

Board of Supervisors – August 12, 2021 Regular Meeting

The Wise County Board of Supervisors met in a Regular Meeting on Thursday, August 12, 2021 @ 6:00 p.m. in the School Board Education Center located at 628 Lake Street in Wise. The following members were present:

Honorable J. H. Rivers – Chairman
Honorable Steve Bates – Vice-Chairman
Honorable Fred Luntsford
Honorable Bobby Cassell
Honorable John T. Schoolcraft
Honorable Robert R. Adkins
Honorable James Lawson
Honorable Robert E. Robbins, Jr. – 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 John Schoolcraft, to approve the minutes of the Recessed meeting held on June 3, 2021 and, the Regular meeting held on June 10, 2021 as presented. The motion was unanimously approved.

AGENDA

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

IN RE: PUBLIC HEARING – TAX EXEMPTION STATUS – SW REGIONAL RECREATION AUTHORITY

A public hearing was duly advertised for this date to receive citizens' comments regarding a proposed tax exemption for the Southwest Regional Recreation Authority.

There being no public comments for or against the proposed tax exemption, the public hearing was closed.

IN RE: PUBLIC HEARING – TAX EXEMPTION STATUS – THE NATURE CONSERVANCY

A public hearing was duly advertised for this date to receive citizens' comments regarding a proposed tax exemption for The Nature Conservancy.

There being no public comments for or against the proposed tax exemption, the public hearing was closed.

IN RE: PUBLIC HEARING – ORDINANCE ON MARKERS AND MONUMENTS ON COUNTY PROPERTY

A public hearing was duly advertised for this date to receive citizens' comments regarding a proposed ordinance on Markers and Monuments located on County Property.

There being no public comments for or against the proposed ordinance, the public hearing was closed.

IN RE: PUBLIC HEARING – ORDINANCE ON CIGARETTE TAX

A public hearing was duly advertised for this date to receive citizens' comments regarding a proposed Cigarette Tax Ordinance.

Business owner Arney Rigg voiced his opposition to the proposed cigarette tax because the people it hurts the most are those not able to afford the tax increase. Not only that, but this tax would cause people to go to Kentucky to purchase their cigarettes at which time they would buy other supplies. As with other counties that have adopted this tax ordinance lost revenue, so will Wise County. He asked the Board to do some research on whether or not this tax would be good for Wise County.

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

IN RE: HONORING WISE COUNTY TREASURER, DELORES SMITH

County Administrator Hatfield read the resolution honoring Wise County Treasurer Delores Smith upon her recognition by the Treasurers' Association of Virginia in receiving the "Jefferson Award", which recognizes accomplishments of major goals and huge contributions to the Association, and an award so selective that it is not given each year unless a candidate is worthy.

IN RE: FAMILY CRISIS SUPPORT SERVICES UPDATE

Family Crisis Support Services Executive Director Marybeth Adkins provided the Board with an overview of FCSS daily operations, which include operating homeless and domestic/sexual assault emergency shelters. She noted that FCSS is the only men's shelter this side of Roanoke, Virginia, and there are two transitional homes located in Wise County.

The current estimated budget for FCSS's Fiscal year 2021/22 will exceed \$2M with increased employees, but due to the current infrastructure issues and lack of office space, that has been put on hold. Ms. Adkins asked the Board to look favorably on FCSS's request for rezoning of property located on Industrial Park Road, Wise, which will allow FCSS to locate its outreach services, administrative offices and 5 shelter units for the homeless and victims of domestic violence and sexual assault victims.

IN RE: COMMONWEALTH ATTORNEY CASE STATISTICS

Commonwealth Attorney Chuck Slemp provided the Board with a power point presentation on case statistics and current case backlog of criminal cases and, necessary hearings as a result of the COVID-19 shutdown as well as pandemic-related continuances with data showing the number of court hearings from 2016 thru 2019.

During the season of the pandemic, trials were cancelled, hearings were postponed, motions were delayed, victims were notified of changes to their cases, witness subpoenas were cancelled, and new subpoenas were issued several times. Domestic violence related crimes increased during 2020 while people were stuck at home. With the increasing caseloads, the staff has not been able to resolve a majority of these cases.

The Commonwealth Attorney's Office is working diligently to clear this case backlog, but there have also been new cases in 2021 at a high rate. Despite the challenges of the Delta-Variant to COVID-19, the Commonwealth Attorney's Office staff are working diligently to resolve the COVID-19 related delays and continue its mission to hold offenders accountable for their actions, to ensure justice and public safety for the citizens of Wise County.

PUBLIC EXPRESSION

Wise County Extension Agent Phil Meeks came before the Board with an update on activities and different programs that are offered by the Virginia Cooperative Extension Office in Wise County. He thanked the Board for its continued support of the Extension Office in its efforts to provide programs and activities to grow our citizens knowledge in our agriculture and natural resources.

