

## **Board of Supervisors - May 4, 2000 Workshop Meeting**

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The Wise County Board of Supervisors met in a Workshop Meeting on Thursday, May 4, 2000, at 6:00 p.m. in the Board of Supervisors Meeting Room located in the Wise County courthouse. The following people were present:

Honorable Robert Adkins - Chairman

Honorable Virginia Meador

Honorable Douglas Mullins

Honorable Edgar Mullins

Honorable Betty Cornett

Honorable Douglas Stallard

Honorable Donnie Dowell

Honorable Jeffrey Salyers-Members of said Board and

Shannon C. Scott-Acting County Administrator

Karen Mullins - County Attorney

Annette Underwood-Executive Secretary

### PRAYER

Rev. Will Gype-Pastor Gladeville Presbyterian Church in Wise, led the Board in prayer.

### PLEDGE ALLEGIANCE TO THE FLAG

### IN RE: PUBLIC HEARING/SALE OF COUNTY PROPERTY/CARFAX AREA

It was noted that a public hearing has been duly advertised for this date to receive citizens input regarding the sale of a portion of County property located in the Carfax area of Wise County for the purpose of road construction.

Chairman Adkins asked for comments from the floor.

There being no public comments, the public hearing was closed.

IN RE: APPROVAL OF AGENDA

The following items were added to the agenda:

1. The PV Forensic Team
2. J.J. Kelly Little League Football

IN RE: PUBLIC HEARING/SMOKING ORDINANCE

It was noted that a public hearing has been duly advertised for this date to receive citizens' comments regarding a proposed amendment to the County Smoking Ordinance.

Chairman Adkins asked for comments from the floor.

There being no public comments, the public hearing was closed.

IN RE: PUBLIC EXPRESSION

Dr. Jay Lemons introduced several young people from the Wise Primary who entertained the Board of Supervisors with song for financial assistance in getting a playground at the Wise Primary School.

IN RE: PUBLIC HEARING/WISE COUNTY ZONING ORDINANCE AMENDMENT

A public hearing was duly advertised for this date to receive citizens' comments regarding a proposed amendment to the Wise County Zoning Ordinance.

Chairman Adkins asked for comments from the floor.

There being no public comments, the public hearing was closed.

IN RE: PUBLIC EXPRESSION

Nancy Hamn, representing the Fairview Community Center, invited all Board members and their families to attend the annual picnic of the Fairview Community Center on May 21st at 1:00 p.m.

She further asked that the Board consider any financial contributions that may be available for the center.

Mrs. Frank Clay, representing the Coeburn Civic League, gave a brief review of the functions of the Coeburn Civic League and the services the Civic League offers to Wise County. She asked for any

financial assistance the Board may have available to help with the operating expenses for the Civic League.

A citizen from the Pound area asked that a museum be erected in honor of Frances Gary Powers who has been given more medals than anyone in the State of Virginia.

#### IN RE: UVA-WISE RADIO STATION

Scott Pippin, representing UVA-WISE Radio Station, thanked the Board for its support in getting the UVA-WISE Radio Station up and running. He spoke briefly on the good quality of programming, the outreach of the radio station and the desire to expand the signal. In order to do this expansion, extra funding will be needed from the Board of Supervisors as well as other donors. Mr. Pippin asked for the Board's continued support in this endeavor with a donation of \$10,000 as was made last year.

Gary Williams, Support Chairman of WISE FM Radio Station, noted that the \$10,000 seed that was sown by the Board last year into the WISE FM Radio Station set an example that was followed by other donors. He asked the Board to consider honoring this same amount of funding this year.

#### IN RE: BSG SUBDIVISION DEVELOPMENT AT ESSERVILLE

Don Jack Mullins, representing the BSG Subdivision Developers at Esserville, informed the Board that Wendell Barnette, Don Green and Ben Sergent are proposing to develop a subdivision on a 41-acre tract of land located in the Esserville section of Wise County.

The proposed water usage will be approximately 10,000 gallons of water per day which will be provided by the Town of Wise or the PSA.

The proposed sewer service will be provided by the City of Norton but a request is being made to the Board of Supervisors for a portion of its sewer allocation in the CNW Wastewater Treatment Plant in the event this service would not be a part of the City of Norton's allocation. This same request will be made to the Norton City Council.

