

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 1st day of March, 2023 at 8:30 a.m.

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

ABSENT: Marshall D. Tipton

Chairman Danny P. Mann called the meeting to order

Supervisor Jeremy Herron gave the invocation, and led the Pledge of Allegiance.

On a motion by Darrel W. Jeter, duly seconded by Selma G. Hood, this Board hereby amends the agenda by adding item 12b Local Choice Health Insurance renewal.

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

Voting nay: None.

Absent: Marshall D. Tipton

On a motion by Michael K. Brickey, duly seconded by Jeremy P. Herron, this Board hereby approves the February 8, 2023 minutes.

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

Voting nay: None.

Absent: Marshall D. Tipton

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

Principal of Gate City High School Scott Vermillion spoke about Matthew “Mac” McClung and his accomplishments. He recalled being stopped by Mac McClung, a little seventh grader, who told him that he was going to win a State Championship when he got to varsity. He did just that. As a freshman, he did not start his first game, but probably deserved to. As a sophomore, he grew and shined. When Mac dunked it backwards in a game with Martinsville, everyone started to take notice. He pointed out that Mac went on to dominate 2A in Virginia. Mac scored 64 points in one game and scored 1,153 points in a single season. Mac broke the state scoring record with 2,801 points and broke the state championship scoring record with 47 points and led the team to a state championship. Mr. Vermillion recognized that Mac went on to do great things at Georgetown and Texas Tech before starting his professional career in the NBA and is growing in all aspects. Wherever he goes, he wins. Whatever he decides to do, he does. Mr. Vermillion recalled coaching a lot of men and is proud of all of them. He went on to say that he is not surprised at anything Mac is doing, and he saw that from an early age. As educators, you sow seeds and hope those seeds produce fruit. It certainly has with Mac, and it is something that he is now giving away. Mr. Vermillion recalled Mac attending camp as a young boy. There were some superstars giving autographs, but they drew the line and were done. Mac did not get an autograph and remembered how that felt. Later, Mac declared that he would sign autographs for any kid waiting. Mr. Vermillion noted that tells you a little about his heart. Mac loves Gate City. Mr. Vermillion spoke about a text he received from Mac about his most treasured moments being in Gate City. He went on to say that winning the slam dunk competition was great but doing it in a Gate City jersey was epic, and that tells a lot about his heart. Mr. Vermillion stated that Mac could jump over a truck if he wanted. We are proud of Mac, the man he is becoming, and how he is always giving back to us. Mr. Vermillion thanked the Board and explained that Mac could not be here due to a game this morning.

Chairman Danny P. Mann presented a proclamation to the parents of Matthew “Mac” McClung recognizing his accomplishments in basketball.

Marcus McClung thanked the Board. He went on to say, as parents of Mac, we are so proud of him. He has never forgotten where he came from. Mac could not be here today due to a game, but he wanted me to thank you.

Ms. Peggy Tyus spoke about the poor condition of Snowflake Road. She went on to say that she has been in contact with the offices of Senator Kaine and Warner along with Delegate Kilgore. She noted that Senator Kaine responded that it is not a federal matter, but a state matter. Senator Warner indicated that the American Infrastructure Bill will be providing seven billion dollars for road and bridge repairs. Ms. Tyus spoke about the condition of Snowflake Road with the recent rain. She requested that the road be scraped and graveled, but only received a ticket number. She went on to say that ticket numbers do not work, and the Six Year Plan should be done away with. Ms. Tyus requested that Snowflake Road be placed at the top of the Six Year Plan.

Ms. Shirley Taylor, a resident of Snowflake Road, spoke about three large trees across the road in front of her home that she feared every time the wind blew would fall toward her home or on vehicles traveling that road. She expressed appreciation for the contractors that removed the trees and acknowledged that she would highly recommend them for other projects. Ms. Taylor went on to say that the residents of Snowflake Road are on a mission to get it paved. She concluded that maybe all roads in Scott County will be paved someday.

