The Wythe County Board of Supervisors held its regularly scheduled meeting at 6:00 p.m., Tuesday, August 23, 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
Ryan M. Lawson, Vice Chair
B. G. “Gene” Horney, Jr.

Jesse R. Burnett
James D. “Jamie” Smith
Stacy A. Terry

MEMBERS ABSENT:
Rolland R. Cook

STAFF PRESENT:
Stephen D. Bear, County Administrator
Martha Collins, Administrative Assistant/Clerk
Scot Farthing, County Attorney
Matthew C. Hankins, Assistant County Administrator

OTHERS PRESENT:
Jerry Blevins
Sam Blevins
Anthony Cline
Don Crisp
Lori Guynn
Randy Hamm
Gus Kincer

Noah Maden
Wes Poole
Todd & Tammy Porter
Rick Skeens
Kathy Vaught
and one other citizen

CALL TO ORDER
Chair Vaught determined that a quorum was present and called the meeting to order at 6:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE
Pastors Todd & Tammy Porter, Life Changers Christian Center, provided the invocation and Supervisor Cook led the Pledge of Allegiance.

Life Changers Christian Center is located at 2010 West Ridge Road. Pastor Todd explained that their “Never Forget Garden” (one of 28 in the world) was a $98k project that honors every branch of the military. He said that people come from all over to see it and he would love for more to come.
CITIZENS’ TIME

1. Water Rate Increase – Mr. Sam Blevins appeared before the Board and stated “How are you all doing today? I talked to Brian, Gene and Stacy earlier today on my complaint about the water increase that I received. I got print offs here since I bought the property in 2016 to present. I’ve been using 2-3 up to 5,000 gallons of water and my bill went from like $34 a month to $200 because of a 2” line that was put in before I bought the property but I just wanted y’all to see if y’all could address that and look into it and see what we can do about possibly fixing it.”

Chair Vaught asked Mr. Bear if this should be referred back to the Water Committee for re-evaluation of the residential 2” meter. The Chair thought the rate adjustment would primarily affect commercial users.

Mr. Bear suggested that Mr. Crisp work with Mr. Blevins for a resolution to bring to the Water Committee for consideration.

2. Neighbor/Sheriff’s Office Complaints – Mr. Jerry Blevins appeared before the Board and stated “I would like to thank Liz Cheney for putting her moral values ahead of being politically correct. One does not want to lead a life whereas he or she needs to call the Pope and ask for forgiveness before . . . world. My cyber neighbor has been up to his usual tactics, however, they have been more sporadic in occurrences. The most interesting of which was when the power went off in a storm a few days back in which my backup generator kept shutting down even though it was being lowered to approximately 1/3 of its normal capacity. Phone numbers were added to my phone call list and I knew without any action on my part. It would appear that someone is trying to go to a lot of trouble to keep me out of a lawyer’s office. Gee, I wonder why? Tuesday, August 9th was my last court date on my obstruction of justice charge without force. My lawyer wanted to move on the day before so he set an appointment on the day prior at 8:30 a.m. My attorney arrived at 8:55 a.m. for the appointment he told me he had another offer to give me which I rejected as I have several times before. This made my attorney angry and he said he was recommending that I take this offer because I could be found guilty and go to jail and need to be bounded out all over again. I knew that was very unlikely since I was currently on $1,500 bail unsecured and there was almost no chance of that happening. So, my attorney said be at court 15 minutes early and bring some cash with you in case you need to bail out. Next morning, I arrived at
court at my court-appointed time and when my attorney first showed up, he
didn’t even acknowledge my presence. But about 15 minutes later, he called me
back to the conference room whereupon he informed me the prosecutor would
drop his charge. My attorney did inform me how to go about getting my
personal property back. Next day I arrived at the Wythe County Sheriff’s Office
to claim my property whereupon I was told it was in property and it would take
a couple of days to get it out. So instead of . . . two days later for me to pick it
up. At the appointed date and time, I arrived at the Sheriff’s Office and a man I
had never seen before came to the door in a gray suit and tie and told me to
go around to the Magistrate’s office where I could pick my belongings up,
which I did. For the last two Wythe County Board of Supervisors’ meetings, you
have heard me talk about the missing Secret Service text messages. I stated
earlier that the Secret Service should produce the texts or Congress should
demand accountability. To my knowledge, neither has been done to date. This
clearly shows, in my opinion, that the Secret Service is actually running our
country and so this would certainly explain a lot. The free press would be
controlled and local police would be free to do to me just what they did to me.
The courts and justice system would also be controlled, but democracy has
been a distant memory. Thank you, sir.”

