

## Board of Supervisors - June 8, 2000 Regular Meeting

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The Wise County Board of Supervisors met in regular session on Thursday, June 8, 2000, in the Board of Supervisors Meeting Room located in the Wise County courthouse. The following were present:

Honorable Roberts 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. T. G. Branson, Pastor of Coeburn Church of God, Coeburn, Virginia led the Board in prayer.

### PLEDGE ALLEGIANCE TO THE FLAG

### MINUTES

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

### IN RE: APPROVAL OF AGENDA

The following items were added to the agenda:

1. Discuss the appointment on the PSA Board
2. Add Coeburn Girls Softball Team To the Disbursement of Discretionary Funds
3. Add Advertisement For Construction Contract Bids/Appalachia Landfill Closure

A motion was made by Doug Stallard, seconded by Jeff Salyers, to approve the items as listed above to be added to the agenda. The motion was unanimously approved.

IN RE: SCHOOL BUDGET APPROVAL FOR FY 2000/01

A public hearing was held on the proposed school budget for FY 2000/01 on June 1, 2000 to receive citizens' comments and input.

There were several citizens at the public hearing requesting the Board to reconsider additional funds to the school budget to fund the art and music teachers for the schools.

After discussion, a motion was made by Betty Cornett to fund the School Budget in the amount of \$11,952,000.00. Doug Mullins seconded the motion.

Edgar Mullins made a substitute motion to approve Option #3 of the budget which included \$11,703,077.00 for the School Board that was advertised to include the add-ons as presented by the County Administrator.

The motion died due to lack of second.

Chairman Adkins asked for a vote on the main motion to approve the School Budget in the amount of \$11,952,000.00.

Aye-Doug Mullins

Nay-Edgar Mullins

Betty Cornett

Robert Adkins

Doug Stallard

Donnie Dowell

Jeff Salyers

Virginia Meador

IN RE: PUBLIC EXPRESSION

IN RE: YOUTH BASKETBALL OF AMERICA

The Wise County 14 year and under YBOA Team who participated in the Virginia State Tournament qualified to participate in the National Championship Tournament in Orlando Florida.

Jack Beverly Jr., representing the Girls YBOA which is made up from girls all over Wise County, asked the Board for financial assistance in helping with the expenses for this trip.

IN RE: RESOURCE OFFICERS

Suzanne Lawson, representing the Wise County School Board, gave the Board a background summary of the Resource Office Program and the funding sources of that program. She said the grant applications that were written through the School Board office were for the schools with the greatest need because the grants were based upon the data that was presented. Ms. Lawson explained that most of the grant applications are coming to the police departments or the local government and not to the schools. However, there are some funds available through the U.S. Department of Criminal Justice Services. The positions that have already been funded have been funded by the towns or through grants.

Ms. Meador was concerned that Powell Valley would be without a Resource Officer.

Chairman Adkins asked Ms. Lawson if she would offer her assistance to the Town of Big Stone

in securing a grant for the school resource officer. Ms. Lawson acknowledged that she has already spoken to two of the Big Stone Gap Council Members regarding the grant funding.

Administrator Scott stated that he had spoken with Big Stone Gap Town Manager George Polly and he asked whether or not Wise County could fund through the Wise County Sheriff's Department a Resource Officer for Powell Valley High School in lieu of the Town of Big Stone Gap furnishing the position through the Big Stone Gap Police Department.

Mr. Scott recommended that the Board table any action on this request until such time that an answer has been received on the School Board's application.

After further discussion and with several unanswered questions regarding the funding, Donnie Dowell made a motion to table this item for further information on the grant funding. Doug Mullins seconded the motion. The motion was unanimously approved.

IN RE: BLACKWOOD LANDFILL /CONTRACT AMENDMENT

Administrator Scott stated that Bill King, at the last Board meeting, informed the Board that the allocated hours for inspection of the landfill had been depleted. It has been estimated that 330 additional inspection hours will be needed to finalize this job for which T&L has agreed to decrease its charge from \$55.00 per hour to \$45.00 per hour.

Donnie Dowell questioned the "not to exceed" clause in the contract and whether or not the engineering firm would have to "eat" this extra cost due to miscalculation of the number of hours it would take to finish this job.

