

## **Board of Supervisors – September 9, 2021 Regular Meeting**

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The Wise County Board of Supervisors met in a Regular Meeting on Thursday, September 9, 2021, @ 6:00 p.m. in the School Board Education Center located at 628 Lake Street Wise. The following members were present:

Honorable J. H. Rivers – Chairman  
Honorable Steve Bates – Vice-Chairman  
Honorable Fred Luntsford  
Honorable Bobby Cassell (By Phone)  
Honorable Robert R. Adkins  
Honorable John Schoolcraft  
Honorable Robert E. Robbins, Jr.  
Honorable James Lawson – 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.

### MINUTES

A motion was made by John Schoolcraft, seconded by James Lawson, to approve the minutes of 8-12-2021 as presented. The motion was unanimously approved.

### AGENDA

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

### IN RE: PUBLIC HEARING – REZONING OF PROPERTY -FAMILY CRISIS SUPPORT CENTER

A public hearing was duly advertised for this date to receive citizens' comments regarding a request from Family Crisis Support Center to rezone property located on Industrial Park Road, Wise, adjacent to the Esserville Industrial Park and The Cave Church behind The Laurels Assisted Living Facility to a R-2 District.

There being no public comments regarding the proposed rezoning, the public hearing was closed.

## PUBLIC EXPRESSION

Clifton Cauthorne, member of Pound Town Council, and speaking on behalf of Mayor Carson, provided the Board with a copy of a resolution unanimously adopted by the Pound Town Council challenging the County's legal authority and its reasons for forcing the Town of Pound to give up its Charter. He felt the Board was being unfair and ungracious to the Town's citizens. He noted that County Administrator Mike Hatfield reached out to the Council to offer mediation regarding the difference on the Town Council, but his offer was withdrawn due to the lawsuit against the Town Mayor. However, he felt the Council would welcome mediation help from the County. He asked that the Board not approve this resolution at this time but give the Council time to attempt mediation and attempt to have an agreement between the Town and the County. This, he said, would give the Town and the citizens time to consider whether or not they wanted to be unincorporated. At this point in time, the Town opposes the resolution being considered by the Board.

Leaburn Kennedy, speaking on behalf of several individuals that were present, stating that the Pound Town Council and the Board of Supervisors have failed Pound's citizens. She spoke of water and sewer problems and the fact that PSA is doing nothing to correct those problems. There is no representative on the Board of Supervisors for the Town of Pound and its citizens. She compared the schools in different towns in Wise County as having upgrades on its schools or got a new school, but Pound has nothing done to its schools. She, and those standing with her, oppose the resolution to have The Town of Pound give up its Charter.

Harold Greear, a resident of Pound, stated that the resolution that is being considered by the Board is not legal. He said the Town has no problems with making its payments since the Police Department has been shut down. That was the Town's biggest expense. He mentioned the Town's Audit stating that the citizens have the right to know where their money is being spent. He noted the County has constant tax increases, which would be passed on to the citizens of Pound if its charter is removed. He suggested consolidating all counties, which in his opinion would save money for everyone. He opposed the resolution regarding the removal of the Pound's Charter.

Walter Crouse a resident of Hurricane made the following comments:

- Criticized the mowing that has been done along the roadside that has been contracted out by VDOT; plants & rose bushes have been cut down during this process
- Recycling needs to be restored to save the landfill
- Need a new School Board
- Erase CRT
- Make Pound the Monument Center for Virginia and Kentucky

Terry Short, a citizen of the Pound area, voiced his concern that the citizens of Pound were not given a chance to vote on the Town of Pound Charter being removed. He noted that the Town Council has made some positive moves in the right direction lately. He noted problems that the Town has had with the Town's Police Department. He asked that the Board delay any action on this resolution until a public hearing can be held to hear from the citizens. He asked that the public hearing be held at the Pound

Town Hall if possible. At this point, he opposes the resolution being considered on removal of the Town of Pound Charter.

Administrator Hatfield stated that Pound Council member Danny Stanley was unable to make the meeting, but he wanted it noted that he is opposed to the resolution being considered by the Board, and he felt that the citizens of Pound should have their say as to whether or not the Town should lose its charter. He asked that the County work with the Town of Pound to help resolve its problems. As of late, he felt the Town is working to do better

Pound Mayor Stacy Carson stated that she has come before the Board, in the past, asking for help but got none. She was told by the County Attorney and County Administrator that the County could not interfere in another entity's business matters or tell them what to do. She noted things she has done to bring the citizens of Pound together, and bring some growth in the Town, but no one would help her. She went on to say that sewer and water rates have doubled and tripled in some areas since PSA has taken over, she has been locked out of the Town Hall, lied on, and let down by the Board of Supervisors. Becoming upset, she further noted things that are going on in the Town, and she will not give up until the corruption has been exposed and dealt with.