Hearing no other comments, Chair Vaught closed Citizens’ Time.

**PUBLIC HEARING – AMENDMENT NO. 5, WATER USE & MANAGEMENT
ORDINANCE**

Chair Vaught read that “In compliance with the Code of Virginia and amendments
thereunto, the Wythe County Board of Supervisors will conduct a public hearing at 6:00
p.m. on Tuesday, August 23, 2022, to hear public comment on Amendment No. 5 to
the Wythe County Water Use & Management Ordinance 96-4. The hearing will be held
in the Board Room of the County Administration Building, 340 South Sixth Street,
Wytheville, Virginia. A copy of the proposed amendment is on file in the County
Administrator’s Office located at 340 South Sixth Street, Wytheville, Virginia, or online
at www.wytheco.org for public review.”

With no one signed up to address the Board, the Chair closed the public comment
period of the hearing.

Mr. Bear explained that this amendment basically only changes Section 7.4 relating to
disconnects due to non-payment and related fees. In the old system, payment for the
bill “in full” included the current amount due. The proposed amendment indicates the
customer only has to pay past-due amount and will have until the 15th of the month to pay the current charges.

Supervisor Horney made a motion, seconded by Supervisor Smith, to approve Amendment No. 5 of the Wythe County Water Use & Management Ordinance 96-4 as presented.

The roll call vote was as follows:

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

NAYS:  None

ABSENT: Rolland R. Cook

PAYMENT OF COUNTY INVOICES
Supervisor Terry made a motion to pay the invoices for approval on August 23, 2022, for the various departments of County government. The invoices were paid on General Warrants 30113340-30113447 and three wire transfers as follows:

EXPENDITURES BY DEPARTMENT
BOARD OF SUPERVISORS
August 23, 2022

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**TOTAL EXPENDITURES 08/23/2022**

$693,073.53

**TOTAL EXPENDITURES APPROVED 08/23/2022**

$699,979.01

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

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

**NAYS:**
- None

**ABSENT:**
- Rolland R. Cook
MINUTES OF PREVIOUS MEETING
The Board was presented with the August 9, 2022, minutes for approval.

Supervisor Horney made a motion, seconded by Supervisor Smith, to approve the August 9, 2022, minutes as presented.

The vote on the motion was unanimous, with one absent.

POINT BROADBAND
Mr. Noah Maden of Point Broadband, along with Construction Manager, Randy Hamm, updated the Board on the progress of the broadband rollout (refer to map in board package).

On the map, areas #1-9 (Body 1) include 2,125 homes of which 1,425 lines are to be constructed. They have already constructed 246 homes in Area #3. The remaining areas in Body 1 should be done by June 2023.

Areas #11 and #12 are Body 2 which includes about 8,866 homes. The walkout/survey phase is about 90% complete, then the engineering/design will take until the end of the year, followed by the construction/build with a targeted completion date of July 2024.

An online map for the public should be available by September 2.

Mr. Maden added that Mr. Hamm and his construction team have done a great job so far especially in light of supply chain issues. Newer technology (ring) will help reduce the number of outages.

Chair Vaught asked about issues with VDOT and permitting. Mr. Maden said it has been challenging in this district but he added that VDOT has been very good to work with. The Chair said that if they run into any roadblocks with the State, to contact him and he will reach out to Delegates/Senators for assistance.

Supervisor Smith asked about Area 12 and will broadband be made available to every citizen?