Administrator Scott stressed the fact that an inspector must be on site to certify the inspection of the clay which is required by DEQ.

Attorney Mullins stated that she would review the MOU that will answer any questions the Board may have regarding the language that is in question.

After further discussion, a motion was made by Donnie Dowell, seconded by Doug Mullins, that upon review of the contract by counsel, and if the Board is required under contract to approve this request, the funding be approved, however, if the contract does not require this additional funding, he asked that this request be revisited.

Aye-Doug Mullins

Nay-Edgar Mullins

Betty Cornett

Robert Adkins

Virginia Meador

Doug Stallard

Donnie Dowell

Jeff Salyers

#### IN RE: VDOT PAYMENT

A motion was made by Donnie Dowell, seconded by Betty Cornett, to approve the VDOT payment in the amount of \$3,944.38 for work done on roads throughout Wise County to be paid from the Coal & Gas Road Fund. The motion was unanimously approved.

#### IN RE: GRAVEL PAYMENTS

A motion was made by Doug Stallard, seconded by Donnie Dowell, to approve the gravel payments in the amount of \$7,819.60 for gravel placed on roads throughout Wise County to be paid from the Coal & Gas Road Fund. The motion was unanimously approved.

#### VDOT REMARKS

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

IN RE: REZONING/HUDSON BRANHAM

A public hearing was held on June 1, 2000, to receive citizens' comments regarding a 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.

There was no public comments opposing this request.

Board Member Doug Mullins stated that he had several people to give him verbal opposition to the proposed rezoning but due to their work schedules were unable to attend either of the public hearings to voice their opposition.

After further discussion, Doug Mullins made a motion to send the rezoning request from Mr. Hudson back to the Planning Commission for reconsideration. Doug Stallard seconded the motion. The motion was unanimously approved.

IN RE: DANCE HALL LICENSE

A public hearing was held on June 1, 2000, to receive citizens comments 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.

There was no opposition to the request at the public hearing.

A motion was made by Jeff Salyers, seconded by Donnie Dowell, to approve the dance hall permit for Jimmy R. Ray for the Mountaineer Restaurant & The Midnighter Lounge as requested. The motion was unanimously approved.

IN RE: COUNTY BUDGET FY 2000/01

A public hearing was held on June 1, 2000, to receive citizens' input on the proposed County Budget for FY 2000/01. There were several citizens at that hearing asking the Board to reconsider adding sufficient funding to the school budget to expand the education programs in art and music.

Donnie Dowell made a motion to approve the budget as advertised with the add-ons as presented by the County Administrator. Doug Mullins seconded the motion.

Doug Stallard made a substitute motion to approve the budget as advertised with the add-ons as presented by the County Administrator plus \$5,000 for the Wise playground and \$5,000 for the Pound playground. Doug Mullins seconded the motion.

Betty Cornett asked Mr. Dowell to amend his motion and add \$7,500 for equipment for the Treasurer, and \$2,926.00 to be placed in the general fund for any special project one of the supervisors may have.

After further discussion, Chairman Adkins asked for a vote on the substitute motion.

The motion was unanimously approved.

#### IN RE: TRANSFER OF PROPERTY/LP AIRPORT

A public hearing was held on June 1, 2000, to receive citizens' comments regarding the transfer of 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.

There was no public opposition to the property transfer at the public hearing.

A motion was made by Doug Stallard, seconded by Donnie Dowell, to approve the property transfer as noted above. The motion was unanimously approved.

#### IN RE: BUILDING REFUND

A motion was made by Doug Stallard, seconded by Doug Mullins, to approve the building refund in the amount of \$85.57 to Jeffery and Treva Adkins. The motion was unanimously approved.

#### IN RE: DISBURSEMENT OF DISCRETIONARY FUNDS

A motion was made by Doug Stallard, seconded by Donnie Dowell, to approve the disbursement of the discretionary funds as presented. The motion was unanimously approved.

#### IN RE: REZONING/PEGGY ADAMS

A motion was made by Doug Stallard, seconded by Donnie Dowell, to hold a public hearing on July 6, 2000, at 6:05 p.m. to receive citizens comments regarding a request from Peggy Adams to rezone 3.41 Acres of land from A-RR District to a B-2 District for the purpose of placing two billboards for advertising by Stafford Communications. The motion was unanimously approved.

