

March 8, 2016

The Wythe County Board of Supervisors held its regularly scheduled meeting at 7 p.m., Tuesday, March 8, 2016. The location of the meeting was in the Boardroom of the County Administration Building, 340 South Sixth Street, Wytheville, Virginia.

MEMBERS PRESENT:

Timothy A. Reeves, Sr., Chair
Joe F. Hale, Vice Chair
Gary M. Houseman
Charlie G. Lester

Steven T. Willis
Coy L. McRoberts
B. G. "Gene" Horney, Jr.

STAFF PRESENT:

R. Cellell Dalton, County Administrator
Stephen D. Bear, Assistant County Administrator
Scot Farthing, County Attorney
Martha G. Collins, Administrative Assistant
Tim Spraker, Building Official
Bill Vaughan, County Engineer

OTHERS PRESENT:

Don Smith
Keith Dunagan
John Thompson
Art Davis

Patsy Ramsey
John Paul Jones
Linda Meyer
Two Other Citizens

CALL TO ORDER AND INVOCATION

Chair Reeves determined that a quorum was present and called the meeting to order at 7 p.m. Don Smith of the Rural Retreat United Methodist Church provided the invocation and Chair Reeves led the pledge of allegiance.

CITIZENS' TIME

Chair Reeves welcomed the citizens present at the meeting and inquired if anyone wished to address the Board.

1. Property Maintenance – Patsy Ramsey of 184 Horseshoe Drive in Max Meadows addressed the Board. Ms. Ramsey reported that several homes in her neighborhood are in poor condition, and have been since she moved to her residence eighteen years ago. She advised that the home behind hers is dilapidated and has only worsened over the years. Ms. Ramsey noted that the home in front of hers is also rundown, although the owner has recently performed some minor renovations. She explained that the poor state of the homes have caused rats to enter her home and asked that the Board work to have the properties cleaned.

Chair Reeves noted that the Board would investigate the issue.

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2. Property Maintenance – John Paul Jones of 184 Horseshoe Drive in Max Meadows addressed the Board. Mr. Jones reported that years ago residents in the Max Meadows community took care of their property. He advised that in recent years the community has become overgrown and rundown. Mr. Jones requested that the Board act to help the residents of Max Meadows to improve and clean up their community.

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

MINUTES OF PREVIOUS MEETING

The Board was presented with the February 23, 2016, minutes for adoption.

Supervisor McRoberts made a motion, seconded by Supervisor Horney to approve the February 23, 2016, minutes as presented.

The roll call vote on the motion was as follows:

AYES: Gary M. Houseman Coy L. McRoberts
Charlie G. Lester B. G. "Gene" Horney, Jr.
Steven T. Willis Timothy A. Reeves, Sr.
Joe F. Hale

NAYS: None

PAYMENT OF COUNTY INVOICES

Supervisor Hale made a motion to pay the invoices for approval on March 8, 2016, for the various departments of County government. The invoices were paid on General Warrants 30094028-30094037, 30094039-30094049, 30094051-30094069, and 30094071-30094104 as follows:

**EXPENDITURES BY DEPARTMENT
BOARD OF SUPERVISORS
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CHECK #	ISSUE DATE	VENDOR	TOTAL
30094028	03/08/16	APPALACHIAN POWER	\$1,861.80
30094029	03/08/16	BKT UNIFORMS	\$1,081.74
30094030	03/08/16	BLUE RIDGE AUTO PARTS INC	\$14.99
30094031	03/08/16	BRENNTAG MID-SOUTH INC	\$1,434.00
30094032	03/08/16	BUSINESS CARD	\$3,351.58
30094033	03/08/16	BUSINESS INFORMATION SYSTEMS	\$32.50
30094034	03/08/16	CARROLL COUNTY PSA	\$1,404.22
30094035	03/08/16	CDW GOVERNMENT INC	\$172.00
30094036	03/08/16	CENTURYLINK	\$3,330.00

