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 November, 2023 at 8:30 a.m.

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

ABSENT: Jeremy P. Herron.

Chairman Danny P. Mann called the meeting to order.

Supervisor Marshall D. 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 agenda.

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

Voting nay: None.

Absent: Jeremy P. Herron.

On a motion by Darrel W. Jeter, duly seconded by Stefanie C. Addington, this Board hereby approves the October 4, 2023 minutes.

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

Voting nay: None.

Absent: Jeremy P. Herron.

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

Kathy Cox inquired about Greens Chapel Lane being paved. She went on to say that is a dead end road and not many people live there. Ms. Cox pointed out that Casteel Hollow Road is in bad shape, difficult to pass another vehicle, and the school bus has problems traveling the road. Ms. Cox reported that she spoke with people in Richmond and was advised that roads are administered at the local level. She added that no one living on Casteel Hollow Road would be opposed to giving rights-of-way. She concluded that the residents of Casteel Hollow Road have been by-passed.

Peggy Tyus of Snowflake Road reported that dirt roads are dusty and muddy. She went on to say that primary road funding needs to be allowed for secondary roads. Ms. Tyus added that Snowflake Road is in fair condition. The road has been treated for dust control one time. FedEx, UPS, U.S. Postal Service, Amazon Prime, and a school bus travel this road. She expressed appreciation to the Virginia Department of Transportation for listening and wished everyone a blessed Christmas and Thanksgiving.

Sheriff Jeff Edds gave an update (Said update being attached to the minutes of this meeting; Minute Book 34 Attachment No: 23).

Director of Public Works Bill Dingus announced that a letter of recognition and plaque was awarded to the Scott County Animal Shelter. Since the shelter was built, the county has been below a four percent euthanasia rate as compared to 90 percent before the shelter was built. Staff and volunteers are a big help and do a good job.

Fritz Falin spoke about lowering the speed limit in East Carters Valley.

Virginia Department of Transportation Assistant Residency Administrator Wade Belcher replied that the speed limit was lowered from 45 to 40. Crash data has trended upward since then. Mr. Belcher pointed out that it is worth further consideration and possibly installing rumble strips in the middle of the road.

Mr. Fritz Falin noted that the road is a short cut for many going to their workplace. There is a church on that road, and a school bus travels the road. Several cars have run into the Misty Morning Subdivision sign. There are more and more Tennessee tags due to Tennessee bordering Scott County, and that is lost revenue for Scott County.

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

Chairman Danny P. Mann opened a Public Hearing Public Hearing on the possible adoption of an Ordinance Amending, Restating, and Reordaining the Transient Occupancy Tax Ordinance to Conform with the Code of Virginia to reflect the law as it now reads in Title 58.1, Chapter 38, Article 6 of the Code of Virginia.

Hearing no comments, Chairman Mann closed the public hearing.

On a Motion by Marshall D. Tipton, duly seconded by Michael K. Brickey, this Board hereby adopts the following:

Ordinance No: 2023-03

AN ORDINANCE AMENDING, RESTATING, AND REORDAINING THE TRANSIENT OCCUPANY TAX ORDINANCE TO CONFORM WITH THE CODE OF VIRGINIA

Section 1. Definitions.

The following words, terms, and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accommodations means any lodging as such is defined in this ordinance that is furnished to transients for a consideration. Accommodations does not include rooms or space offered by a person in the business of providing conference rooms, meeting space, or event space if the person does not also offer rooms available for overnight sleeping. Accommodations shall include any room or space for which tax is imposed on the retail sale of the same pursuant to this ordinance.

Accommodations fee means the room charge less the discount room charge, if any, provided that the accommodations fee shall not be less than $0.

Accommodations intermediary means any person other than an accommodations provider that (i) facilitates the sale of an accommodation, and (ii) either (a) charges a room charge to the customer, and charges an accommodations fee to the customer, which fee it retains as compensation for facilitating the sale; (b) collects a room charge from the customer; or (c) charges a fee, other than an accommodations fee, to the customer, which fee it retains as compensation for facilitating the sale. For purposes of this definition, "facilitates the sale" includes brokering, coordinating, or in any other way arranging for the purchase of the right to use accommodations via a transaction directly, including via one or more payment processors, between a customer and an accommodations provider.