Administrator Scott advised that he, Chairman Adkins, and Ron Helton had met with the CNW Authority regarding the County's sewer allocation and taps. There will be further negotiations concerning this allocation and taps. Regarding the proposed subdivision, further information will be needed before a determination can be made as to which entity the sewer allocation will be charged against.

There being no further comments, the public expression period was closed.

#### IN RE: ROADS AND HIGHWAYS

The Coal & Gas Roads payments were reviewed.

A resolution approving The Annual Plan for Roads and Bridges needs approval at the next meeting.

A request has been made for the installation of a "Children At Play" sign on Hunter Road in Esserville.

The Board needs to authorize the Chairman and the Highway Resident Engineer to participate in the additional funding of the Revenue Sharing Program.

#### VDOT REMARKS

T. G. Branson, Highway Resident Engineer, gave the Board a brief update of ongoing construction throughout Wise County.

#### IN RE: RESOLUTIONS OF APPRECIATION

Donald Ratliff and John Prince, members of the Coal & Gas Road Committee, presented to Leland Branham, retired Highway Resident Engineer, a resolution of appreciation for his years of service and dedication to Wise County. Chairman Adkins presented a resolution of appreciation to Mr. Branham from the Board of Supervisors for his dedication and commitment in making Wise County a better place to live.

Edgar Mullins, former Chairman of the Coal & Gas Road Improvement Committee, received a resolution of appreciation from the Coal & Gas Road Committee Chairman Doug Stallard, for his service to Wise County and its citizens while serving on the Coal & Gas Road Committee.

#### IN RE: REGIONAL JAIL UPDATE

Bill King reviewed and discussed the concept of the regional jail and the benefits that would be reaped by the county. Mr. King stated that if the Board is interested in the regional jail, a resolution requesting a further study would need to be adopted.

Mr. King stated that upon adoption of a resolution, there would be a joint venture with the counties involved to establish a Southwest Virginia Regional Jail Task Force to be composed of not more than three representatives of each county and appointed by each governing body. The Sheriff of each county would be one of the three appointees.

There was some discussion on including a juvenile facility in the preliminary planning of the regional jail that would also be a tremendous asset and keep our children in this area.

#### IN RE: LAKE ESTONOA PROJECT

A forty-five minute slide presentation on Lake Estonoe Project was presented by students from St. Paul High School. Nikki Buffalow, Project Director, asked for financial assistance from the Board to help fulfill the dream of the students from St. Paul High School to complete the Lake Estonoe Project.

#### IN RE: COAL & GAS SEVERANCE TAX

Dickenson County has asked Wise County to join forces with them and be a player in getting a clarification of the meaning of gross receipts, for the purposes of severance taxes levied on coal and gas. To date, there has been no cost figure presented to the Board as to its share of said cost.

There was some discussion on the meaning of "gross receipts".

Administrator Scott recommended that this matter be considered during the budget process.

#### IN RE: CNW / COUNTY SEWER STATUS

Administrator Scott informed the Board that he, Chairman Adkins, and Ron Helton had met with the CNW Authority regarding the county's sewer allocation and taps in the CNW Wastewater Treatment Plant. The sewer allocation is 400,000 gallons per day and the taps are now at eight (8) with any increase to be negotiated.

#### IN RE: CHILDREN'S PARK WISE PRIMARY

Will Gype, representing the children of Wise County, asked the Board for financial assistance in constructing a playground at the Wise Primary School that will be enjoyed by all children in the area. A firm, Leather & Associates, from New York that specialize in designing special playgrounds for children has been contacted regarding this project. This playground will be built by the community volunteers and the children for an approximate cost of \$140,000. The Town of Wise donated \$25,000 and the County is being asked to donate \$7,500.00. The School Board has agreed to take on the "ongoing" maintenance of the playground and to participate in landscaping for the property which together would have a dollar value of approximately \$10,000 to \$15,000.

#### IN RE: LONESOME PINE AIRPORT/TRANSFER OF PROPERTY

Ron Helton and Bill Sutherland asked the Board for its consideration in transferring county property to the Industrial Development Authority. In the development of the airport, and in the airport's master planning activities since that time, the Cumberland Airport Commission has identified certain properties as being land not necessary for future development of the airport. Mr. Helton presented a sketch of approximately 100 acres of surplus property that would be compatible with the proposed business technology park. He asked the Board to consider adopting a resolution that would transfer Wise County's interest in the surplus airport property to the Wise County IDA.