Doris Mullins, a resident living on Orby Cantrell Highway, opposed the resolution. She questioned what would happen to the Town of Pound if the Town were to lose its charter, and how this change would affect zoning in the Town of Pound.

Linda Hubbard, a resident living on the Indian Creek Road, opposed the resolution. She said that the citizens of Pound, and the Town Council need to come together and work toward resolving its legal problems so the Town can move forward.

Connar Gent, a resident living on Indian Creek Road, voiced his support in keeping the Town's Charter. He felt that the citizens were working together to make things better.

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

#### CONSENT AGENDA

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

#### IN RE: ORDINANCE -- TAX EXEMPTION FOR VETERANS -- SET PUBLIC HEARING

Set a public hearing (10-14-2021 @ 6:00 p.m.) on a proposed tax exemption ordinance for veterans.

#### IN RE: ORDINANCE FOR SOLAR ENERGY PROJECTS -- SET PUBLIC HEARING

Set a public hearing (10-14-2021 @ 6:00 p.m.) on a proposed ordinance for Solar Energy Projects

IN RE: COUNTY PROPERTIES FOR SALE OR LEASE – SET PUBLIC HEARING

Set a public hearing (10-14-2021 @ 6:00 p.m.) for sale or lease of County Properties

IN RE: MEMORIAL BRIDGE – ROGER RALPH KUS – SET PUBLIC HEARING

Set a public hearing (10-14-2021 @ 6:00 p.m.) Naming of bridge #1058 located on Rt. 72 in Coeburn area as the Roger Ralph Kus Memorial Bridge

IN RE: APPROPRIATIONS – 2<sup>ND</sup> QUARTER

Approved the second quarter appropriations

The motion to approve the consent agenda was unanimously approved.

IN RE: ORDINANCE -- CIGARETTE TAX IN WISE COUNTY

A motion was made by John Schoolcraft, seconded by Robby Robbins, to table any action on the proposed Cigarette Tax in Wise County for further information. The motion was unanimously approved.

IN RE: REZONING OF PROPERTY – INDUSTRIAL PARK ROAD, WISE- FAMILY SUPPORT SERVICES

A motion was made by J. H. Rivers, seconded by James Lawson, to approve the request from Family Crisis Support Services for rezoning of property located on Industrial Park Road, Wise, adjacent to the Esserville Industrial Park and The Cave Church behind The Laurels Assisted Living Facility. The motion was unanimously approved.

IN RE: RESOLUTION – TOWN OF POUND CHARTER

A motion was made by Robby Robbins to table the resolution regarding The Town of Pound Charter for further information.

The motion failed due to lack of a second.

A motion was made by Steve Bates, seconded by James Lawson, to approve the resolution declaring the Board of Supervisors intent to and does recommend to the Virginia General Assembly to annul and repeal the Charter of The Town of Pound and further requests the Commonwealth of Virginia to assume any outstanding debts or liabilities of The Town of Pound, Virginia.

Aye- Fred Luntsford  
Bobby Cassell  
James Lawson  
John Schoolcraft  
Bob Adkins

Abstain – Robby Robbins

Steve Bates  
J. H. Rivers  
Motion carried.

**RESOLUTION # 28 -- 2021**

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

Supervisor Luntsford stated that he wanted to clarify some of things that have been said regarding the Town of Pound and its charter. The Town water system is in distress, inadequate and has received multiple violations from the State regarding its water and sewer systems. The Town has also received a letter from Dickenson County Board of Supervisors asking that the Town immediately stop dumping its sewer in the Pound River because it was threatening Dickenson County's water supply.

Two years ago, he stated that the PSA was invited by the Pound Town Council to attend one of its meetings with the intent of offering a solution and assistance to the Town, and not with the intent of taking the Charter, but with the intent of helping Pound. That intent was treated so rudely during the meeting that no progress was made. This is an unfortunate consequence that the Council is unable to communicate, compromise or govern, which is a big problem for the Town of Pound at this time. He said that he and Mr. Hatfield met with council members Danny Stanley and Marley Green to offer some assistance in these matters, and nothing came of that. Clifton Cauthorne met with Supervisor Luntsford in his office in Appalachia to discuss these issues, nothing came of that.