Accommodations intermediary does not include a person:

1. If the accommodations are provided by an accommodations provider operating under a trademark, trade name, or service mark belonging to such person;

2. Who facilitates the sale of an accommodation if (i) the price paid by the customer to such person is equal to the price paid by such person to the accommodations provider for the use of the accommodations and (ii) the only compensation received by such person for facilitating the sale of the accommodation is a commission paid from the accommodations provider to such person; or

3. Who is licensed as a real estate licensee pursuant to the Code of Virginia, Article 1 (§ 54.1-2100 et seq.) of Chapter 21 of Title 54.1, when acting within the scope of such license.

Accommodations provider means any person that furnishes accommodations to the general public for compensation. The term "furnishes" includes the sale of use or possession or the sale of the right to use or possess

Affiliate means with respect to any person, any other person directly or indirectly controlling, controlled by, or under common control with such person. For purposes of this definition, "control" (including controlled by and under common control with) shall mean the power, directly or indirectly, to direct or cause the direction of the management and policies of such person whether through ownership or voting securities or by contract or otherwise.

Commissioner means the commissioner of the revenue of the county

Discount room charge means the full amount charged by the accommodations provider to the accommodations intermediary, or an affiliate thereof, for furnishing the accommodations.

Lodging means any bed and breakfast, public or private hotel, apartment hotel, hostelry, motel, inn, tourist camp, tourist cabin, tourist home or house, camping grounds, club, boarding house, rooming house, travel campgrounds, or other place in the county offering short-term rental for one or more persons at any one time for dwelling, lodging, or sleeping purposes, and the owner and operator thereof, who, for compensation, furnishes such place for short-term rental to any transients as hereinafter defined.

Person means any individual, firm, partnership, association, corporation, person acting in a representative capacity or any group of individuals acting as a unit.

Retail sale means a sale to any person for any purpose other than for resale.

Room charge means the full retail price charged to the customer for the use of the accommodations before taxes. *Room charge* includes any fee charged to the customer and retained as compensation for facilitating the sale, whether described as an accommodations fee, facilitation fee, or any other name. The room charge shall be determined in accordance with 23VAC10-210-730 and the related rulings of the Virginia Department of Taxation on the same.

Short-term rental means the provision of accommodations suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.

Transient means any person who, for a period of fewer than 30 consecutive days, either at his own expense or at the expense of another, obtains room or space from an accommodations provider for which a charge is made.

Travel campground means any area, site, lot, field or tract of land offering spaces for recreational vehicles, campers or campsites for short-term rental.

Treasurer means the treasurer of the county.

Section 2. Levy and rate.

(a) In addition to all other taxes and fees of any kind now or hereafter imposed by law, there is hereby imposed and levied a transient occupancy tax on short-term rental of accommodations. The tax shall be imposed on the room charge, as such is defined in this ordinance, that is paid by the customer for the short-term rental.

(b) The transient occupancy tax imposed pursuant to the authority of this ordinance shall be imposed only for the use or possession of any room or space that is suitable or intended for occupancy by transients for dwelling, lodging, or sleeping purposes.

(c) The transient occupancy tax shall be imposed at the rate of 2% of the room charge paid by the customer for the use or possession of the room or space.

Section 3. Exemptions to tax.

No transient occupancy tax shall be payable on charges for rooms or spaces paid to any hospital, medical clinic, convalescent home, or home for the aged.

Section 4. Collection.

(a) Every person receiving any payment for room rental with respect to which a tax is levied under this ordinance shall collect the amount of tax imposed by this ordinance at the time payment for such room rental is made. Such tax shall be deemed to be held in trust by the person required to collect the tax until remitted to the county as required by section 5.

(b) For any retail sale of accommodations not facilitated by an accommodations intermediary, the accommodations provider shall collect the tax imposed pursuant to this ordinance, imposed on the room charge as defined in this ordinance, and shall remit the same to the locality and shall be liable for the same.

(c) For any retail sale of accommodations facilitated by an accommodations intermediary, the accommodations intermediary shall be deemed under this ordinance as a facility making a retail sale of an accommodation. The accommodations intermediary shall collect the tax imposed pursuant to this ordinance, imposed on the room charge as defined in this article, and shall remit the same to the locality and shall be liable for the same.