Mr. Maden replied that they can’t promise that every citizen will get it especially in remote and hard-to-reach areas, but 90% should have the offering. However, their goal is to reach 100% and to do it safely and quickly.
Mr. Hankins inquired about costs to the consumer. He also asked about the possibility of Point Broadband appearing at community events.

Mr. Maden responded that the normal (one time) installation fee is $100 and 1gb would be $60/month. They would be pleased to attend any public community event to share information.

**APPOINTMENTS**
Supervisor Smith made a motion, seconded by Supervisor Terry, to appoint Chief Deputy Anthony Cline to the Wytheville Community College Board.

The vote on the motion was unanimous, with one absent.

Mr. Bear will meet with the Electoral Board to discuss a liaison appointment.

**TREASURER’S REPORT**
Treasurer, Lori Guynn, appeared before the Board and reported the following:

1. **Revenue Statement** – Mrs. Guynn reported that the Consolidated Account was comprised of $85,858,233 of which $40,866,634 was in the General Fund Account at the end of July. Revenues are higher than the past several years, but they will drop a bit and then pick back up in September. Overall, the Treasurer indicated we are right on track.

   Mr. Bear referenced page 2 of Treasurer’s Report (BOS Reserves, ARPA $5.588M). Those are funds that have come in over last two years, that he will be requesting to move later in this meeting.

2. **Delinquent Taxes** – Mrs. Guynn said of the 1,460 DMV Stops mentioned at last month’s meeting, FY22 tax collections, because of DMV Stops, were $417,000 so the DMV stops are a tremendous collection tool. The Treasurer did say that her office works with people to help them get their taxes paid without leaving them destitute. Her office continues to issue warrants and debt, sending out 30-40 each month with court appearances scheduled through October for those with higher balances.

   The delinquent real estate tax listing, although not included in the board package, will be updated and presented at the next board meeting along with the personal property list. The Board can then vote to make the lists public.
3. **Delinquent Tax Ordinance** – Mrs. Guynn asked the status on potential ordinance change for delinquent collections. Mr. Farthing will get a draft to Mr. Bear and the Board for review. Currently, they can submit real estate taxes to the collection attorneys to pursue collections, and any costs incurred can be passed on to the taxpayer then recouped by the County. If they turn over personal property now, then the County would have to pay all the extra fees/costs. The Treasurer’s goal is to update the ordinance so her office can turn personal property over to collection attorneys as well (in addition to the 20% fee that is due from the taxpayer).

**COMMISSIONER’S REPORT**
Commissioner of the Revenue, Mrs. Kathy Vaught, updated the Board with respect to the reassessments. The Board of Equalization has concluded the appeals process with a total of 47 appeals, of which 24 assessments were reduced, one was increased, and 22 unchanged. She also reported that all values have been entered in the computer.

**SHERIFF’S REPORT**
Supervisor Smith asked Chief Deputy Cline when the permanent speed enforcement cameras will be installed in the school zones. The Chief Deputy replied that the permanent cameras will be installed this winter and that handheld cameras are currently in use.

**CONSENT CALENDAR**
Supervisor Terry made a motion to approve the Consent Calendar as follows:

1. **PAYROLL – July 2022:**

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<tr>
<td>General County Fund</td>
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<td><strong>TOTAL</strong></td>
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   **Check Numbers:** 2001767-2001792  
   **Voucher Numbers:** 23833-24008; 24014-24018; 24019-24201

2. **STATUS REPORTS:**

   A. Animal Control – Arlan Dunford
B. Building Inspections – Kyle Taylor
C. Finance – Regina Williams
D. Information Technology – Todd Catron
E. Parks & Recreation – Kevin Williams

3. **PERSONNEL:**

A. Kading, Journie – Hired, Full-time Dispatcher, Annual Salary $28,651;
   Effective July 11, 2022
B. Shrewsberry, Laura – Resigned, Full-time Warrant Clerk, Effective July 15,
   2022
C. Underwood, Jacob – Resigned, Full-time Athletic Coordinator, Effective July
   15, 2022
D. King, Brandi – Resigned, Full-time Deputy Commissioner, Effective July 22,
   2022
E. Lineberry, Dolores – Hired, Full-time Water & Wastewater Administrative
   Assistant, Annual Salary $30,375, Effective July 25, 2022

Vice Chair Lawson seconded the motion and the roll call vote was as follows:

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

**NAYS:**
- None

**ABSENT:**
- Rolland R. Cook

**DCJS (LOLE) GRANT AWARD**

Mr. Bear stated, after confirming with the Sheriff’s Office, there is no reason not to
accept this grant.