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30094037	03/08/16	CENTURYLINK	\$42.94
30094039	03/08/16	CENTURYLINK	\$4,934.32
30094040	03/08/16	CENTURYLINK	\$52.76
30094041	03/08/16	CENTURYLINK	\$224.63
30094042	03/08/16	CENTURYLINK	\$217.32
30094043	03/08/16	CENTURYLINK	\$103.98
30094044	03/08/16	CENTURYLINK	\$42.94
30094045	03/08/16	CENTURYLINK	\$107.87
30094046	03/08/16	CENTURYLINK	\$135.75
30094047	03/08/16	CENTURYLINK	\$70.41
30094048	03/08/16	CENTURYLINK	\$73.05
30094049	03/08/16	CENTURYLINK	\$143.72
30094051	03/08/16	CITIZENS TELEPHONE COOP	\$720.00
30094052	03/08/16	COMMONWEALTH ENGINEERING AND SALES	\$2,053.88
30094053	03/08/16	CROWN AWARDS	\$343.42
30094054	03/08/16	CW WARTHEN	\$339.30
30094055	03/08/16	DALTON, ROBERT C	\$364.07
30094056	03/08/16	ECS MID ATLANTIC LLC	\$17,600.00
30094057	03/08/16	FERGUSON ENTERPRISES	\$1,625.44
30094058	03/08/16	GALLS	\$533.79
30094059	03/08/16	GRANT, BRUCE M	\$4,074.25
30094060	03/08/16	HORNEY, HAYDEN H	\$343.00
30094061	03/08/16	INSTRUMENT CALIBRATION	\$64.50
30094062	03/08/16	JOINT PUBLIC SERVICE AUTHORITY	\$34,359.00
30094063	03/08/16	KC AUTOMOTIVE	\$41.95
30094064	03/08/16	KIWANIS CLUB OF WYTHEVILLE	\$516.00
30094065	03/08/16	KMART	\$91.94
30094066	03/08/16	KUSTOM SIGNALS	\$85.00
30094067	03/08/16	LANDSCAPE SUPPLY	\$2,425.00
30094068	03/08/16	LUMOS NETWORKS	\$31.36
30094069	03/08/16	M & W PRINTERS INC	\$3,250.00
30094071	03/08/16	MANSFIELD OIL CO	\$4,376.55
30094072	03/08/16	MEREDITH'S GARAGE	\$509.56
30094073	03/08/16	NEW RIVER REGIONAL WATER AUTHORITY	\$15,602.19
30094074	03/08/16	NEW RIVER RESOURCE AUTHORITY	\$535.31
30094075	03/08/16	NEW RIVER VALLEY REGIONAL JAIL	\$107,185.20
30094076	03/08/16	PAPER CLIP	\$387.93
30094077	03/08/16	PENGAD INC	\$12.70
30094078	03/08/16	POSTAGE BY PHONE RESERVE ACCT	\$1,423.00
30094079	03/08/16	R & C TOWING AND REPAIR CO	\$75.00
30094080	03/08/16	R & R ENTERPRISES INC	\$135.00
30094081	03/08/16	RCI	\$352.50
30094082	03/08/16	RURAL DEVELOPMENT	\$2,282.00
30094083	03/08/16	RURAL DEVELOPMENT	\$2,514.00

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30094084	03/08/16	RURAL DEVELOPMENT	\$11,572.00
30094085	03/08/16	SPILMAN THOMAS AND BATTLE PLLC	\$8,200.00
30094086	03/08/16	STATE ELECTRIC SUPPLY CO	\$30.01
30094087	03/08/16	STREET, HAROLD P III	\$30.00
30094088	03/08/16	SUBURBAN PROPANE-1241	\$1,236.81
30094089	03/08/16	SUNTRUST	\$36,881.92
30094090	03/08/16	TACS	\$50.00
30094091	03/08/16	THOMPSON TIRE	\$2,490.10
30094092	03/08/16	TOWN OF WYTHEVILLE	\$553.92
30094093	03/08/16	TWO WAY RADIO	\$994.25
30094094	03/08/16	TYLER TECHNOLOGIES INC	\$1,949.32
30094095	03/08/16	UPS STORE 5065	\$13.65
30094096	03/08/16	V & M RECYCLING	\$74,479.36
30094097	03/08/16	VIRGINIA BUSINESS SYSTEMS	\$756.36
30094098	03/08/16	VIRGINIA LAWYERS WEEKLY	\$369.00
30094099	03/08/16	VITA	\$247.95
30094100	03/08/16	VUPS	\$86.28
30094101	03/08/16	WYTHE CO WATER AND WASTEWATER	\$183.79
30094102	03/08/16	WYTHE TIRE AND MUFFLER	\$336.99
30094103	03/08/16	WYTHEVILLE OFFICE SUPPLY	\$1,089.00
30094104	03/08/16	XEROX	\$607.88
TOTAL EXPENDITURES APPROVED 03/08/16			\$365,243.95

Supervisor Willis seconded the motion.

The roll call vote on the motion was as follows:

AYES: Gary M. Houseman Coy L. McRoberts
Charlie G. Lester B. G. "Gene" Horney, Jr.
Steven T. Willis Timothy A. Reeves, Sr.
Joe F. Hale

NAYS: None

BUILDING AND GROUNDS COMMITTEE REPORT

1. Property Maintenance Ordinance – Supervisor Hale made a motion, as recommended by the Building and Grounds Committee to hold a public hearing for discussion of proposed Property Maintenance Ordinance 2016-01.

