

## **Board of Supervisors - March 2, 2000 Workshop Meeting**

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The Wise County Board of Supervisors met in a Workshop meeting on Thursday, March 2, 2000, at 6:00 p.m. in the Board of Supervisors meeting room located in the Wise County courthouse. The following were present:

Honorable Robert Adkins-Chairman

Honorable Virginia Meador

Honorable Betty Cornett

Honorable Douglas Mullins

Honorable Edgar Mullins

Honorable Douglas Stallard

Honorable Jeffrey Salyers

Honorable Donnie Dowell-members of said Board and

Shannon C. Scott-Acting County Administrator

Karen Mullins-County Attorney

Annette Underwood-Executive Secretary

### PRAYER

Rev. Charles Estep, Interim Pastor, First Church of God, Wise led the Board in prayer.

### APPROVAL OF AGENDA

The following items were added to the agenda:

1. Mountain Heritage Request For Discretionary Funds
2. Coeburn Middle School Request For Discretionary Funds

IN RE: PUBLIC HEARING/E-911 ROAD NAME ADDITION

A public hearing was duly advertised for this date to receive citizens input regarding the proposed 911 road name addition Brookside Drive (previously unnamed) located in the Crab Orchard section of Coeburn off River Lane Road.

Chairman Adkins asked for comments from the floor.

There being no comments for or against the road addition, the public hearing was closed.

#### IN RE: PUBLIC HEARING/REZONING/ARNIE RIGGS

Chairman Adkins advised that Arnie Riggs has written a letter asking to withdraw his request to have his property rezoned from a B-2 to M-1 in the Powell Valley section of Wise County. Due to Mr. Riggs request for withdrawal, Chairman Adkins advised that there would be no public hearing regarding this rezoning request.

#### IN RE: PUBLIC EXPRESSION

There was no one to speak during public expression.

#### IN RE: ROADS AND HIGHWAYS

The gravel payments were reviewed.

#### IN RE: REVENUE SHARING PROGRAM

The Board needs to approve a letter of intent to participate in the Revenue Sharing Program FY 2000-01.

#### IN RE: VDOT R-O-W PURCHASE/CARFAX

Highway Resident Engineer Leland Branham gave the Board a brief update on the road project at Carfax. He noted that the County needs to talk with the R-O-W agents regarding a small portion of land owned by the County that is needed for that road project.

#### IN RE: HUNTER ROAD CONSTRUCTION PROJECT

Mr. Branham explained that the utilities on the new addition, Hunter Road located at Esserville, have been relocated and the road project is ready for construction within the next couple of weeks.

#### IN RE: VDOT REMARKS

Mr. Branham reviewed a list of upcoming meetings. He urged Board members to attend the Annual Allocation Hearing to voice the County's road improvement needs.

He noted that the Coal & Gas Road Committee met in a budget workshop at which time commitment was made to the Revenue Sharing funding and to PSA in the amount of \$581,000 for water projects next year.

Mr. Branham announced that he would be retiring as of April 24, 2000. He expressed his sincere thanks for the cooperation that has been given to VDOT from the different Boards of Supervisors, which has helped make his job more rewarding.

Board members expressed their appreciation to Mr. Branham for his dedication to Wise County and the progress that has been made throughout Wise County during his tenure as Highway Resident Engineer.

Mr. Branham introduced the new Highway Resident Engineer T.G. Branson.

There was a brief discussion on the MECC entrance. Mr. Branham noted that a \$50,000 federal grant has been awarded and will be issued in October of this year to extend the right turn lane at the MECC intersection that will hopefully decrease the accidents in that area.

#### IN RE: WORKFORCE INVESTMENT ACT/CHIEF ELECTED OFFICIALS AGREEMENT

Ron Flanary gave a brief explanation of the Workforce Investment Board and the means by which the members are selected. He reviewed the structure and functions of said Board with a word of caution that the Chief Elected Officials need to be careful as to those selected to this Board. Mr. Flanary stated that he had suggested that the nomination process be extended to include a greater number of people to be considered. In fairness to all jurisdictions, a larger pool of interested, qualified individuals from which this Board could be chosen was needed. In closing remarks, he noted that all necessary advertisements have been made to encourage citizens to participate in the nominating process.

