

Board of Supervisors - May 11, 2000 Regular Meeting

The Wise County Board of Supervisors met in regular session on Thursday, May 11, 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 Doug Mullins

Honorable Edgar Mullins

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

ABSENT

Honorable Betty Cornett

Honorable Douglas Stallard

PRAYER

Rev. George Aichel - Pastor Big Stone Gap Presbyterian Church led the Board in prayer.

PLEDGE OF ALLEGIANCE TO THE FLAG

MINUTES

A motion was made by Jeff Salyers, seconded by Virginia Meador, to approve the minutes as presented. The motion was unanimously approved.

IN RE: APPROVAL OF AGENDA

A motion was made by Doug Mullins, seconded by Donnie Dowell, and unanimously approved, to approve the agenda with the following additions:

Discretionary Funds/ Addition - Coeburn Civic League

Discuss adding to the budget three part-time people that were laid off in December.

IN RE: PUBLIC EXPRESSION

Elmer Phillips spoke briefly on the subjects regarding the need for a leash law in Wise County, and working inmates at the landfill instead of reinstating those men that were laid off in December.

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

IN RE: COAL & GAS ROAD PAYMENTS

Gravel Payments

A motion was made by Jeff Salyers, seconded by Virginia Meador, to approve the gravel payments in the amount \$16,057.42 for gravel placed on roads throughout Wise County. The motion was unanimously approved.

Meeting Payment

A motion was made by Virginia Meador, seconded by Donnie Dowell, to approve the payments totaling \$75.00 for attending the Coal & Gas Road Committee meeting on April 11, 2000. The motion was unanimously approved.

VDOT PAYMENT

A motion was made by Donnie Dowell, seconded by Jeff Salyers, to approve the VDOT payment in the amount of \$381,453.27 for gravel placed on roads throughout Wise County. The motion was unanimously approved.

IN RE: RESOLUTION-ANNUAL PLAN FOR ROADS & HIGHWAYS

A motion was made by Donnie Dowell, seconded by Jeffrey Salyers, to adopt the resolution approving the Annual Plan for the period of July 1, 2000 thru June 30, 2001. The motion was unanimously approved.

RESOLUTION # 2000

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

IN RE: RESOLUTION CHILDREN AT PLAY SIGN

A motion was made by Donnie Dowell, seconded by Jeffrey Salyers, to adopt the resolution approving the installation and maintenance of the sign "Watch For Children" to be located on Hunter Road located in the Esserville area of Wise County. The motion was unanimously approved.

RESOLUTION # 2000

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

IN RE: REVENUE SHARING PROGRAM/ADDITIONAL FUNDING

A motion was made by Doug Mullins, seconded by Virginia Meador, to authorize the Chairman and the Highway Resident Engineer to participate in the Supplemental Allocation Revenue Sharing Program for FY 1999/2000 in the amount of \$100,000 to be matched on a dollar-for-dollar basis from funds of the State of Virginia. The motion was unanimously approved.

VDOT REMARKS

T.G. Branson, Highway Resident Engineer, briefed the Board on upcoming events in road construction throughout Wise County.

IN RE: RESOLUTION REGIONAL JAIL

A motion was made by Donnie Dowell, seconded by Doug Mullins, to adopt the resolution of participation for further study of the concept of a regional jail for Southwest Virginia; to establish a Southwest Virginia Regional Jail Task Force, and financially support the activities of the Task Force on an equal cost basis shared among all participating localities for an amount not to exceed \$25,000. The motion was unanimously approved.

There was some discussion as to where these funds would come from.

After discussion, it was noted that the \$25,000 would be considered in next year's budget and said funds would be returned to each participating locality some time in the future.

RESOLUTION # 2000

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

IN RE: APPOINTMENT - Virginia Regional Jail Task Force

A motion was made by Donnie Dowell, seconded by Doug Mullins, and unanimously approved, to appoint the following individuals to the Virginia Regional Jail Task Force:

Ronnie Oakes - Wise County Sheriff

Robert Adkins - Board of Supervisors's Chairman

Shannon C. Scott-Acting County Administrator

It was noted that Mr. Scott would be replaced by the incoming County Administrator.

IN RE: LAKE ESTONOA PROJECT/REQUEST FOR FUNDING

It was the consensus of the Board that the request for funding for the Lake Estonoea Project will be considered during the budget process.