Ms. Sharon Nelson gave a follow-up report on the Convention of States. She went on to say that Article V of our Constitution has two clauses. Clause I allows Congress to make amendments to our constitution which has been done a few times. Clause II allows States and their people to propose changes to the Constitution that has never been done. Ms. Nelson stated that there needs to be 34 states approve a resolution before a Convention of States can be called, and we have 19. Virginia, Montana, and Wyoming are the first three states in any given year to

hold their legislative session. Our team was very active speaking with Delegate Kilgore, Delegate O'Quinn, Senator Pillion, and Senator Hackworth. As a result, they agreed to vote yes. The three items included term limits for our federal officials, federal balanced budget, and power given to the president on outreach of the federal government. Ms. Nelson pointed out it was pre-filed, and they had a sponsor. It has to be filed, assigned to a committee, and passed in the house and the senate. Sometimes there are subcommittees it has to go through first, then it has to pass on the floor of both chambers, and that is not an easy task. Ms. Nelson pointed out that it was filed in the Senate in January and assigned to the Privileges and Elections Committee. They voted nine yes and five nay to pass it. There is a benefit in doing this every year to make people aware. Senator Peake was the sponsor, and there were ten plus other Senators who supported it on the house side. We filed with Karen Greenhalgh from Virginia Beach. She was the sponsor, and we had 16 co-sponsors. It went to the House Rules Committee, and they voted ten yes and five nay. Ms. Nelson stated that it was interesting that Kilgore and O'Quinn were not present. During that committee, there were 500 citizens with write-in support. Mr. Rick Santorum spoke on behalf of the Convention of States National, and we had opposition as we always do. The Constitutional Conservatives and Common Cause put out a campaign on why to oppose it at the last minute. A recommendation was made to put it back in the Privileges and Elections Committee, it went back to the Senate side, and died. Ms. Nelson added that the group has worked very hard speaking with legislators and still had opposition. She pointed out that there was not enough support in either chamber, but we are not going away. Ms. Nelson expressed appreciation to the Board and the opportunity to speak.

Mr. Otis Bowen presented a drawing and expressed concern for anyone traveling from Lee County across Powell Mountain into Scott County. He went onto say that a passing lane was added from Lee County to the top of Powell Mountain. Mr. Bowen pointed out that he lives on State Route 726 on the right side. The passing lane from Lee County turns into a two lane. He noted that his neighbor's mirror was nicked by a truck a few weeks ago as she was turning onto Route 726 because there is no lane for those turning. Mr. Bowen added that he spoke to the contractor during the construction of the passing lane, and there was no plan for a turn lane. In addition, he pointed out that the ditch line is not being cleaned out (Said drawing attached to the minutes of this meeting; Minute Book 33 Attachment No: 93).

Supervisor Selma Hood stated that she can attest to what Mr. Bowen explained because she travels that road. There needs to be a passing lane going up the mountain from Duffield.

Chairman Danny Mann stated that he would give the Virginia Department of Transportation a copy of the drawing submitted by Mr. Bowen.

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

On a motion by Michael K. Brickey, duly seconded by Stefanie C. Addington, this Board hereby adopts the following:

**PROCLAMATION BY THE  
SCOTT COUNTY BOARD OF SUPERVISORS  
IN RECOGNITION OF  
MATTHEW “MAC” MCCLUNG**

**WHEREAS**, Mac McClung was raised in Scott County and graduated from Gate City High School in 2018; and

**WHEREAS**, Mac McClung received a basketball scholarship to Georgetown University (2018-2020) and Texas Tech University (2020-2021); and

**WHEREAS**, Mac McClung received the NBA G League Rookie of the Year in 2022; and

**WHEREAS**, Mac McClung received the honor of winning the NBA Slam Dunk contest on February 18, 2023; and

**WHEREAS**, there are no appropriate words to adequately congratulate him on such an incredible performance and how proud he has made the citizens of Scott County; and

**THEREFORE BE IT PROCLAIMED BY THE SCOTT COUNTY BOARD OF SUPERVISORS** that because of the unparalleled dedication to the game of basketball and to Scott County, that we recognize your great accomplishment.

