I. DETERMINATION OF QUORUM AND CALL TO ORDER

II. CITIZEN’S TIME

III. MINUTES OF PREVIOUS MEETINGS – February 7 & March 7, 2022

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   B. Major Subdivision – Lead Mines Estate, Inc. – Review of Final Plat
   C. Minor Subdivisions
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      2. Gateway Enterprises, LLC
      3. Morley
      4. Skinner
   D. Adjoining Owner/Lot Line Revision – Fry/Dugas/Topham

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VI. COUNTY ENGINEER REPORT

VII. APEX MINUTES – February 15 & March 1, 2022

VIII. COMPREHENSIVE PLAN

IX. ASSISTANT COUNTY ADMINISTRATOR’S REPORT

X. EX-OFFICIO REPORT

XI. ADJOURNMENT
February 7, 2022

The Wythe County Planning Commission held its regular monthly meeting on Monday, February 7, 2022, in the Board Room of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia beginning at 7:00 p.m.

MEMBERS PRESENT
Robert H. Walk, Chair
David P. Midkiff
Christopher C. King
Robert A. Epperson
Heidi D. Lyall
Garry Rusty Beamer
Douglas E. Wilson

MEMBERS ABSENT
None

OTHERS PRESENT
Matt Hankins, Assistant County Administrator
K. Michelle Cassell, Assistant Department Head
Johnny Kincer, County Engineer
Jesse Burnett, Ex-Officio

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

INTRODUCTION OF NEW EX-OFFICIO MEMBER
Mr. Jesse Burnett introduced himself to the Commission as the new Board of Supervisors member and the Commission’s ex-officio.

REORGANIZATION
Chair Walk turned the meeting over the Mr. Hankins for reorganization.

1. **Election of Chair** - Mr. Hankins stated that he would accept nominations for the position of Chair for the Wythe County Planning Commission for calendar year 2022.

   Mr. Beamer nominated Mr. Robert Walk as Chair for calendar year 2022. Mrs. Lyall seconded the nomination.

   Mr. Hankins asked if there were any further nominations. Hearing no further nominations, Mr. Hankins asked if there was a motion to cease nominations.

   Mr. King made a motion to cease nominations for the position of Chair for calendar year 2022. The motion was seconded by Epperson.
The vote on the motion to cease the nominations was unanimous.

The vote to elect Mr. Robert Walk as Chair for calendar year 2022 was as follows:

AYES: Douglas E. Wilson  David P. Midkiff
      Heidi D. Lyall  Robert A. Epperson
      Garry Rusty Beamer  Christopher C. King

NAYS: None

ABSTAIN: Robert H. Walk

Mr. Hankins turned the meeting over to Chair Walk.

2. **Election of Vice Chair** – Chair Walk stated that he would accept nominations for the position of Vice Chair for the Wythe County Planning Commission for calendar year 2022.

Mr. Epperson nominated Mr. David Midkiff as Vice Chair for calendar year 2022. Mr. Beamer made a motion that the nominations cease and that Mr. Midkiff be elected as Vice Chair for calendar year 2022 by acclamation. Mr. King seconded the motion.

The vote on the motion for the nominations to cease was unanimous.

The vote to elect Mr. David Midkiff as Vice Chair for calendar year 2022 was as follows:

AYES: Robert H. Walk  Douglas E. Wilson
      Heidi D. Lyall  Robert A. Epperson
      Garry Rusty Beamer  Christopher C. King

NAYS: None

ABSTAIN: David P. Midkiff

3. **Election of Secretary/Treasurer** – Chair Walk stated that he would accept nominations for the position of Secretary/Treasurer for the Wythe County Planning Commission for calendar year 2022.

Mr. Midkiff nominated Mrs. Heidi Lyall as Secretary/Treasurer for calendar year 2022. Mr. Epperson made a motion that the nominations cease that that Mrs. Lyall be elected as Secretary/Treasurer for calendar year 2021 by acclamation. Mr. King seconded the motion.
The vote on the motion for the nominations to cease was unanimous.

The vote to elect Mrs. Heidi Lyall as Secretary/Treasurer for calendar year 2022 was as follows:

AYES: Robert H. Walk  Douglas E. Wilson
David P. Midkiff  Robert A. Epperson
Garry Rusty Beamer  Christopher C. King

NAYS: None

ABSTAIN: Heidi D. Lyall

CITIZENS TIME
Chair Walk asked if anyone wished to address the Commission during citizen’s time.

Hearing no comments, Chair Walk proceeded with the agenda.

APPROVAL OF MINUTES
A motion was made by Mr. King to approve the January 10, 2022 minutes as presented. The motion was seconded by Mr. Wilson and passed.

SUBDIVISION ORDINANCE


2. Adjoining Owner/Lot Line Revisions – The Commission reviewed subdivision plats showing adjoining owner/lot line revisions approved by Ms. Cassell for the following:
   - Daniel & Diana Atkins; Daniel Atkins; and Mark & Jessica Atkins
   - J.W. & Jeri Morgan and Ronald & Jill Arnold

PLANNING COMMISSION MONTHLY CALENDARS
The Commission reviewed and accepted the monthly calendars for February and March 2022.

ENGINEER REPORT
The Commission reviewed the County Engineering report dated January 19, 2022. Mr. Kincer reported on Lead Mines Rescue Squad Project; Wythe County Office Building Project; Town of Rural Retreat – Farmers Market Project and Sewer Line; Klockner Pentaplast; Smoking Guns project; Wytheville Solar – Lovers Lane; Savion Solar – Foster Falls; New River Marine; Dixon Campground; Cell Tower; Abilene Trucking; Speedway
Mr. Kincer further reported that the bids for the Wythe County Office Building project went out Sunday.

**COMPREHENSIVE PLAN**

Mr. Hankins reported that Hill Studio is currently working on developing the draft plan. He stated that they are working on the agricultural economic findings for the plan and are ready to present those numbers to the Commission. Mr. Hankins inquired if the Commission would like to conduct a special meeting to hear the presentation or receive the presentation at its March meeting.

After brief discussion, the Commission concurred to hear Aaron Arnett’s presentation regarding the agricultural economic findings for the Comprehensive Plan at its March 7th meeting.

Mr. Beamer inquired when the plan is supposed to be finished.

Mr. Hankins stated there is not a deadline; and, hopefully it will be completed this summer.

**ASSISTANT COUNTY ADMINISTRATOR’S REPORT**

1. Capital Improvements Plan – Mr. Hankins reported that the update of the Capital Improvements Plan (CIP) is underway. He stated that CIP requests have been sent out. He explained that the Commission must review the plan and recommend it to the Board of Supervisors.

2. Budget FY 202-23 – Mr. Hankins reported that the budget process is underway and that the revenue meeting will be conducted soon.

3. Cigarette Tax – Mr. Hankins reported that the cigarette tax that is being collected is new. He stated that it is unsure what revenue it is going to bring for at least a year.

4. Reassessment – Mr. Hankins stated that all reassessments will be going out in the mail very soon.

5. Lots Gap Water Storage Tank – Mr. Hankins reported that the County met with the Department of Housing and Community Development who is partially funding the lots gap water storage tank project. He stated they are funding more of the project than expected.

6. Bluestar Employment - Mr. Hankins stated that Bluestar is hiring for employment and that there are links on the county Facebook page.
7. Housing - Mr. Hankins reported that the Town is Wytheville is proposing a large housing development with approximately 300 housing units with mixing housing types.

8. Water/Wastewater – Mr. Hankins reported that the utility management structure is going to be changed in the near future. He explained that water and wastewater are going to be split and there will be a director for each Department.

9. E-911 – Mr. Hankins stated that a interviews for E-911 Deputy Director are currently underway. He expressed the need for additional dispatchers.

10. Emergency Service Vehicles – Mr. Hankins reported that the Ivanhoe and Speedwell are getting a new pumper trucks and the Sheriff’s Department is getting a bearcat.

11. Wireless Service – Mr. Hankins reported that DHCD awarded funding to Point Broadband for fiber to the home. He stated that they anticipated running fiber to every address in Wythe County.

CANNERY
Mr. Wilson expressed the need for a new cannery or professional kitchen in Wythe County.

Mr. Hankins stated that staff recently met with the Extension Service and the cannery director regarding options and the possible partnership with the Community College. He stated that they were waiting on a response from the college. Mr. Hankins stated that if the college was receptive then we can move forward with another option.

EX-OFFICIO REPORT
Mr. Burnett reported that he is on a fact-finding mission for the citizens in his community. He stated that the citizens are concerned about cleaning up the trash. He clarified that would include physical trash and citizens that use drugs. He stated that citizens are afraid to come forward due to the repercussions.

APEX
The Commission reviewed the Appalachian Regional Exposition Center Authority meeting minutes from December 21, 2021.

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 Mr. Midkiff and passed.

________________________
Robert H. Walk, Chair
March 7, 2022

The Wythe County Planning Commission held its regular monthly meeting on Monday, March 7, 2022, in the Board Room of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia beginning at 7:00 p.m.

MEMBERS PRESENT
Robert H. Walk, Chair        Heidi D. Lyall
David P. Midkiff            Garry Rusty Beamer
Christopher C. King         Douglas E. Wilson
Robert A. Epperson

MEMBERS ABSENT
None

OTHERS PRESENT
Matt Hankins, Assistant County Administrator
Johnny Kincer, County Engineer
Jesse Burnett Lawson, Ex-Officio

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

CITIZENS TIME
A motion was made by Mr. Wilson to move citizens time until later in the meeting. The motion was seconded by Mr. King and passed.

ENGINEER REPORT
The Commission reviewed the County Engineering report dated November 21, 2021. Mr. Kincer reported on Lead Mines Rescue Squad Project; Wythe County Office Building Project; Town of Rural Retreat – Farmers Market Project and Sewer Line; Klockner Pentaplast; Smoking Guns project; Wytheville Solar – Lovers Lane; Savion Solar – Foster Falls; New River Marine; Dixon Campground; Cell Tower; Abilene Trucking; Speedway Truckstop; Coffee Shop in Fort Chiswell; Speedwell Landfill; Musser Lumber; New Building on Franklin Street; VDOT Projects; APEX; Austinville WWTP and Conveyance System; JPSA; and DEQ.

COMPREHENSIVE PLAN
Mr. Aaron Arnett appeared before the Commission and gave a presentation regarding the agriculture section of the Comprehensive Plan as follows:
Economic Significance
- Weldon Cooper Center estimates agriculture in Wythe County has a direct economic impact of $619.5 million and generates 1,870 jobs.

Cultural Significance
- Half of the county’s land is agricultural land, contributing to the rural character of Wythe County.

