

Board of Supervisors – August 13, 2020 Regular Meeting

The Wise County Board of Supervisors met in a Regular Meeting on Thursday, August 13, 2020 @ 6:00 p.m. in the School Board Education Center located in Wise. The following members were present:

Honorable John T. Schoolcraft -Chairman
Honorable Steve Bates – Vice-Chairman
Honorable J. H. Rivers
Honorable James Lawson (By phone)
Honorable Bobby Cassell (By phone)
Honorable Robert E. Robbins, Jr.
Honorable Fred Luntsford
Honorable Robert R. Adkins – members of said Board and
Michael W. Hatfield – County Administrator
Karen T. Mullins – County Attorney
Annette Underwood – Executive Secretary

PRAYER

Bob Adkins led in prayer.

PLEDGE

All led in the pledge of allegiance to the flag.

MINUTES

A motion was made by Robby Robbins, seconded by Steve Bates, to approve the minutes of June 11, 2020 and June 25, 2020 as presented. The motion was unanimously approved.

AGENDA

A motion was made by Robby Robbins, seconded by Steve Bates, to approve the agenda to include items in red as presented. The motion was unanimously approved.

IN RE: RATIFY SETTING PUBLIC HEARING

A motion was made by Robby Robbins, seconded by Steve Bates, to ratify setting a public hearing on 8-13-2020 @ 6:00 p.m. on a proposed amendment to ordinance #1-1996 to establish a voter satellite office in the Big Stone Gap Town Hall for absentee voting. The motion was unanimously approved.

IN RE: PUBLIC HEARING – ORDINANCE #1-1996 AMENDMENT

A public hearing was duly advertised for this date to receive public comments on a proposed amendment to Ordinance #1-1996 for the purpose of establishing a voter satellite office in the BSG Town Hall. There being no public comments on said amendment, the public hearing was closed.

IN RE: SANDY RIDGE RESCUE SQUAD UPDATE

Jeremy Indseth, Captain of the Sandy Ridge Rescue Squad and Co-Captain Ray Fields addressed the Board with a power point presentation on Sandy Ridge Rescue Squad and its goals for the future.

Mr. Indseth stated that the existing rescue squad facility is in poor condition and too small to meet the needs for equipment and personnel. Plans are to construct a facility for an approximate cost of \$40,000 to house ambulances, sleeping quarters for squad members on shift duty and for use as an emergency shelter for local residents in case of severe weather events. He noted that any financial assistance from the Board toward the construction of this facility is appreciated.

Supervisor Luntsford and Chairman Schoolcraft suggested that the rescue squad and fire department come together as one, which would help with the financial situation of both entities, and more funds would be available for equipment, housing, etc.

Mr. Indseth said that this scenario has been approached before and the fire department did not want to be involved with the rescue squad.

IN RE: BOUNDARY ADJUSTMENT --TOWN OF POUND

Jane Bennett, Town Manager for Town of Pound, provided the Board with a power point presentation on a proposed boundary adjustment for the Town of Pound, which includes the J. W. Adams Combined School and the Pound High School property. The Town is already providing services to the proposed adjustment areas, and with this added property, brings the possibility of more jobs to Pound and Wise County. The Board questioned whether or not there were any homes included in this proposed adjustment. Ms. Bennett stated if there are homes involved, it would be very few.

Board members noted that the Town should have responses from residents affected by the proposed adjustment.

IN RE: DEBT AND LONG-TERM PLANNING

David Cox provided the Board with a power point presentation on debt and long-term planning. He noted that after reviewing the County's 18/19 audit there was approximately \$96-\$97M in primary government debt at 06/30/20 after principal payments and adjustments.

He mentioned several items of concern which included landfill expansion, 2020 census, CIP Plan for County and schools, coal severance in 2020/21, and the stalled economic development activity due to COVID.

Rumor is that it is estimated to cost \$10M for either of the two options for Social Services. His concerns are:

- If the County spends \$10M it will force the debt significantly above \$100M
- Census will show a declined population – His estimate is 35,000 – 36,000 with 2000+ of this amount incarcerated population
- Partially paid by state for debt service but still resides on County balance sheet
- No recent news on economic development prospects and expect stalled due to COVID
- Cost cuts at County
- Fire & Rescue support

He made the following recommendations:

- Keep primary government debt below \$100M
- Debt management (comparison to other counties adjusted for estimated census population)
- Ask for option to build new building on old site

- Start planning for affects of census reduction – costs
- Economic development incentives for current employers in County

Mr. Cox voiced his concern that the County may be taking on too much debt with the decline in population, job loss, and the impact COVID-19 has had on local businesses.