#### IN RE: CSA ADDITIONAL FUNDING

At the recent Wise County Community Policy Management Board meeting, the fiscal agent reported that the county would expend the current year's allocation prior to the end of this fiscal year. The CPM Board agreed to request an additional allocation from the State Compensation Services Act Office and request the required matching funds from the Board of Supervisors to cover the remainder of this year's expenditures.

Mike Mullins, Assistant Director of Wise County Social Services and member of the CPM Board CSA, informed the Board that the CPM Board is a community organization and not a Social Service Agency which involves the whole district and all the service providers that provide services to families across Wise County.

In 1997/98 the CSA budget was approximately \$600,000. During that budget year, they were told that Medicaid would eventually pay some of the expenses of the high residential placements for troubled

youth. To date, that funding has not been received. The Medicaid payment of approximately \$93,000 will not be in place until late June of this year, which would be too late for this year's expenses.

Mr. Mullins presented a 1999/2000 CSA Budget Allocation noting that an additional \$50,000 of local money would be needed to finish the year. Upon receipt of the proposed \$93,000 from Medicaid, the localities would be reimbursed for its dollars spent. Mr. Mullins briefed the Board on the rising expenses for medical care and placement of the children but also noted the savings that have been reaped by the County through the new program that has been initiated by the LPOOY.

Administrator Scott explained that the entire \$50,000 may not be needed and if not expended, will be returned to the county's general fund.

Dr. Eleanor Cantrell, Chairman of the CPM Board, re-enforced Mr. Mullins' request and asked the Board to consider appropriating the needed funds.

There was some discussion on the need for a facility in Wise County to care for its own children.

#### IN RE: UPPER TENNESSEE RIVER ROUNDTABLE/BIG SANDY CONFERENCE

Neal Kilgore, Watershed Manager for Upper Tennessee & Big Sandy Rivers, gave the Board an update on the Upper Tennessee River Roundtable and the Big Sandy Conference. He spoke briefly on the grants that have been approved for Wise County to assist in cleaning up its streams especially the Guest River.

Mr. Kilgore asked the Board to consider an appointee to serve on the Roundtable Board which serves different aspects of our region. addressing water quality and water quantity. This board meets four times a year to discuss issues that are pertinent to every county in southwest Virginia.

#### IN RE: RIVER GORGE SUBDIVISION/WISE COUNTY SEWER TREATMENT ALLOCATION

Freddie Dean, the managing member of River Gorge LLC, a newly formed company of nine investors, have currently raised funds and purchased property from the bank that was previously owned by Mullins Homes. This property is located in the Riverview section of Coeburn and will provide 60 to 75 homes. At the April 10, 1997 meeting of the Board of Supervisors, approval was given to allow Mullins Homes to use a portion of the county's sewer allocation from CNW Wastewater Treatment Plant in the amount of 22,500 gallons per day for the proposed River Gorge Subdivision upon approval by the PSA. Mr. Dean asked if that approval could be transferred to his company. A pump station and lines will be installed at the expense of River Gorge LLC with health department approval of all plans and specifications. He asked that upon completion of the system, that the ownership and R-O-W would be turned over to PSA and maintained by PSA. The sewer allocation being requested is based on 75 homes which more than likely will be less because some of the lots already sold have septic tanks.

Doug Stallard asked if all homes built on the lots would be mandated to be hook onto the sewer to ensure a potential customer base for PSA.

Mr. Dean explained that if the homes are on an approved system rather than septic tanks, less acreage would be required for each house, therefore, more homes could be provided. However, it is his

understanding that the county does not have an ordinance in place that mandates citizens who are served by water and sewer to hook on to said system.