(d) For any transaction for the retail sale of accommodations involving two or more parties that meet the definition of accommodations intermediary, nothing in this section shall prohibit such parties from making an agreement regarding which party shall be responsible for collecting and remitting the tax, so long as the party so responsible is registered with the locality for purposes of remitting the tax. In such event, the party that agrees to collect and remit the tax shall be the sole party liable for the tax, and the other parties to such agreement shall not be liable for such tax.

(e) In any retail sale of any accommodations in which an accommodations intermediary does not facilitate the sale of the accommodations, the accommodations provider shall separately state the amount of the tax in the bill, invoice, or similar documentation and shall add the tax to the room charge. In any retail sale of any accommodations in which an accommodations intermediary facilitates the sale of the accommodation, the accommodations intermediary shall separately state the amount of the tax on the bill, invoice, or similar documentation and shall add the tax to the room charge; thereafter, such tax shall be a debt from the customer to the accommodations intermediary, recoverable by law in the same manner as other debts.

Section 5. Reports required and remittance of tax.

(a) The person collecting the tax levied under this ordinance shall submit to the commissioner a report upon such forms and setting forth such information as the commissioner may prescribe and require. Such report shall show the amount of room charge, fees, and tax collected and the amount of the transient occupancy tax required to be collected; and shall be signed by a duly authorized representative of the person; and shall be delivered to the commissioner with the remittance of such tax.

(b) Such reports and remittances shall be made monthly on or before the 20th day of the month and covering the amount of tax collected during the preceding month. If the remittance is by check or money order, the check or money order shall be made payable to the county. All remittances pursuant to this article that are received by the commissioner must be promptly delivered to the treasurer. The commissioner and treasurer of the county shall have the power to examine pertinent records for the purpose of administering or enforcing the provisions of this ordinance.

(c) Additionally, together with the report and remittance required by this section, each accommodations intermediary must submit to the commissioner a monthly report that lists the property addresses and gross receipts for all accommodations facilitated by the accommodations intermediary in the county within the preceding month.

Section 6. Interest and penalties upon failure or refusal to remit tax or file report.

(a) If any person fails or refuses to remit to the treasurer the tax required to be collected and paid under this ordinance within the time and in the amount specified, the treasurer shall add (i) a penalty in the amount of 10% or $10.00, whichever is greater, and (ii) interest thereon at the rate of 10% per annum, computed on the taxes and penalty from the date the taxes are due and payable.

(b) In addition to the penalty and interest provided for in subsection (a), a penalty of 10% or $10.00, whichever is greater, shall be assessed on any person who fails to file a report as required in this ordinance.

Section 7. Estimated assessment upon failure or refusal to collect or report tax.

If any person fails or refuses to collect the taxes levied and imposed under this ordinance, or to make, within the time provided in this ordinance, the reports and remittances required in this ordinance, the commissioner shall proceed to obtain facts and information on which to base an estimate of the tax due. When facts and information are obtained upon which to base the assessment of any tax payable by any person who has failed or refused to collect it, to make a report, or to make a remittance, the commissioner shall proceed to determine and assess against that person the tax, penalty, and interest as provided for in this ordinance, and shall notify the person by registered mail, to the person's last known address, the amount of the tax, interest, and penalty, and the total amount shall be payable to the treasurer within 10 days from the date the notice was mailed.

Section 8. Tax immediately due and payable upon cessation of business.

Whenever any person required to collect or remit transient occupancy tax goes out of business, disposes of the business, or otherwise ceases to operate, all taxes collected and any tax payable under this ordinance shall thereupon be reported to the commissioner and remitted to the treasurer.

Section 9. Commissioner powers and duties.

(a) The commissioner will ascertain the name of every person operating lodging for short-term rental in the county liable for the collection of the tax levied by this ordinance.

(b) The commissioner has the power to adopt rules and regulations not inconsistent with the provisions of this article and the Code of Virginia for the purpose of carrying out and enforcing the payment, collection, and remittance of the tax levied by this ordinance; and, if adopted, shall maintain a copy of such rules and regulations on file and available for public examination in the commissioner’s office during regular office hours.

Section 10. Records to be kept by person liable for collection or payment of tax.