#### IN RE: LANDFILL USE FEE REFUNDS

A motion was made by Doug Stallard, seconded by Donnie Dowell, to approve the landfill use fee refunds as presented. The motion was unanimously approved.

IN RE: APPOINTMENT / LENOWISCO DISABILITY SERVICES BOARD

A motion was made by Doug Stallard, seconded by Betty Cornett, to reappoint Cathy Lambert to the LENOWISCO Disability Services Board. The motion was unanimously approved.

IN RE: APPOINTMENT / LP LIBRARY BOARD OF TRUSTEES

A motion was made by Doug Mullins, seconded by Edgar Mullins, to reappoint Faye Barker, to the LP Library Board of Trustees. The motion was unanimously approved.

A motion was made by Virginia Meador, seconded by Betty Cornett, to appoint Anita Wilson to the LP Library Board of Trustees. The motion was unanimously approved.

A motion was made by Doug Stallard, seconded by Jeff Salyers, to appoint Lisa Riggs to the LP Library Board of Trustees. The motion was unanimously approved.

A motion was made by Donnie Dowell to reappoint Mary Kiser to the LP Library Board of Trustees.

Jeff Salyers nominated Betsy Fletcher to the LP Library Board of Trustees.

There being no further nominations Chairman Adkins asked for a vote to reappoint Mary Kiser to the LP Library Board of Trustees.

Aye-Donnie Dowell	Nay-Betty Cornett
Doug Mullins	Robert Adkins
Edgar Mullins	Doug Stallard
	Jeffrey Salyers
	Virginia Meador

The motion failed.

Chairman Adkins asked for a vote to appoint Betsy Fletcher to the LP Library Board of Trustees.

Aye-Betty Cornett	Nay-Donnie Dowell
Virginia Meador	Douglas Mullins
Robert Adkins	Edgar Mullins
Douglas Stallard	

Jeff Salyers

The motion carried.

IN RE: APPOINTMENT PLANNING COMMISSION

It was the consensus of the Board to table this request until the July meeting.

IN RE: APPOINTMENT/RECREATIONAL AUTHORITY

It was the consensus of the Board to table the appointment on the Recreational Authority for the Coeburn area until next month.

A motion was made by Edgar Mullins, seconded by Doug Mullins, to reappoint Ted Sizemore to the Recreational Authority. The motion was unanimously approved.

IN RE: APPOINTMENT / COMMUNITY SERVICES BOARD PLANNING DIST 1

A motion was made by Virginia Meador to reappoint Mike O'Donnell to the Community Services Board Planning District I. Donnie Dowell seconded the motion. The motion was unanimously approved.

A motion was made by Doug Stallard, seconded by Betty Cornett, to reappoint Nancy Reece to the Community Services Board Planning District I. The motion was unanimously approved.

IN RE: APPOINTMENT/LONESOME PINE OFFICE ON YOUTH

A motion was made by Edgar Mullins to reappoint Harriet Bush to the Lonesome Pine Office on Youth. Doug Mullins seconded the motion. The motion was unanimously approved.

IN RE: APPOINTMENT/MECC BOARD

Edgar Mullins made a motion to appoint Patty Church to the MECC Board.

Chairman Adkins asked Attorney Mullins to elaborate on the terminology for appointment on the MECC Board since there is some concern that this is not a district appointment.

Attorney Mullins stated that this is not a district appointment. However, the Board has always attempted to have equal representation on this Board. At this point in time, there is no appointment from district 2. She brought to the Board's attention that the MECC Board By-laws require certain qualifications for

its members. She further noted that there is a "floating" member on this Board that could be rotated through the different districts.

Doug Stallard made a substitute motion to appoint Delmer Wilson to the MECC Board as a floating member.

Chairman Adkins asked for a vote on the main motion to appointment Patty Church to the MECC Board.

Aye-Edgar Mullins	Nay-Virginia Meador
Doug Mullins	Betty Cornett
Donnie Dowell	Robert Adkins
	Doug Stallard
	Jeff Salyers

The motion failed

Chairman Adkins asked for a vote on the substitute motion to appoint Delmer Wilson as a floating member to the MECC Board.