Farms and Farmland
- 622 farms in Wythe County
- 153,963 acres of farmland
- Farmland by use:
  - 42% Pastureland
  - 32% Cropland
- Farms by size:
  - Range of sizes
  - 42% of farms between 50 and 179 acres

Farmland has fluctuated over the past 50 years.
- Decrease from 2012 to 2017.
- However, more farms and farmland recorded in 2017 than in the 1990s.

Market Value of Ag Goods
- Livestock, poultry, and products are leading contributors to market value of goods in Wythe County.
- Average sales per farm in Wythe County is $80,000.
- Farms by annual value of sales:
  - 25% less than $2.5k
  - 65% less than $25k
  - 5% over $100k

Market Value of Ag Goods
- Share of Sales by Type, 2017
- Livestock, poultry, and products are leading contributors to market value of goods in Wythe County.
- Average sales per farm in Wythe County is $80,000.
- Farms by annual value of sales:
  - 25% less than $2.5k
  - 65% less than $25k
  - 5% over $100k
Mr. Midkiff advised that there is two years newer information available at the Virginia Agricultural Statistics Annual Bulletin 2019.

Several members of the Commission stated that Agriculture is a huge part of Wythe County and needs to be included in the Comprehensive Plan.

Mr. Wilson stated that in 10 years the county will be a large vegetable producer.
Mr. David Hill appeared before the Commission stating that Hill Studio has started writing the Comprehensive Plan over the last several weeks. He stated that they plan to provide the Commission the first written draft of the plan by the end of March. Mr. Hill stated that Hill Studio would like to give the Commission an overview of the draft at the April Planning Commission meeting. He stated that the Commission can review the plan in April and give Hill Studio feedback.

Mr. Hill stated that up to this point Hill Studio has not met with Commission members on an individual basis, but are prepared to meet with members individually.

Chair Walk stated that in the past when updating the Comp Plan each section was reviewed basically word for word and the Commission was very hands on. He stated that the Commission didn’t get to see any hard evidence on the update of the plan as it was being updating and progressing.

Mr. Hankins stated that the Commission has the final vote on the plan.

Mr. Wilson stated that verbiage regarding manufacturing and alternative energy needs to be included in the plan.

Mrs. Lyall stated that solar companies take an interest in Wythe County and Wythe County does not have zoning and our Comprehensive Plan does not have verbiage to discourage solar farms either.

**CITIZEN'S TIME**
Chair Walk asked if anyone wished to speak before the Commission at Citizen’s Time.

Mr. Eric Crowgey appeared before the Commission voicing in appreciation for the work done on the agricultural section of the Comprehensive Plan. He highly recommended conducting public input sessions in different areas of the county.

Mr. Hankins advised that public input sessions were conducted at the beginning of the process to update the plan; however, there was poor attendance.

Mr. Crowgey suggested doing input sessions after a document is prepared for the public's review. He suggested adding battery to the plan in addition to solar energy. Mr. Crowgey further requested all the pictures of the Savion Solar project that have been presented at the Commission meetings.

Nate Aker appeared before the Commission, third generation farmer in Wythe County, reiterated the importance of agriculture as an economic and cultural benefit. He offered to participate with the development of the plan in any way.

Jeff Dunkley appeared before the Commission stating that he is a farmer from the Cripple Creek area of the County. He stated that he, Mr. Crowgey and other citizens were at a
public meeting back in the fall to discuss agriculture in the Comp Plan. Mr. Dunkley advised that Wythe County is in the top 500 counties nationally for beef cattle. He added that in Wythe County there are two cows per person per population.

Chair Walk stated that agriculture is very important in the Comp Plan and the Commission will carefully review that section when the plan is provided.

ASSISTANT COUNTY ADMINISTRATOR’S REPORT

1. Franklin Street Building – Mr. Hankins reported that the county purchased the building at 440 South Franklin Street for additional office space and parking. He reported that it has a flat roof which has been a result of leaks over many years causing significant damage to the interior of the building. He stated that the county was able to purchase the building below market value and it will need some renovation.

2. Capital Improvement Plan – Mr. Hankins stated that he is currently working on the Capital Improvement Plan. He stated that ARPA (American Rescue Plan Act) and ESSER (Elementary and Secondary School Emergency Relief) funding that has been received has driven construction for the schools ahead. Mr. Hankins stated that the schools are going to approach approximately $25 million over the next couple of years and the federal dollars will keep tax dollars down.

Mr. Hankins also stated that the BlueStar related projects are going to be approximately $20 million over the next five years which will include the new sewer force main, rail construction, expansion of the water/wastewater plant and the lots gap storage plant. He stated that these projects will be included on the CIP but the amount of federal/state funding sources will also be indicated on the plan for each project.

Mr. Hankins advised that the broadband project was funding with state money; therefore, the federal funding can be utilized for water/wastewater projects.

3. Public Safety – Mr. Hankins stated that over the last year and a half a $300,000 investment in public safety has been made in public safety. He stated that turnout gear, vehicles, etc. have been purchased for multiple departments.

4. Staffing – Mr. Hankins stated that additional staffing is being added to the E-911 Department.

5. BlueStar – Mr. Hankins reported that there is a lot of dirt turning on the BlueStar site. He stated that they are working on the chemical plant site, the rail extension and the storm water and erosion and sediment control.

Mr. Epperson inquired about the inspectors for the BlueStar site.

Mr. Hankins stated that the County is going to bring on an additional building inspector.
6. **Cannery** – Mr. Hankins reported that there has been no action regarding the construction of a cannery at Wytheville Community College.

**EX-OFFICIO REPORT**

1. **Budget Review** – Mr. Burnett stated that budget review starts next week.

2. **Cannery** – Mr. Burnett stated that he has not forgotten the discussion regarding the cannery and it will be discussed during budget deliberations.

3. **Invocation/Pledge** – Mr. Burnett asked the Commission to consider doing an invocation and the pledge of allegiance before each meeting.

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

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Robert H. Walk, Chair
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<th>Surveyor</th>
<th>Parcels</th>
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<th>Completed</th>
<th>District</th>
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Minor Subdivision
1/31/22 - 1st review - needs revisions
1/31/21 - 2nd review - ok for originals
2/16/21 - originals received/complete
pb 13 pg 379

Total Number of Parcels: 6

Selection Criteria: DateCompleted(2/03/2022 to 3/29/2022), Sorted By Landowner Name
February 12, 2022

Wythe County Planning Commission
c/o Department of Planning
340 South Sixth Street
Wytheville, VA 24382

Ladies and Gentlemen:

Re: Request for Approval of a preliminary Plat of Subdivision
Lead Mines Estates, Inc. and Others

---

Part 1—Introduction.

In 1981/82, Lead Mines Estates, Inc. acquired a parcel of land from The New Jersey Zinc Company, on which un-subdivided parcel were certain structures (dwellings and garages) and an asphalted street (Staff Street). In 1985/86, an effort was made to subdivide a portion of the land along Staff Street, but that effort was subsequently deemed a failure for numerous reasons discussed later (in Part 2, Section b.). Furthermore, Staff Street has never been dedicated to and accepted by any public body (neither the Virginia Department of Transportation (“VDOT”) nor Wythe County) that would be responsible for its maintenance. Notwithstanding the failed subdivision, six of the proposed lots were granted and conveyed by Lead Mines Estates, Inc. to individual shareholders, with four of those lots having later been further conveyed to unrelated third parties.

Both the shareholders of Lead Mines Estates, Inc. and the other, current owners of the six out-conveyed lots (“Others”) want to address and eliminate, to the extent possible, all uncertainties, ambiguities, and anomalies presently known to exist with respect to the right, title, and interest of the property owners, so that individual lots can be readily sold and owners’ title insured at standard rates without any further, costly, Herculean efforts or surprises.

Generally, we are presently requesting approval of a preliminary Plat of Subdivision and will eventually request approval of a final Plat of Subdivision, which will be signed by all property owners, signed by the appropriate governmental officials, and recorded among the land records of Wythe County.

Accordingly, this letter is an Application for Approval of a preliminary Plat of Subdivision that will result in a “major subdivision” with respect to the separate properties owned by (i) Lead Mines Estates, Inc. and (ii) Others, as listed on Exhibit A.
Part 2—Historical Background.

a. **Exhibit B** is a general outline of the important events that have occurred in the past with respect to the property acquired in 1981 by Lead Mines Estates, Inc. from The New Jersey Zinc Company (a division of Gulf & Western Industries, Inc.).

b. **Failed Sub-Division Effort.**

In 1985/86 there was an effort to partially subdivide that portion of the property owned by Lead Mines Estates, Inc. that bordered Staff Street. That effort culminated with recordation of a plat dated December 30, 1985 prepared by H.L. Louthen and recorded on January 24, 1986 in Plat Book 6 at Page 300 ("Louthen Plat") in the Office of the Clerk of the Circuit Court for Wythe County Virginia.

Notwithstanding the numerous meetings, discussions, attorney presentations, recordation of the Louthen Plat, etc., all efforts at a partial, “major subdivision” of the property of Lead Mines Estates, Inc. in 1985/86 failed. While there were many substantive, statutory and procedural deficiencies with respect to the Louthen Plat, the most egregious deficiencies and fatal flaws are believed to be

i. the **absence of any written record of approval** by the Wythe County Planning Commission of a final Plat of Subdivision. (Wythe County Subdivision Ordinance No. 84-8, Section 12.2, # 22 and Virginia Code § 15.2-2254 and § 15.2-2265);

and

ii. the **absence of any written owners’ consent** to the subdivision (Wythe County Subdivision Ordinance No. 84-8, Section 12.2, # 4 and Virginia Code § 15.2-2264).

The 1985/86 subdivision effort resulted in an invalid subdivision (or in laymen’s terms, a nullity), but from which six lots were subsequently conveyed to individuals. (Notwithstanding the invalidity of the subdivision, there is a provision (similar to a “safe harbor” provision) in Virginia Code § 15.2-2254.3 that effectively validated the passage of title for the individual lots from Lead Mines Estates, Inc. to the six grantees, their heirs and assigns.) Unfortunately, invalidity of the subdivision adversely affects the rights of property owners in many ways, including, without limitation, the ability to petition the Wythe County Board of Supervisors and VDOT to take Staff Street into the Secondary State Highway System of the Commonwealth of Virginia.

Accordingly, in August 2017, efforts began to have the remaining property, which was originally acquired by Lead Mines Estates, Inc., properly subdivided in accordance with both (i) the laws of the Commonwealth of Virginia and (ii) the ordinances of the County of Wythe.
c. On **January 7, 2019**, the Wythe County Planning Commission approved five, previously requested variances from the current Subdivision Ordinance #2012-5.

d. On **June 3, 2019** the Wythe County Planning Commission approved a *preliminary* Plat of Subdivision (color-coded and with a draft date of 5-17-2019) for the Lead Mines Estates Subdivision.

