

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 July, 2024 at 9:00 a.m.

- PRESENT:

Darrel W. Jeter
L. Michele Glover
Eddie N. Skeen
Michael K. Brickey - Chairman
Danny M. Casteel
Christopher S. Maness – Vice-Chairman
Stefanie C. Addington
- ABSENT:

None.

Chairman Michael K. Brickey called the meeting to order.

Supervisor Stefanie C. Addington gave the invocation and led the Pledge of Allegiance.

On a motion by Christopher S. Maness, duly seconded by L. Michele Glover, this Board hereby approves the agenda.

- Voting aye:

Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.
- Voting nay:

None.

On a motion by Darrel W. Jeter, duly seconded by L. Michele. Glover this Board hereby approves the May 31, 2024 minutes.

- Voting aye:

Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.
- Voting nay:

None.

On a motion by Stefanie C. Addington, duly seconded by Christopher S. Maness, this Board hereby approves the June 4, 2024 minutes.

- Voting aye:

Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.
- Voting nay:

None.

Chairman Michael K. Brickey opened Citizen Expression Period to receive public comments.

Peggy Tyus spoke about Snowflake Road and complaints that have been sent to the Virginia Department of Transportation about dirt roads. She went on to say that she is thankful that taxes were not raised. Ms. Tyus pointed out that something is needed at the Riverside property. She noted that Terry Kilgore needs to get more funding for roads and requested that Snowflake Road remain on the Six Year Plan.

Gary Baker from Boozy Creek thanked Michele Glover and Eddie Skeen for assisting Roy and Sue Wright with their water line being fixed by the Public Service Authority. In addition, he thanked the Board for not raising taxes. He went on to say that the Board should micro-manage the departments before the next budget.

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

Chairman Michael K. Brickey opened a public hearing to receive public comments on the possible adoption of an Ordinance to Amend the Transient Occupancy Tax Ordinance at Section 2, Levy and Rate, to amend the rate from 2% to 5%, designating the excess 3% solely for tourism as specified in Virginia Code Section 58.1-3819(A) (2).

Hearing no comments, Chairman Brickey closed the public hearing.

On a motion by Christopher S. Maness, duly seconded by Darrel W. Jeter, this Board hereby adopts the following:

Ordinance No: 2024-03

**ORDINANCE TO AMEND
THE TRANSIENT OCCUPANY TAX ORDINANCE**

It is ordained by the Board of Supervisors of Scott County, Virginia, that Ordinance No. 2023-03, An Ordinance Amending, Restating, and Reordaining the Transient Occupancy Tax Ordinance to Conform with the Code of Virginia, is hereby amended at Section 2, Levy and Rate, to amend the rate from 2% to 5%, designating the excess 3% solely for tourism as specified in Virginia Code Section 58.1-3819(A)(2), and shall read in its entirety as follows:

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 5% of the room charge paid by the customer for the use or possession of the room or space.
- (d) The revenue from 3% of such tax shall be designated and spent solely for tourism and travel, marketing of tourism or initiatives that, as determined after consultation with the local tourism industry organizations, including representatives of lodging properties located in the county, attract travelers to the locality, increase occupancy at lodging properties, and generate tourism revenues in the locality.

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, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
 Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

Chairman Michael K. Brickey opened a public hearing to receive comments on the possible adoption of an amendment to the Scott County Solid Waste Control Ordinance. Article 5, to add a new section, section 3, Reduced Tipping Fee, to allow Scott County sole proprietors collecting bagged household waste to pay a reduced tipping fee of \$40 at the Scott County Transfer Station.

Hearing no comments, Chairman Brickey closed the public hearing.

On a motion by Eddie N. Skeen, duly seconded by Danny M. Casteel, this Board hereby adopts the following:

ORDINANCE NO. 2024-04

**ORDINANCE TO AMEND THE
SCOTT COUNTY SOLID WASTE CONTROL ORDINANCE**

IT IS ORDAINED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY THAT THE SCOTT COUNTY SOLID WASTE CONTROL ORDINANCE IS AMENDED AT ARTICLE 5, to add Section 3, Reduced Tipping Fee, to allow Scott County sole proprietors collecting bagged household waste to pay a reduced tipping of \$40.00 at the Scott County Transfer Station, AND THE ENTIRE ORDINANCE AS THUS AMENDED EFFECTIVE ON DATE OF ADOPTION SHALL READ AS FOLLOWS:

ARTICLE 1.
General Provisions.

