possibly address complaints/concerns from citizens based on the reassessment. The Commissioner of Revenue has recommended that Bill Brogden, Chris Robertson and Faye Barker be appointed to the Board of Equalization and that Sam Crockett be appointed as alternate.

Vice Chair Lawson made a motion, seconded by Supervisor Cook, to appoint Bill Brogden, Chris Robertson and Faye Barker to the Board of Equalization, and appoint Sam Crockett as an alternate.

The vote on the motion was unanimous with one absent.
Chair Vaught thanked the BOE members for their involvement. He also asked whether the assessors can have face-to-face meetings with citizens instead of just over the phone or computer.

Mr. Bear responded that he is working with them to see if they can have in-person meetings for those citizens who prefer that. Also, Mr. Bear will review the budget with Ms. Vaught and Ms. Williams as it may need to be amended to allow for part-time pay for BOE members.

**APPOINTMENTS**

Hearing no objection from any Board member, Chair Vaught made the following appointments:

1. **Budget Committee** – Chair Vaught reappointed Supervisor Smith, Supervisor Terry and himself to the Budget Committee for 2022.

2. **Building and Grounds Committee** – Chair Vaught reappointed Supervisor Cook and himself, and appointed Supervisor Burnett to the Building and Grounds Committee for 2022.

3. **Economic Development Committee** – Chair Vaught reappointed Supervisor Terry, Supervisor Smith and Supervisor Cook to the Economic Development Committee for 2022.

4. **Fire and Rescue Committee** – Chair Vaught reappointed Vice Chair Lawson and Supervisor Terry, and appointed Supervisor Smith to the Fire and Rescue Committee for 2022.

5. **Liaison - Clerk of the Circuit Court** – Chair Vaught reappointed Supervisor Terry to serve as Clerk of the Circuit Court Liaison for 2022.

6. **Liaison – Commissioner of the Revenue** – Chair Vaught appointed Supervisor Cook to serve as Commissioner of the Revenue Liaison for 2022.

7. **Liaison – Commonwealth Attorney** – Chair Vaught reappointed himself to serve as Commonwealth Attorney Liaison for 2022.

8. **Liaison – Planning Commission** – Chair Vaught appointed Supervisor Burnett to serve as Planning Commission Liaison for 2022.
9. **Liaison – Recreation Commission** – Chair Vaught reappointed Supervisor Smith to serve as Recreation Commission Liaison for 2022.

10. **Liaison – School Board** – Chair Vaught appointed Vice Chair Lawson to serve as School Board Liaison for 2022.

11. **Liaison – Sheriff** – Chair Vaught reappointed Supervisor Smith to serve as Sheriff Liaison for 2022.

12. **Liaison – Treasurer** – Chair Vaught appointed Supervisor Horney to serve as Treasurer Liaison for 2022.

13. **Personnel Committee** – Chair Vaught reappointed Vice Chair Lawson, Supervisor Smith and Supervisor Cook to the Personnel Committee for 2022.

14. **Town/County Committee – Rural Retreat** – Chair Vaught reappointed himself and Supervisor Horney to the Rural Retreat Town/County Committee for 2022.

15. **Town/County Committee – Wytheville** – Chair Vaught reappointed Vice Chair Lawson and Supervisor Cook to the Wytheville Town/County Committee for 2022.

16. **Water and Wastewater Committee** – Chair Vaught reappointed Supervisor Horney and Supervisor Cook, and appointed Supervisor Smith to the Water and Wastewater Committee for 2022.

**OTHER BOARD APPOINTMENTS**

1. **Appalachian Regional Exposition Center Authority** – Supervisor Terry made a motion, seconded by Supervisor Smith, to reappoint Barry Ayers and Tam Topham to ARECA. The vote on the motion was five ayes, one nay and one absent.

Regarding all other Board appointments, motions were made and passed unanimously on the following:

2. **Chief Local Elected Official Board – NR/MR Workforce Investment Board** – Mr. Bear said that the Chair of the Board of Supervisors is automatically appointed to serve on this Board.
3. **District III Governmental Cooperative** - Supervisor Terry made a motion, seconded by Supervisor Smith, to reappoint Chair Vaught to District III Governmental Cooperative, and reappoint Supervisor Cook to serve as Alternate.