Shortly after receiving notification of approval of the *preliminary* Plat of Subdivision, Lead Mines Estates, Inc. submitted an application (dated June 22, 2019) for “revenue sharing” as between VDOT and Wythe County in order to improve and pave Staff Street to current VDOT standards. In that arrangement, Wythe County’s 50% portion would have been subsequently reimbursed by the owners of fourteen (14) lots that adjoin Staff Street pursuant to the State law provisions of a *service district* (Virginia Code § 15.2-2400 *et. seq.*).

Unfortunately, VDOT did not respond to the request until about November 2020 (a written response was received January 6, 2021)—long after the one year deadline for filing the *final* Plat of Subdivision. Furthermore, in that response, VDOT only committed to funding 50% of the initial cost estimate of $150,000, but only in the fiscal year 2024-25, with the locality (Wythe County) being responsible for **100% of any increases in the cost of the construction** that might occur between November 2020 and the fiscal year 2024-25. And, since Wythe County pays none of the cost of street construction, the property owners would have been responsible for reimbursing, with interest, Wythe County for **not only (i)** the 50% of the initial cost estimate of $150,000, **but also (ii)** 100% of any of the increases (over the initial estimate of $150,000) in the cost of construction.

e. Rather than (i) await the 2024-25 fiscal year to have Staff Street improved and (ii) be exposed to the possibility of cost increases (generally from the impact of inflation), the property owners undertook to have Staff Street improved and paved to VDOT current standards.

Lead Mines Estates, Inc. contracted with a design engineer to produce the *Staff Street Improvement and Paving Plan*. VDOT approved that Plan as being in accordance with current VDOT standards. A contract was signed with Adams Construction Company to do the work. A third-party benefactor provided the funding in an escrow account maintained by the law firm of Gilmer, Sadler, Ingram, Sutherland & Hutton, L.L.P.
On May 10, 2021, Adams Construction Company began work on the Staff Street Project and completed that work about June 30, 2021. By about September 30, 2021, all appropriate payments to contractors had been made from the escrow account.

Staff Street has been improved and paved to current VDOT standards and specifications. (See Exhibit E.) **All contractors have been paid, lien waivers have been obtained from Adams Construction Company, and receipts from all contractors are in hand.** For those reasons, we respectfully request that no bond be required as stipulated in Section 7.1 of the Subdivision Ordinance # 2012-5.

By Ordinance No. 2021-4, entitled, “Service District for Staff Street Area of Wythe County,” the property owners adjoining Staff Street became obligated to reimburse, with interest, Wythe County for funds to be advanced to reimburse the escrow fund for money paid out for the Staff Street Project. (Upon reimbursement, the Escrow Agent will return, to the third-party benefactor, all funds advanced for the Staff Street Project.) That Ordinance was recorded among the land records of Wythe County on August 31, 2021 as Instrument # CLR 210002772.

By letter of September 29, 2021, Mr. Stephen D. Bear, Wythe County Administrator advised that funding from the Service District for Staff Street Area of Wythe County (sometimes also referred to as the “Staff Street Transportation Service District”) would only “be disbursed once we [Wythe County] have acceptance of the road into the Virginia Department of Transportation’s Secondary Road System.”

In order to move forward with a petition to VDOT for acceptance of Staff Street, the final Plat of Subdivision must be recorded. **It is that recordation of the final Plat of Subdivision that is necessary to grant and convey to Wythe County the fee simple interest in the right-of-way over which Staff Street traverses.**

[The remainder of the page was intentionally left blank.]
Part 4—Purposes of Current Subdivision Request.

Generally, the purposes of this currently proposed subdivision of the property of Lead Mines Estates, Inc. and Others are as follows:

i. To eliminate all uncertainties, ambiguities, and anomalies presently known to exist with respect to the boundary lines and easements that burden the various properties; and

ii. To subdivide and plat the properties so as to revise, change, vacate, and/or move certain property lines now found on the recorded Louthen Plat. (In other words, request the Wythe County Planning Commission to eventually approve a properly prepared final Plat of Subdivision that replaces and supercedes, in its entirety, the Louthen Plat.); and

iii. To complete a subdivision of all of the property now owned by Lead Mines Estates, Inc. so that there is no residual property unallocated to a numbered lot; and

iv. To eventually have Staff Street taken into the Secondary State Highway System of the Commonwealth of Virginia by VDOT; and

v. To otherwise conform subdivision of the property of Lead Mines Estates, Inc. and Others to both (i) the Subdivision Ordinance of Wythe County No. 2012-5 and (ii) the statutory requirements of the Code of Virginia, Sections 15.2-2240 through 15.2-2279, such that individual lots can be readily sold, transferred, bequeathed, or mortgaged and owners' title insured at standard rates without any further, costly, Herculean effort to eliminate uncertainties, ambiguities, and anomalies with respect to property lines, easements and servitudes, and access to public roads maintained by VDOT.

[Remainder of the page was intentionally left blank.]
Part 4—Request for Approval of a preliminary Plat of Subdivision.

The undersigned property owners are requesting approval of the preliminary Plat of Subdivision. In support of that request, additional material is provided as required by Section 6.3.2 of the Ordinance:

1. Accompanying this letter is the current version of the preliminary Plat of Subdivision, four Sheets (draft date 2-1-2022) ("Plat"), for which we are requesting approval from the Wythe County Planning Commission.

That Plat was prepared by D. Jeffrey Scott of Scott Surveying and Mapping PLLC in Hillsville, Virginia and (as compared to the preliminary Plat of Subdivision, draft date 5/17/2019) incorporated (i) the variances approved at the meeting of the Wythe County Planning Commission on January 7, 2019, (ii) revisions to proposed lot lines as necessitated by topography and geology, (iii) revisions to reflect the changes in ownership to four of the previously out-conveyed parcels (Lots # 407, # 408, # 409, & # 410), and (iv) several text additions or corrections to address any ambiguities or to correct any errors previously overlooked.

Several things for consideration:
- The seven record lot lines proposed to be vacated are highlighted in yellow.
- The two new lot lines being proposed (at Lot # 401) are black with red highlighting on each side of the black line.
- Proposed text of governmental approvals are more expansive than those found in the Subdivision Ordinance #2012-5.

2. A copy of the most recent deed to each of the properties affected by the Plat of Subdivision (Exhibit C).

3. A Traffic Impact Analysis is required by Section 7.4 of the Ordinance. Hurt & Proffitt was engaged to prepare such an analysis. Their inquiry of the Virginia Department of Transportation and discussions with the Administrator of Wythe County concluded such a traffic impact analysis would not be required. Copies of the Staff Street Traffic Impact Statements (i) dated 08-October-2018 and signed by J. Michael Johnson, P.E. and (ii) dated March 25, 2021 signed by Scot E. Shippee, P.E., both of Hurt & Proffitt, Incorporated, accompany this letter as Exhibit D.

4. Deed Covenants and restrictions are not included. This matter is under discussion. The only “deed covenants” presently existing are found in the six deeds of conveyance for Lots # 406, # 407, # 408, # 409, # 410, and # 412.

5. The following do not accompany this letter because there is intended to be no un-subdivided, residual property:
   - Preliminary sketch map of the entire tract.
   - Residual sketch plan.
Part 5—Governmental Approvals.

Section 6.4.3, subsection 23 (page 24) of the Subdivision Ordinance No. 2012-5 requires that a final Plat of Subdivision have “[a] Certificate of Approvals placed on the Final Plat in accordance with Exhibit 2 or Exhibit 3 of this ordinance.” Exhibit 2 is found on page 40 of the Ordinance.

As being submitted, the preliminary Plat of Subdivision for this “major subdivision” has the proposed text for the approvals by three different governmental agencies. As proposed, those approvals are more expansive than what is shown on Exhibit 2 of the Ordinance. The primary reason for more expansive approval language is to have the entirety of the approvals actually recorded on the final Plat of Subdivision so there is no need to look for additional materials to verify any approvals. Everything is proposed to be on the Plat that will eventually be recorded among the land records of Wythe County for all eternity. More specifically, as compared to the earlier preliminary Plat of Subdivision (which was approved on June 3, 2019), be advised of the following:

a. **Certificate of Approval.** (for the Wythe County Planning Commission).
   
   No changes have been made to the text that was approved on June 3, 2019. **We respectfully request that text be approved again, as presented with this submission.**

b. **Technical Review by VDOT.**
   
   VDOT personnel (Ms. Pamela W. Heath) advised that the text found in the earlier version (5-15-2019) of the preliminary Plat of Subdivision was unacceptably broad and would not have been signed by VDOT.

   Exhibit 2 of the Ordinance does not require any signature, by VDOT personnel, denoting approval by VDOT. The only requirement is a reference to a letter from VDOT. The text being currently proposed in the preliminary Plat of Subdivision provides for a VDOT signature right on the instrument to be recorded, rather than only a reference to a letter that may or may not be available at some future time. The proposed text is simply a statement of fact. Ms. Pamela W. Heath, P.E. of VDOT has reviewed the proposed text and indicated VDOT could sign it as drafted. **We respectfully request that text, for the signature of a VDOT official, be approved as presented with this submission.**

c. **Subdivision Approval Statement by VDH.**
   
   The earlier preliminary Plat of Subdivision (approved 6-3-2019) had no statement or certification from any official of either the local Health Department or the Virginia Department of Health. Approvals were apparently deemed unnecessary because of (i) existing publicly owned water and wastewater systems and (ii) each of the two newly created lots (# 415 and # 416) was greater than 5 acres. Rather than record a final Plat of Subdivision that is silent on the issues, specific text is being proposed.

   Mr. Stacy “Tuck” Holliday has reviewed the proposed text and indicated it could signed, on behalf of the Wythe County Health Department and the Virginia Department of Health, as drafted. **We respectfully request that text, for the signature of the “health officer,” be approved as presented with this submission.**
The attached **Schedule of Accompanying Materials** lists all materials that accompany this request, whether (i) required by Section 6.3.3 of the Wythe County Subdivision Ordinance # 2012-5 or (ii) otherwise deemed useful for consideration of our request.

If there are questions or requests for changes to the *preliminary* Plat of Subdivision, please direct them to the President of Lead Mines Estates, Inc., who will coordinate all communications for the undersigned property owners. **John R. Crowgy, Jr. is the President of Lead Mines Estates, Inc. and is authorized as an agent, for the limited purposes set forth herein, to speak and/or act for the undersigned in resolving any issues related to the *preliminary* Plat of Subdivision.** However, with respect to the *final* Plat of Subdivision, he is not an agent for the undersigned individuals, each of whom must sign the *final* Plat of Subdivision before its recordation.

On behalf of Lead Mines Estates, Inc. and the owners of the six properties previously out-conveyed, we respectfully request approval of the *preliminary* Plat of Subdivision, draft date 2-1-2022, for the Lead Mines Estates Subdivision.