Section 1. Title.

This ordinance shall be known as and may be cited as the “Scott County Solid Waste Control Ordinance.”

Section 2. Proper Disposal of Solid Waste.

A county solid waste transfer station and a system of solid waste centers shall be available to persons in the county for the disposal of solid waste other than hazardous waste, hazardous materials, hazardous substances, radioactive waste, nuclear waste or sludge during such hours and upon such conditions as the board of supervisors may direct.

Section 3. Violations.

Any person violating any provision of this ordinance shall be guilty of a Class 3 misdemeanor punishable by a fine of up to \$500.00. Each day of violation shall constitute a separate offense. In addition to any penalty imposed for each violation, a judge hearing the case may direct the person responsible for the violation to correct the violation and restore the site and each day's default in such correction, remediation or restoration shall constitute a violation of and a separate offense under this section. A judge hearing the case may also order the person responsible for the violation to perform public service relating to restoration of an area polluted by solid waste.

Section 4. Enforcement.

The Scott County Sheriff's Office, any sworn law enforcement officer, or any Scott County Board of Supervisors designated litter control officer who is a sworn special conservator of the peace is authorized and shall have authority to enforce all provisions of this ordinance.

Section 5. Injunctive Relief.

The County Attorney for Scott County may apply to the Circuit Court for Scott County to enjoin a violation or threatened violation of this ordinance without the necessity of showing that an adequate remedy at law does not exist.

Section 6. Severability.

Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason by a court of competent jurisdiction, the remainder of said ordinance shall not be affected thereby.

Section 7. Effective Date.

This ordinance shall take effect as of its date of adoption.

Section 8. Definitions.

"Bagged Commercial Waste" means any nonhazardous solid waste derived from a commercial establishment that can be placed in a trash bag, which shall not exceed forty (40) gallon capacity.

"Bulk Waste" means appliances, furniture, bedding material, automobile parts, mechanical equipment, mechanical parts, and carpet.

"Commercial Waste" means all materials or substances from any retail, wholesale, or commercial establishment.

"Community Containers" means those metal boxes, also known as dumpsters or green boxes, placed by or owned by Scott County in the various areas of the County.

"Dump" means to dump, throw, release, spill, leak, discard, place, deposit or dispose of or allow to be dumped, released, spilled, leaked, discarded, placed, deposited or disposed.

“Hazardous Material” means a substance or material in a form or quantity which may pose an unreasonable risk to health, safety or property when transported, and which the Secretary of Transportation of the United States has so designated by regulation or order.

“Hazardous Substance” means a substance listed under United States Public Law 96-510, entitled the Comprehensive Environmental Response Compensation and Liability Act.

“Hazardous Waste” means a solid waste or combination of solid waste which, because of its quantity, concentration or physical, chemical or infectious characteristics, may:

- (1) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating illness; or
- (2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

“Hazardous Waste Generation” means the act or process of producing hazardous waste.

“Household Hazardous Waste” means any waste material derived from households, including single-family and multiple-family residences, hotels, motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds and day-use recreation areas, which, except for the fact that it is derived from a household, would otherwise be classified as a hazardous waste.

“Household Waste” means any waste material, including garbage, trash and refuse, derived from households, including single-family and multiple-family residences, hotels, motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas. Household wastes do not include sanitary waste in septic tanks.

“Industrial Waste” means all materials or substances related to manufacturing, processing or production.

“Litter” means any can, bottle, box, carton, container, paper, wrapper, tobacco product, rag, cloth or newspaper.

“Mixed Radioactive Waste” means radioactive waste that contains a substance which renders the mixture a hazardous waste.

“Permit” means a valid written document issued by a federal, state or local entity authorizing the work or activity described in the document.