Walter Crouse, a resident of the Hurricane section of Wise County, voiced his disapproval of the way things are being handled in our government. He asked the people to stand up against the communist and socialist agenda that is coming out of the White House. He praised Family Crisis Support Services staff for the work they are doing for those in need. He reiterated the need to recycle and the need to get rid of coal ash.

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

CONSENT AGENDA

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

IN RE: RESOLUTION HONORING WISE COUNTY TREASURER DELORES SMITH

Approved the resolution honoring Wise County Treasurer Delores Smith upon her recognition by the Treasurers' Association of Virginia in receiving the "Jefferson Award"

RESOLUTION # 24-2021

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

IN RE: RESOLUTION OPIOID SETTLEMENT

Approved the resolution confirming authorization and approval of the Virginia Abatement Fund and Settlement Allocation Memorandum of Understanding and directs the County Administrator or the County Attorney to execute and enter into the Memorandum of Understanding on behalf of the County of Wise.

RESOLUTION # 25- 2021

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

IN RE: BUDGET AMENDMENT #26

Ratified phone poll on budget amendment #26 (DCJS Grant for SWVA Community Corrections)

IN RE: RESOLUTION BEHAVIORAL HEALTH SERVICES PERFORMANCE CONTRACT

Adopted the resolution approving the Planning District One Behavioral Health Services FY 2022 and 2023 Performance Contract as presented

Resolution # 26 - 2021

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

IN RE: BANK ACCOUNT CLOSURE – LONESOME PINE OFFICE ON YOUTH

Approved the request from Treasurer Smith to close the Lonesome Pine Office on Youth bank account held by Wise County

IN RE: MEMORANDUM OF AGREEMENT – SW REGIONAL RECREATION AUTHORITY

Approved the Memorandum of Agreement between Wise County and the Southwest Regional Recreation Authority, which establishes guidelines for cooperation and coordination between Wise

County Erosion and Sediment Control Program, which will be directly managed by the Southwest Regional Recreation Authority related to activities associated with routine maintenance and operation/use of recreational trails and related support facilities

IN RE: REZONING OF PROPERTY – FAMILY CRISIS SUPPORT SERVICES

Set a public hearing for (9-9-2021 @ 6:00 p.m.) on a proposed rezoning of property located on Industrial Park Road, Wise to a B-2 District.

The motion to approve the consent agenda was unanimously approved.

IN RE: ORDINANCE TAX EXEMPT STATUS – SW REGIONAL RECREATION AUTHORITY

A public hearing was held on 8-12-2021 to receive citizens' comments on a proposed tax-exemption for SW Regional Recreation Authority. There were no public comments for or against this request.

A motion was made by Robby Robbins, seconded by John Schoolcraft, to adopt the ordinance approving exemption of Southwest Regional Recreation Authority from taxation. The motion was unanimously approved.

Ordinance # 1-- 2021

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

IN RE: ORDINANCE TAX EXEMPT STATUS – THE NATURE CONSERVANCY

A public hearing was held on 8-12-2021 to receive citizens' comments regarding a proposed tax-exempt status for The Nature Conservancy. There were no public comments for or against this request.

A motion was made by John Schoolcraft, seconded by Steve Bates, to adopt the ordinance approving exemption of The Nature Conservancy from taxation. The motion was unanimously approved.

Ordinance # 2 - 2021

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

IN RE: ORDINANCE – CIGARETTE TAX IN WISE COUNTY

A public hearing was held on 8-12-2021 to receive citizens' comments regarding a proposed Cigarette Tax Ordinance for Wise County.

Business Owner Arney Rigg voiced his opposition to the proposed ordinance.

A motion was made by John Schoolcraft, seconded by J. H. Rivers, to table the proposed Cigarette Tax Ordinance for further review. The motion was unanimously approved.

IN RE: ORDINANCE – POLICY ON MARKERS, PLAQUES AND MONUMENTS

A public hearing was held on 8-12-2021 to receive citizens' comments regarding a proposed ordinance on a policy for markers, plaques and monuments on Wise County property.

There were no public comments for or against the proposed ordinance.

A motion was made by Robby Robbins, seconded by James Lawson, to approve the ordinance on policy for markers, plaques and monuments on Wise County property. The motion was unanimously approved.

Ordinance # 3 - 2021

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

IN RE: REDISTRICTING COMMITTEE

Chairman Rivers appointed the following individuals to the Redistricting Committee:

Jessica Swinney, GIS Coordinator
Allison Robbins, Registrar
County Administrator's Administrative Staff
Robby Robbins, Board member
J. H. Rivers, Board Chairman

IN RE: BUDGET AMENDMENTS

A motion was made by John Schoolcraft, seconded by Bob Adkins, to approve budget amendment #1 thru #4 as presented. The motion was unanimously approved.

IN RE: APPOINTMENT – COMMUNITY POLICY AND MANAGEMENT BOARD

Fred Luntsford nominated Casandra Collins to the Community Policy and Management Board. John Schoolcraft made a motion that nominations cease, and Casandra Collins be appointed by acclamation. James Lawson seconded the motion. The motion was unanimously approved.