Cordially,

[Signatures are on the following page, all of which, taken together, constitute signatures to one and the same letter.]

[Remainder of the page was intentionally left blank.]
Lots # 401, 402, 403, 404, 405, 411, 413, 414, & residual and
Lot # 3 in New Town Subdivision II

Lead Mines Estates, Inc.

by: John R. Crowgey Jr.
John R. Crowgey, Jr., President

Lot # 406
Faye H. Bralley

Lot # 407 &
Lot # 410
Travis A. Tweedie
Debra A. Tweedie

Lot # 408
Ronnie B. Coleman
Kyle R. Taylor

Lot # 409
Stacy A. Petrunyak

Lot # 412
John Reginald Crowgey, Jr.
Schedule of Accompanying (or Omitted) Materials

1. **Subdivision Plat Application Forms** (Exhibit 1 from the Subdivision Ordinance #2012-5) Seven (7) Forms are being submitted: one for all the parcels owned by Lead Mines Estates, Inc.; and one for each of the six previously out-conveyed properties involved in the proposed Lead Mines Estates Subdivision.

2. **Exhibit A—Schedule of Property and Property Owners**, revised to eliminate inconsistencies and to reflect recent changes to the ownership of certain lots.

3. **Exhibit B—Historical Background**, revised slightly from the version provided with the earlier application (dated May 23, 2019) for approval of a *preliminary* Plat of Subdivision.

4. **Exhibit C—Schedule of the Most Recent Deeds**, accompanied by a *copy of the most recent deed* (and relevant documents) to each property involved in the proposed Lead Mines Estates Subdivision.

   a. Dated 08-October-2018 and signed by J. Michael Johnson, P.E.
   b. Dated March 25, 2021 and signed by Scot E. Shippee, P.E.

6. **Exhibit E—Aerial Photograph of Staff Street**, made November 11, 2021 after all improvements had been completed.

7. **Preliminary Plat of Subdivision**—one copy, color-coded, is being provided.
   Mr. D. Jeffrey Scott, the surveyor, will also provide (in electronic format, though not color-coded) the *preliminary* Plat of Subdivision to the Staff of the Planning Commission.

   An additional twelve, color-coded copies will be provided as soon as confirmation is received that the *preliminary* Plat of Subdivision is satisfactory to the Staff of the Planning Commission.

8. **Not Included. Deed Covenants** are not included—the only unique deed covenants now existing are found in the six deeds of out-conveyance. (No separately recorded *Declaration of Protective Covenants, Conditions, and Property Restrictions* yet exists.)

9. **Not Included. Preliminary Sketch Map** of the entire tract is not included because the entire tract (i.e. 22.028 acres, exclusive of acreage to be conveyed, in fee simple, to Wythe County) is proposed for subdivision at this time.

10. **Not Included. Residual Sketch Plan** is not included because the entire tract (i.e. 22.028 acres, exclusive of acreage to be conveyed, in fee simple, to Wythe County) is proposed for subdivision at this time; therefore, there will be no residual property.
## Properties & Property Owners to be Affected by the Proposed Subdivision:

<table>
<thead>
<tr>
<th>Abbreviated Tax Map and Parcel No.</th>
<th>Property Descriptions</th>
<th>Record Owners</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 75-4-401 24,741.93 sq. ft. 401 176 Staff Street</td>
<td>Lead Mines Estates, Inc.</td>
<td>P.O. Box 681 Austinville Virginia 24312 - 0681</td>
</tr>
<tr>
<td>2 75-4-402 22,553.56 sq. ft. 402 168 Staff Street</td>
<td>Lead Mines Estates, Inc.</td>
<td>P.O. Box 681 Austinville Virginia 24312 - 0681</td>
</tr>
<tr>
<td>3 75-4-403 22,576.34 sq. ft. 403 160 Staff Street</td>
<td>Lead Mines Estates, Inc.</td>
<td>P.O. Box 681 Austinville Virginia 24312 - 0681</td>
</tr>
<tr>
<td>4 75-4-404 22,573.54 sq. ft. 404 152 Staff Street</td>
<td>Lead Mines Estates, Inc.</td>
<td>P.O. Box 681 Austinville Virginia 24312 - 0681</td>
</tr>
<tr>
<td>5 75-4-405 22,530.88 sq. ft. 405 144 Staff Street</td>
<td>Lead Mines Estates, Inc.</td>
<td>P.O. Box 681 Austinville Virginia 24312 - 0681</td>
</tr>
<tr>
<td>6 75-4-406 22,565.16 sq. ft. 406 136 Staff Street</td>
<td>Faye H. Bratley Bobby Melvin McFalls</td>
<td>P.O. Box 775 130 Gardner Road Austinville Spartanburg Virginia 24312 South Carolina 29307</td>
</tr>
<tr>
<td>7 75-4-407 22,526.12 sq. ft. 407 126 Staff Street</td>
<td>Travis A. Tweedie and Debra A. Tweedie</td>
<td>126 Staff street Austinville Virginia 24312</td>
</tr>
<tr>
<td>8 75-4-408 26,584.72 sq. ft. 408 118 Staff Street</td>
<td>Ronnie B. Coleman Kyle R. Taylor</td>
<td>1073 Sheffey School Road 1149 Old School Road Wytheville Wytheville Virginia 24382 Virginia 24382</td>
</tr>
<tr>
<td>9 75-0-25C 11,131.47 sq. ft. un-subdivided residual none yet assigned Lead Mines Estates, Inc.</td>
<td>P.O. Box 681 Austinville Virginia 24312 - 0681</td>
<td></td>
</tr>
<tr>
<td>10 75-4-409 26,481.86 sq. ft. 409 139 Staff Street Stacy Anne Petrunyk</td>
<td>139 Staff Street Austinville Virginia 24312</td>
<td></td>
</tr>
<tr>
<td>11 75-4-410 26,388.77 sq. ft. 410 147 Staff Street Travis A. Tweedie and Debra A. Tweedie</td>
<td>126 Staff Street Austinville Virginia 24312</td>
<td></td>
</tr>
<tr>
<td>12 75-4-411 24,839.95 sq. ft. 411 155 Staff Street Lead Mines Estates, Inc.</td>
<td>P.O. Box 681 Austinville Virginia 24312 - 0681</td>
<td></td>
</tr>
<tr>
<td>13 75-4-412 33,092.03 sq. ft. 412 169 Staff Street John Reginald Crowgey, Jr.</td>
<td>P.O. Box 788 Pulaski Virginia 24301-0788</td>
<td></td>
</tr>
<tr>
<td>14 75-4-413 23,424.24 sq. ft. 413 none yet assigned Lead Mines Estates, Inc.</td>
<td>P.O. Box 681 Austinville Virginia 24312 - 0681</td>
<td></td>
</tr>
<tr>
<td>15 75-4-414 22,219.99 sq. ft. 414 none yet assigned Lead Mines Estates, Inc.</td>
<td>P.O. Box 681 Austinville Virginia 24312 - 0681</td>
<td></td>
</tr>
<tr>
<td>16 75-0-25C 13.357 acres un-subdivided residual none yet assigned Lead Mines Estates, Inc.</td>
<td>P.O. Box 681 Austinville Virginia 24312 - 0681</td>
<td></td>
</tr>
<tr>
<td>17 75-3-3 33,145 sq. ft. Lot # 3 On B Street in New Town Subdivision II none yet assigned Lead Mines Estates, Inc.</td>
<td>P.O. Box 681 Austinville Virginia 24312 - 0681</td>
<td></td>
</tr>
</tbody>
</table>

Total Acreage affected by the Subdivision: **22.028 acres**

**Total acreage excluding any acreage to be conveyed, in fee simple, to the County of Wythe in accordance with the Code of Virginia, Section 15.2-2265 [2012 Replacement Volume].**
<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>circa 1756</td>
<td>Colonel John Chiswell is credited with discovering lead deposits along the New River at a spot now known, locally, as &quot;Chiswell's Hole.&quot;</td>
</tr>
<tr>
<td>1756 to 1887</td>
<td>Over these 131 years, ownership of the numerous properties, on which lead deposits had been found or were being sought, was vested in numerous individuals and partnerships.</td>
</tr>
<tr>
<td>1860</td>
<td>The Union Lead Mine Company was incorporated in Virginia.</td>
</tr>
<tr>
<td>1874</td>
<td>The Union Lead Mine Company was renamed and re-incorporated as the Wythe Lead and Zinc-Mine Company.</td>
</tr>
<tr>
<td>1887</td>
<td>In two separate deed instruments, individual land owners &quot;granted and conveyed&quot; their ownership in land in exchange for shares in the Wythe Lead and Zinc-Mine Company, thereby creating the &quot;Lead Tract&quot; of 1,845 contiguous acres. That Lead Tract, located in the bend of the New River and bisected by what is now Virginia Secondary Route 636 (a/k/a Store Hill Road), effectively became the central location for all lead &amp; zinc mining, milling, and ancillary activities over the next 94 years.</td>
</tr>
<tr>
<td>1904</td>
<td>Wythe Lead and Zinc-Mine Company sold its holdings in Austinville, Virginia to The Bertha Mineral Company, a New Jersey Corporation.</td>
</tr>
<tr>
<td>1923</td>
<td>The Bertha Mineral Company constructed a new &quot;company town,&quot; which included dwellings in New Town Subdivision. Dwellings had only running water, but no electricity and no sewage disposal facilities (relied on privies). Source: Dennis Williams, President of New Town Inc., found a date handwritten on an inside wall when doing some repair work in one of the dwellings on D Street. Mr. Williams was also able to confirm that electricity was not originally provided when the dwellings were constructed.</td>
</tr>
<tr>
<td>1929</td>
<td>As of 1929, no dwellings had yet been constructed on Staff Street. Source: Plat dated 1-3-1929 showing Appalachian Power Company power line easements (recorded in Plat Book 1 Page 69) clearly shows no dwellings yet constructed on Staff Street.</td>
</tr>
<tr>
<td>1929 to 1939</td>
<td>Sometime in this period of time, five dwellings (on Lots # 401 to # 405) were constructed on Staff Street. And it appears that electricity was probably first provided to all company owned dwellings, both in New Town Subdivision and along Staff Street in this same time period. Source: Appalachian Power Company verified the power pole on Lot #401 was first set in February 1939. Additional poles in the New Town Subdivision appear to have also been set in that same year.</td>
</tr>
<tr>
<td>1938</td>
<td>The Bertha Mineral Company sold its holdings in and around Austinville, Virginia to The New Jersey Zinc Company. Source: Deed Book 99 at Page 15 (June 25, 1938)</td>
</tr>
</tbody>
</table>
Historical Background
(with the best information available)