IN RE: COMMUNITY SERVICED FACILITY FUNDING UPDATE (DAVENPORT & COMPANY)

David Rose, Financial Advisory for Davenport & Company, provided the Board with a power point overview of the Strategic Plan of Finance in 2019 that provided budgetary cash flow flexibility to implement the following two (2) phases:

- Phase 1: Permanently finance short-term school obligations on a long-term basis; and
- Phase 2: Finance Anticipated County Capital Needs in the future – the New Administration B Building, which would house the County’s Administration, DSS, among others

The Strategic Plan of Finance incorporated the following Key Elements:

--- Dedicated 5 cents Real Estate Tax increase commencing in FY 2020:

- 3 cents dedicated to Phase 1 – the 2019 Lease Revenue Bond (Schools) and
- 2 cents dedicated to Phase 2 – Anticipated County Capital Needs (to be financed in the next 24 months approximating \$10M)

---Planned use of \$3.5M of committed fund balance (the “Capital Reserve Fund”)

- Note: The County has now identified this amount to be approximately \$4.5M
- In addition, the County has estimated that \$140,000 in annual funding will be available from Federal/State government sources for the DSS portion

The Project is estimated to cost between \$9 - \$14M.

Construction is anticipated to commence in the Spring of 2021.

Interest Rates are at 60-year lows, which begs the question:

---- “Would it be a strategic move to borrow the majority of moneys now in order to lock-in the County’s cost of funds during this period of highly favorable interest rates?”

The County enjoys strong investment grade ratings and has demonstrated the ability to produce structurally balanced budgets in spite of economically challenging environments.

Mr. Rose recommended the following approach:

Consider obtaining \$8M of funds now, while interest rates are significantly below historical planning estimates of 3.75% to 5.0%.

Utilize the IDA of Wise County as the conduit to issue Lease Revenue Bonds as the County has done previously with respect to school projects. Under this approach, the County would have the flexibility to:

--- Amortize the financing over 20-30 years.

- 25 years assumed as a starting point for the purposes of this analysis.

---Utilize the County’s Capital Reserve Fund that has already been set aside for this project to offset cash flow requirements.

- Note: This will depend upon the ultimate size of the Project, actual interest rates achieved, and

the desired amortization/term of the financing(s).

With the County Board of Supervisors approval, consider obtaining these funds in the next 60 to 90 days.

Based upon discussions with Staff, the County expects to potentially utilize the 2 cents for Phase 2 as follows:

- 1 cent toward the debt service on the County/DSS Administration Building; and
- The remaining 1 cent could be freed up for Economic Development purposes.

Over time, strategically use the following (additional) revenue and one-time sources to offset the related debt service:

- \$140,000 in annual funding provided to the DSS from the Federal and State governments, which would be available once the Project is completed and DSS occupies the new space; and
- Utilize only a portion of the \$4.5M in Capital Reserve Funds.
 - Approximately \$2.0M is used as a starting point.

Provide the County Board of Supervisors herein with a cash flow pro forma, which demonstrates the County's ability to fund a \$14M Project given the assumptions above.

The existing debt service was reviewed.

An update on strategic plan of Finance was reviewed.

Mr. Rose stated that the Board needs to look ahead and consider high cost items such as the landfill.

IN RE: TOWN OF COEBURN – USE OF CARES ACT FUNDS

Jeff Kiser, Mayor Town of Coeburn, came before the Board requesting consideration for allocated CARES Act funds to purchase a trash truck and trash containers/bins for the Town of Coeburn.

He explained the sanitation crew is faced with operating a dilapidating 14-year-old garbage truck that is in almost daily state of repairs, and the back up truck is 20 years old, which makes it much less dependable. Since the beginning of the pandemic, the trash collection has increased from an average of 3 ½ tons to an average of 7 ½ tons. The number of trips to the landfill has doubled to twice a week, therefore, incurring more wear and tear, and more costly repairs on both trucks. The crew is now exposed to more dangerous contaminants due to the increase of household trash, increase of discarding personnel protective equipment (PPE) and overall cleaning efforts. This also applies to the business and medical office's due to sanitation requirements.