Aye-Virginia Meador	Nay- Edgar Mullins
Betty Cornett	Doug Mullins
Robert Adkins	Donnie Dowell
Doug Stallard	
Jeff Salyers	

The motion carried.

#### IN RE: PSA APPOINTMENT

Edgar Mullins asked the Board to reconsider the motion regarding the PSA appointment that was made at the last Board meeting.

Attorney Mullins advised that the Board could entertain a motion to rescind previous action that was taken on the PSA appointment.

Edgar Mullins made a motion to rescind the action taken at the previous Board meeting regarding the PSA appointment.

The motion died for lack of a second.

IN RE: SINKING FUND

Administrator Scott asked the Board to authorize him to write a letter of request to the Treasurer asking that she set aside funds in the amount of \$163,348.04 combined with funds previously set aside of \$345,600.00 to be used for future closure costs for the Blackwood Landfill.

A motion was made by Doug Stallard, seconded by Donnie Dowell, to authorize Administrator Scott to have the Treasurer set aside funds in the amount of \$163,348.04 for the Blackwood Landfill Closure. The motion was unanimously approved.

IN RE: ADVERTISE FOR RFP'S/ENGINEERING SERVICES/CONNECTOR ROAD

A motion was made by Doug Stallard, seconded by Donnie Dowell, to authorize the advertisement for RFP's for engineering services for the connector road Rt. 58 to Wise. The motion was unanimously approved.

IN RE: ADVERTISE FOR CONSTRUCTION CONTRACT BIDS/APPALACHIA LANDFILL CLOSURE

A motion was made by Doug Stallard, seconded by Donnie Dowell, to approve the advertisement for construction contract for the Appalachia Landfill closure. The motion was unanimously approved.

IN RE: MECKLENBURG COUNTY RESOLUTION/INCREASE IN LOCAL TAX

A motion was made by Jeff Salyers to deny the tax resolution as submitted by Mecklenburg County. Edgar Mullins seconded the motion. The motion was unanimously approved.

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 Doug Stallard, seconded by Donnie Dowell, to approve the 911 payments as presented. The motion was unanimously approved.

IN RE: BLACKWOOD LANDFILL ENTERPRISE FUND

A motion was made by Doug Stallard, seconded by Betty Cornett, to approve the Blackwood Enterprise Fund payments as presented. The motion was unanimously approved.

IN RE: LANDFILL ENTERPRISE FUND PAYMENTS

A motion was made by Doug Stallard, seconded by Donnie Dowell, to approve the Landfill Enterprise Fund payments as presented. The motion was unanimously approved.

IN RE: LANDFILL USE FEE COLLECTIONS/PAYMENTS

Betty Cornett made a motion that the revenues from the Norton tipping fee and the Lee County Tire fee, and all other landfill fees being collected, be placed in the line item Capital Outlay Sanitation along with the landfill fee.

There was some discussion on whether or not line items amounts can be changed.

Administrator Scott presented to the Board a description of the difference between the General Fund and the Blackwood Enterprise Fund to which the landfill use fees are deposited. He explained that the revenue, operation expenses, capital outlay expenses, and debt service items in the General Fund would all have to be transferred to the Blackwood Enterprise Fund and if you transfer only the revenue, there would be no means of covering the operating expenses.

After further discussion, a motion was made by Doug Stallard, seconded by Jeff Salyers, to table this matter until the July meeting. The motion was unanimously approved.

IN RE: YEAR-END MEETING

A motion was made by Doug Stallard, seconded by Donnie Dowell, to hold the year end meeting on June 28, 2000 at 6:00 p.m. The motion was unanimously approved.

IN RE: RESOLUTION/WORLD WAR II VETERANS

Edgar Mullins asked that a resolution be adopted recognizing World War II Veterans.

After discussion, a motion was made by Edgar Mullins, seconded by Betty Cornett, to adopt a resolution recognizing World War II Veterans. The motion was unanimously approved.

RESOLUTION #            2000

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

## BOARD COMMENTS

There were comments from several Board members.

## RECESS

A motion was made by Doug Stallard, seconded by Jeff Salyers, to recess the meeting until June 28, 2000 at 6:00 p.m.

The motion was unanimously approved.