“Person” means any individual, firm, owner, sole proprietorship, partnership, corporation, unincorporated association, governmental body, municipal corporation executor, administrator, trustee, guardian, agent occupant or other legal entity.

“Radioactive Waste” and “Nuclear Waste” include:

(1) Low-level radioactive waste material that:

- a. Is not high-level radioactive waste, spent nuclear fuel, transuranic waste, or byproduct material as defined in section 11e(2) of the Atomic Energy Act of 1954 (42 USC 2014(e)(2)); and
- b. The Nuclear Regulatory Commission, consistent with existing law, classifies as low-level radioactive waste; or

(2) High-level radioactive waste, which means:

- a. The highly radioactive material resulting from the reprocessing of spent nuclear fuel, including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations; and

b. Other highly radioactive material that the Nuclear Regulatory Commission, consistent with existing law, determines by rule requires permanent isolation.

“Sludge” means any solid, semisolid or liquid wastes with similar characteristics and effects generated from a public, municipal, commercial or industrial wastewater treatment plant, water supply treatment plant, air pollution control facility or any other waste-producing facility.

“Solid Waste” means any garbage, refuse, sludge and other discarded material, including solid, liquid, semisolid or contained gaseous material, that is household waste or resulting from industrial, commercial, mining and agricultural operations, or community activities, but does not include:

- (1) Solid or dissolved material in domestic sewage;
- (2) Solid or dissolved material in irrigation return flows or in industrial discharges which are sources subject to a permit from the state water control board;
- (3) Source, special nuclear or byproduct material as defined by the Federal Atomic Energy Act of 1954, as amended; or
- (4) Hazardous waste.

“Structural Waste” means all building materials resulting from erecting, removing, repairing, remodeling or razing buildings or other structures.

“Waters” means any waters adjacent to or within Scott County, including but not limited to rivers, lakes, creeks, streams, tributaries or ponds.

“Yard Waste” means all materials derived from trees, shrubbery, leaves, fallen branches, lawn trimmings, and other woody waste.

ARTICLE 2. **Anti-Dumping.**

Section 1. Illegal Dumping Prohibited.

It shall be unlawful for any person to dump any solid waste on any property, or in any waters, within Scott County, except as authorized by applicable permit. It shall be the burden of the alleged violator to show proof of any applicable permits. When a violation of the provisions of this section has been observed by any person, and the matter dumped has been ejected from a motor vehicle or watercraft, the owner or operator of such motor vehicle or watercraft shall be deemed to be the person ejecting such solid waste.

Section 2. Unlawful Storage and Accumulation of Solid Waste.

It shall be unlawful for any person to accumulate, store, leave, place or deposit or allow to be accumulated, stored, left, placed or deposited, any solid waste on any property within Scott County except as authorized by applicable permit. It shall be the burden of the alleged violator to show proof of an applicable permit.

Section 3. Failure to Keep Property Clean and Free of Accumulations of Solid Waste.

It shall be unlawful for any person to fail to keep property within Scott County clean and free of accumulations or deposits of solid waste except as authorized by applicable permit. It shall be the burden of the alleged violator to show proof of an applicable permit.

Section 4. Exemptions for Certain Waste Material.

Any person who removes trees, brush or other vegetation from land used for agricultural or forestal purposes shall not be required to obtain a solid waste permit from the Virginia Department of Environmental Quality if such material is deposited or placed on the same or other property of the same landowner from which such materials were cleared.

The Virginia Department of Environmental Quality by regulation provides for other reasonable exemptions from permitting requirements for the disposal of trees, brush and other vegetation when such materials are removed for agricultural or forestal purposes and for yard waste composting.

Section 5. Proof of Proper Disposal Required.

Any person required to remove any solid waste from any property or waters, as required by this ordinance, shall provide proof that the solid waste removed was disposed of in accordance with all applicable local, state and federal regulations. A disposal receipt showing proper disposal indicating date, time, identifiable quantity, and place of disposal shall be submitted to the law enforcement officer, or litter control officer, who originated the charge or complaint. Failure to submit the required disposal receipt or failure to dispose of solid waste in accordance with all applicable local, state and federal regulations shall constitute an offense under this ordinance.