Some households utilize their own trash containers, trash bags or cardboard boxes, which are torn apart by the animals and scattered all around for the crew to pick up by hand. By purchasing trash containers/bins, it will help reduce the exposure to contaminated materials and viruses.

The Town is doing its best to do all it can to keep the employees safe as well as our citizens.

The Town of Coeburn asks the Board to look favorably on this request and grant the funding for the trash truck and trash containers/bins to help the Town decrease the possibility of spreading the Coronavirus disease.

Administrator Hatfield explained the mechanics of the CARES Act Funds and the requirements for receiving these funds.

PUBLIC EXPRESSION

Stacy Carson, Mayor, Town of Pound, addressed the Board with complaints regarding the restrictions and functions of the Town of Pound's Administration Office. Her concerns have been met with deaf ears, and nothing is being done to correct the wrong doings that have been brought forward. Ms. Carson has asked for space in the Administration Office but was told there was no space. She stated that she could have answered the Board's questions on the boundary adjustment had she been told that a presentation was being made before the Supervisors. Even though she is Mayor, she is not included in day to day business transactions. This is only a few of her concerns. She invited Board members to attend the Town meeting on Tuesday evening to better understand her concerns.

IN RE: CONSENT AGENDA

A motion was made by Bob Adkins, seconded by Robby Robbins, to approve the consent agenda as follows:

IN RE: MOU #23 – T&L RETAINER AGREEMENT

Approved MOU #23 to the T&L Retainer Agreement for preparing a groundwater monitoring well replacement plan associated with Solid Waste Management Facilities for submission to DEQ

IN RE: RESOLUTION SUPPORTING SRO GRANTS PROGRAM AND FUNDS

Adopted the resolution requesting Governor Ralph Northam, in conjunction with the Senate of Virginia and Virginia House of Delegates, to maintain the existence of the School Resource Officer Grants Program with adequate funding

RESOLUTION # 31-2020

(Said resolution is on file in the County Administrator's Office)

The motion to approve the consent agenda was unanimously approved.

IN RE: ORDINANCE #1-1996 AMENDMENT

A public hearing was held on August 13, 2020 to receive citizens' comments regarding an amendment to Ordinance #1-1996. There was no public opposition to the proposed amendment.

A motion was made by J. H. Rivers, seconded by Robby Robbins, to approve the amendment to Ordinance #1-1996 to establish a voter satellite office in the Town of Big Stone Gap. The motion was unanimously approved.

ORDINANCE AMENDMENT #1-1996

(Said amendment is on file in the County Administrator's Office)

IN RE: LICENSE AGREEMENT – SOUTHWEST REGIONAL RECREATION AUTHORITY

A motion was made by Robby Robbins, seconded by J. H. Rivers, to approve the License Agreement between Wise County and Southwest Regional Recreation Authority as presented subject to the revision of the County Attorney, which has already been agreed to by Spearhead Trails Attorney Brad Ratliff. The motion was unanimously approved.

IN RE: MOU UNITED WAY OF SWVA – SERVICES FOR DISASTER RECOVERY PROJECTS

A motion was made by Robby Robbins, seconded by Steve Bates, to approve the MOU between Wise County Board of Supervisors and United Way of Southwest Virginia to unify and expedite community services for disaster recovery projects that are associated with the Presidentially-declared disaster Coronavirus Disease 2019 (COVID-19) pandemic. The motion was unanimously approved.

IN RE: SOUTHWEST VIRGINIA 4-H EDUCATIONAL CENTER REQUEST FOR FUNDING

A motion was made by Robby Robbins, seconded by Steve Bates, to approve the request for Southwest Virginia Educational 4-H Center for emergency funding in the form of a \$26,600 grant from Wise County's Coronavirus Relief Fund. The motion was unanimously approved.

IN RE: COVID-19 INFECTIOUS DISEASE PREVENTION PLAN 2020

A motion was made by Robby Robbins, seconded by Fred Luntsford, to approve the Wise County COVID-19 Infectious Disease Prevention Plan, which is designed to prevent the spread of COVID-19 and protect Virginia's workers. The motion was unanimously approved.

(Said Plan is on file in the County Administrator's Office)

IN RE: COVID-19 PREVENTION PLAN SICK LEAVE POLICY 2020

A motion was made by Robby Robbins, seconded by Fred Luntsford, to approve the COVID-19 Prevention Plan Sick Leave Policy for 2020 as presented. The motion was unanimously approved.