Jeff Salyers noted that the St. Paul students has asked for a letter of support from the Board of Supervisors regarding this project. It was the consensus of the Board that the County Administrator write a letter of support for the Lake Estonoea Project to accompany the grant application.

IN RE: UVA-WISE RADIO/ REQUEST FOR FUNDING

The request for funding for UVA- WISE Radio will be considered during the budget process.

IN RE: INDIAN CREEK WATER PROJECT APPROPRIATION OF FUNDS

A motion was made by Doug Mullins, seconded by Jeffrey Salyers, to approve the appropriation of monies from the CDBG and ARC Grant for the Indian Creek Water Project.

Aye-Doug Mullins Nay-Non Abstain - Donnie Dowell

Edgar Mullins

Virginia Meador

Robert Adkins

Jeffrey Salyers

IN RE: COAL & GAS SEVERANCE TAX/DICKENSON COUNTY REQUEST

A motion was made by Donnie Dowell, seconded by Doug Mullins, to consider this request during the budget process. The motion was unanimously approved.

IN RE: SALE OF COUNTY PROPERTY/CARFAX AREA

A public hearing was held on May 4, 2000, to receive citizens' input regarding the sale of a portion of county property located in the Carfax area.

There was no public input regarding this sale at the public hearing.

A motion was made by Donnie Dowell, seconded by Jeff Salyers, to approve the sale of the county property located in the Carfax area of St. Paul as advertised. The motion was unanimously approved.

IN RE: SMOKING ORDINANCE AMENDMENT

A public hearing was held on May 4, 2000, to receive citizens' comments regarding an amendment to the Ordinance Pursuant To The Virginia Indoor Clean Air Act (County Smoking Ordinance).

There was no public opposition to the proposed amendment at the public hearing.

A motion was made by Doug Mullins, seconded by Jeff Salyers, to approve the amendment to the Ordinance Pursuant To The Virginia Indoor Clean Air Act (County Smoking Ordinance) as presented. The motion was unanimously approved.

It was noted that this ordinance is to be enforced.

IN RE: ZONING ORDINANCE AMENDMENT

A public hearing was held on May 4, 2000, to receive citizens' input regarding two amendments to the County Zoning Ordinance.

There was no opposition to the proposed amendments at the public hearing.

A motion was made by Donnie Dowell, seconded by Jeff Salyers, to approve the amendment to the Zoning Ordinance regarding the Business Technology District as presented. The motion was unanimously approved.

A motion was made by Jeff Salyers, seconded by Virginia Meador, to approve the amendment to the Zoning Ordinance regarding the Transitional Provisions as present. The motion was unanimously approved.

IN RE: BSG PARTNERSHIP SUBDIVISION AT ESSERVILLE/SEWER ALLOCATION

Wendell Barnette, Don Green and Ben Sergent are proposing to develop a 41-acre tract of land located near the Esserville Industrial Park into a subdivision. This tract of land will be subdivided into 30 lots.

Water for this proposed subdivision will be provided by either the Town of Wise or the Wise County Public Service Authority for an amount of 10,000 gallons per day.

The sewer service will be provided by the City of Norton.

Administrator Scott stated that after meeting with CNW, it is very possible that both the sewer allocation and the tap requirements associated with this proposed subdivision will come from the City of Norton since they will be the billing agent to the property owners. He recommended that the Board approve a portion of the County's sewer allocation from CNW for this subdivision if this need should arise.

A motion was made by Donnie Dowell that the Board approve the sewer allocation in the amount of 10,000 gallons per day to the BSG Partnership Subdivision to be located at Esserville with the stipulation that it is needed from the County of Wise and not the City of Norton. Jeff Salyers seconded the motion. The motion was unanimously approved.

Edgar Mullins voiced his concern about the construction of the road(s) for this subdivision.

Administrator Scott advised that the Planning Commission is scheduled to hear the request on the zoning and construction portion of this subdivision at its next meeting and the road(s) will be addressed at that time.

IN RE: CHILDREN'S PARK AT WISE PRIMARY

The request for financial assistance in constructing a park at the Wise Primary School was referred for budget discussion and consideration.

There was some discussion on the entity that would be liable for accidents that may occur on the playground.

Attorney Mullins informed the Board that the School Board would be held liable for any accidents that may occur on the playground and not the County.

IN RE: RESOLUTION TRANSFER OF PROPERTY LP PARK

It was noted that the Cumberland Airport Commission has identified approximately 100 acres of surplus property at the Lonesome Pine Airport that is not needed for future growth needs of the airport. The Cumberland Airport fully embraces the concept of including its surplus property into the overall development of the LP Business and Technology Park.