Every person liable for the collection or payment to the county of any transient occupancy tax is required to keep, for 3 years, the records necessary to determine and show accurately the basis for the transient occupancy tax collected or paid. The treasurer and the commissioner may inspect these records at any reasonable time.

Section 11. Penalty for violation of ordinance.

Any person who willfully violates or fails to comply with any of the provisions of this ordinance shall be subject to criminal prosecution and penalty in accordance with the provisions of state law. Any person convicted of willful failure or refusal to file a tax return at the times required by this ordinance will be subject to criminal penalties as follows. If the tax lawfully assessed in connection with the return that was not filed is $1,000.00 or less, then such failure or refusal to file will be punishable as a class 3 misdemeanor. If the tax lawfully assessed in connection with the return that was not failed is more than $1,000.00, then such failure or refusal to file will be punishable as a class 2 misdemeanor. In determining the penalty to be applied in the event that a person has not filed a tax return as required by this ordinance, the penalty will be based on the amount due to the county as determined by the commissioner. Each such failure or refusal will constitute a separate offense. Such conviction shall not relieve any such person from the obligation of payment, collection, and remittance of such tax plus applicable penalties and interest as provided in this ordinance.

Section 12. Applicability.

The provisions of this ordinance shall apply throughout the county, including the incorporated towns within the county that do not impose a tax on transient occupancy. The tax imposed by this ordinance shall not be imposed in any incorporated town in the county that imposes a tax on transient occupancy.

Section 13. Severability.

The sections, paragraphs, sentences, clauses, phrases, and words of this ordinance are severable. If any section, paragraph, clause, phrase, or word is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, its unconstitutionality or invalidity shall not affect the validity of any of the other sections, paragraphs, sentences, clauses, phrases, or words of this ordinance.

Section 14. Effective date.

This ordinance shall be in force and effect in Scott County on and after its date of adoption by the Board of Supervisors.

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

Voting nay: None.

Absent: Jeremy P. Herron.

Virginia Department of Transportation Residency Administrator Allan Sumpter and Assistant Residency Administrator Wade Belcher gave an update (Said update being attached to the minutes of this meeting; Minute Book 34 Attachment No: 24).

Mr. Sumpter responded to Ms. Cox about Casteel Hollow Road. He pointed out that the Six Year Plan is updated every spring. The requirements are 50 vehicles per day, at least three homes located on the road, and a width for two vehicles to pass safely. A public hearing is held for those to voice their opinion to get their road added to the plan.

Assistant Residency Administrator Wade Belcher reviewed specific jobs being done. He noted that a pipe was replaced at VFP and on Route 635.

Concerns that the Board of Supervisors contacted the Virginia Department of Transportation about were addressed. Mr. Sumpter and Mr. Belcher reported that Spring Valley Road, Fleming Road, and A.P. Carter Highway work is planned. Some patch work has been done on Roberts Creek Road and should be paved before the end of the season. Supervisor Herron had several road issues, a large portion of those have been addressed, and work is planned on several other issues. Sarah Circle pipe permit has been received, and that project will move forward soon. There was discussion about truck traffic in Dungannon and Yuma. Truck signage was installed in Dungannon, a curve was improved, and there has been discussion for mapping companies to include something about areas that should not be a prime route for trucks. It was also noted that truck traffic cannot be restricted, but there has been signage installed with strong language to deter truck traffic. Unfortunately, Mr. Sumpter indicated that is still a problem no matter how many signs are installed. It was also pointed out that patching will be done soon on Highway 23, Route 614 and Route 619.

Supervisor Tipton inquired about ditch work on A.P. Carter Highway.

Mr. Belcher replied that they have been waiting on a permit. That work should begin soon.

Supervisor Darrel Jeter inquired about repair of a gabion basket wall on Route 713 and the need to get that fixed due to flooding concerns.

Mr. Belcher replied that they are waiting on a permit, but he will contact the environmental group about flooding concerns to see if they can speed up the process.

Supervisor Brickey pointed out that Otis Bowen addressed a situation at the top of Powell Mountain that needs a turn lane.

Mr. Sumpter replied that no justification could be found for that location; therefore, there is a very small likelihood that will be done.

Supervisor Brickey expressed appreciation for Sarah Circle and inquired about the status of the intersection at Food Lion.

Mr. Belcher replied that he would check on that status.

Chairman Mann noted that the side streets in Dungannon have pot holes, and the pavement is broken.