Section 6. Dumping of Solid Waste from Outside Scott County Prohibited.

(a) It shall be unlawful to dump any solid waste generated from outside Scott County in any of the unmanned community containers placed by or owned by Scott County.

(b) It shall be unlawful to dump any solid waste generated from outside Scott County at any of the solid waste centers, including the county solid waste transfer station.

ARTICLE 3.
Community Containers.

Section 1. Scott County Community Containers for Household Waste Only.

The community containers, also known as dumpsters or green boxes, placed by or owned by Scott County are for the disposal of properly bagged and contained household waste only. It is unlawful for any person to dump or dispose of in such containers of bulk waste, commercial waste, hazardous waste, industrial waste, structural waste or yard waste, except yard waste weighing less than forty pounds or tree trimmings which do not exceed thirty-six inches in length or six inches in diameter.

The dumpsters located at the schools in the county and at the county parks are for use of those facilities only.

Section 2. Scavenging, Tampering with or Vandalizing Community Containers.

It shall be unlawful for any person to scavenge or tamper with the contents of, or to vandalize, any of the community containers placed by or owned by Scott County.

Section 3. Authority of County Administrator to Issue Regulations.

The County Administrator of Scott County is hereby authorized to issue written regulations on behalf of Scott County for the reasonable preparation and collection of any solid waste to be placed in the community containers placed by or owned by Scott

County or at the solid waste centers, including the county solid waste transfer station. It shall be unlawful for any person to violate any said written regulation.

ARTICLE 4.

Solid Waste Centers and Transfer Station.

Section 1. Solid Waste Centers and Transfer Station.

(a) The board of supervisors hereby creates and establishes a system of solid waste centers and a county solid waste transfer station to facilitate the environmentally sound disposal of solid waste other than hazardous wastes, hazardous materials, hazardous substances, household hazardous waste, radioactive waste, nuclear waste or sludge.

The manned solid waste centers, including the county solid waste transfer station, shall receive household waste, bagged commercial waste, bulk waste, and recyclables, including aluminum, plastic containers, newspapers, and cardboard. The board of supervisors shall by resolution establish the hours of operation and fees for the use of the various facilities.

(b) The county solid waste management facilities are established and designed to receive solid waste generated within the county.

(c) The operation of the county solid waste management facilities shall conform to the guidelines established by the state department of environmental quality governing the disposal of solid waste and with all applicable federal and state laws and regulations.

(d) Individual residents of the county may dispose of solid waste approved for disposal by the board of supervisors generated from their individual households into the county solid waste centers without charge.

(e) Individuals who reside elsewhere but who own real property in the county may, when visiting their property in the county, use the solid waste centers to dispose of household solid waste which they generate in the county during their visit to their property located in the county on the same terms and conditions as county residents when authorized by applicable permit issued by the Scott County Public Works Department.

(f) An individual who does not reside in the county may use the solid waste centers to dispose of household solid waste generated by a member of his immediate family who resides in the county if the person disposing of the solid waste provides this service to only one household, receives no compensation for disposing of the solid waste, and is authorized by applicable permit issued by the Scott County Public Works Department.

(g) No person shall dispose of solid waste anywhere in the county, whether on public or private property, except in an authorized sanitary landfill, the county community containers, or the county solid waste centers, including the county solid waste transfer station.

(h) Individuals, who use the solid waste centers, including the county solid waste transfer station, shall abide by the rules of the center as instructed by signage and the attendant.

(i) Commercial establishments shall only use the solid waste centers for bagged commercial waste and recyclables. Those commercial establishments, who use the solid waste centers, including the county solid waste transfer station, will be subject to fees for commercial waste established by the Board of Supervisors and set forth by resolution.

Section 2. Scott County Sanitary Landfill to be Only Such Facility.

It shall be unlawful for any person to establish, operate or maintain a sanitary landfill or other solid waste disposal facility within Scott County, other than the Scott County Sanitary Landfill as owned and operated by Scott County, its agents and employees.

Section 3. Fees for Disposal of Solid Waste at Scott County Transfer Station.