IN RE: INTERAGENCY AGREEMENT - LENOWISCO REGIONAL SMALL BUSINESS RECOVERY ASSISTANCE

A motion was made by Robby Robbins, seconded by Steve Bates, to approve the Interagency Agreement between the City Of Norton, and Wise County to receive a CDBG grant in the amount of up to \$1,700,000 to be distributed between Norton City, Lee County, Scott County, Wise County, and LENOWISCO Planning District Commission (project administration) for the purpose of funding the LENOWISCO Regional Small Business Recovery Assistance grant program. The motion was unanimously approved.

IN RE: BUDGET AMENDMENTS

A motion was made by Fred Luntsford, seconded by Bob Adkins, to approve budget amendment #1- #4 as presented. The motion was unanimously approved.

IN RE: APPOINTMENT – PLANNING COMMISSION

A motion was made by J. H. Rivers, seconded by John Schoolcraft, to reappoint Edwin Roop to the Planning Commission for a term of four (4) years. The motion was unanimously approved.

IN RE: APPOINTMENT – RECREATIONAL AUTHORITY

A motion was made by J. H. Rivers, seconded by John Schoolcraft, to re-appoint Kenneth Spurlock, Jr. to the Recreational Authority for a term of four (4) years. The motion was unanimously approved.

IN RE: APPOINTMENT – REDEVELOPMENT & HOUSING AUTHORITY

A motion was made by Fred Luntsford, seconded by Bob Adkins, to re-appoint Gail Luntsford to the Redevelopment & Housing Authority for a term of four (4) years. The motion was unanimously approved.

A motion was made by Robby Robbins, seconded by James Lawson, to re-appoint Robert Harrison to the Redevelopment & Housing Authority for a term of four (4) years. The motion was unanimously approved.

IN RE: CLOSED SESSION

A motion was made by J. H. Rivers, seconded by Robby Robbins, to go into closed session as permitted by the Code of Virginia per the following Code Sections:

- Section 2.2-3711(A)(6) Investing of public funds
- (A)(7) Consultation with legal counsel
- (A)(1) Personnel

The motion was unanimously approved.

Supervisor Lawson personally joined the meeting at this time.

After a lengthy closed session, a motion was made by Bob Adkins, seconded by James Lawson, to reconvene the regular meeting. The motion was unanimously approved.

IN RE: RESOLUTION CERTIFICATION FOR CLOSED MEETING

Supervisor Luntsford read the certification for closed meeting.

A motion was made by Fred Luntsford, seconded by Steve Bates, to approve the resolution certifying that only public business matters lawfully exempted from open meeting requirements as were identified in the motion convening the meeting were discussed or heard by the Board of Supervisors. The motion was unanimously approved by roll call vote.

RESOLUTION # 32 - 2020

(Said resolution is on file in the County Administrator's Office)

IN RE: APPOINTMENT – REDEVELOPMENT & HOUSING AUTHORITY

Attorney Mullins stated that there was some concern that the motion made by Supervisor Luntsford to re-appoint Gail Luntsford to the Redevelopment & Housing Authority could be a conflict of interest. After checking the Code and speaking with the Commonwealth Attorney, it was agreed that it would be best to have Supervisor Luntsford rescind his motion.

Supervisor Luntsford rescinded his motion to re-appoint Gail Luntsford to the Redevelopment and Housing Authority and Bob Adkins withdrew his second.

A motion was made by Bobby Cassell, seconded by Steve Bates, to re-appoint Gail Luntsford to the Redevelopment & Housing Authority for a term of four (4) years.

Aye- John Schoolcraft Abstain - Fred Luntsford
 J. H. Rivers
 James Lawson

Bobby Cassell
Steve Bates
Bob Adkins
Robby Robbins

Motion carried.

IN RE: AMEND AGENDA

A motion was made by Robby Robbins, seconded by J. H. Rivers, to amend the agenda by adding County Administrator's Employment Agreement and the revised Employee Organizational Chart.

J. H. Rivers made a substitute motion to amend the agenda as noted by Supervisor Robbins and add the DSS building site. Steve Bates seconded the motion. The motion was unanimously approved.

IN RE: COUNTY ADMINISTRATOR'S EMPLOYMENT AGREEMENT AMENDMENT

A motion was made by Robby Robbins, seconded by Steve Bates, to amend the County Administrator's Employment Agreement by adding additional duties and responsibilities of Economic Development Director to those of the County Administrator with a salary increased based on the additional duties and responsibilities.