Mr. Belcher stated that he would have someone look at that situation.

Supervisor Marshall Tipton inquired about the Ann Goode Cooper road paving.

Mr. Belcher replied that preliminary engineering will be done soon, and it will be next summer before work begins.

Supervisor Tipton addressed bringing Bluebell Drive into the system.

County Administrator Freda Starnes noted that the cost for that project is estimated at $332,000.

Mr. Sumpter replied that there is not much funding for rural additions. He went on to say that the funding from the Six Year Plan could be used, but that is not desirable since it takes away funds for that plan. Revenue sharing would pay half and the county would be required to pay half. He pointed out that the county could pay their half with a special tax added to the tax assessment.

Supervisor Stefanie Addington mentioned that a work order has been issued for tiles that are blocked on Hales Spring Road. Also, Spring Valley Circle has a lot of pot holes that need to be patched.

Mr. Belcher replied that he would add that road to the list for patching.

Chairman Mann thanked Mr. Sumpter and Mr. Belcher for attending the meeting.

BREAK: 9:30 a.m.

RECONVENE: 9:46 a.m.

County Administrator Freda Starnes presented SMART scale projects for the Board to consider.

On a motion by Michael K. Brickey, duly seconded by Selma G. Hood, this Board hereby authorizes that Virginia Department of Transportation conduct a study on the Clinch River Highway and Natural Tunnel Parkway/U.S. 23 Intersections for SMART Scale projects.

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

Voting nay: None.

Absent: Jeremy P. Herron.

County Administrator Freda Starnes presented a letter with results from a request to research the boundary information for the Town of Duffield.

On a motion by Selma G. Hood, duly seconded by Stefanie C. Addington, this Board hereby authorizes a letter to the Town of Duffield regarding the results from a request to research the boundary information for the Town of Duffield (Said letter being attached to the minutes of this meeting; Minute Book 34 Attachment No: 21).

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

Voting nay: None.

Absent: Jeremy P. Herron.

Appalachian Community Action and Development Agency Lisa Barton addressed a grant opportunity to assist with renovating a building and warehouse for the growth of the agency.

On a motion by Selma G. Hood, duly seconded by Michael K. Brickey, this Board hereby approves and supports Appalachian Community Action and Development Agency planning grant application.

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

Voting nay: None.

Absent: Jeremy P. Herron.

On a motion by Stefanie C. Addington, duly seconded by Marshall D. Tipton, this Board hereby accepts funds in the amount of $210.00 from the sale of Animal Friendly license plates in FY 2023 and transfers the funds to the Scott County Humane Society (Certification of Funds attached to the minutes of this meeting; Minute Book 34 Attachment No: 22).

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

Voting nay: None.

Absent: Jeremy P. Herron.

On a motion by Michael K. Brickey, duly seconded by Darrel W. Jeter, this Board hereby establishes capitalization threshold at $20,000 for GASB effective July 1, 2023.

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

Voting nay: None.

Absent: Jeremy P. Herron.

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

Information Systems

$32,760.29 to 1000-12610-403128 Computer Programming Services.

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

Voting nay: None.

Absent: Jeremy P. Herron.

County Administrator Freda Starnes presented the claims and related reports (Said reports being attached to the minutes of this meeting; Minute Book 34 Attachment No: 26).

On a motion by Stefanie C. Addington, duly seconded by Michael K. Brickey, this Board orders that:

(a) Social Services Fund be allowed the sum of $409,463.72 for voucher numbers 5001201350012040, 50012042-50012098, 50012233-50012241, 50012268-50012273, 50012422-50012440, 50012498-50012500, and 50012041 voided and electronic taxes and payroll.

(b) General Fund be allowed the sum of $1,754,311.34 for voucher numbers 50011933-50011945, 50011947-50011959, 50011961-50011984, 50011986-50011997, 50011999-50012004, 50012006-50012012, 50012099-50012107, 50012109-50012110, 50012242, 50012245-50012267, 50012274-50012308, 50012310-50012325, 50012327-50012328, 50012330-50012341, 50012343-50012400, 50012416-50012421, 50012441-50012454, 50012456-50012458, 50012460-50012470, 50012483-50012497, 50012329 voided and electronic taxes and payroll.