Mr. Luntsford stated that in response to the comment made that the Town of Pound has been raped by the PSA, is totally wrong. The PSA did not want the Town of Pound sewer or water systems. The water and sewer systems were in such bad shape that the State came in and forced the Town of Pound to give it to the PSA.

It is true that the Town of Pound is now seeing some additional revenue because the Police Department is no longer there, but to be compared to Appalachia is no comparison. The Town of Appalachia pays the County over \$100,000 a year for police protection, but the Town of Pound pays zero.

Regarding the statement that was made that every customer saw a water rate increase; that's not true. Every customer outside the Town saw a reduced rate and customers in the Town saw an increase. These rates were changed by the Town Council, not the PSA.

On another note, Mr. Luntsford stated that the Board of Supervisors does not want the Town to lose its charter. By approving this resolution, the citizens of the Town of Pound will begin to see improvements and growth, but it will take time and working together.

Supervisor Lawson spoke briefly on the responsibility of leaders, and their commitment to its citizens.

Chairman Rivers stated that he is burdened for the citizens in the Pound area. He explained that the citizens of Pound have not been receiving benefits from its taxes, which includes providing water and sewer. He noted the consequences of losing the Town Charter, and how this would affect the Town as well as the County. Approving this resolution is the first step in moving the citizens of Pound in the right direction where they will be able to get grants for improvements to the Town and make other needed changes for the better.

Supervisor Bates stated that adopting this resolution will help the Pound citizens. This is a positive move to help the community grow.

Supervisor Adkins stated that he is disappointed in the Town Council in that they are unable to communicate with one another nor assist the mayor with her endeavors to move the Town forward. The people will have to work together in order to see change and growth in Pound.

#### IN RE: BUDGET AMENDMENTS

A motion was made by Bob Adkins, seconded by Steve Bates, to approve budget amendments #5 & #6 as presented. The motion was unanimously approved.

#### IN RE: APPOINTMENT – LOCAL EMERGENCY PLANNING COMMITTEE

Robby Robbins nominated Cody Blankenbecler to the Local Emergency Planning Committee to serve as Communications & Inoperability Specialist for Civil Defense.

John Schoolcraft made a motion that nominations cease, and Cody Blankenbecler be appointed by acclamation. James Lawson seconded the motion. The motion was unanimously approved.

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

#### IN RE: APPOINTMENT - LOCAL CITIZENS CORP COUNCIL

A motion was made by Bob Adkins, seconded by John Schoolcraft, to table the position of Health Administrator on the Local Citizens Corp Council until a new Administrator has been hired at the Health Department. The motion was unanimously approved.

Bob Adkins nominated Cody Blankenbecler to the Local Citizens Corp Council to fill the position in Communications.

John Schoolcraft made a motion that nominations cease, and Cody Blankenbecler be appointed by acclamation. James Lawson seconded the motion. The motion was unanimously approved.

A motion was made by Robby Robbins, seconded by John Schoolcraft, to table the Ministry position on the Local Citizens Corp Council until next month. The motion was unanimously approved.

IN RE: APPOINTMENT – EMERGENCY SERVICES

Robby Robbins nominated Cody Blankenbecler to fill the position as Deputy Coordinator for Emergency Services.

James Lawson made a motion that nominations cease, and Cody Blankenbecler be appointed by acclamation. John Schoolcraft seconded the motion. The motion was unanimously approved.

IN RE: APPOINTMENT – SARA TITLE III BOARD

Robby Robbins nominated Cody Blankenbecler for appointment to the SARA Title III Board.

James Lawson made a motion that nominations cease, and Cody Blankenbecler be appointed by acclamation. John Schoolcraft seconded the motion. The motion was unanimously approved.

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

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

BOARD COMMENTS

Board members spoke briefly on bringing the towns and County together to make Wise County grow and make it a better place to live.

ADJOURN

There being no further business to be brought before the Board, a motion was made by Robby Robbins, seconded by Bob Adkins, to adjourn the meeting at 7:20 p.m. The motion was unanimously approved.

ATTEST:

WISE COUNTY BOARD OF SUPERVISORS

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Michael W. Hatfield, Clerk

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J. H. Rivers - Chairman