Supervisor Smith made a motion, seconded by Supervisor Terry, to accept the DCJS
(LOLE) Grant Award in the amount of $1,240.

The roll call vote was as follows:

**AYES:**
- James D. “Jamie” Smith
- Jesse R. Burnett
- B. G. “Gene” Horney, Jr.
- Stacy A. Terry
NAYS: None

ABSTAIN: Brian W. Vaught Ryan M. Lawson

ABSENT: Rolland R. Cook

**DCJS VICTIM WITNESS GRANT PROGRAM**
Mr. Bear commented that approval is recommended, and that Lieutenant Street did a tremendous job tracking all the expenses for this grant.

Supervisor Horney made a motion, seconded by Supervisor Terry, to accept the DCJS Victim Witness Grant Program Award in the amount of $97,310.

The roll call vote was as follows:

**AYES:**

James D. “Jamie” Smith B. G. “Gene” Horney, Jr.
Jesse R. Burnett Stacy A. Terry

**NAYS:** None

**ABSTAIN:** Brian W. Vaught Ryan M. Lawson

**ABSENT:** Rolland R. Cook

**ASSISTANT COUNTY ADMINISTRATOR REPORT**

1. **Virginia Outdoor Grant** – Mr. Hankins said a grant request was submitted to help with the creation of a couple of put-in/take-out points along Reed Creek, and he recommends acceptance of the subject grant.

   Vice Chair Lawson made a motion, seconded by Supervisor Smith, to authorize staff to enter into agreement accepting Virginia Outdoors Foundation grant in the amount of $100,000.

   The roll call vote was as follows:

   **AYES:**

   Brian W. Vaught Jesse R. Burnett
   Ryan M. Lawson B. G. “Gene” Horney, Jr.
   James D. “Jamie” Smith Stacy A. Terry
Vice Chair Lawson said this is a wonderful opportunity for Wythe County citizens to be able to access Reed Creek for water enjoyment and activities.

Mr. Hankins wanted to recognize Mrs. Delp and Mr. Williams for their efforts to obtain this funding that will allow us to expand outdoor recreation programs.

2. **AEP Lease** – Mr. Hankins explained that in accordance with creating access points along Reed Creek, this is a zero-dollar lease with AEP for use of their property on Millers Creek off Lampkins Road. Conversations have also taken place with two other land owners regarding use of their properties.

Vice Chair Lawson made a motion, seconded by Supervisor Terry, to authorize staff to enter into a $0 lease with AEP (pending clarification of certain language) for use of property on Millers Creek off Lampkins Road in Max Meadows.

The roll call vote was as follows:

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

**NAYS:** None

**ABSENT:** Rolland R. Cook

3. **Joint Public Service Authority Lease** – Mr. Hankins commented that this is another property along Reed Creek (on Kents Lane) that would provide public access for water recreation.

Vice Chair Lawson made a motion, seconded by Supervisor Smith, authorizing staff to negotiate lease agreement with JPSA.

The roll call vote was as follows:

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

NAYS: None

ABSENT: Rolland R. Cook

4. **Virginia Tourism** – Mr. Hankins said that VA Tourism received money from the Federal Government to expand tourism advertising to help communities recover post-pandemic. This funding requires the County to enter into a sub-recipient agreement with the Town of Wytheville.

Supervisor Horney made a motion, seconded by Vice Chair Lawson, authorizing staff to enter into sub-recipient agreement with Wytheville Convention & Visitor’s Bureau for funding of $170k from Virginia Tourism.