The Scott County Board of Supervisors may by resolution determine and set fees for the dumping or disposal of solid waste at the county solid waste transfer station.

Section 4. Disposal Charge to Towns; Exceptions.

Any town in Scott County, which levies a consumer utility tax, shall be charged its pro rata cost, based upon its population, for solid waste disposal, subject to the following:

- (a) The determination of the amount of this charge shall not be subject to the requirements of Article 4, Section 3, of the Solid Waste Control Ordinance; and
- (b) No such charge shall be made to any such town which does not have a town motor vehicle, trailer or semi-trailer license ordinance in effect and which has paid to Scott County all solid waste disposal fees charged it by Scott County.

Section 5. Disposition of Bulk Solid Waste Containers.

- (a) A solid waste disposal system consisting, in part, of bulk solid waste containers for normal household solid waste in sufficient quantities to serve the needs of residents of the county may be provided in solid waste centers. No other types of solid waste, including dead animals, shall be placed in bulk solid waste containers for public use.
- (b) Mutilation, defacement or damage of any nature to bulk solid waste containers, including burning or setting fire to the contents of those containers, shall be a Class 3 misdemeanor.
- (c) No person, except an individual resident of the county, an individual acting on behalf of a county resident, or an individual who owns real property in the county may use such bulk solid waste containers. Individuals who reside elsewhere but who own property in the county may, when visiting their property in the county, use the bulk solid waste containers to dispose of household solid waste which they generate in the county during their visit to their property located in the county on the same terms and conditions as county residents; however, reasonable inquiry and a reasonable investigation may be conducted to establish that the requirements of this section are met. An individual who does not reside in the county may use the solid waste centers to dispose of household solid waste generated by a member of his immediate family who resides in the county if the person disposing of the solid waste provides this service to only one household, receives no compensation for disposing of the solid waste, and is authorized by applicable permit issued by the Scott County Public Works Department.

ARTICLE 5.
Collectors.

Section 1. Licensing of Collectors.

- (a) It shall be unlawful for any person who does not possess an unrevoked permit from Scott County to engage in the business of solid waste collection or disposal for compensation in Scott County. The County of Scott shall issue permits for such applicants, provided that such permits shall be limited to persons having property, equipment and personnel to collect and dispose of solid waste in accordance with the provisions of this ordinance and provided further that the method of disposal used is in accordance with the recommendations of the Virginia Department of Environmental Quality and regulations promulgated thereunder.
- (b) The fee for such license shall be \$100.00 per annum and all licenses shall be issued for the calendar year, or such part thereof as shall remain after the issuance. There shall be no reduction in the fee for a license issued after the beginning of any calendar year.
- (c) Every person who shall apply for a license under this section shall state the type or types of solid waste to be collected, the manner of collection and the place and method of disposal.
- (d) No license shall be granted if the place and method of disposal shall not conform to the requirements of this ordinance, or to the ordinance of any municipal or quasi-municipal corporation, wherein disposal is to be made.
- (e) It shall be unlawful to permit an unlicensed collector to collect or remove solid waste from a household, institution, or commercial enterprise.
- (f) It shall be unlawful for any licensed collector to use or attempt to use any of the community containers placed by or owned by Scott County for the disposal of any solid waste.
- (g) It shall be unlawful for any licensed collector to use the county solid waste transfer station for the disposal of any solid waste generated outside of Scott County, Virginia, except upon prior written arrangement with the Scott County Board of Supervisors.

Section 2. Collection Vehicles.

- (a) All vehicles used for collection of garbage shall be equipped with compacting devices or equivalent types of closed bodies and shall have enclosed cargo space.
- (b) It shall be unlawful to collect, haul, transport, or convey garbage in open, unenclosed vehicles except from one's own residence to the approved container placed in his community, solid waste centers, or to the county solid waste transfer station.

Section 3. Reduced Tipping Fee.

