

SCOTT

VIRGINIA

At a meeting of the Scott County Board of Supervisors begun and held in the Supervisors' meeting room located at the Community Services Building in Gate City, Virginia on Wednesday the 3rd day of August, 2022 at 8:30 a.m.

PRESENT: Darrel W. Jeter
Marshall D. Tipton
Jeremy P. Herron
Danny P. Mann – Chairman
Michael K. Brickey
Selma G. Hood
Stefanie C. Addington – Vice-Chairman

ABSENT: None.

Chairman Danny Mann opened the meeting.

Supervisor Marshall Tipton gave the invocation and led the Pledge of Allegiance.

On a motion by Marshall D. Tipton, duly seconded by Darrel W. Jeter, this Board hereby approves the August 3, 2022 agenda.

Voting aye: Darrel W. Jeter, Marshall D. Tipton, Jeremy P. Herron, Danny P. Mann, Michael K. Brickey, Selma G. Hood, and Stefanie C. Addington.

Voting nay: None.

On a motion by Jeremy P. Herron, duly seconded by Michael K. Brickey, this Board hereby approves the July 6, 2022 minutes.

Voting aye: Darrel W. Jeter, Marshall D. Tipton, Jeremy P. Herron, Danny P. Mann, Michael K. Brickey, Selma G. Hood, and Stefanie C. Addington.

Voting nay: None.

Chairman Danny Mann opened Citizen Expression Period to receive public comments.

Mr. Richard Gillenwater addressed the Board about the condition of Ball Field Road and Hales Spring Road. He went on to say that the school bus will have a difficult time due to recent rains that destroyed these roads along with over-grown vegetation. Mr. Gillenwater pointed out the amount of rain that occurred since he attended the July meeting. He added that the Virginia Department of Transportation did scrape the roads; however, the rain made the situation worse. He requested that the Board of Supervisors make it a priority to get these roads paved. Mr. Gillenwater noted that he contacted the Virginia Department of Transportation, and they gave him the number for the Board of Supervisors.

Chairman Danny Mann advised that the Virginia Department of Transportation is not doing anything this year with secondary roads due to funding. The Six Year Plan is the way to go. Scott County has 259 miles of unpaved roads. The Board of Supervisors gets calls with the same issues you have; however, the Board of Supervisors does not fund roads so it is out of our control. Funding comes through the state. In addition, Chairman Mann went on to say that funding cannot be moved from primary roads to secondary roads.

Supervisor Darrel Jeter pointed out that the Virginia Department of Transportation workforce was reduced, and that is another reason maintenance is not being done.

Supervisor Stefanie Addington noted that she took photos of the area Mr. Gillenwater spoke about and completed a request for maintenance. Virginia Department of Transportation scraped and graveled the road; however, the road washed out the next time it rained.

Supervisor Jeremy Herron stated that he did some research and found an article about Northern Virginia roads. The article mentioned a Blueprint Plan. In 2009, the Blueprint Plan was formed to cut the Virginia Department of Transportation, and that is why Nickelsville and Gate City maintenance shops closed. That needs to change. Supervisor Herron estimated that 70 percent of unpaved roads in Scott County are in district three. When the Nickelsville maintenance shop closed, that did away with manpower. Supervisor Herron suggested that the Board of Supervisors send a letter to the Governor to rework the Blueprint Plan for the Virginia Department of Transportation. The Nickelsville maintenance shop needs to reopen.

Mr. Gillenwater requested that the Board of Supervisors send a letter to the Governor.

Hearing no further comments, Chairman Mann closed Citizen Expression Period.

On a motion by Darrel W. Jeter, duly seconded by Jeremy P. Herron, this Board hereby directs the County Administrator to send a letter to the Governor, Senators, and Delegate to rework the Blueprint Plan for the Virginia Department of Transportation (Said letter being attached to the minutes of this meeting; Minute Book 33 Attachment No: 35).

Voting aye: Darrel W. Jeter, Marshall D. Tipton, Jeremy P. Herron, Danny P. Mann, Michael K. Brickey, Selma G. Hood, and Stefanie C. Addington.

Voting nay: None.

Chairman Danny Mann opened a public hearing to receive comments on a special use permit for Curtis Coleman for 1750 Clinch River Hwy., tax map #'s 100-A-83A-6 & 100-A-83A-7 to use the parcels as a Campground.

Building/Zoning Official David Gilmer presented an application for Curtis Coleman to open a Campground on the Clinch River. He went on to say that this requires a special use permit, and there has been no opposition.

Attorney Jessie McMurray representing Curtis Coleman reported that Mr. Coleman is interested in doing this project the right way. His plan is a tremendous idea. It will be a place for people to park their RV.

Mr. Curtis Coleman reported that the property is small and will accommodate four to six RV spaces. He went on to say that this project would provide a place for people to park their RV, and he pointed out that RV parks have become essential with the pandemic.

Hearing no further comments, Chairman Mann closed the public hearing.