The roll call vote was as follows:

**AYES:** Brian W. Vaught            Jesse R. Burnett
       Ryan M. Lawson                B. G. "Gene" Horney, Jr.
       James D. "Jamie" Smith        Stacy A. Terry

**NAYS:** None

**ABSENT:** Rolland R. Cook

5. **Other updates:**

A. Full Gospel Mission Baptist Church on Austinville Road – The issue with the derelict property next to the church has apparently been taken care of with the heirs and the church coming to agreement on a transfer of property.

B. Orion Drive – Mr. Hankins said a meeting has been scheduled with owners on Orion Drive and Wildwood Lane to determine whether they move forward with a revenue sharing road district.

C. Public Safety Radios – ProComm has run into a snag with the FCC relating to licensing of frequencies. A meeting with stakeholders will be scheduled in early September to find a way forward.
D. Comprehensive Plan – The Planning Commission is meeting tomorrow to review the draft plan.

E. Solar – Staff and County Attorney have met with several solar applicants; a framework is now in place to negotiate individual siting agreements.

F. Personnel – Mr. Hankins announced that an offer will be made this week for the County Planner position. In addition, the ECC Board selected a candidate for the Dispatch Director position, an offer was made and accepted. Mr. Hankins will work with the new Director to hire shift supervisors. Parks & Recreation has hired a new Athletic Programs Coordinator. Lastly, a draft personnel policy is currently under review by outside counsel.

G. Regional Improvement Commission – The Commission is meeting later this week; stay tuned for revenue updates.

(The Chair briefly left the meeting.)

COUNTY ADMINISTRATOR REPORT

1. American Rescue Plan Act (“ARPA”) 2021 – Budget Amendment Request – Mr. Bear mentioned this transfer earlier, and is detailed in memo from the Finance Director.

   Supervisor Terry made a motion, seconded by Supervisor Horney, to transfer $1,877,062.05 from ARPA 2021 (700-260603) to the General Fund (100-101000).

   The roll call vote was as follows:

   AYES: Ryan M. Lawson  
       James D. “Jamie” Smith  
       Jesse R. Burnett  
       B. G. “Gene” Horney, Jr.  
       Stacy A. Terry

   NAYS: None

   ABSENT: Brian W. Vaught  
           Rolland R. Cook

2. Lots Gap Water Tank Materials Bid – Mr. Bear stated that based on review of pipe and materials bids received, and per the recommendation of Thrasher, that CITCO Water be awarded this project.
(The Chair returned to the meeting.)

Supervisor Horney made a motion, seconded by Supervisor Burnett, to award the Waterline Extension Pipe & Materials contract to CITCO Water in the amount of $1,052,923.

The roll call vote was as follows:

AYES:  
- Brian W. Vaught  
- B. G. "Gene" Horney, Jr.  
- Ryan M. Lawson  
- Stacy A. Terry  
- Jesse R. Burnett

NAYS:  None

ABSTAIN:  James D. "Jamie" Smith

ABSENT:  Rolland R. Cook

COUNTY ATTORNEY

Mr. Scot Farthing, County Attorney, updated the Board on the following:

1. **Solar Ordinance** – Mr. Farthing referenced the draft ordinance in the board package and said that he is trying to confirm the retroactive date. Other than the date, the ordinance is essentially complete for the Public Hearing in September.

2. **Elderly Tax Exemption** – Supervisor Burnett asked Mr. Farthing for an update on a potential exemption. Mr. Farthing did receive a draft from his associate attorney which he will review and forward to the County Administrator. Mr. Bear said it should also be reviewed by the Commissioner of Revenue, and he hopes to have it on the next agenda.

WATER COMMITTEE

1. **Skeens Water Appeal** – Supervisor Horney made a motion, as recommended by the Water Committee, to refer Mr. Ricky Skeen’s appeal to the full Board for consideration.
Mr. Bear provided a timeline of events: July 26th a delinquent notice was mailed to Mr. Skeens. On August 3rd Mr. Skeens contacted the County to inquire about the notice. That evening, Mr. Skeens emailed Mr. Bear requesting the late charge be waived. Mr. Bear reviewed the request with staff on August 4th. Mr. Skeens received a bill due on July 15th in the amount of $89.01. Payment was received on July 18th in a bank bill-pay batch and the check date was July 11th. Late charges are posted the day after the bill due date. Late charges are only removed if one of the following occurs: (1) payment is received prior to the 15th (holiday and weekend exception), (2) payment is in the County Administration drop box as of 8am the day after the bill’s due date, (3) payment is received after the 15th but is postmarked prior to the 15th, and (4) payment is received via bank bill pay after the 15th but the check is dated the 10th or prior.