**Proclaimed by the Scott County Board of Supervisors this First Day of March, 2023.**

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

Voting nay: None.

Absent: Marshall D. Tipton.

Chairman Danny P. Mann opened a public hearing on a Special Use Permit Application submitted by Dean Ferguson for the property at the intersection of US 23 North and Partridge Drive, tax map number 100 A 4, to be used as mini-warehouses.

Zoning/Building Code Official David Gilmer presented the application submitted by Dean Ferguson. He went on to say that the property is zoned agricultural/residential, adjoining property owners were notified, and the Planning Commission recommended approval (Said presentation is attached to the minutes of this meeting; Minute Book 33 Attachment No: 86).

Mr. Mike Rutowski inquired about hazardous materials being stored there.

Mr. Gilmer replied that no one polices that.

Hearing no further comments, the public hearing was closed.

On a motion by Selma G. Hood, duly seconded by Darrel W. Jeter, this Board hereby approves a special use permit for Dean Ferguson for the property at the intersection of US 23 North and Partridge Drive, tax map number 100 A 4, to be used as mini-warehouses.

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

Voting nay: None.

Absent: Marshall D. Tipton

Chairman Danny P. Mann opened a public hearing on a Special Use Permit Application submitted by Future 2 Outdoor (Future II, LLC) for property along US 23 North in the Duffield area, tax map number(s) 100A1 A 1, 100A1 A 1 A, and 100A1 A 2, to be used for billboard signs.

Building/Zoning Official David Gilmer presented an application submitted by Future 2 Outdoor (Future II, LLC) to be used for billboard signs. The property is zoned commercial. He went on to say that their intention is to place one sign facing north and one sign facing south. He added that there was no opposition at the Planning Commission meeting and they recommended approval (Said application attached to the minutes of this meeting; Minute Book 33 Attachment No: 87).

Supervisor Michael Brickey inquired about the size being similar to the one at Food City. Mr. Gilmer replied that it may be a little bigger.

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

On a motion by Selma G. Hood, duly seconded by Michael K. Brickey, this Board hereby approves a special use permit for Future 2 Outdoor (Future II, LLC) for property along US 23 North in the Duffield area, tax map number(s) 100A1 A 1, 100A1 A 1 A and 100A1 A 2 to be used for billboard signs.

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

Voting nay: None.

Absent: Marshall D. Tipton

Virginia Department of Transportation Resident Engineer Allan Sumpter gave an update (Said update being attached to the minutes of this meeting; Minute Book 33 Attachment No: 88).

Supervisor Michael Brickey pointed out a culvert on Sara Circle off Daniel Boone Road that needs some work. He went on to say that bus drivers are having issues tearing doors off buses due to the culvert. In addition Supervisor Brickey mentioned that work is needed on the Route 65 Bridge.

Chairman Danny Mann mentioned that the Virginia Department of Transportation placed a big trucks not allowed sign at his driveway; however, there is not enough room for them to turn at his driveway. He suggested that another sign be placed about a turnaround one quarter mile ahead.

Chairman Danny Mann and Supervisor Stefanie Addington pointed out debris left behind in ditches as a result of clearing power line rights-of-way along Highway 72.

Davenport and Company Kyle Laux presented a report (Said report being attached to the minutes of this meeting; Minute Book 33 Attachment No: 89).

On a motion by Michael K. Brickey, duly seconded by Stefanie C. Addington, this Board hereby authorizes Request for Proposals to finance radio equipment.

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

Voting nay: None.

Absent: Marshall D. Tipton.