Fred Luntsford nominated Mark Thompson for re-appointment to the Community Policy and Management Board.
Robby Robbins made a motion that nominations cease, and Mark Thompson be re-appointed by acclamation. James Lawson seconded the motion. The motion was unanimously approved.

Fred Luntsford nominated Cari Braddock to the Community Policy and Management Board. J. H. Rivers made a motion that nominations cease, and Cari Braddock to be appointed by acclamation. Robby Robbins seconded the motion. The motion was unanimously approved.

IN RE: APPOINTMENT – SOUTHWEST VA COMMUNITY CORRECTIONS CRIMINAL JUSTICE BOARD

James Lawson nominated Michael Hatfield for re-appointment to the Southwest VA Community Corrections Criminal Justice Board.

Steve Bates made a motion that nominations cease, and Michael Hatfield be re-appointed to the SWVA Community Corrections Criminal Justice Board by acclamation. John Schoolcraft seconded the motion. The motion was unanimously approved.

IN RE: APPOINTMENT - WISE COUNTY TOURISM COMMITTEE

A motion was made by J. H. Rivers, seconded by John Schoolcraft, to appoint Ked Meade to the Wise County Tourism Committee for a term of four (4) years. The motion was unanimously approved.

A motion was made by Robby Robbins, seconded by James Lawson, to appoint Cathy Stewart to fulfill the unexpired term of Suzanne Lawson on the Wise County Tourism Committee for a term to expire 10/31/21. The motion was unanimously approved.

A motion was made by Bobby Cassell, seconded by Fred Luntsford, to appoint Deb Hale to the Wise County Tourism Committee for a term of four years to expire on 8/31/25. The motion was unanimously approved.

IN RE: LOCAL EMERGENCY PLANNING COMMITTEE

Robby Robbins nominated J. H. Rivers to the Local Emergency Planning Committee for his term as Chairman of the Board of Supervisors. James Lawson made a motion that nominations cease, and J. H. Rivers be appointed by acclamation. Fred Luntsford seconded the motion. The motion was unanimously approved.

A motion was made by Robby Robbins, seconded by Bob Adkins, to table the appointment on the Local Emergency Planning Committee regarding the Civil Defense position until next month. The motion was unanimously approved.

A motion was made by Robby Robbins, seconded by John Schoolcraft, to table the appointment on the Local Emergency Planning Committee regarding the Broadcast & Print Media position until next month. The motion was unanimously approved.

IN RE: LOCAL CITIZENS CORP COUNCIL

Bobby Cassell nominated Susan Mullins to serve on the Local Citizens Corp Council as Director of Social Services. J. H. Rivers made a motion that nominations cease, and Susan Mullins be appointed by acclamation. James Lawson seconded the motion. The motion was unanimously approved.

A motion was made by Robby Robbins, seconded John Schoolcraft, to table the appointment to the Local Citizens Corp Council regarding the Health Administrator position for Wise County Health Department until next month. The motion was unanimously approved.

A motion was made by Robby Robbins, seconded by James Lawson, to table the appointment to the Local Citizens Corp Council regarding the Communications position until next month, and to table all positions that were held by Steve Blankenbecler, who recently deceased, for further review. The motion was unanimously approved.

A motion was made by Steve Bates, seconded by J. H. Rivers, to table the appointment to the Local Citizens Corp Council regarding the Minister position until next month. The motion was unanimously approved.

IN RE: EMERGENCY SERVICES

Robby Robbins nominated David Wilson to Emergency Services to serve as Maintenance Supervisor for Wise County. James Lawson made a motion that nominations cease, and David Wilson be appointed by acclamation. John Schoolcraft seconded by motion. The motion was unanimously approved.

IN RE: APPOINTMENT – APPALACHIAN COMMUNITY ACTION & DEVELOPMENT AGENCY, INC

A motion was made by Robby Robbins, seconded by James Lawson, to table the appointment to the Appalachian Community Action & Development Agency, Inc until next month. The motion was unanimously approved.

IN RE: CLOSED SESSION

A motion was made by James Lawson, seconded by Robby Robbins, to go into closed session per Section 2.2-3711 (A)(6) Investing of public funds
(A)(7) Consultation with legal counsel
(A)(1) Personnel

The motion was unanimously approved.

Following 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 – CLOSED SESSION CERTIFICATION

Fred Luntsford read the certification for closed meeting.

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

RESOLUTION # 27 - 2021

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

ADJOURN

There being no further business to come before the Board, a motion was made by Robby Robbins, seconded by James Lawson, to adjourn the meeting at 9:05 p.m. The motion was unanimously approved.

ATTEST:

WISE COUNTY BOARD OF SUPERVISORS

Michael W. Hatfield, Clerk

J. H. Rivers, Chairman