Mr. Bear reviewed the request and determined the check was received via bill pay after the 15th but the check was not dated prior to the 10th. Therefore, the late fee applies, and Mr. Bear communicated such to Mr. Skeens resulting in his appeal to the Water Committee, and now the full Board.

Mr. Skeens appeared before the Board and stated “Members of the Board, I appreciate the opportunity to come before you tonight. I had not originally planned to come speak because it was my understanding that the Committee was going to bring that appeal before the Board. But then I got an email from Mr. Horney saying just to come just in case there are questions and what have you. So, I may not be as well-versed tonight as I would have been with the Committee but I will agree with what Mr. Bear says; the check was dated the 11th. If you look in that packet, and I’m assuming they have all that packet that I presented or you and I exchanged that night, or the day of the meeting. What was given to the Committee and, obviously, you folks may not have those in front of you but I presented them on the 16th, a packet with 10 pages that showed originally when I had processed my online bills, and I usually do that around the 26th - 27th of each month. I requested the date for it to be in the Water Department’s hands by the 14th or 15th. That was submitted on July 8th and I think that Mr. Smith and Mr. Horney could agree with that. I did provide documentation from the bank that showed that request was made on the 8th. Also, I gave them the last 14 months of my bank account information that shows I was pretty consistent with the 7th, 8th and 9th of the month of that being asked to be the date on the check because I knew the policy from two years ago had to be the 10th or sooner and had to be received by the 22nd. Another point that I was trying to make was Mr. Bear, he did know that Friday the 8th it
was submitted. For some reason, on the bank side, it didn’t print until the 11th but it was in hand by the 18th based on what’s on the back of the check, and the funds were withdrawn from my account on the 19th which, again, if we look at the black and white side of the policy was before the 22nd. So, I didn’t feel like I was delinquent for $8.90. I did request the appeal on the 3rd of August; got an email the morning around 10:20 or so on the 5th, which is a Friday of August. I’m glad I checked that later that evening and I’m glad there was a County picnic because the Water Department was closed at noon that day. Of course, I was advised by the email that morning that I had till 5:00 before I face the disconnect. But, however, due to the picnic, I could bring the funds by 5:00 on Monday the 8th of August, which I did and got a receipt. So that’s where I’m at with the appeal of the $8.90 - it was paid. I have appealed to my bank just in anticipation of possibly you folks . . . sounds like this might be a new process of denying the $8.90 refund back to me. But I did want to point out while I got the floor, I received my water bill today from the Water Department in the mail. It could have came yesterday but I got it today, and if the Committee members will oblige me that I met on the 16th, Mr. Bear had presented the Committee that day with a copy of my check for the August payment and he clarified that day that it said August the 9th, which was before the 10th, and that there was initials on there that I would be charged the $4.49 late fee. However, once my payment came before the 22nd, which it did, he would have that removed. So, it’s dated August the 9th. I got my bill today and I’ve been charged the late fee even though my check was before the 10th. So, I referenced my original appeal as a procedural bias. I think maybe procedural bias might not have been the proper term. I don’t know if it may be a bias toward me because, obviously, there’s an error in the department with how things are sent. I did question some things about the notices on the bill because the front of the bill changed about three months or so ago, if I’m right on that, Mr. Bear. And I noticed there was a lot more verbiage on the back which I think will help our citizens verify the procedure and what they’re supposed to do to avoid late fees and/or disconnects. ‘Cause I’ve had other folks somehow or another realize that I’m not picking a fight but trying to just point out some issues to help everybody in terms of late fees. But there’s another issue obviously that maybe you folks are getting calls or maybe the department’s getting calls. That’s why my focus was for the appeal was just to bring out some attention to details and see if I could get that corrected. So are there questions for me?”