On a motion by Michael K. Brickey, duly seconded by Selma G. Hood, this Board hereby approves that a Special Use Permit be issued to Curtis Coleman for a campground.

Voting aye: Darrel W. Jeter, Marshall D. Tipton, Jeremy P. Herron, Danny P. Mann, Michael K. Brickey, Selma G. Hood, and Stefanie C. Addington.

Voting nay: None.

Convention of States District One Captain for the Commonwealth of Virginia Sharon Nelson reported that the Convention of States is a 13 year old organization that came about from the Tea Party movement. She went on to say that Article V in our constitution gives Congress the ability to compose amendments to our constitution. The process includes an agenda, and that agenda has to be approved by every state. There are 34 states that need to approve the agenda before a Convention of States can be called. Those agenda items are discussed with all 50 states represented. The agenda items include term limits for Federal agencies, balanced Federal budget, and pull in the overreach of the Federal Government. Then, it goes back to the 50 states to ratify. All it takes is 13 states to say no to that. Ms. Nelson stated that their mission is to create the largest grass roots volunteer army in the nation to rally and assist another state's effort on an election piece of legislation that is going outside the parameters of what the government has been given authority to do in the constitution. It is restoring our way of life and God given freedom and liberty. It is God, Country, and family in that order. Ms. Nelson added that the group advocates in peace and kindness to everyone they speak to. Ms. Nelson presented several rulings that attack freedoms. She spoke about states making decisions based on their constituents needs, and she presented some YouTube videos. She noted that there are 5.3 million supporters across the country. There have been 19 states that have approved the agenda, and we need 34. This process must pass in the House and the Senate from January to March. Ms. Nelson explained the reason it died was due to the lack of support to pass it in the Senate.

On a motion by Michael K. Brickey, duly seconded by Jeremy P. Herron, this Board hereby approves the Planning District One Performance Contract (Said contract being attached to the minutes of this meeting; Minute Book 33 Attachment No: 36).

Voting aye: Darrel W. Jeter, Marshall D. Tipton, Jeremy P. Herron, Danny P. Mann, Michael K. Brickey, Selma G. Hood, and Stefanie C. Addington.

Voting nay: None.

On a motion by Marshall D. Tipton, duly seconded by Selma G. Hood, this board hereby directs the County Administrator to move forward with the Jack Collins bridge dedication.

Voting aye: Darrel W. Jeter, Marshall D. Tipton, Jeremy P. Herron, Danny P. Mann, Michael K. Brickey, Selma G. Hood, and Stefanie C. Addington.

Voting nay: None.

On a motion by Stefanie C. Addington, duly seconded by Darrel W. Jeter, this Board hereby authorizes the County Attorney to advertise for public hearing to update the Procurement Ordinance for the September meeting.

Voting aye: Darrel W. Jeter, Marshall D. Tipton, Jeremy P. Herron, Danny P. Mann, Michael K. Brickey, Selma G. Hood, and Stefanie C. Addington.

Voting nay: None.

County Administrator Freda Starnes presented the Claims and related reports (Said reports being attached to the minutes of this meeting; Minute Book 33 Attachment No: 38).

On a motion by Marshall D. Tipton, duly seconded by Michael K. Brickey, this Board orders that:

- (a) Social Services be allowed the sum of \$368,483.89 for voucher numbers 4080049 - 4080163 and payroll electronic tax payment.
- (b) General Fund be allowed the sum of \$2,029,647.21 for voucher numbers 2097234 – 2097235, 2097237 – 2097304, 2097306 – 2097344, 2097346 – 2097353, 2097354 – 2097373, 2097375 – 2097383, 2097384 – 2097402, 2097404 – 2097406, 2097409 – 2097413, 2097417 – 2097429, 2097431 – 2097449, 2097450 – 2097470, 2097472 - 2097473 and payroll electronic tax payment.
- (c) Fund 18 Concealed Weapon be allowed the sum of \$1,546.90 for voucher number 2097468 and payroll electronic tax payment.
- (d) Fund 11 be allowed the sum of \$3,783.42 for voucher number payroll electronic tax payment.
- (e) Fund 42 be allowed the sum of \$2,440.46 for voucher numbers 2097236, 2097252, 2097254, and 2097288 and payroll electronic tax.
- (f) Fund 35 be allowed the sum of \$40,108.97 for voucher numbers 2097291, 2097305, 2097345, 2097393, 2097403, 2097408, 2097430, 2097471.
- (g) Fund 55 be allowed the sum of \$53,650.73 for voucher numbers 5511264 – 5511279.
- (h) Fund 45 be allowed the sum of \$1,700.85 for voucher numbers 2097160 and 2097233 and payroll electronic tax.
- (i) Fund 16 be allowed the sum of \$390.57 for voucher numbers 2097318 and 2097374
- (j) Fund 27 be allowed the sum of \$82.21 for voucher number 2097468.
- (k) Fund 46 be allowed the sum of \$2,337.12 for voucher number payroll electronic tax.