After discussion, Donnie Dowell made a motion that the Board adopt the resolution to transfer approximately 100 acres of property jointly owned by Wise County and the City of Norton to the Wise County IDA for the purpose of industrial development at the LP Regional Business Technology Park. Jeff Salyers seconded the motion.

Attorney Mullins advised that since this is a transfer of property jointly owned by the County and the City of Norton, there must be a public hearing held by each entity.

Attorney Mullins recommended adopting a resolution of intent to transfer the property and she will do further research to ascertain information regarding the transfer and whether or not a public hearing is required. A report will be forthcoming at the Board's recessed meeting.

Donnie Dowell withdrew his motion.

Jeff Salyers withdrew his second.

Donnie Dowell made a motion to adopt the resolution with the intent to convey the transfer of property to the Wise County IDA to further expand the LP Regional Business Technology Park. Jeff Salyers seconded the motion. The motion was unanimously approved.

RESOLUTION # 2000

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

IN RE: RESOLUTION OF RECOGNITION/DEBBIE SYDOW

A resolution of recognition for Debbie Stanley Sydow, a native of Pound, Virginia, was presented to the Board for approval.

A motion was made by Jeff Salyers, seconded by Donnie Dowell, to approve the resolution regarding the accomplishments and contributions of Debbie Stanley Sydow to Wise County.

The motion was unanimously approved.

RESOLUTION # 2000

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

IN RE: RESOLUTION VIRGINIA COMMUNITY CRIME CONTROL ACT

A motion was made by Donnie Dowell, seconded by Jeff Salyers, to approve the resolution stating that the Board of Supervisors will participate in the Virginia Community Crime Control Act in a combined plan with adjoining counties and to authorize the Chairman to execute a local plan on behalf of Wise County. The motion was unanimously approved.

RESOLUTION # 2000

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

IN RE: JUDICIAL SALE FUNDING

Chairman Adkins stated that Treasurer Rita Holbrook had made a request that the Judicial Sale funding be placed back on the agenda for consideration. However, this request having been voted on in a previous meeting, is not eligible for reconsideration. The Judicial Sale funding will be considered during the budget process.

IN RE: JUDICIAL SALE / ATTORNEY FEES

A motion was made by Donnie Dowell, seconded by Virginia Meador, to approve the payment of attorney fees collected on the Judicial Sale to Daniel Fast in the amount of \$489.36. The motion was unanimously approved.

IN RE: DISCRETIONARY FUND DISBURSEMENT

101 Car/Big Stone Gap

\$300.00 - Virginia Meador

\$300.00 - Betty Cornett

Fairview Community Center

\$250.00 - Donnie Dowell

\$100.00 - Edgar Mullins

Coeburn Civic League

\$250.00 - Donnie Dowell

J. J. Kelly Little League Football

\$100.00 -Doug Stallard

\$100.00 -Bob Adkins

Forensic Team Powell Valley

\$200.00 - Virginia Meador

\$200.00 - Betty Cornett

A motion was made by Donnie Dowell, seconded by Jeff Salyers, to approve the disbursement of discretionary funds as listed above. The motion was unanimously approved.

IN RE: REZONING / HUDSON BRANHAM

A motion was made by Donnie Dowell, seconded by Jeff Salyers, to hold a public hearing on June 1, 2000, at 6:05 p.m. to receive citizens' input on a rezoning request from Hudson Branham to rezone 6.5 acres of land located at 8241 South Mountain Road, Pound, VA from an A-RR District to a B-1 District for the purpose of establishing a farm produce business. The motion was unanimously approved.

IN RE: BUILDING REFUND

A motion was made by Jeff Salyers, seconded by Donnie Dowell, to approve the building refund to Rhoda Luther in the amount of \$25.25. The motion was unanimously approved.

IN RE: DANCE HALL PERMIT

A motion was made by Jeff Salyers, seconded by Donnie Dowell, to hold a public hearing on June 1, 2000, at 6:10 p.m. to receive citizens' input regarding a request from Jimmy R. Ray for a dance hall permit for the Mountaineer Restaurant & The Midnighter Lounge (the former Moose Lodge building) located on Highway 58 near Coeburn, VA. The motion was unanimously approved.