Chair Vaught reiterated that Mr. Skeens requested the check be sent on the 8th and be delivered by the 15th.
Mr. Skeens confirmed that the check “be sent on the 8th and it was to be delivered the 15th or before which it sounds pretty consistently that the batch process that’s out of my control as well as the County and the Water Department ‘cause I understand if I’m correct . . .”

The Chair asked Mr. Skeens what he’s done to address the issue with the bank?

Mr. Skeens replied “Well, I’ve asked them because I normally submit all my payments at one time around the 26th – 28th of the month prior. So, for this example, I would’ve put it around the 26th, 27th, 28th of June for the bank to have it printed on the 8th. Of course, I can’t validate anything on when I received the bill, just like today’s bill, there’s no postmark on the bills that are sent to the citizens. As a matter of fact, there was documentation in there, Mr. Vaught, where I had questioned when I got my normal bill, I had a current bill amount but then I had an additional amount on the bottom it said please pay this or something along those lines and I thought ‘What’s the difference?’ So, the Committee has that where I calculated, they’re asking for $8.90 more and I didn’t know why. Which goes back to my point of I think things need to be better communicated on the original invoice from the Water Department. So, I didn’t just go in on the 8th, just to clarify the 8th of July, asking to print the check that day ‘cause I know it takes two to three days roughly for Truist; I do Truist. So going forward, I’m trying to make sure the money gets here and I’m trying to make sure it’s before the 10th but with this last bill, it’s dated the 9th and I still get charged the late fee ... (the bill) I got today, well, it could’ve came yesterday but it was out in the mailbox today.”

Mr. Bear explained that his current account balance does not have a late fee, that when the bill was printed, his payment had not yet been received. When the Water Department received your payment, they removed the late fee in the system.

Mr. Skeens responded “That’s the first time that it’s been on there when there’s been other 15th, 16th, 17th by the banks fault and you clarified that day to the Committee that it would not be on there. It may have been a clerical error but ... - it showed the difference but it didn’t tell me what it was for. It doesn’t tell me that I owe $4.49 but it’s asking me to pay that so again I’m on guard to pay attention but most citizens may not be if there’s 3,000 customers that may just go ahead and write that check or they come in and pay that amount that’s on the bottom.”
Mr. Bear said the billing company will now be adding a line to show that the charge is a late fee.

Chair Vaught said his water bill comes from the Town of Rural Retreat and that he is responsible for paying that bill before the due date. While he prefers to hold onto his money until the last minute, ultimately, it remains his responsibility to pay the bill on time.

Vice Chair Lawson was conflicted because Mr. Skeens is a friend, but it appears to her that this is a bank issue. But she appreciates him bringing these concerns to light.

Supervisor Burnett asked if Mr. Skeens were to pay the late fee that he technically does not owe (i.e. it was removed), will that amount be applied to the next bill. Mr. Bear said that is correct.

Supervisor Terry agreed that this seems to be a bank issue rather than a County issue.

2. Progress Park South Sewer Division I Project (Pump Station) Change Order 1 – Supervisor Horney made a motion, as recommended by the Water Committee, to approve Change Order No. 1 for the Progress Park South Sewer Division Project (Pump Station).

Mr. Bear added that per DEQ, it was necessary to shift the pump station further up and away from the stream.

The roll call vote was as follows:

AYES: Brian W. Vaught
       Jesse R. Burnett
       B. G. “Gene” Horney, Jr.
       Stacy A. Terry

NAYS: None

ABSTAIN: Ryan M. Lawson
          James D. “Jamie” Smith

ABSENT: Rolland R. Cook
3. **Progress Park South Sewer Division II Project (Force Main) Change Order 1** – Supervisor Horney made a motion, as recommended by the Water Committee, to approve Change Order No. 1 for the Progress Park South Sewer Division II Project (Force Main).

Mr. Bear said this change order increases the project amount by $9,052 and is for an additional 260 linear feet force main that is required.