Bill Skeens, representing Maximum Engineers, explained that the installation of these lines will be designed for the size of the subdivision and the drainage area of the 56 acres. He further explained that he represented Mullins Homes in 1997 when this same request was before the Board. At that time, Mullins Homes did not follow through with the pump station system because of the great expense. Instead they chose to go with individual on-site septic tanks.

Mr. Dean stated that upon approval of this request, meetings will be held with the health department and the PSA to coordinate the project.

#### IN RE: HOPE HOUSE REQUEST

Janice Funk, representing Hope House, informed the Board that the Family Crisis Support Services is applying for a Rural Domestic Violence and Child Victimization Enforcement Grant. The grant's primary purpose is to enhance the safety of women and children by supporting projects designed to address and prevent domestic violence and child victimization. This grant will help to provide funds necessary to develop a more community-oriented approach, by creating a position for a Family Violence Services Coordinator. This coordinator would be responsible for working with victims and with the agencies within a community, building a more unified approach to combat this problem. All agencies applying for this grant must work with other agencies in the community to accomplish the initial step of a community questionnaire. Because no single agency has all the answers to the questions asked, and no single agency has all the answers to the problem of domestic violence, this must be a joint project of the entire community. For counties with low populations, the grant suggests that it could be more beneficial to work as a regional project. Family Crisis Support Services serves six counties and the City of Norton.

Ms. Funk ask the Board to review the questionnaire and consider participating in this worthy project with the Family Crisis Support Services.

#### IN RE: TITLE 4-E GRANT FUNDS/FOSTER HOME RECRUITMENT

Paul Kuczko informed the Board that there has been a continuation of Title IV-E Pass-Through Funding to local agencies to support foster/adoptive parent training (pre-service and in-Service), recruitment, home studies, and retention activities. This grant would aid in hiring a full-time foster care recruiter who would work full time to recruit more homes to deal with troubled children. He gave an overview of the Foster Home Recruitment Program with its objectives and goals.

The Title 4-E Grant funds will allow three public agencies and the community the opportunity to develop and implement a multi-faceted recruitment, training, and retention program that will increase the number of foster homes for adolescents in general and, in particular, minority homes. This innovative program is needed due to the large number of adolescents in foster care.

The goal for this program is to recruit and train at least 10 new foster families for adolescents of which at least three will be minority families by developing and implementing a major foster family recruitment and training project entitled F.A.M.I.L.Y. (Fostering Adolescents Makes Independent Loving Youth).

Mr. Kuczko noted that this grant would require a local match of 25% but if the Board could contribute \$6,000 in next year's budget, he would be able to supply the other funds .

He asked for some type of approval since the grant application had to be sent in this week. There was a general consensus of the Board that approval would be given at the next meeting.

#### IN RE: BLACKWOOD LANDFILL UPDATE

Bill King, representing T&L, stated that he had attended the public hearing, held by DEQ, this evening at UVA's College at Wise to speak in support of the Blackwood Landfill expansion permit. Mr. King informed the Board that he had stressed the financial investment the County has made on the expansion and the need to begin operation as soon as possible. There was no opposition at the public hearing. There will be a public comment period on the permit until March 17 . After all information has been considered, DEQ will make a decision whether or not to grant the permit.

#### IN RE: BLACKWOOD LANDFILL/INDUSTRIAL PARK BOUNDARY SURVEY

Bill King stated that he had been approached by county staff that the landfill operators are needing some daily cover for the waste at the landfill. In order to find this cover, the county needs to know its property line. T&L has been asked to speak with a surveyor to ascertain a price to stake the entire perimeter of the county property line. This service will be passed through to the county at T&L's cost with no mark up to the county. There is approximately 11,000 feet to be staked. The price quoted by the surveyor for this service will be \$5,750.00. This service will also be pass through to the County at T&L's cost without any mark up to the county. This survey needs to be completed within the next thirty days.

#### IN RE: VRA / BOND FINANCING

Administrator Scott briefed the Board on the Resolution of the Board of Supervisors of the County of Wise, Virginia, Approving the Issuance, Sale and Award of its Solid Waste Management System Revenue Bond, Series 2000 noting that the approval of this resolution will approve Exhibit A Form of Bond and the Financing Agreement between VRA and Wise County.