A letter of support for this transfer was received from the Cumberland Airport Commission.

#### IN RE: JUDICIAL SALE/ADDITIONAL FUNDING

Treasurer Rita Holbrook gave an update on the Judicial Sale and asked the Board to reconsider her request for an additional \$20,000 to continue with the Judicial Sale since there is an attorney who is willing to do the title searches at a reasonable price. She noted that she had presented further

information on the Judicial Sale process which would help the Board understand the importance of the sale.

Donnie Dowell brought to the Board's attention that since this request has already been voted on, the only motion that can be made is to reconsider the motion that was made at the last month's meeting which was to consider the additional \$20,000 during the budget process.

There was a lengthy discussion on the parliamentary procedure in reconsidering a motion.

Attorney Mullins noted that another request would have to be substantially different than that of the original request before it could be considered.

Dan Fast, Attorney for the Judicial Sale, explained the procedure of the sale, the time involved and the cost for doing the title searches. He noted that on a daily bases he is told by some delinquent tax payer that they will not pay their taxes, never have and never will. He asked the Board to consider further funding to finish the sale now in progress.

Mr. Dowell asked Ms. Holbrook to provide data to the Board regarding a past Judicial Sale and the results from that sale and the benefits that were reaped by the county from said sale . This type of report would educate the Board on the time-frame involved in completing a sale, an estimated cost for the process and the benefits reaped by the County.

After further discussion, Attorney Mullins was asked to present to the Board a possible legal method in which Ms. Holbrook's request may be reconsidered for discussion.

Mr. Dowell cautioned the Board on taking this type of action because this is such a "gray area" and should be tread cautiously.

#### IN RE: COYOTE DAMAGE CONTROL PROGRAM

During the 2000 session of the General Assembly there was an effort to secure additional funding for the Cooperative Coyote Damage Program administered by Virginia Department of Agriculture and Consumer Services. This is a cost-share program funded by federal, state and private funds to protect livestock from coyote predation in our county as well as the rest of the state.

It has been recently learned that Virginia Department of Agriculture and Consumer Services would be willing to lobby the State legislature as well as the U.S. Congress for extra funding for this program, however, the Governor must direct that VDACS pursue these available funds.

It is being requested that local county governments write the Governor of Virginia and request that he direct the Virginia Department of Agriculture and Consumer Services to lobby for these funds.

#### RECESS

The Board took a brief recess at 9:50 p.m.

The meeting reconvened at 10:05 p.m.

#### IN RE: BUDGET REVIEW

Administrator Scott reviewed the proposed FY 2000/2001 budget cuts and add backs that he had completed according to the Board's request. He stated that there were decreases in all departments.

Edgar Mullins asked that money be placed in the proposed budget to re-hire three (3) of the employees that were laid-off in December 1999.

After further discussion, it was the consensus of the Board to continue discussion on the budget at a recessed meeting.

Edgar Mullins left the meeting at this time.

#### IN RE: OTHER ITEMS DISCUSSED

1. Indian Creek Water Project Appropriation of Funds
2. Resolution of Recognition/Dean Debbie Sydow
3. Resolution Virginia Community Crime Control
4. Judicial Sale/Attorney Fees
5. Rezoning Request/Hudson Branham
6. Building Refund
7. Dance Hall Permit
8. MOU Travel Charge Card
9. Appointments
10. Budget Advertisement
11. Payment of Accounts
12. E-911 Payments
13. Blackwood Landfill Enterprise Payments
14. Indian Creek Water Project/Administrative Agreement
15. Indian Creek Water Project/Authorize Drawdowns
16. Closed Session / 2.1-344A.1 Personnel
17. Board Comments

#### IN RE: CHANGE DATE OF MAY 11TH BOARD MEETING

Chairman Adkins stated that two Board members would be unable to attend the May 11th Board meeting due to conflicts in their schedules. It was requested that the May 11th Board meeting be changed to an earlier date which would allow these two members to be present.

After discussion, it was the consensus of the Board to meet on Monday, May 8th at 6:00 p.m. and to ratify this action at that time.

There being no further business, the meeting adjourned at 11:40 p.m.