(c) Health Insurance Reimbursement Fund be allowed the sum of $228,699.00 for voucher number 50012243 and 50012455.

(d) Courthouse Security be allowed the sum of $3,518.15 for electronic tax and payroll.

(e) Motor Vehicle Violation Fines be allowed the sum of $39.95 for voucher number 50012244.

(f) Law Library Fund be allowed the sum of $398.62 for voucher number 50011985 and 50012265.

(g) Wireless Grant – 911 be allowed the sum of $2,184.23 for voucher number 50012326 for electronic tax and payroll.

(h) American Rescue Plan Act Fund be allowed the sum of $33,500.00 for voucher numbers 50012005, 50012108, 50012309, and 50012459.

(i) Delinquent Tax Litigation be allowed the sum of 2,099.55 for voucher number 50011998.

(j) Weapons Permit Fund be allowed the sum of $1,127.68 for electronic tax payroll.

(k) CWAO Forfeit Asset Fund be allowed the sum of $80.30 for voucher number 50012282.

(l) CPMT be allowed the sum of $81,454.00 for voucher numbers 50012501 - 50012520

(m) IT Technology Fund be allowed the sum of $11,787.11 for voucher number 50011946.

(n) Local Assit. and Tribal Consist. Fund be allowed the sum of $46,908.00 for voucher number 50012342.

(o) Coal Road Tax Fund be allowed the sum of $33.26 for voucher number 50011960.

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

Voting nay: None.

Absent: Jeremy P. Herron.

On a motion by Darrel W. Jeter, duly seconded by Marshall D. Tipton, this Board hereby grants an additional four hours for the Thanksgiving holiday on Wednesday, November 22, 2023 and additional four hours for the Christmas holiday on Friday, December 22, 2023.

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

Voting nay: None.

Absent: Jeremy P. Herron.

On a motion by Michael K. Brickey, duly seconded by Darrel W. Jeter, this Board hereby authorizes advertisement to amend the FY2024 budget at the December 6, 2023 meeting.

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

Voting nay: None.

Absent: Jeremy P. Herron.

On a motion by Marshall D. Tipton, duly seconded by Selma G. Hood, this Board hereby waives building and electrical permit fees in the amount of $110 for the Town of Nickelsville construction of a farmers market.

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

Voting nay: None.

Absent: Jeremy P. Herron.

County Administrator Freda Starnes reported that the tree on Elliott Drive was removed and paid by AEP.

Tourism Director Pam Cox gave an update (Said update being attached to the minutes of this meeting; Minute Book 34 Attachment No: 25).

Supervisor Darrel Jeter thanked the staff and wished everyone a happy Thanksgiving.

Supervisor Marshall Tipton thanked the staff and wished everyone a happy Thanksgiving. He discussed the work being done to refurbish the tank at the veteran’s memorial, the need for LED lighting, and expressed appreciation for the funding.

Supervisor Michael Brickey mentioned that he likes the expenditure and revenue reports generated from the new Munis system.

Supervisor Stefanie Addington urged everyone to call the Treasurer's office to request longer hours. She went on to say that it is unfortunate that office is only open 35 hours per week during tax season. Supervisor Addington expressed appreciation to the staff.

Chairman Danny Mann invited everyone to come watch the Twin Springs Vs. Rye Cove football game on Friday and the Santa Train November 18th.

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.1 Personnel being County Administrator and County Attorney.

Voting aye:	Darrel W. Jeter, Marshall D. Tipton, Danny P. Mann, Michael K. Brickey, Selma G. Hood, and Stefanie C. Addington.
Voting nay:	None.
Absent:	Jeremy P. Herron.

On a motion by Michael K. Brickey, duly seconded by Darrel W. Jeter, this Board hereby returns to open session.

Voting aye:	Darrel W. Jeter, Marshall D. Tipton, Danny P. Mann, Michael K. Brickey, Selma G. Hood, and Stefanie C. Addington.
Voting nay:	None.
Absent:	Jeremy P. Herron.

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
Danny P. Mann
Michael K. Brickey
Selma G. Hood
Stefanie C. Addington.

Voting nay: None.

Absent: Jeremy P. Herron

Chairman Danny P. Mann adjourned the meeting until December 6, 2023 at 8:30 a.m.

CHAIRMAN CLERK