Mr. Scott explained that this necessary administrative work is needed to close out the landfill expansion costs.

#### IN RE: TRANSFER OF PROPERTY/WISE COUNTY SCHOOL BOARD

Chairman Adkins advised that the Wise County School Board has adopted a resolution to transfer the title of two tracts of property, the Sandy Ridge Fairview Community Center and the Flat Gap Community Center, from the Wise County School Board to Wise County.

IN RE: WISE COUNTY SCHOOL BOARD/ SALE OF SURPLUS PROPERTY

Administrator Scott stated that the Wise County School Board has asked for approval from the Board of Supervisors to sell the surplus property known as the St. Paul Home Economics Property which has not been used for school purposes for some time. It has further been requested that upon the sell of this property that the proceeds of the sale be placed in the Capital Improvement Fund and retained by the School Board and further be used for new school construction, school renovation and major school maintenance projects.

Mr. Scott said it is his understanding that the School Board has a potential buyer for this particular parcel of property.

There was some discussion as to whether or not the School Board can sell surplus property.

Attorney Mullins stated that the School Board would have to get the approval of the Board of Supervisors to sell the property and to place said monies in a restricted account for capital outlay.

She also noted that the Board has the option of selling the property too.

There were some questions as to whether or not these monies had to be placed in the Capital Outlay Fund or could it be used in another line item for the school.

Attorney Mullins noted that the State Statute says that if the county allows the school to sell the surplus property then the money is designated to go into the school's capital outlay fund.

There was some discussion that perhaps the funds could be used to hire Resource Officers for all the high schools throughout Wise County.

After further discussion, it was the consensus of the Board to have the attorney provide alternatives for the sell of this surplus property.

IN RE: RESOLUTION/ISSUANCE OF INDUSTRIAL BONDS FOR MEOC EXPANSION

Carl Snodgrass, representing the IDA, addressed the Board regarding the sale of industrial bonds for Mountain Empire Older Citizens. The IDA has been asked by MEOC to assist in the financing for the construction of an expansion of the MEOC facility for an amount not to exceed \$560,000.

A public hearing was held on February 22, 2000, on the proposed financing of the project with no public opposition to the bond financing. Mr. Snodgrass asked that the Board approve the resolution approving the issuance of the bonds by the IDA for the benefit of MEOC's facility expansion.

Mr. Snodgrass explained the cramped conditions of the facility and the need for extra space to accommodate the needs and rapid growth of the organization.

IN RE: PSA AUDIT COMPONENT

Administrator Scott stated that he has had the opinion of two certified government auditing firms that the PSA audit should be included as a component part of the Wise County audit. The basis for this is that

even though the Board has no monetary control over the dollars spent by the PSA, the Board of Supervisors appoints all members on the PSA Board.

There was some questions as to whether or not this would be cost efficient to have both audits at the same time.

Mr. Scott noted that the RFP's have gone out for the audit and this question can be asked after the final auditor has been chosen.

Mr. Scott said this is brought to the Board for thought and informational purposes for a possible change in the auditing procedure.

There was some discussion in that this would exclude the small auditing firms and decrease their business.

#### IN RE: CONVENIENCE CENTER / COMMERCIAL USE

Jackie Darter, Superintendent of Public Works, addressed the Board concerning commercial use of the convenience centers. Mr. Darter stated that there have been complaints from several businesses that since they have paid their landfill use fee they should not be denied the privilege of using the convenience center to dispose of garbage generated by their business. He presented a chart showing the amount of construction debris, wood, brush, mulch and vegetative debris and tires that are taken to the landfill from local businesses. To allow this amount of debris at the convenience centers, would require more trailers and more employees. The convenience centers were designed for household garbage and to rid the county of roadside dumpsters.