Supervisor Hale reported that upon review, the Committee determined that the maintenance portion of the building code was more restrictive than desired and did not meet all of the Board's criteria. He advised that the proposed Ordinance would assist with burned and rundown homes that negatively impact the appearance of the County and deter potential economic development

opportunities. Supervisor Hale added that the ordinance would be enforced by the Code Enforcement Officer.

Supervisor McRoberts noted that he has read the Ordinance and is not completely opposed to it. He added that he would like the opportunity to re-review the ordinance.

Supervisor Lester explained that the Committee made several changes to the previous ordinance. He added that he believes that the proposed Ordinance would be a benefit to the County.

Mr. Dalton advised that the property maintenance portion of the building code allowed for inspection of rental homes, which the Committee believed would be intrusive. He noted, also, that the necessary personnel needed to enforce the maintenance portion of the building code are not available.

Supervisor Houseman stated that inoperable cars and construction debris were removed from the ordinance. He noted that inoperable cars were a point of major emphasis in the previous ordinance and questioned the reasons for the changes.

Chair Reeves explained that many citizens were opposed to the inoperable vehicle restrictions in the previous ordinance.

Supervisor McRoberts reported that there is currently a State law preventing inoperable vehicles from being placed within 1,000 feet of a primary road and within 500 feet of a secondary road.

Chair Reeves noted that the main goal of the ordinance is to clean up trash and burned and rundown dwellings.

Mr. Dalton recommended that Section 4B be stricken from the ordinance since inoperable vehicles and construction debris were removed.

Supervisor McRoberts requested further discussion of the ordinance prior to setting a public hearing.

Chair Reeves suggested scheduling a work session following the March 22 Board meeting. He noted that the public hearing could then be held on May 10.

Mr. Dalton requested that Board members submit comments and recommendations to staff to allow for the preparation of an agenda for the work session.

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Supervisor McRoberts made a substitute motion, seconded by Supervisor Hale to schedule a work session for March 22, 2016, for further discussion of proposed Ordinance 2016-01 and to set the public hearing date following the work session.

The motion passed unanimously.

ORDINANCE 93-4

The Board reviewed Ordinance 93-4, Trash Collection and Recycling Centers.

Mr. Dalton advised that they have received several comments from citizens concerning the operation of the convenience centers. He noted that Ordinance 93-4 is in need of revision to more accurately align with the current trash collection contract.

Chair Reeves referred the issue to the Building and Grounds Committee for further discussion.

WYTHE COUNTY TREASURER’S TURNOVER AUDIT REPORT

The Board reviewed the audit report prepared in conjunction with the turnover of the Treasurer’s Office to the new Treasurer on December 31, 2015.

Supervisor Horney made a motion, seconded by Supervisor Lester to accept the Wythe County Treasurer Turnover Audit Report as presented.

The roll call vote on the motion was as follows:

AYES:	Gary M. Houseman	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Steven T. Willis	Timothy A. Reeves, Sr.
	Joe F. Hale	

NAYS: None

CORPS OF ENGINEERS PERMIT

The Board reviewed a letter and corresponding documents from Wayne Nelson, Corps of Engineers Director of Engineering, requesting the County’s submittal of an appeal to modify the restricted deed area allowing the Diamond Hills Stream Restoration Project to establish a perpetual conservation easement.

Mr. Dalton reported that when the Joint Industrial Development Authority graded Lot 24 in Progress Park, several feet of wetlands were disturbed. He noted that the Corps of Engineers requested that they permit all of Progress Park, and an agreement was signed with the Department of Environmental Quality. Mr. Dalton explained that as part of that permit, environmental impact mitigation work was completed on property in the Town of Christiansburg. He advised that the Town of Christiansburg has requested modification of the permit, and recommended the preparation of a memorandum of agreement to release Wythe County from this responsibility.

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Supervisor McRoberts made a motion, seconded by Supervisor Willis to direct County Attorney Farthing to draft a memorandum of understanding between the Town of Christiansburg and Wythe County.

The motion passed unanimously.

ABSTRACT OF VOTES – MARCH 1, 2016, PRESIDENTIAL PRIMARY

The Board reviewed and discussed the Abstract of Votes from the March 1, 2016, presidential primary.

Supervisor Houseman made a motion, seconded by Supervisor Lester to accept the Abstract of Votes from the March 1, 2016, presidential primary as presented.

The motion passed unanimously.

WYTHEVILLE FARMERS MARKET

The Board reviewed and discussed a notice from the United States Department of Agriculture Rural Business Cooperative Service Office requesting comments related to the Wytheville Farmers Market environmental assessment documents.