The roll call vote was as follows:

**AYES:**  Brian W. Vaught  B. G. “Gene” Horney, Jr.
Jesse R. Burnett  Stacy A. Terry

**NAYS:**  None

**ABSTAIN:**  Ryan M. Lawson  James D. “Jamie” Smith

**ABSENT:**  Rolland R. Cook

**SUPERVISORS’ REPORTS**

1. **Bertha Farms Road** – Supervisor Burnett said citizens have asked about Bertha Farms Road and the possibility of making it a “partial” State maintained road.

2. **Water Rates (Meter Size)** – Supervisor Smith asked if Water Committee can consider the accounts of Mr. Dean O’Dell and Mr. Jones as it relates to the increased cost due to meter size. For instance, Mr. O’Dell’s bill has gone from about $50-60/month to over $260.

3. **5465 Peppers Ferry Road ROW** – Supervisor Smith stated that Mr. William Porter had 15’ taken for right-of-way and he’d now like to get it back. Mr. Bear will look into it.

4. **Gator Lane Guardrail** – Supervisor Smith mentioned the guardrail is still in rough shape and is much too close to the roadway.

5. **Route 94/Red Hollow Intersection Speed Limit** – Supervisor Smith said VDOT was asked to do a speed study but, apparently, they didn’t feel it was necessary. With the rescue squad building, the trailer park, and approaching school zone,
Chair Vaught believes we could seek assistance from VACO as well as our Delegates/Senators. Another example of this same issue is on North Main Street in Rural Retreat from Hilltop to Dutch Pantry where the speed limit is 45 mph and has been for many years. With the addition of a new road, a grocery store, and Family Dollar, traffic has increased significantly and the speed should be lowered. It is not safe. Mr. Bear agreed that it is frustrating.

6. **Conners Valley Road** – Supervisor Smith said that Mr. Roop has had to replace several tires apparently caused by deteriorating guardrails. More detailed information will be sent to Mr. Bear.

7. **Richardson Ambulance Service** – Supervisor Terry said the problem persists with Richardson. They continue their advertising to solicit 911 calls. He suggested this Board take action to stop this.

Mr. Hankins responded that he is currently reviewing a draft emergency response that dictates the primary agencies (Rural Retreat, Lead Mines and Wytheville) who respond to calls. This draft will be presented at the next board meeting and will also be reviewed by the County Attorney. Richardson Ambulance Service is authorized for non-emergency transport.

Vice Chair Lawson asked that the Board carefully consider the input provided by some of the chiefs since they know best how it should be written.

8. **Water Rates** – Chair Vaught would like the Water Committee to study the water rate increase as it relates to meter size and come up with a resolution.

9. **VDACS Office** – The Chair learned today that the state lab (VDACS) in Wytheville is possibly moving to Virginia Tech. It is a tremendous resource for Wythe County and neighboring counties and, if true, we need to act quickly.

10. **Rural Retreat Lake Cleanup Day** – Chair Vaught announced that there will be a cleanup day at Rural Retreat Lake on September 17th. Volunteers are needed. Perhaps the County should think about doing this at other locations.
11. **Fort Chiswell vs Rural Retreat Football (Friendly Wager)** – Chair Vaught said he has a lonely orange tie and offers Supervisor Smith to wear this when his team loses to Rural Retreat. We shall see who will be wearing whose tie. The Chair also commented that Dean Rhea’s signature is now on all the Rural Retreat helmets; a fitting tribute.

**CLOSED MEETING**

Supervisor Terry made a motion, seconded by Supervisor Horney, to enter into Closed Meeting under Code of Virginia Section 2.2-3711.A.3 Acquisition/Disposition of Real Property (APEX Property).

The vote on the motion was unanimous, with one absent.

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

The vote on the motion was unanimous, with one absent.

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 was as follows:

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

NAYS:  None

ABSENT:  Rolland R. Cook

ADJOURNMENT
With no other business to come before the Board, Chair Vaught adjourned the meeting at approximately 8:13 p.m.

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Brian W. Vaught, Chair