To promote and encourage small Scott County businesses involved in bagged household waste collection, which benefits the residents of Scott County by providing a valuable service and aids the county by diverting bagged household waste from solid waste centers, thereby reducing costs and logistical challenges, the following business type shall pay a reduced tipping fee of \$40.00 at the Scott County Transfer Station:

A Scott County-based sole proprietor who has obtained a license from the county and is engaged in collecting bagged household waste from households within the county.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey, Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

Chairman Michael K. Brickey opened a public hearing on the possible approval of a Special Use Permit application submitted by Albert W. Graybill for tax map # 149-1-6-8 on Bristol Highway to use the parcel for mini-warehouse.

Building Code/Zoning Official David Gilmer presented the application and noted that adjoining property owners were notified. He went on to say that Mr. Graybill has done a lot of improvements to the property. Mr. Gilmer added that the special use permit could be issued conditional upon an entrance permit from the Virginia Department of Transportation.

Supervisor Darrel Jeter inquired about any complaints from adjoining property owners.

Mr. Gilmer replied that there have been no complaints, and Mr. Graybill has improved the appearance of that property.

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

On a motion by L. Michele Glover, duly seconded by Danny M. Casteel, this Board hereby issues a Special Use Permit to Albert W. Graybill for tax map 149-1-6-8 on Bristol Highway to use the parcel for mini-warehouse conditional upon a Virginia Department of Transportation entrance permit.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey, Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

Doug Rasnake was in attendance to answer questions about the SECOR facility.

Supervisor Eddie Skeen inquired about Russell County committing funds for SECOR.

Mr. Rasnake replied that Russell County committed \$100,000.

Supervisor Chris Maness requested that Mr. Rasnake tell the Board more about the facility.

Mr. Rasnake reported that the building has been purchased, work has been done on a business plan, and a bid was awarded in February. He went on to say that this is a 90 day program, houses 50 residents, and is opioid based. Drug counseling will be provided. Mr. Rasnake added that the program allows individuals to go home, become functional citizens, and assists them with obtaining employment. Most of these individuals will come from the Regional Jail. The closest facility was located in Roanoke until this facility was awarded.

Chairman Brickey inquired about the effects on Regional Jail costs.

Mr. Rasnake replied that, if the program is court ordered then, the Department of Corrections will pay for the housing when individuals come to our facility. It would be about \$91,000 in savings for Scott County with five people in the program.

Supervisor Stefanie Addington questioned three months being enough time and inquired about repeats.

Mr. Rasnake replied that three months is standard. There have been a few repeats. He went on to say that he has employed individuals in this program and never had a repeat.

CPA Brian Blanton stated that he helped with the business plan for SECOR. He went on to say that a lot of these individuals need transportation. Kitchen staff are needed along with programs. These individuals know this is a step to turn their life around. The facility will employ 20 people. Mr. Blanton went on to say that he has had a lot of clients who employed these individuals and been very pleased with them. This type of program is needed.

Mr. Rasnake added that Senator Todd Pillion has been involved with this program, considers it to be the number one facility in the State, and is badly needed.

After much discussion among the Board, it was noted that this would not be funded with taxpayer's dollars.

On a motion by Stefanie C. Addington, duly seconded by Christopher S. Maness, this Board hereby funds SECOR \$75,000 from opioid abatement funding.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

Commissioner of the Revenue Tammy Tiller requested direction from the Board as to assessing machinery and tools tax for logging equipment. She went on to say that surrounding counties tax logging companies for their equipment.

County Attorney Sally Kegley advised that a public hearing would be required for an exemption.

After discussion among the Board, there was no consensus to hold a public hearing for a tax exemption on logging equipment.

On a motion by Christopher S. Maness, duly seconded by L. Michele Glover, this board hereby approves \$1,000 from Board Contingency for Duffield Daze.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

On a motion by Christopher S. Maness, duly seconded by Eddie N. Skeen, this Board hereby adopts the following:

RESOLUTION NO: 2024 - 06

**RESOLUTION OF SUPPORT BY THE SCOTT COUNTY BOARD OF
SUPERVISORS FOR SCOTT COUNTY VIRGINIA'S SMART SCALE PROJECT
SUBMISSIONS**