ROUTE 52 JACKSON SCHOOL WATER PROJECT

The Board reviewed a letter from Eric Herold, Virginia Department of Health Office of Drinking Water District Engineer, concurring with the project engineer's completion statement concerning the section of water main J on the Route 52 Jackson School waterline from station 0+00 to 8+75.

Mr. Dalton noted that the Health Department concurrence would allow this section of the waterline to be placed into service.

DISPOSAL OF SURPLUS PROPERTY PUBLIC HEARING DATE

Mr. Dalton requested that Board members set a date for a public hearing concerning disposal of surplus property. He advised that properties in Progress Park that may be transferred to the Joint Industrial Development Authority would be included, as well as other properties.

Following discussion, the Board agreed to hold a public hearing for disposal of surplus property on April 12, 2016.

CLOSED MEETING – CONSULTATION WITH LEGAL COUNSEL AND BRIEFING BY STAFF AND DISCUSSION OF PERSONNEL MATTERS

Supervisor Willis made a motion, seconded by Supervisor McRoberts to enter into Closed Meeting under Section 2.2-3711-A.7 (Consultation with Legal Counsel and Briefing by Staff Related to Legal Matters) and Section 2.2-3711-A.1 (Discussion of Personnel Matters) of the Code of Virginia.

The motion passed unanimously.

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

**RESOLUTION
CERTIFICATION OF CLOSED MEETING**

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

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Wythe County Board of Supervisors that such meeting was conducted in conformity with Virginia law; and,

NOW, THEREFORE, BE IT RESOLVED that the Wythe County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Wythe County Board of Supervisors.

The roll call vote on the motion was as follows:

AYES:	Gary M. Houseman	Coy L. McRoberts
	Charlie G. Lester	B. G. "Gene" Horney, Jr.
	Steven T. Willis	Timothy A. Reeves, Sr.
	Joe F. Hale	

NAYS: None

APPALACHIAN REGIONAL EXPOSITION CENTER AUTHORITY

Mr. Dalton advised that based on discussions in the Appalachian Regional Exposition Center Authority March 3 meeting, he would recommend transfer of up to \$5,000 from Tourism to Professional Services for use by the Appalachian Regional Exposition Center Authority. He noted that these funds would assist the Authority with paying bills including logo design, which is delaying installation of the sign.

Supervisor Lester made a motion, seconded by Supervisor Willis to transfer \$5,000 from Tourism to Professional Services – 43100 for use by the Appalachian Regional Exposition Center Authority.

Supervisor Houseman noted that he is opposed to the transfer.

The roll call vote on the motion was as follows:

AYES: Charlie G. Lester Coy L. McRoberts
 Steven T. Willis B. G. "Gene" Horney, Jr.
 Joe F. Hale Timothy A. Reeves, Sr.

NAYS: Gary M. Houseman

Supervisor Horney made a motion, seconded by Supervisor Hale to authorize the County Attorney to prepare the necessary documents for the Board for the Appalachian Regional Exposition Center Authority.

The roll call vote on the motion was as follows:

AYES: Gary M. Houseman Coy L. McRoberts
 Charlie G. Lester B. G. "Gene" Horney, Jr.
 Steven T. Willis Timothy A. Reeves, Sr.
 Joe F. Hale

NAYS: None

STEPHEN F AUSTIN MONUMENT

Chair Reeves reported that the Historical Society would hold a meeting on March 10 at 7 p.m. to discuss the Stephen F. Austin monument. He noted that the "no parking" signs installed by the Virginia Department of Game and Inland Fisheries have been mentioned by the Historical Society as an issue of concern.

Mr. Dalton explained that the Virginia Department of Game and Inland Fisheries has asked that the County determine what language they would recommend for inclusion on the signs for their consideration.

Supervisor Hale requested that a County representative attend the meeting. He questioned if civic groups could maintain the monument site.

Mr. Dalton advised that Public Information Officer, Jeremy Farley, has recruited a group of volunteers to assist with maintenance of the monument property. He noted that funds would be requested in the upcoming budget for the project.

Chair Reeves noted that the Historical Society is working to obtain a flag that has flown over the Texas capital building for placement at the monument.

Supervisor Hale recommended that Mr. Farley draft letters to Texas representatives and organizations informing them of the County's efforts and requesting funding for the project.

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TRASH

Chair Reeves asked that Mr. Dalton contact the New River Valley Regional Jail to request a work crew to pick up trash in the Route 52 area.

Supervisor Hale requested cleanup of Horseshoe Drive in Max Meadows.

GOOD FRIDAY

Supervisor Houseman made a motion, seconded by Supervisor Horney to close County offices on Friday, March 25, 2016, for the Good Friday holiday.

The motion passed unanimously.

ADJOURNMENT

With no other business to come before the Board, Chair Reeves adjourned the meeting at 8:30 p.m.

Timothy A. Reeves, Sr., Chair