4. **Insurance Committee** – Supervisor Terry made a motion, seconded by Supervisor Horney, to reappoint all Insurance Committee members and to appoint Mr. Hankins to the Committee.

5. **Lead Mines Rescue Squad** – Supervisor Smith made a motion, seconded by Vice Chair Lawson, to reappoint William Watts and Kim Lovingood to the Lead Mines Rescue Squad Board of Directors.

6. **Mount Rogers Community Services** – Supervisor Terry made a motion, seconded by Vice Chair Lawson, to reappoint Barbara Bartnik to the Mount Rogers Community Services Board of Directors.

7. **Mount Rogers Planning District Commission** – Mr. Bear commented that two vacancies exist with the resignations of Mr. Anderson and Mr. Clippard). Mr. Clippard has served for many years and the County should send him a letter of appreciation for his service and dedication over the years. Mr. Bear asked the Board to seek suitable and interested candidates to serve.

8. **Mount Rogers Planning District Commission Transportation Technical Committee** – Supervisor Smith made a motion, seconded by Vice Chair Lawson, to reappoint Johnny Kincher to the Mount Rogers Planning District Commission Transportation Technical Committee.

9. **New River Community Corrections Board** – Supervisor Horney made a motion, seconded by Supervisor Smith, to reappoint Chair Vaught to the New River Community Corrections Board.

10. **New River Highlands Resource Conservation and Development Council** – Chair Vaught said that with the recent passing of Phyl Snapp who served for many years, his son may be interested in this appointment. The Board can consider this at a later date.

    Supervisor Terry made a motion, seconded by Supervisor Cook, to reappoint John Huffard to serve as Alternate.
11. **New River Valley Regional Jail Authority** – Supervisor Terry made a motion, seconded by Vice Chair Lawson, to reappoint Chair Vaught to the New River Valley Regional Jail Authority.

12. **New River Valley Regional Jail Authority – Alternate** – Vice Chair Lawson made a motion, seconded by Supervisor Terry, to appoint Matt Hankins to serve as Alternate to the New River Valley Regional Jail Authority.

13. **Planning Commission** – Chair Vaught made a motion, seconded by Supervisor Horney, to reappoint Heidi Lyall to the Planning Commission as the Black Lick District representative.

14. **Planning Commission** – Vice Chair Lawson made a motion, seconded by Supervisor Horney, to reappoint Chris King to the Planning Commission as the East Wytheville District representative.

   It was determined that Mr. Walk’s reappointment can wait until Supervisor Burnett is in attendance to make that motion. Until then, Mr. Walk will continue to serve on the Planning Commission.

15. **Wythe Grayson Regional Library Board** – Supervisor Terry made a motion, seconded by Vice Chair Lawson, to reappoint Judy Buck to the Wythe Grayson Regional Library Board.

16. **Joint Public Service Authority** – Supervisor Terry made a motion, seconded by Supervisor Horney, to appoint Vice Chair Lawson to the Joint Public Service Authority, filling Mr. McRoberts’ unexpired seat.

17. **New River Regional Water Authority** – Supervisor Terry asked if anyone could fill his seat on the NRRWA as he needs to resign due to a work conflict with the meetings date/time.

   Supervisor Terry made a motion, seconded by Vice Chair Lawson, to appoint Supervisor Cook to fill Supervisor Terry’s unexpired term on the New River Regional Water Authority.
SUPERVISORS’ REPORTS

1. **Routes 94/52 Speeding** – Supervisor Smith has received several complaints about speeding on Route 94 from the intersection of Route 52 through the curves at Jewell Lane.

2. **APEX Center** – Supervisor Smith asked if the Board is going to revisit discussion of the APEX business plan, which he has yet to see.

   Vice Chair Lawson feels the Board is just wasting the APEX Authority’s time.

   Mr. Bear said at the last APEX Authority meeting, they did have a draft business plan which they reviewed and discussed.

3. **Cigarette Tax** – Supervisor Horney was asked if the cigarette tax applies to just cigarettes or all tobacco products, and what is the process for implementing the new tax?