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1941</td>
<td>Site preparation began for seven additional dwellings on Staff Street. <strong>Source:</strong> Appalachian Power Company verified the power pole on Lot # 412 was first set in September 1941. However, &quot;in service&quot; date was reported to be 9-13-46—after the conclusion of World War II.</td>
</tr>
<tr>
<td>1946</td>
<td>Seven additional dwellings were constructed on Staff Street. <strong>Source:</strong> Prior to his death, &quot;Bus&quot; Manley confirmed that the seven, newer dwellings (located on Staff Street) were constructed after the end of World War II. Not clear whether the new sewer system was installed around 1941 or after the end of World War II.</td>
</tr>
<tr>
<td>1968</td>
<td>The Board of Supervisors of Wythe County adopted the first Subdivision Ordinance of Wythe County, Virginia on May 10, 1968 (See Supervisors Order Book # 8 at Page 409 et seq.) and identified as Ordinance No. 68-1.</td>
</tr>
<tr>
<td>1981</td>
<td>The New Jersey Zinc Company, a division of Gulf &amp; Western Industries, Inc., sold a tract purported to contain <strong>39.74 acres</strong> (improved with 13 dwellings &amp; garages, which included the vacant superintendent's house on the bluff, and an asphalted street) to Lead Mines Estates, Inc.</td>
</tr>
<tr>
<td>circa 1983</td>
<td><strong>Cable television was first installed, by Pioneer Cable-Vision, Inc. in Austinville, VA, which included Staff Street.</strong> <strong>Source:</strong> According to the State Corporation Commission, Pioneer Cable-Vision, Inc. was incorporated October 1982 (Charter Book 6 at Page 536) and amended its Articles of Incorporation in November 1984 (Charter Book 6 at Page 804) to allow for the issuance of additional shares of stock. Pioneer Cable-Vision Inc. was subsequently terminated and dissolved July 1989. Additional sources: Additional information is based on long ago memories of Edgar Arnold (who installed cables) and Brenda Arnold (who handled customer billings). Generally, cable television was installed in the following order of areas: Piney, Carter's Park, Max Meadows, Austinville, Ivanhoe, Floyd, Newcastle. Additional stock was sold when the Newcastle area was added—presumably in 1984 or later, when the Articles of Incorporation were amended to permit issuing additional shares of stock. Therefore, the conclusion that cable was strung into Austinville sometime between October 1982 and November 1984.</td>
</tr>
</tbody>
</table>
### Historical Background
(with the best information available)

<table>
<thead>
<tr>
<th>Year</th>
<th>Source: Identifies the source of the best information, some newly located, available.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1985/86</td>
<td>Lead Mines Estates, Inc. made several presentations to the Wythe County Planning Commission in an effort to subdivide a portion of the purported 39.74 acres that was along the paved Staff Street (creating 12 lots improved with dwelling structures &amp; garages, along with two, unimproved lots). This matter was addressed in meetings of the Wythe County Planning Commission held in June 1985 and July 1985. The 1985/86 subdivision effort culminated with recordation of a plat dated December 30, 1985 prepared by H.L. Louthen and recorded on January 24, 1986 in Plat Book 6 at Page 300 (&quot;Louthen Plat&quot;) in the Office of the Clerk of the Circuit Court for Wythe County Virginia.</td>
</tr>
<tr>
<td>1994</td>
<td>Lead Mines Estates, Inc. sold that portion of its real estate located between the New River Trail State Park and the New River, to R. Phillip Hanes, Jr., who, in turn, exchanged it for other property of the Commonwealth of Virginia, Division of Game and Inland fisheries. Based on a then current survey (by a surveyor other than H.L. Louthen), the acreage sold was 17.279 acres. See deed dated November 14, 1994 and recorded November 15, 1994 in Deed Book 0437 at Page 00542.</td>
</tr>
</tbody>
</table>
# Schedule of Most Recent Deeds

## Deeds to Property Affected by the Lead Mines Estates Subdivision

<table>
<thead>
<tr>
<th>Property</th>
<th>Recordation Data</th>
<th>Record Owner(s)</th>
</tr>
</thead>
</table>
| 1 Lots numbered 401, 402, 403, 404, 405, 411, 413, 414 & the residual | Deed Book 292 at Page 587  
(Plat Cabinet at Slide 217  
(Plat Book 6 at Page 168)  
[See also Plat Book 6 at Page 300) | Lead Mines Estates, Inc. |
| 2 Lot # 3 (in New Town Subdivision II) | Instrument # 180001100  
[See also Plat Book 11 at Page 871) | Lead Mines Estates, Inc. |

The following six (6) out-conveyances are located along Staff Street and were granted and conveyed in 1986 as a result of the flawed subdivision effort in 1985/86.

Notwithstanding the failed subdivision effort in 1985/86, fee simple ownership of each of these six out-conveyances was ratified and validated pursuant to the provisions of Virginia Code § 15.2-2254 (i).

<table>
<thead>
<tr>
<th>Property</th>
<th>Recordation Data</th>
<th>Record Owner(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Lot # 406</td>
<td>Instrument # 010003148</td>
<td>Faye H. Bralley &amp; Bobby Melvin McFalls</td>
</tr>
<tr>
<td>4 Lot # 407</td>
<td>Instrument # 190002026</td>
<td>Travis A. Tweedie &amp; Debra A. Tweedie</td>
</tr>
<tr>
<td>5 Lot # 408</td>
<td>Instrument # CLR 220000229</td>
<td>Ronnie B. Coleman &amp; Kyle R. Taylor</td>
</tr>
<tr>
<td>6 Lot # 409</td>
<td>Instrument # CLR 210002844</td>
<td>Stacy Anne Petrunyak</td>
</tr>
<tr>
<td>7 Lot # 410</td>
<td>Instrument # CLR 210003232</td>
<td>Travis A. Tweedie &amp; Debra A. Tweedie</td>
</tr>
</tbody>
</table>
| 8 Lot # 412 | Instrument # CWF 120000117  
Instrument # CWF 140000181  
Instrument # CLR 210001931 | John Reginald Crowgey, Jr. |
March 25, 2021

John Crowgey, Jr.
President
Lead Mines Estates, Inc.
PO Box 681
Austville, VA 24312-0681

Re: Staff Street Traffic Impact Statement
Austville, Virginia
H&P Project #: 20181592

Dear Mr. Crowgey:

Hurt & Proffitt, Inc. (H&P) has evaluated the proposed plans to subdivide the residential property associated with the Staff Street roadway improvements. The proposed subdivision would include the 12 existing single family residences and would allow for construction of 3 additional residents with primary access on Staff Street. The adjacent properties to be subdivided would utilize Store Hill Road (Route 636) and B Street for primary access.

The initial Traffic Impact Analysis Statement provided to you by J. Michael Johnson, PE, Project Manager dated October 8, 2018 stated:

On 05 October 2018, our traffic team contacted the Virginia Department Of Transportation (VDOT) and Wythe County to confirm the requirements for a Traffic Impact Analysis Statement per Section 7.4 of the Wythe County Subdivision Ordinance #2012-5. The ordinance states that a Traffic Impact Analysis shall be performed per VDOT requirements. VDOT requires a Traffic Impact Analysis for new developments or redeveloped sites that are expected to generate more than 100 vehicles in any peak hour. The anticipated trip generation for the subdivision is 30 vehicles during any given peak hour. Pam Heath with VDOT confirmed that the site does not meet minimum requirements for a traffic study. Having discussed the matter with Pam Heath, on 05 October 2018 the County Administrator, Stephen Bear confirmed with H&P that Wythe County will not require a traffic analysis for the subdivision application.

As there have been no changes to the proposed plans or the minimum requirements as it applies to this development to trigger traffic study since the time of the original letter, a traffic analysis is not required to meet the intent of Wythe County Subdivision Ordinance #2012-5.

If you have any additional questions, please feel free to call me at 434-547-4024 or email me at sshippee@handp.com.

Sincerely,

HURT & PROFIT, INC.

Scot E. Shippee, PE
Director of Transportation
08 October 2018

John Crowgey, Jr.
President
Lead Mines Estates, Inc.
PO Box 681
Austinville, VA 24312-0681

Re: Staff Street Traffic Impact Statement
Austinville, Virginia
H&P Project #: 20181592

Dear Mr. Crowgey:

Hurt & Proffitt, Inc. (H&P) has evaluated the proposed plans to subdivide the residential property associated with the Staff Street roadway improvements. The proposed subdivision would include the 12 existing single family residences and would allow for construction of 3 additional residents with primary access on Staff Street. The adjacent properties to be subdivided would utilize Store Hill Road (Route 636) and B Street for primary access.

On 05 October 2018, our traffic team contacted the Virginia Department Of Transportation (VDOT) and Wythe County to confirm the requirements for a Traffic Impact Analysis Statement per Section 7.4 of the Wythe County Subdivision Ordinance #2012-5. The ordinance states that a Traffic Impact Analysis shall be performed per VDOT requirements. VDOT requires a Traffic Impact Analysis for new developments or redeveloped sites that are expected to generate more than 100 vehicles in any peak hour. The anticipated trip generation for the subdivision is 30 vehicles during any given peak hour. Pam Heath with VDOT confirmed that the site does not meet minimum requirements for a traffic study. Having discussed the matter with Pam Heath, on 05 October 2018 the County Administrator, Stephen Bear confirmed with H&P that Wythe County will not require a traffic analysis for the subdivision application.

Sincerely,
HURT & PROFFITT, INC.

[Signature]

J. Michael Johnson, PE
Project Manager
Plat of Subdivision
Date: 3-14-2022
Lead Mines Estates Subdivision

Key to the Color Shaded Lines or Areas

There can be no doubt that the 1985/86 effort to subdivide a portion of the real property, then owned by Lead Mines Estates, Inc., failed. However, (i) because the Louthen Plat is of record in Plat Book 6 at Page 300 in the Office of the Clerk of the Circuit Court for Wythe County and/or (ii) because there are certain parcels already assigned lot numbers by the Office of the Commissioner of Revenue, the current “major subdivision” has been developed and is being submitted for approval by the Wythe County Planning Commission so as to eliminate any uncertainty or ambiguity with respect to lot lines and ownership of public ways. Following is the Key to the Color Shaded Lines or Areas on Sheet 1.

Black Lot Lines with Wide Red Highlight.
These two lot lines denote proposed “new” lot lines for Lot #401, as surveyed, for which expressed approval is being requested.

Yellow Highlighted Lot Lines. (two existing “record lines” along the western side of Lot #401; one existing “record line” along the eastern side of Lot #408; and one existing “record line” between new Lot #415 and Lot #3 from the New Town Subdivision II)
The yellow highlight denotes the four (4) existing “record lot lines” being proposed to be vacated, for which expressed approval is being requested.