On a motion by Stefanie C. Addington, duly seconded by Darrel W. Jeter, this Board hereby adopts the following:

RESOLUTION NO: 2023 - 02

**RESOLUTION OF BOARD OF SUPERVISORS OF SCOTT COUNTY, VIRGINIA DECLARING ITS INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES IN CONNECTION WITH THE DESIGN, ACQUISITION, CONSTRUCTION, RENOVATION AND EQUIPPING OF SCOTT COUNTY CAPITAL PROJECTS**

WHEREAS, Scott County, Virginia (**the “Issuer”**) is a political subdivision organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the Issuer has paid beginning no earlier than sixty days prior to the date of adoption of this Resolution, and will pay, on and after the date hereof, certain expenditures (**“Expenditures”**) for the design, acquisition, construction, renovation and equipping of Scott County capital projects, further described on Exhibit A attached hereto (**together, the “Project”**); and

WHEREAS, the Board of Supervisors of the Issuer (**the “Board”**) has determined that those moneys previously advanced no earlier than sixty days prior to the date of adoption of this Resolution and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Issuer for the Expenditures from the proceeds of one or more issues of tax-exempt lease financing obligations, notes, bonds or similar obligations (**together, the “Bonds”**).

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:**

Section 1. The Board hereby declares the Issuer’s intent to reimburse the Issuer with the proceeds of the Bonds for the Expenditures with respect to the Project made on and after sixty days prior to the date of adoption of this Resolution. The Issuer reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to

or an agent of the Issuer so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Issuer.

Section 3. The maximum principal amount of the Bonds expected to be issued for the Project is \$1,600,000.

Section 4. The Issuer will make a reimbursement allocation, which is a written allocation by the Issuer that evidences the Issuer's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Issuer recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED THIS 1<sup>st</sup> day of March, 2023.

The Clerk of the Board of Supervisors of Scott County, Virginia hereby certifies that the above-referenced resolution was adopted by a majority vote of the Board of Supervisors at a regular meeting of the Board of Supervisors, duly called and held on March 1, 2023, during an open meeting, as follows:

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

Voting nay: None.

Absent: Marshall D. Tipton.

It was the consensus of the Board that Supervisors Stefanie Addington and Michael Brickey serve on the budget committee.

On a motion by Darrel W. Jeter, duly seconded by Stefanie C. Addington, this Board hereby authorizes the County Administrator to sign a renewal for health insurance with Local Choice at no cost increase (Said renewal being attached to the minutes of this meeting; Minute Book 33 Attachment No: 85).

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

Voting nay: None.

Absent: Marshall D. Tipton.

On a motion by Selma G. Hood, duly seconded by Jeremy P. Herron, this Board hereby accepts Sherriff's Office DCJS Byrne Justice Assistance Grant (JAG) Local Law Enforcement Block (LOLE) grant# FFY22 and establishes expense code for Police Supplies 4-1-31360-6010.

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

Voting nay: None.

Absent: Marshall D. Tipton.

#### Courthouse Facilities Committee (Citizen Position)

Darrel W. Jeter nominated Lisa McCarty

On a motion by Darrel W. Jeter, duly seconded by Jeremy P. Herron, this Board hereby ceases nominations and, by acclamation, appoints Lisa McCarty to serve a one-year term on the Courthouse Facilities Committee.

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

Voting nay: None.

Absent: Marshall D. Tipton.

There were no applicants for the Courthouse Facilities Committee (Town of Gate City) representative; therefore, that position was postponed until the April meeting.

Appointment – Public Service Authority

Stefanie C. Addington nominated Darrel W. Jeter

On a motion by Jeremy P. Herron, duly seconded by Michael K. Brickey, this Board hereby ceases nominations and, by acclamation, appoints Darrel Jeter to serve a three-year term on the Public Service Authority

Voting aye: Jeremy P. Herron, Danny P. Mann, Michael K. Brickey, Selma G. Hood, and Stefanie C. Addington.

Voting nay: None.

Absent: Marshall D. Tipton.

Abstain: Darrel W. Jeter

Appointment – Public Service Authority

Michael K. Brickey nominated Terry Campbell

On a motion by Darrel W. Jeter, duly seconded by Stefanie C. Addington, this Board hereby ceases nominations and, by acclamation, appoints Terry Campbell to serve a three-year term on the Public Service Authority

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

Voting nay: None.