IN RE: MEMORANDUM OF UNDERSTANDING TRAVEL CARD

Administrator Scott recommended that the Board adopt the MOU for the Board's travel cards and that the travel cards be left in the County Administrator's Office when not in use.

A motion was made by Donnie Dowell, seconded by Jeff Salyers, to adopt the Memorandum of Understanding regarding the travel cards for the Board members as presented. The motion was unanimously approved.

IN RE: APPOINTMENT / RECREATIONAL AUTHORITY

A motion was made by Virginia Meador, seconded by Jeff Salyers, to appoint Kenneth Spurlock to the Recreational Authority . The motion was unanimously approved.

IN RE: APPOINTMENT/PSA

Edgar Mullins made a motion to nominate Shelby Gardner to the PSA.

Doug Mullins made a motion to nominate Kathy Roberson to the PSA.

There being no further nominations, Chairman Adkins asked for a vote on the nomination of Shelby Gardner.

Nay-Doug Mullins Aye-Edgar Mullins Abstain-Donnie Dowell

Virginia Meador

Robert Adkins

Jeff Salyers

The motion failed

Chairman Adkins asked for a vote on the nomination of Kathy Roberson.

Aye-Doug Mullins Nay-Edgar Mullins Abstain-Donnie Dowell

Virginia Meador

Robert Adkins

Jeff Salyers

Motion carried.

IN RE: APPOINTMENT / RADA

A motion was made by Donnie Dowell, seconded by Doug Mullins, to appoint Doug Stallard to the RADA Board. The motion was unanimously approved.

IN RE: APPOINTMENT/REDEVELOPMENT & HOUSING AUTHORITY

A motion was made by Edgar Mullins, seconded by Doug Mullins, to appoint Ben Cooper to the Redevelopment & Housing Authority. The motion was unanimously approved.

A motion was made by Donnie Dowell, seconded by Doug Mullins, to reappoint Wayne Perry to the Redevelopment and Housing Authority. The motion was unanimously approved.

IN RE: COYOTE DAMAGE CONTROL PROGRAM

A motion was made by Doug Mullins, seconded by Donnie Dowell, to authorize Administrator Scott to draft a letter to the Governor of Virginia and request that he direct the Virginia Department of Agriculture and Consumer Services to lobby for funds for the Cooperative Coyote Damage Program.

Aye-Doug Mullins Nay-None Abstain-Edgar Mullins

Virginia Meador

Robert Adkins

Donnie Dowell

Jeff Salyers

IN RE: BUDGET REVIEW

It was the consensus of the Board to meet on Wednesday, May 17, 2000, to review the proposed budget.

IN RE: PAYMENT OF ACCOUNTS

A motion was made by Donnie Dowell, seconded by Jeff Salyers, to approve the payment of accounts as presented. The motion was unanimously approved.

IN RE: E-911 PAYMENTS

A motion was made by Donnie Dowell, seconded by Jeff Salyers, to approve the 911 payments as presented. The motion was unanimously approved.

IN RE: BLACKWOOD LANDFILL ENTERPRISE FUND PAYMENTS

A motion was made by Doug Mullins, seconded by Virginia Meador, to approve the Blackwood Landfill Enterprise Fund Payments as presented. The motion was unanimously approved.

IN RE: INDIAN CREEK WATER PROJECT/ADMINISTRATIVE AGREEMENT

A motion was made by Jeff Salyers, seconded by Doug Mullins, to authorize the Chairman to sign the Administrative Agreement for the Indian Creek Water Project.

Aye-Doug Mullins Nay-None Abstain-Donnie Dowell

Edgar Mullins

Virginia Meador

Robert Adkins

Jeff Salyers

IN RE: INDIAN CREEK WATER PROJECT/AUTHORIZE DRAWDOWNS OF FUNDS

A motion was made by Jeff Salyers, seconded by Doug Mullins, that Shannon Scott and Annette Underwood be the authorized signatures to drawdown funds for the Indian Creek Water Project.

Aye-Doug Mullins Nay-None Abstain - Donnie Dowell

Edgar Mullins

Virginia Meador

Robert Adkins

Jeff Salyers

IN RE: CLOSED SESSION/PERSONNEL

Chairman Adkins advised that there would be no need for a closed session.

IN RE: BOARD COMMENTS

There were brief comments from Board members.

IN RE: RECESS MEETING

A motion was made by Donnie Dowell, seconded by Doug Mullins, to recess the meeting until Friday, May 12, 2000 at 5:00 p.m. The motion was unanimously approved.