Light-Green (or yellow-green) Shaded Lots. (Lots #406, #407, #408, #409, #410, and #412)
Denotes the six lots out-conveyed to shareholders and spouses subsequent to the 1985/86 failed subdivision. (Lots # 407, # 408, # 409, and # 410 were subsequently conveyed to unrelated third parties.)

Light-Blue (or sky-blue) Shaded Easement Areas.
Denotes the two permanent easement areas (the first, 30 feet wide and the second, 20 feet wide) conveyed (for no consideration) to the New River Regional Water Authority in June of 2007.

Orange Shaded Area.
Denotes that area located between the New River Trail State Park and the “Top of Bluff.” This area has a steep slope making it very questionable whether further development can occur.

Red (or dark red) Shaded Area.
Denotes the additional right-of-way (beyond the paved surface) that, upon recordation of the final, approved Plat of Subdivision, will be granted and conveyed to the County of Wythe along Staff Street so as to provide the County of Wythe with (i) a 40’ wide right-of-way along the length of Staff Street and (ii) a 50’ radius, off-set bulb cul-de-sac at the western terminus of Staff Street.

Brown Shaded Area.
Denotes a new 25’ x 30’ “sewer line easement” for Lot #401 over Lot # 402. See Sheet #3 for greater detail.
Plat of Subdivision  
Date: 3-14-2022  
Lead Mines Estates Subdivision  

Key to the Color Shaded Lines or Areas

Following is the Key to the Color Shaded Lines or Areas on Sheet 2.

Inset #1. There is considerable uncertainty and ambiguity as to whether the fee simple interest of Lead Mines Estates, Inc. and Others actually goes to the centerline of Route 636 (a/k/a Store Hill Road), consistent with the Virginia Department of Transportation’s (“VDOT”) claim that VDOT only has a 30' wide prescriptive easement.

Green & Blue Highlighted Strips. Shows the paved and unpaved portions of the claimed 15’ (one half of the total of 30’) wide prescriptive easement affected by the proposed quitclaim.

Red Highlighted Strip. Shows the additional 10' wide strip of land proposed to be granted and conveyed to the County of Wythe so as to assure that VDOT would have access to a strip of land 25' wide (i.e. one half of a 50' wide right-of-way), generally north of and along the centerline of Route 636 (Store Hill Road).

Inset #2.  
Yellow Highlighted Areas. Denotes three parcels (two at the eastern entranceway and one at the western terminus of Staff Street) for which any interest, regardless of how remote or how speculative, of the County of Wythe is to be vacated. While any interest of the County of Wythe is believed to be non-existent, this requested “vacation by lot line alteration” is to assure, with an abundance of caution, that any future title examiner also concludes that the County of Wythe holds no real property interest with respect to any of the three, small parcels. Expressed approval, of these three vacations by lot line alteration, is being requested.

Inset #3. The existing pavement along Staff Street ranges from 18' to 20' wide (surveyor shows it averaging 20' wide). However, old plats prepared by The New Jersey Zinc Company together with iron set (i.e. monumentation) at lot corners seem to suggest that the paved portion of Staff Street was originally planned to be within a 25' wide right-of-way. Unfortunately, the centerline of the paved portion of Staff Street does not follow the centerline of that right-of-way—being approximately centered at the eastern entranceway, but more to the southern side of that right-of-way at the western terminus.

Blue Shaded Area. Denotes the strips of land along both sides of the paved surface so as to complete the 25' wide right-of-way.

Red Shaded Area. Denotes the additional 7.5' wide strip of land (along each side of the existing 25' wide right-of-way) that, upon recordation of the final, approved Plat of Subdivision, is to be granted and conveyed to the County of Wythe so as to provide the County of Wythe with the 40' wide right-of-way required by Subdivision Ordinance Section 7.3.1.5.
Following is the Key to the Color Shaded Lines or Areas on Sheet 3.

**Brown Shaded Area.** (found at the western edge of Lot # 402)

Denotes a new 25' x 30' “sewer line easement” for Lot # 401 over Lot # 402. The new easement is now required because the Wythe County Water and Wastewater Department apparently “terminated” the sewer main at a 6" clean-out on Lot # 402, thereby necessitating the new easement so as to assure Lot # 401 had both (i) access to the sewer main and (ii) access for maintenance of its sewer lateral running from the dwelling (on Lot # 401) to the sewer main.
Subdivision Report

To: Planning Commission
From: Michelle Cassell, Assistant Department Head
Date: 3/30/2022
Re: Minor Subdivision - Boone

The John D. Boone estate was recently subdivided of 21.30 acres located along US Route 21, Grayson Turnpike, and SR 773, Lanter Road, in the Speedwell Magisterial District. This minor subdivision created a 13.080-acre parcel and an 8.220-acre residual.

Present and future use of subject property is residential and can be served by public water and private sewer. Both parcels 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: 3/30/2022  
Re: Minor Subdivision – Gateway Enterprises, LLC

Gateway Enterprises, LLC recently subdivided their property of 0.953 acres located along US Route 11, West Lee Highway, in the Black Lick Magisterial District. This minor subdivision created a 0.469-acre parcel and a 0.484-acre parcel with no residual.

Subject property will be utilized for residential purposes and will be served by public water from the Town of Rural Retreat and private sewer. Both parcels have adequate state road frontage to meet the ordinance requirements.

Staff will answer any questions that the Commission may have regarding this division.
NOTES:
1. THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE AS OF DATE OF THIS
   PLAT AND THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN.
2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT
   THEREFORE, NECESSARILY INCLUDE ALL ENCUMBRANCES ON THE PROPERTY.
3. THE AREA SHOWN HERON IS LOCATED IN FLOOD HAZARD ZONE 'X' AND IS NOT LOCATED WITHIN
   FLOOD HAZARD ZONE 'A' FOR A 100 YEAR FLOOD AS DETERMINED BY THE FEDERAL EMERGENCY
   MANAGEMENT AGENCY AS SHOWN ON COMMUNITY PANEL MAP No.2197/21710 & No.1979/01920
   BOTH MAPS DATED 09-22-2003.
4. SUBJECT PROPERTIES ARE CURRENTLY SERVED BY PRIVATE SANITARY SEWER AND
   TOWN OF RURAL RETREAT PUBLIC WATER.
   NEW PARCEL A IS SERVED BY SEPTIC PERMIT 22-198-006.
   NEW PARCEL B IS SERVED BY SEPTIC PERMIT 22-198-006.
5. THERE ARE NO PRINCIPAL STRUCTURES WITHIN THE SETBACK AREAS ALONG NEW BOUNDARY LINES
   FRONT SETBACKS > 30', REAR SETBACKS > 19', AND SIDE SETBACKS > 19'.
6. PUBLIC UTILITY EASEMENTS OF NOT LESS THAN TEN (10) FEET IN WIDTH SHALL BE PROVIDED FOR WATER,
   SEWER, POWER LINES, AND OTHER PUBLIC UTILITIES IN THIS SUBDIVISION ALONG EACH PROPERTY LINE
   EXCEPT ALONG THE OUTSIDE BOUNDARY WHERE TWENTY (20) FEET SHALL BE REQUIRED.
7. SUBJECT PROPERTY IS CURRENTLY USED AS RESIDENTIAL. THE PROPOSED USE FOR THE NEW
   PARCEL A IS RESIDENTIAL. THE PROPOSED USE FOR THE NEW PARCEL B IS WAY OF WAY.
   ALL ADJOINING PROPERTIES ARE CURRENTLY USED AS AGRICULTURAL/RESIDENTIAL.
8. PARENT ACRESAGE FOR T.M. #A1A-1-1A IS 0.904 ACRES.
9. RESTRICTIONS AND/OR COVENANTS. IF ANY, ARE TO BE RECORDED SIMULTANEOUSLY WITH THIS PLAT AND ARE NO EXISTING COVENANTS.
10. EXISTING 20' WIDE INGRESS/EGRESS EASEMENT BENEFITS SUBJECT PARCELS A AND ADJOINING TAX PARCELS
    #A1A-3-3 AND #A1A-3-2 AS PER P.S. 3, P.S. 8, INSTR. #20040403, D.B. 315 PG. 475 AND D.B. 375 PG. 293.
11. PROPOSED 20' WIDE PRIVATE RIGHT OF WAY HEREBY DECORATED FOR PRIVATE ACCESS.
    SAID RIGHT OF WAY SHALL BENEFIT NEW PARCEL A AND ENCUMBER NEW PARCEL B.

OWNERS CONSENT

THIS IS TO CERTIFY THAT THIS SUBDIVISION AS SHOWN HERON IS BEING
PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES
OF THE UNDERBOWN OWNERS, PROPRIETORS AND TRUSTEES, IF ANY,

REPRESENTATIVE OF GATEWAY ENTERPRISES LLC.

COMMONWEALTH AT LARGE TO W.
STATE OF VIRGINIA
COUNTY OF

A NOTARY PUBLIC IN AND FOR
THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS/REPRESENTATIVES
WHOSE NAMES ARE SHOWN HERON HAVE ACKNOWLEDGED THE SAME BEFORE ME
THIS DAY OF
MY COMMISSION EXPIRES:

NOTARY PUBLIC
GATEWAY ENTERPRISES LLC
P.O. BOX 806
WYTHEVILLE, VA 24382
276-323-7777

APPROVED
By Michelle at 2:04 pm, Feb 22, 2022

WYTHE COUNTY AND TOWN OF RURAL RETREAT CERTIFICATE OF APPROVAL:

THE SUBDIVISION PLAT KNOWN AS THE GATEWAY ENTERPRISES LLC
MINOR SUBDIVISION IS IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE
ADMITTED TO RECORD.

ADMINISTRATOR

DATE

PLANNING COMMISSION

DATE

TOWN MANAGER RURAL RETREAT

DATE

SURVEYORS CERTIFICATE

HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND
BELIEF THAT ALL OF THE REQUIREMENTS OF THE BOARD OF
SUPERVISORS AND THE ORDINANCES OF WYTHE COUNTY,
VIRGINIA, REGARDING THE PLATING OF SUBDIVISIONS WITHIN
THE COUNTY HAVE BEEN MET.

BRADLEY TATE, L.S. No. 2794

DATE

WEST HIGHWAY

KTE. 11

4.12 MILES TO

SANT PAUL LIN

PATRICIA DIAMONTE CREGGER
D.B. 315 PG. 475
T.M. #A1A-1-1A

NEW PARCEL 'B'
0.484 ACRES (21.091 SQ. FT.)
PART OF T.M. #A1A-1-1A

NEW PARCEL 'A'
0.469 ACRES (20.432 SQ. FT.)
PART OF T.M. #A1A-1-1A

SUBJECT PLAT OF REFERENCE:

PLAT BY J.L. ZIER TITLED "SURVEY FOR THE HEIRS OF HELEN GRACE MUSSETT" AND
DATED "07-11-2011".
RECORDED IN INSTR. #21900403.
SOURCE OF TITLE:
THE AREA SHOWN WAS ACQUIRED BY GATEWAY ENTERPRISES LLC FROM DENNIS L.
ROXOR AND DANIEL L. DUNNAGAN BY DEED DATED DECEMBER 20, 2021 AS RECORDED
INSTR. #21100403 OF THE CIRCUIT COURT CLERK'S OFFICE OF WYTHE COUNTY, VIRGINIA.