Absent: Marshall D. Tipton.

Appointment – Public Service Authority

Darrel W. Jeter nominated Michael K. Brickey

On a motion by Stefanie C. Addington, duly seconded by Selma G. Hood, this Board hereby ceases nominations and, by acclamation, appoints Michael K. Brickey to serve a three-year term on the Public Service Authority

Voting aye: Darrel W. Jeter, Jeremy P. Herron, Danny P. Mann, Selma G. Hood, and Stefanie C. Addington.

Voting nay: None.

Absent: Marshall D. Tipton.

Abstain: Michael K. Brickey

BREAK: 10:00 a.m.

RECONVENE: 10:15 a.m.

County Administrator Freda Starnes presented the claims and relative reports (Said reports being attached to the minutes of this meeting; Minute Book 33 Attachment No: 90).

On a motion by Stefanie C. Addington, duly seconded by Darrel W. Jeter, this Board orders that:

- (a) Social Services be allowed the sum of \$368,227.77 for voucher numbers 4080905-4081024 with voucher number 4080928 voided and payroll electronic tax.
- (b) General Fund be allowed the sum of \$1,097,355.60 for voucher numbers 2098760-2098834, 2098836-2098843, 2098845-2098851, 2098852, 2098854, 2098856-2098880, 2098882-2098904, 2098906-2098921, 2098922-2098931, 2098933-2098938, 2098940-2098946, 2098948-2098957, 2098958-2098965, 2098967-2098972, 2098973-2098985, and payroll electronic tax.
- (c) Fund 11 be allowed the sum of \$2,805.79 for payroll electronic tax payment.
- (d) Fund 42 be allowed the sum of \$513.18 for voucher numbers 2098853 and 2098868 and payroll electronic tax.

- (e) Fund 35 be allowed the sum of \$21,369.57 for voucher numbers 2098844, 2098855, 2098881, 2098905, 2098932, 2098966 and payroll electronic tax.
- (f) Fund 45 be allowed the sum of \$1,879.46 for voucher number 2098947 and payroll electronic tax.
- (g) Fund 16 be allowed the sum of \$189.82 for voucher number 2098908.
- (h) Fund 27 be allowed the sum of \$65.47 for voucher number 2098962.
- (i) Fund 29 be allowed the sum of \$3,464.83 for voucher number 2098838.
- (j) Fund 2 be allowed the sum of \$889.50 for voucher number 2098835.
- (k) Fund 7 be allowed the sum of \$39,537.23 for voucher number 2098939.
- (l) Fund 55 be allowed the sum of 99,194.35 for voucher numbers 5511355-5511372 and 5511373-5511390.

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

Voting nay: None.

Absent: Marshall D. Tipton

On a motion by Darrel W. Jeter, duly seconded by Jeremy P. Herron, this Board hereby authorizes that sealed bids be accepted for two 2023 new Ford Explorer XLT 4WD vehicles.

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

Voting nay: None.

Absent: Marshall D. Tipton

Tourism Director Pam Cox gave an update (Said update being attached to the minutes of this meeting; Minute Book 33 Attachment No: 91).

Sheriff Jeff Edds gave an update (Said update being attached to the minutes of this meeting; Minute Book 33 Attachment No: 92).

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

Supervisor Jeremy Herron expressed appreciation for everything that everyone is doing.

Supervisor Michael Brickey addressed the rainy day fund and is glad to hear it is where it needs to be. It is good to see Sheriff Edds and Major J C Starnes and so glad there are School Resources Officers in the schools.

Supervisor Stefanie Addington thanked the staff for doing an amazing job behind the scenes.

Chairman Danny Mann spoke about a time when the county had to get a Revenue Anticipation Note, and we no longer have to do that. The debt service is not as much as other localities.

Chairman Danny Mann adjourned the meeting until April 5, 2023 at 8:30 a.m.

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CHAIRMAN

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CLERK