   It applies to just cigarettes effective January 1, 2022.

   Mr. Bear said that the tax roll-out is handled by Mount Rogers PDC and that they are working with distributors who supply cigarettes to all the stores. All packs of cigarettes should now have dual stamps, one from MRPDC and one from the State of Virginia.

   Supervisor Horney received a complaint from a store owner who said he/she had never been contacted or notified about the new tax.

   Mr. Bear will have MRPDC follow-up with the store owner.

4. **Castleton Road** – Supervisor Terry asked Mr. Bear to contact VDOT about an issue raised last night by first responders at the Fire & Rescue Committee meeting, that the shoulders on Castleton Road are in very bad shape and a hazard. Also, Little Reed Island Road is deteriorating.

5. **Thank You** – Chair Vaught thanked his fellow board members for voting him back as Chair.

6. **Rumble Strips** – Chair Vaught was contacted by a citizen who referenced a two-lane road (in another County) that had rumble strips in the center line. The citizen
asked why we don’t have that on Routes 21 and 94. The Chair asked if VDOT has money in their safety budget for rumble strips. This would prevent drivers from crossing over into on-coming traffic, reducing the number of head-on collisions.

7. **Rural Retreat Lake Lease** – Chair Vaught was informed today that the Rural Retreat Lake Lease was finally returned!

Mr. Hankins said that Mr. Williams received the lease with a few necessary revisions to be made. It should be very close to finalization now.

**CLOSED MEETING**

Supervisor Smith made a motion, seconded by Supervisor Terry, to enter into Closed Meeting under *Code of Virginia* Section 2.2-3711.A.3 – Acquisition or Disposition of Real Property (tracts in Wytheville and tracts in Wythe County), and Section 2.2-3711.A.1 – Personnel Matters (Open Positions Review: Water, Wastewater, Dispatch, Fire).

The vote on the motion was unanimous.

Supervisor Terry made a motion, seconded by Supervisor Cook, to return to open meeting.

The vote on the motion was unanimous.

Upon returning to open meeting, Supervisor Terry made a motion, seconded by Vice Chair Lawson, to adopt the following Resolution certifying the business conducted in closed meeting as follows:

**RESOLUTION**

**CERTIFICATION OF CLOSED MEETING**

**WHEREAS,** the Wythe County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

**WHEREAS,** Section 2.2-3712 of the *Code of Virginia* requires a certification by the Wythe County Board of Supervisors that such meeting was conducted in conformity with Virginia law; and,
NOW, THEREFORE, BE IT RESOLVED that the Wythe County Board of Supervisors hereby certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Wythe County Board of Supervisors.

The roll call vote on the motion was as follows:

AYES:         Brian W. Vaught            James D. “Jamie” Smith
              Rolland R. Cook              B. G. “Gene” Horney, Jr.
              Ryan M. Lawson              Stacy A. Terry

NAYS:         None

ABSENT:       Jesse R. Burnett

BUDGET AMENDMENT
Supervisor Cook made a motion, seconded by Vice Chair Lawson, to amend and appropriate $350,000 to 9000-470247 for purchase and renovation of real estate, and to issue a check for $1,000 as a deposit for the acquisition.

The roll call vote on the motion was as follows:

AYES:         Brian W. Vaught            B. G. “Gene” Horney, Jr.
              Rolland R. Cook              Stacy A. Terry
              Ryan M. Lawson

NAYS:         James D. “Jamie” Smith

ABSENT:       Jesse R. Burnett

INCIDENT COMMAND TRAILER
Mr. Hankins said that the trailer was delivered today and is in the parking lot if anyone would like to see it.
BROADBAND UPDATE
Mr. Hankins mentioned a meeting yesterday with Point Broadband and Mount Rogers Planning District Commission, where they anticipate wrapping up the fiber-to-the-home project by the end of 2023. He said they will keep us updated. Also, where there are existing providers of fiber to homes, consumers will now have a choice. Mr. Hankins said that Point Broadband will predominantly be outside of town limits.

ADJOURNMENT
With no other business to come before the Board, Chair Vaught adjourned the meeting at approximately 8:19 p.m.

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Brian W. Vaught, Chair