Voting aye: Darrel W. Jeter, Marshall D. Tipton, Jeremy P. Herron, Danny P. Mann, Michael K. Brickey, Selma G. Hood, and Stefanie C. Addington.

Voting nay: None.

On a motion by Michael K. Brickey, duly seconded by Selma G. Hood, this Board hereby authorizes \$2,200.00 from Board Contingency for the Commissioner of the Revenue mapping software maintenance.

Voting aye: Darrel W. Jeter, Marshall D. Tipton, Jeremy P. Herron, Danny P. Mann, Michael K. Brickey, Selma G. Hood, and Stefanie C. Addington.

Voting nay: None.

County Administrator Freda Starnes noted a letter that she received for an Appalachian Regional Commission Grant in the amount of \$525,000 for the Upper Cliff Mountain Water Project Phase II. Ms. Starnes pointed out a NACO award certificate for Stoney Creek Park.

On a motion by Jeremy P. Herron, duly seconded by Stefanie C. Addington, this Board hereby establishes Fund 39 and all related accounts for opioid settlement funds.

Voting aye: Darrel W. Jeter, Marshall D. Tipton, Jeremy P. Herron, Danny P. Mann, Michael K. Brickey, Selma G. Hood, and Stefanie C. Addington.

Voting nay: None.

BREAK: 10:15 a.m.

RECONVENE: 10:27 a.m.

Public Service Authority Director Mike Dishman gave an update (Said update being attached to the minutes of this meeting; Minute Book 33 Attachment No: 37).

Supervisor Stefanie Addington suggested that funds be allocated to Duffield Fire Department to offset some of the costs associated with delivering water to the residents of Blackgum.

There was discussion as to the last time funding was given to Duffield Fire Department to assist the Blackgum residents.

County Administrator Freda Starnes stated that she would research that.

Supervisor Darrel Jeter thanked the staff and members of the Board of Supervisors for all they do.

Supervisor Marshall Tipton thanked the staff and members of the Board of Supervisors for all they do. He addressed VDOT work orders that were put in for fallen trees.

Supervisor Jeremy Herron expressed appreciation for what everyone does. He noted that the Board may need to look at assisting EMS with funding for payroll. That was done with American Rescue Plan Act funds in January. He went on to say that needs to be discussed next budget year, and he noted that the American Rescue Plan Act funds will be gone.

County Administrator Freda Starnes reported that the rescue squads still have some of the American Rescue Plan Act funds.

Supervisor Michael K. Brickey thanked the staff and local media and congratulated Chairman Danny Mann for being appointed to the Coal Mine Safety Board.

Supervisor Stefanie Addington thanked the staff.

Chairman Danny Mann reported that David Gilliam spoke to him about the difficulty of getting paid staff. He went on to say that we are blessed to have volunteers in our fire departments and EMS. Chairman Mann reported that some people wanted to meet with the Equalization Board but did not make an appointment before the deadline. Chairman Mann added that mailers were sent out, and he went on to say that he does not know of any better way to have done this. The Board cannot undo the deadline because it was done by ordinance.

On a motion by Darrel W. Jeter, duly seconded by Marshall D. Tipton, this Board hereby enters into closed session pursuant to Virginia Code Section 2.2-3711 A.3 Real Estate being in the Dungannon area.

Voting aye: Darrel W. Jeter, Marshall D. Tipton, Jeremy P. Herron, Danny P. Mann, Michael K. Brickey, Selma G. Hood and Stefanie C. Addington.

Voting nay: None.

On a motion by Darrel W. Jeter, duly seconded by Selma G. Hood, this Board hereby returns to open session.

Voting aye: Darrel W. Jeter, Marshall D. Tipton, Jeremy P. Herron, Danny P. Mann, Michael K. Brickey, Selma G. Hood and Stefanie C. Addington.

Voting nay: None.

On a motion by Darrel W. Jeter, duly seconded by Marshall D. Tipton, this Board hereby gives the following:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Scott County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Scott County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED that the Scott County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Scott County Board of Supervisors.

Voting aye: Darrel W. Jeter
Marshall D. Tipton
Jeremy P. Herron
Danny P. Mann
Michael K. Brickey
Selma G. Hood
Stefanie C. Addington.

Voting nay: None.

County Administrator Freda Starnes reported that Duffield Fire Department received funds in the amount of \$2,000 in 2020 to assist the Blackgum residents with water.

On a motion by Stefanie C. Addington, duly seconded by Selma G. Hood, this Board hereby funds the Duffield Fire Department \$2,000.00 from Board Contingency for delivering water to the Blackgum residents.

Voting aye: Darrel W. Jeter, Marshall D. Tipton, Jeremy P. Herron, Danny P. Mann, Michael K. Brickey, Selma G. Hood, and Stefanie C. Addington.

Voting nay: None.

Michael K. Brickey and Marshall D. Tipton volunteered to participate in a conference call with FEMA and the County Attorney.

Chairman Danny Mann adjourned the meeting until September 7, 2022 at 8:30 a.m.

Chairman

Clerk