LEGEND

- IRP IRON ROD POLE
- IRS IRON ROD SET
- EDGE OF PAVEMENT
- EROSION EDGE
- APPROX. U/C WATER LINE
- APPROX. U/C WATER LINE
- B.S.L. BUILDING SETBACK LINE
- INSTRUMENT

PROJECT NO. 20220214
FILE NO. 36.915455
LAT. LONG.
-81.250152
DATE: 02-17-2022
DRAWN BY: JMG
CHECKED BY: MRT
RELEASED 02-17-2022
M. BRADLEY TATE
L.S. No. 2794

SHEET NO. 1 OF 1
REV.
Theodore and Lynne Morley recently subdivided their property of 52.47 acres located along SR 600, Crockett’s Cove, in the East Wytheville Magisterial District. This minor subdivision created a 1.825-acre parcel (New Parcel A) and a 50.64-acre residual.

The existing dwelling on the 1.825-acre parcel will continue to be utilized for residential purposes and served by private water and private sewer. The residual will be utilized for residential/agricultural purposes.

Both parcels have adequate state road frontage to meet the ordinance requirements.

Staff will answer any questions that the Commission may have regarding this division.
NOTES:
1. THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE AS PER DATE OF THIS PLAT AND THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN.
2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OR A STYLE REPORT AND DOES NOT, THEREFORE, NECESSARILY INDICATE ALL EASEMENTS ON THE PROPERTY.
3. THE AREA SHOWN HEREIN AS NEW PARCELS IS LOCATED IN FLOOD HAZARD ZONE 'X' AND IS NOT LOCATED WITHIN FLOOD HAZARD ZONE 'A' OR 'AE' ZONE.
4. THE SUBJECT PARCELS SHOWN AS NEW PARCEL 'A' IS CURRENTLY SERVED BY PRIVATE SANITARY SEWER AND PRIVATE WATER.
5. THERE ARE NO PRINCIPAL STRUCTURES WITHIN THE SETBACK AREAS ALONG NEW BOUNDARY LINES. THE SETBACK LINE IS FROM THE EXISTING RIGHT OF WAY LINE. FRONT SETBACKS = 50', SIDE SETBACKS = 20', AND SIDE SETBACKS = 10'.
6. PUBLIC UTILITY EASEMENTS OF NOT LESS THAN TEN (10) FEET IN WIDTH SHALL BE PROVIDED FOR WATER, SEWER, POWER LINES, AND OTHER PUBLIC UTILITIES IN THE SUBDIVISION ALONG EACH PROPERTY LINE EXCEPT ALONG THE OUTSIDE BOUNDARY WHERE TWENTY (20) FEET SHALL BE REQUIRED.
7. SUBJECT PROPERTY (TM #13-2.20A) IS CURRENTLY USED AS RESIDENTIAL AGRICULTURAL. THE PROPOSED USE FOR NEW PARCEL 'A' SHALL BE RESIDENTIAL. ALL ADJOINING PROPERTIES ARE CURRENTLY USED AS AGRICULTURAL RESIDENTIAL.
8. RESTRICTIONS AND CONDITIONS, IF ANY, ARE TO BE RECITED SIMULTANEOUSLY WITH THIS PLAT AND THERE ARE NO EXISTING EASEMENTS.
9. THE PARENT TRACT NO. 20A FOR TM #13-2.20A CONSISTS OF 52.47 ACRES (RECORD). THE INTENT OF THE PLAT IS TO CREATE A NEW PARCEL 'A' WITH A RESIDUAL PARCEL REMAINING.
10. THE DWELLING LOCATED ON NEW PARCEL 'A' HAS DRAIN FIELD PERMIT 090-158-114.

OWNERS' CONSENT
THIS IS TO CERTIFY THAT THIS SUBDIVISION AS SHOWN HEREBIN HAS BEEN PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETERS AND TRUSTEES, IF ANY.

THEODORE MORLEY
LYNNE MORLEY

DATE
DATE

AS LARGE TO HT:
STATE OF FLORIDA
COUNTY OF

A NOTARY PUBLIC IN AND FOR THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT THE OWNERS/REPRESENTATIVES WHOSE NAMES ARE SHOWN HEREBIN HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS ___ DAY OF __, 20___.

NOTARY PUBLIC

OWNERS' ADDRESS
THEODORE MORLEY
& LYNNE MORLEY
1815 SOUTH ANDREWS AVE
FORT LAUDERDALE, FL 33316
954-296-8994

PLAT SHOWING
MINOR SUBDIVISION FOR
THEODORE AND LYNNE MORLEY

SOURCE OF TITLE: TM #15-2.20A
THE PROPERTY DESCRIBED HEREIN WAS ACQUIRED BY THEODORE MORLEY & LYNNE MORLEY FROM KIMBERLY D. COLLINS ET AL. BY DEED DATED APRIL 22, 2006 AS RECORDED IN INSTR. #993001237 OF THE CIRCUIT COURT CLERK'S OFFICE OF WYTHE COUNTY, VIRGINIA. SEE PLAT RECORDED IN INSTR. #993002137.

WYTHE COUNTY CERTIFICATE OF APPROVAL
THE SUBDIVISION PLAT KNOWN AS THE MORLEY MINOR SUBDIVISION IS IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE ALLOWED TO RECORD.

ADMINISTRATOR
DATE
PLANNING COMMISSION
DATE
SURVEYOR'S CERTIFICATE
HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND THE ORDNANCES OF WYTHE COUNTY, VIRGINIA REGARDING THE PLATTING OF SUBDIVISIONS WITH THE COUNTY HAVE BEEN MET.

BRADLEY TATE, P.E.
NO. 2764

DATE

PAGE

VICINITY MAP

1" = 10000'

APPROVED
By Michelle at 11:45 am, Oct 08, 2021

Please advise client that subdividing property will affect real estate taxation including land use taxation if applicable. Contact the Commissioner of the Revenue to discuss tax implications @ 223-6015.
Subdivision Report

To: Planning Commission
From: Michelle Cassell, Assistant Department Head
Date: 3/30/2022
Re: Minor Subdivision - Skinner

John and Sheree Skinner recently subdivided their property of 21.90 acres located along US Route 69, Lead Mine Road, in the Lead Mines Magisterial District. This minor subdivision created a 0.827-acre parcel (New Parcel A) and a 21.07-acre residual.

The existing dwelling on the 0.827-acre parcel will continue to be utilized for residential purposes and served by public water and private sewer. The residual will be utilized for residential/agricultural purposes.

Both parcels 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: 3/31/2022
Re: Adjoining Owner/Lot Line Revision – Fry/Dugas

Jeffrey Fry and Melanie Fry Dugas recently re-subdivided their property totaling +/-78 acres (two lots) located along State Route 680, Black Lick Road, in the Black Lick Magisterial District.

Mr. Fry and Ms. Dugas conveyed 1.041 acres (New Parcel A) to their adjoining owner, Tam Topham), and will retain Revised Parcel 3 (Tract 1) of +/-37.1 acres and Revised Parcel 3 (Tract 2) of +/-39.9 acres. At this time, Mr. Topham does not intend to combine the property he obtained from the Mr. Fry and Ms. Dugas; therefore, no building may be erected on the 1.041-acre parcel with the exception of an accessory structure, unless, or until, the property is brought into compliance with the full terms and conditions of the subdivision ordinance. The property shall not be sold except (i) along with the tract to which it was conveyed under the adjoining owner’s provision or (ii) to the owner of an adjoining lot.

Through a lot line revision, Mr. Fry and Ms. Dugas combined 2.128 acres from TM# 23-23 with TM# 23-24 to create their two revised lots. The properties will continue to be utilized for agricultural purposes and served by private sewer and private water. All properties have adequate state road frontage to meet the ordinance requirements.

Staff will answer any questions that the Commission may have regarding this division.
# April 2022

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May 2022
Engineering Department Status Report
Date: April 1, 2022

Lead Mines Rescue Squad:
2. Cody Jackson and Billy Bowers made significant changes to the layout. Preliminary sketch will be drafted and delivered to Cody and Billy to sign off on before an engineering firm is hired to finish the new design.
3. Additional cost for changes to the floor plan is $65,100.
4. PO issued after discussion of re-bidding.
5. Footing to be dug the week after Thanksgiving.
6. Cut sheets being reviewed.
8. Footing Poured. Slab will be poured after Christmas.
9. Building has been delivered.
10. Pad has been poured.
11. Building addition is complete. Inside work; framing, electrical, HVAC started.

Wythe County Office Building Project:
1. Finishes selected. Server Room Added. Preliminary plans received.
2. Lori and Billy are reviewing finishes and final design of Treasurer area.
3. Plan will be ready for review next week as per Doug Williams.
5. Specifications and Plans will be ready for Bid in January.
6. Specification have been delivered. Review is ongoing.
7. Plans and specs will have to be corrected before an advertisement goes out.
8. Bid Due March 8th.
9. KNA Contractors awarded the project.

Klockner Pentaplast:
1. Grading complete. Footings are being poured. Soil stockpile is not being stabilized. Town of Rural Retreat may use some of the stockpile for their Farmers Market Project.
2. Stockpile has been stabilized but more grading is ongoing on the stockpile as per inspection 9-21-21
3. Finishing up the building. Grading and Stabilization needed.

Town of Rural Retreat – Farmers Market Project:
1. E&S permit was issued.
2. Work has begun.

Town of Rural Retreat – Sewer Line:
1. Plans being reviewed.
2. E&S Permit NO application fill out.
3. Permit application completed.
4. Work has begun.

Town of Rural Retreat
1. Plans being reviewed for Sidewalk improvements on Main Street and Baumgardner.
2. Sidewalk work has begun.
Smoking Guns:
1. Plans Approved for E&S.
2. Peed & Bortz working on DEQ approval.
3. DEQ Approved Plans for Stormwater.
4. Kyle will need to review and approve his building plans now.
5. No building plans issued for this project.
6. Grading/Filling has begun.
7. Graded area is larger than the permitted plans. GIS confirms.
8. New Plans have been submitted. Review is ongoing.
9. Revised Plans approved.
10. Another revision requested but no plan have been submitted.
11. Revision approved. Plat received. Working with AARON.