Supervisor Rivers stated that the Economic Development Director and the County Administrator should be two separate positions especially with the many needs in Wise County that requires full attention of the County Administrator to move our County forward. With the economic impact that COVID has had on our County, and with changes being made every day, these two positions are critical to grow our economy.

Aye-	John Schoolcraft	Nay-	J. H. Rivers
	Steve Bates		Bobby Cassell
	Robby Robbins		James Lawson
	Fred Luntsford		
	Bob Adkins		

Motion carried.

IN RE: EMPLOYEES ORGANIZATIONAL CHART REVISED

A motion was made by Robby Robbins, seconded by Steve Bates, to approve the revised Employee Organizational Chart for the County Administrator's Office as presented.

Aye-	John Schoolcraft	Nay-	J. H. Rivers
	Steve Bates		Bobby Cassell
	Robby Robbins		
	Bob Adkins		
	Fred Luntsford		
	James Lawson		

Motion carried.

IN RE: DEPARTMENT OF SOCIAL SERVICES SITE

A motion was made by J. H. Rivers, seconded by Steve Bates, to direct the County Administrator to discontinue negotiations on DSS Site #1 and proceed with Site #2.

Supervisor Robbins stated that this decision is a mistake and will cost taxpayers more money.

Aye- John Schoolcraft
Steve Bates
Fred Luntsford
Bobby Cassell
J. H. Rivers

Nay- Bob Adkins
Robby Robbins
James Lawson

Motion carried.

COUNTY ADMINISTRATOR'S REPORT

Administrator Hatfield explained that as part of the CARES Act, the County has the ability to support local non-profit organizations such as the Family Crisis Support Services. The Family Crisis Support Services has a program to help people with payment of their utility bills such as electric, water and sewer payments, that have been affected by COVID-19 and meet a certain criteria.

Administrator Hatfield asked the Board if they wanted each MOU to be brought before the Board for approval or would this be considered an administrative function. Chairman Schoolcraft stated that this would be the responsibility of the County Administrator and would not require Board action.

BOARD COMMENTS

Supervisor Robbins stated that regarding the DSS site, he felt the Board was giving up a revenue stream for making payments and this would come back to bite the Board later. He felt the cheaper property was given up, and the County will be losing in the long run.

Supervisors Luntsford said this was a good decision since the County owns the property & building.

Supervisor Lawson spoke about his recent election to the Board of Supervisors. His reason for being on the Board was to be a good steward of taxpayer's money, make wise investments, promote economic development, and bring jobs to our County. This Board has a responsibility to our citizens to spend money wisely and not waste. This he will do as long as he is on the Board.

Supervisor Rivers asked that the citizens take the responsibility to fill out their census report, which helps the County in receiving grants. He asked that it be put on Channel 19 as a reminder to citizens the importance of filing this report. He asked that the Board meetings be placed on channel 19, more so now than before, due to COVID-19 so the citizens can be aware of decisions that are being made by the Board. He mentioned that the School Board has its meetings live stream that can be seen anytime, and he felt this would be another way the Board could get its meetings out to the public. Regarding the DSS site, this project could be done for less than \$10M. With careful planning and advertising for RFP, could cut the cost of the project. He noted that \$10M is not acceptable for his vote. He further noted the importance of keeping our Resource Officers in the schools and funding our police departments.

Supervisor Adkins felt that the Board missed the mark for the DSS facility by not using Site #1.

Supervisor Bates stated that the County is not in the rental business. The County should use property it owns. More advertising should be done on the County's website, which would allow people to learn more about our area and all the things that Wise County has to offer such as our outdoor parks and recreation, and our musical heritage, etc.

Chairman Schoolcraft noted that working together with the town managers on a regular basis is good. Everyone needs to follow the rules to slow the spread of COVID-19. He voiced his support to keep the School Resource Officers and keep funding the police force to protect our communities.

ADJOURN

There being no further business to be brought before the Board, a motion was made by Fred Luntsford, seconded by Bobby Cassell, to adjourn the meeting @ 10:25 p.m. The motion was unanimously approved.

ATTEST:

WISE COUNTY BOARD OF SUPERVISORS

Michael W. Hatfield, Clerk

John T. Schoolcraft, Chairman