#### IN RE: ENGINE FOR TRACTOR/SOLID WASTE COLLECTION

Mr. Darter informed the Board that the motor in the 1978 road tractor presently being used at the landfill has had many expensive repairs and is torn up again. To repair this motor, would cost approximately \$6 to \$7,000 and the block is beyond repair. To upgrade to a bigger engine with a two year warranty would cost approximately \$10,000. Mr. Darter recommended the upgrade.

Administrator Scott noted that the cost for this engine could be taken from another line item in landfill budget that has been over budgeted.

#### IN RE: ANIMAL CONTROL VEHICLE

Administrator Scott stated that the transmission in the Animal Warden's vehicle needs to be replaced. The vehicle, when purchased, had lots of mileage and has since had costly repairs that have amounted to more than the truck is worth. Mr. Scott asked for approval to purchase another vehicle for an amount up to \$8,000 that would be sufficient for the Animal Warden's needs.

#### IN RE: LANDFILL USE FEE/COMMUNICATION WITH BUSINESSES

Administrator Scott asked for authorization to communicate with the towns to secure information on the amount of trash placed in the dumpsters by businesses. With this information, he could establish a better rate to charge the businesses if and when the Landfill Use Fee Ordinance is amended.

#### IN RE: SMOKING ORDINANCE

Chairman Adkins stated that there has been complaints regarding smoking in the courthouse. A letter was received from a citizen who had been in the County Administrator's Office on business and was overwhelmed by cigarette smoke. He asked if the existing smoking ordinance was in compliance with federal law.

Attorney Mullins stated that the existing smoking ordinance was in compliance with the Clean Air Act. In her opinion, the Board does have the authority to regulate the smoking throughout the courthouse. The only area in the courthouse that would be exempt would possibly be the judges chambers since that office has locks and is not entered by the general public. She said she had called Flippo Hicks regarding the most recent regulations on smoking in public buildings, but was unable to reach him for comment prior to the meeting. A reply would be forthcoming before the next meeting as to whether or not the existing ordinance needs to be amended.

#### IN RE: AUDIT COMMITTEE

Administrator Scott advised the Board that the present Audit Committee consists of Doug Mullins, Donnie Dowell, Bob Adkins, and himself.

He asked the Board to authorize the Audit Committee to review the Audit RFP's and to authorize the Chairman to sign the Audit Contract since the State requires the County to have a signed contract before April 1. He further noted that the Treasurer was unintentionally omitted from the Audit Committee and needed to be listed as part of that committee.

Virginia Meador was concerned that this Audit Committee was appointed by a different Board.

With there being some concerns as to when this Committee was appointed, Ms. Underwood said she would search the minutes to ascertain the exact date.

Mr. Dowell stated that if there is a conflict with him being on the Audit Committee and also being an employee of PSA, he would relinquish his seat to another member of the Board.

#### IN RE: JUDICIAL SALE/ATTORNEY FEES

Treasurer Rita Holbrook presented a request to the Board for a check to be issued in the amount of \$3,147.17 to Leonard Rogers for attorney fees regarding the Judicial Sale.

Since Mr. Rogers can no longer continue this Judicial process due to his work load, Daniel Fast has agreed to work the Judicial Sale, effective January 2000. Ms. Holbrook requested a check in the amount of \$1,923.68 payable to Mr. Fast for work completed on said sale.

IN RE: PANEL OF PHYSICIANS

Administrator Scott advised that for the purpose of workers compensation the County's insurance carrier continues to recommend that the Board give consideration to a Panel of Physicians. He noted that material has been placed in the Board packets that will help the members understand the duties of a Panel of Physicians. The School Board fully endorses this and would like to use the same panel of physicians.

IN RE: OTHER ITEMS REVIEWED

1. Disbursement of Discretionary Funds
2. Appointments
3. Landfill Use Fee Refunds
4. Set Tax Rate for FY 2000/2001
5. Payment of Accounts
6. E-911 Payments
7. Blackwood Landfill Enterprise Fund Payments
8. Board Comments

ADJOURN

There being no further business, the meeting adjourned at 9:10 p.m.