Wytheville Solar – Lovers Lane:
1. Plans Approved for E&S
2. Contractor is “potholing” to attempt to categorize rock.
3. Laydown area being review by the Town of Wytheville.
4. DEQ SWM Permit Issued. Wythe County E&S Permit Issued.
5. Construction grading is underway.
6. A few E&S issues mainly because of the plans.
7. Contractor Continued to work without having all E&S controls in place. STOP WORK issued 11-15-21.
8. DEQ inspected along with the County. Comments are coming.
9. Town of Wytheville issued STOP WORK for their portion of the project.
10. Inspected with DEQ.
11. Grading basically complete. Issues with diversions being worked out.
12. The rainy week, The town of Wytheville shut their portion down.
13. Post for solar arrays being driven.

Savion Solar – Foster Falls:
1. No plans have been submitted. Meeting requested. NO movement on this project.
2. Matt Hankins has produced a Siting Agreement to present to Savion.

Chuck Neal -New River Marine:
1. Approved E&S Plans to get this moving. Waiting on DEQ.
2. Inspection shows much improvement with stabilization vegetation.
3. No movement on project. An inspection shows that the site is stabilized but DEQ is still owed plans.
4. DEQ visited the site again.

Speedway Truck Stop at Exit 84:
1. Preliminary Engineering underway. Don and I reviewed the first set of plans and believe it can be accomplished in a much more cost-effective way. Meetings are ongoing.
2. No movement to on this project.
3. Project has been cancelled.

Abilene Trucking:
1. 2nd set of plans have been reviewed and comments submitted.
2. A lot of comments by DEQ. They want to truncate plans for 30 stalls or find local firm to complete DEQ requirements.
3. I recommended they utilize the existing SWM structure.
4. DEQ reviewing the site. Peed & Bortz asking for Flooding information. I have not received updated plans.

Coffee Shop in Fort Chiswell:
1. Preliminary plans submitted.
2. Conversations with Andrew Johnson ongoing.
3. No Movement on this project.
4. Subdivision Map reviewed by Michelle. Lot appears to be legal.
5. New lot at Exit 77 is being reviewed by the company now.

Blue Star NBR
2. 2nd Submission is being reviewed now.
3. Plans Approved for Erosion and Sediment Control. Waiting on DEQ.
4. Revised plans have been submitted. Review is ongoing.
5. SS pump station plans will have to be reviewed for E&S.
6. Railroad extension plans will have to be reviewed for E&S.
7. WWTP expansion plans will have to be reviewed for E&S.
8. Lots Gap Tank Plans will have to be reviewed for E&S.
9. Water Treatment Plant plans will have to be reviewed for E&S.
10. SS force main and pump station projects bid and awarded.
11. Railroad project has been bid and awarded.

Dixon Camp Ground
1. Site reviewed. Owners did not comply with RV ordinance, E&S ordinance, and building code.
2. Letters issued by Engineering Department, Planning Department, and Building Official.
3. Second notice letter sent from Engineering Department.
4. Email from Mr. Dixon states that an Engineer has been hired.
5. Final Notice sent with a 30 day deadline to submit plan or fines will be levied.

Cell Tower
1. New Cell Tower proposed on Old Stage Road near the railroad crossing.

Speedwell Landfill:
1. Gun Range for Sherrif’s office – Engineering Dept to design the preliminary engineering site plan with Erosion and Sediment Controls and additionally to present to DEQ for review to make sure we do not violate existing permits with DEQ.

New Building on Franklin Street:
1. Roof design being studied. Scope and schedule being put together as well. Parking lot designed on west side.

Musser Lumber
1. Phase 2 Expansion plans received. Review on going.
2. Phase 3 log yard is being designed. Working with Mick Musser.

VDOT:
1. STARS Study for I-81 exits 77 and 80 – No movement- New meeting to be scheduled in October.
   b. Survey was issued. No word on the results.
   c. Work session with Wythe County on Feb. 10th.
   d. Smart scale pre application submitted. Need Resolution of support from the County and the project needs to be a part of the Comprehensive Plan. Deadline is August 2022.
2. Revenue Sharing Projects- Pre-Applications Submitted. Full applications being worked on.
   New Revenue Sharing Projects:
   1. Griffith Knob Lane – Working with Kirk Chamberlain and VDOT.
   2. Ghent Lane – No Right of Way found for existing road yet.

Approved 2021:
   a. Muskrat – VDOT approved, but part of the road is too steep for VDOT standards.
   c. Meetings Planned for April 2022.

Approved 2019:
   a. Bentwood Drive 0.80 miles, Cost Est. $149,815
   b. Orion Drive 0.14 Miles, Cost Est $34,952 At 10-19-21 B&G Meeting, the county will add $7500 because of the importance of the road to the water department. Calculations revised. Tax District Created.
   c. Penwood Lane 300 Feet $35,000
   d. Staff Street – Lead Mines Estates is moving forward with construction on their own. Letter to VDOT. Done. Tax district created.
NOT Approved or Cancelled:

a. Calico rejected – Entrance Site Distance.
b. Peacehaven – VDOT does not meet VDOT standards at this time (Note on Plat)
c. Dyer – Residents not willing to invest.
d. Newground – VDOT cannot approve, too steep. Only one house could be served.
e. Beetle Spinner - Residents not willing to invest.
f. Pine Brook and Timberland- VDOT approved - Cancelled


APEX:

1. Ready Mix Road Deed of Release recorded; working with Pam at VDOT to finish the revenue sharing project for Ready Mix Road.
2. R/W plat produced. Comments from Planning Department being addressed.
3. Subdivision created to show the conservation easement, and keep the stormwater ponds on the site with the building and the barn. Comments from the Planning Department being addressed.

Austinville WWTP and Conveyance System:

2. Working on Certified Payrolls.
3. EC Pace is on schedule.
4. Citizens have issues with site being untidy.
5. Rain from Tropical Storm Fred stopped work for the whole week starting Monday August 16, 2021.
6. Conveyance system upgrades nearing completion.
7. WWTP work just getting underway.
8. Specifications were not followed. Calling for cameras to be run in the piping as specified. Low points in the pipe bursting lines. Sewage backing up.
10. Overrun on pavement not justified by Engineering (Project Manager)
11. Close out documents are being put together. WWTP finished and operational. Only Fence is not complete.
12. Fence has been completed. DEQ has inspected. Close out documents being compiled
13. Schedule 1 for DEQ/VRA disbursement submitted.

JPSA

2. Tim called. They are ready to go out for Bids and Martha will be advertising.
3. Updated and corrected documents for Tim.

DEQ:

1. Finished the Certification for Erosion and Sediment Control Inspector
2. Testing scheduled for Sept. 28th
3. Passed the test.
4. Have to start preparing for Program Administrator Testing next.
5. Passed the Combined Administrator Test (The County is legal now as far as DEQ requirements).
The Appalachian Regional Exposition Authority held a regular meeting on Tuesday, February 15\textsuperscript{th}, 2022, at 6:00 p.m., at the APEX Center, 200 Apex Drive, Wytheville, VA.

**MEMBERS PRESENT**
Betsy Gillman – Vice Chair  
Bob Litton  
Shannon Ball  
Barry Ayers

**MEMBERS ABSENT**
Jamie Wyatt  
Tam Topham

**STAFF**
Jenna Lewis – Administrative Assistant

**VISITOR**
Jeff Miller

**CALL TO ORDER**
Vice Chair Gillman determined that a quorum was present and called the meeting to order at approximately 6:15 p.m.

**APPROVAL OF MINUTES**
Minutes from January 4, 2022, were presented. Mr. Litton made a motion to approve January 4, 2022, minutes as presented. Mr. Ayers 2\textsuperscript{nd} the motion.

Motion passed with all Ayes.

Minutes from January 18, 2022, were presented. Mr. Litton made a motion to approve January 18\textsuperscript{th}, 2022, minutes as presented. Mr. Ayers 2\textsuperscript{nd} the motion.

Motion passed with all Ayes.
APPROVAL OF INVOICES

Mr. Litton made a motion to pay invoices as presented. Mr. Ball second the motion.
Motion passed with all Ayes.

OLD BUSINESS

Tuesday, February 22, at 6pm – Mr. Ayers will present financials and bank statement at the Board of Supervisor’s meeting.

NEW BUSINESS

No new business to discuss Mr. Ayers made a motion to adjourn the meeting and Mr. Litton 2nd.
Motion passed with all Ayes.

Next Meeting will be March 1, 2022, 6:00 p.m. at the APEX Center.

_________________________________________________________
Betsy Gillman, Vice Chair

_________________________________________________________
Jenna Lewis, Secretary/Treasurer
The Appalachian Regional Exposition Authority held a regular meeting on Tuesday, March 1st, 2022, at 6:00 p.m., at the APEX Center, two hundred Apex Drive, Wytheville, VA.

MEMBERS PRESENT

Betsy Gillman – Vice Chairman
Jamie Wyatt
Tam Topham
Shannon Ball
Barry Ayers
Bob Litton

STAFF

Jena Lewis – Administrative Assistant
Stephen Bear -County Administrator
Matt Hankins – Assistant County Administrator

VISITOR

Jeff Miller

CALL TO ORDER

Vice Chairman determined that a quorum was present and called the meeting to order at approximately 6:12 p.m.

Mr. Litton, made a motion to pay the invoices as presented, seconded by Mr. Ayers. The vote was unanimous.

APPROVAL OF MINUTES

Mr. Litton, made a motion to approve the February 15th minutes, seconded by Mr. Wyatt.
CITIZENS TIME

Mr. Miller presented to the board about an Ice Hockey team being interested in coming to the APEX Center. The Owner of the team would like to discuss the details with the Board of Supervisors and the APEX Authority. After much discussion the Owner will be contacted to set up a meeting in the future.

OLD BUSINESS

No old business to discuss.

NEW BUSINESS

Future operations of the APEX Authority Board were discussed.

CLOSED MEETING

Mr. Litton made a motion seconded by Mr. Ayers to enter in a Closed Meeting under Sections 2.2-3711. A. (1) (Personnel) of the Code of Virginia. The motion passed unanimously.

Mr. Litton made a motion, seconded by Mr. Ayers, to return to open meeting. The motion passed unanimously.

Upon returning to open meeting, Mr. Litton made a motion, seconded by Mr. Ayers, to adopt the following Resolution certifying the business conducted in closed meeting as follows:

WHEREAS, the Appalachian Regional Exposition Center Authority 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 Appalachian Regional Exposition Center Authority that such meeting was conducted in conformity with Virginia law; and,

NOW, THEREFORE, BE IT RESOLVED that the Appalachian Regional Exposition Center Authority 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 the 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 Appalachian Regional Exposition Center Authority.

Mr. Ayers made a motion to adjourn the meeting and Mr. Litton seconded.

_________________________________________________________
Betsy Gillman, Vice Chair

_________________________________________________________
Jenna Lewis, Secretary/Treasurer