WHEREAS, the Scott County Board of Supervisors recognizes the importance of prioritizing transportation projects for funding by the Commonwealth Transportation Board based on an objective and fair analysis applied statewide, as set forth in the General Assembly's House Bill 2 (HB2) effective as of July 1, 2014; and

WHEREAS, the Scott County Board of Supervisors recognizes the new transportation funding formula set forth in House Bill 1887 and approved by the Virginia General Assembly in February 2015 and the High-Priority Project Program, as defined in § 33.2-370 as the statewide competitive funding program and the Highway Construction District Grant Programs, as defined in § 33.2-371 as the Bristol District competitive funding program; and

WHEREAS, the Scott County Board of Supervisors recognizes that applicable projects submitted by eligible localities in the Bristol District will be scored on five weighted factors as follows: Economic Development (30%), Safety (40%), Accessibility (10%), Congestion Mitigation (10%), Environmental Quality (10%); and

WHEREAS, the Scott County Board of Supervisors recognizes that applicable projects must meet a defined need according to the VTRANS statewide transportation vision document and be located within a corridor of statewide significance, within an identified regional network, and/or within a local urban designated growth area, or specifically address a safety issue; and

WHEREAS, the Smart Scale (formerly known as HB2) project identified within Scott County is the US 23 at Natural Tunnel Parkway Intersection Realignment project; and

WHEREAS, the US 23 at Natural Tunnel Parkway Intersection Realignment project scope currently consists of realigning the existing intersection at US 23 and Natural Tunnel Parkway (Route 871) and will shift it approximately 100ft to the north to improve sight distance. The existing US 23 northbound right-turn lane will remain in place with a storage of 150ft and a taper of 150ft. The project will reconstruct the southbound left-turn lane on US 23 onto Natural Tunnel Parkway to have 200ft of taper and 200ft of storage; and

WHEREAS, the description of the scope is its current iteration, with the understanding of the potential for minor modifications or adjustments possible up to application submission. As well as the acknowledgement of any significant changes that alters the project's primary benefits will include a new resolution; and

NOW THEREFORE BE IT RESOLVED, the Scott County Board of Supervisors approves and supports the submission of the aforementioned project, via Smart Scale application process for the FY 2026 Six Year Improvement Plan Cycle, with the candidate project's full application submission deadline of August 1, 2024.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Scott County Board of Supervisors does encourage and implore the Commonwealth Transportation Board and the Virginia Department of Transportation to fund these projects and supports any and all such efforts.

ADOPTED this the 3rd day of July 2024.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

County Administrator Freda Starnes presented a Solid Waste Presentation and noted that she would be attending the Solid Waste Committee meetings (Said presentation attached to the minutes of this meeting; Minute Book 34 Attachment No: 72).

Amy Vicars presented bookkeeping.

On a motion by Christopher S. Maness, duly seconded by L. Michele Glover, this Board hereby accepts Sheriff's Office –VA DCJS Department of Criminal Justice Services SRO School Resource Officer Grant Program 521288-FY25 grant# 25-211-C totaling \$274,343.00.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

On a motion by Christopher S. Maness, duly seconded by L. Michele Glover, this Board hereby accepts Sheriff's Office –VA DCJS Department of Criminal Justice Services SRO School Resource Officer Grant Program 521288-FY25 grant# 25-927-E totaling \$286,847.00.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

On a motion by Christopher S. Maness, duly seconded by L. Michele Glover, this Board hereby accepts Sheriff's Office – VA DCJS Department of Criminal Justice Services Byrne JAG Justice Assistance Grant Program 52876-LE Equipment Grant# 528880 totaling \$16,016.00 with the established budget code 1000-31275-408105.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

On a motion by Christopher S. Maness, duly seconded by L. Michele Glover, this board hereby accepts Commonwealth's Attorney's – VA DCJS Department of Criminal Justice Victim Witness Grant Program 25-O1150VW22 totaling \$95,449.00 for the established budget code 1000-22205.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

On a motion by Christopher S. Maness, duly seconded by L. Michele Glover, this board hereby accepts Commonwealth's Attorney's – VA DCJS Department of Criminal Justice VA Sexual & Domestic Violence Victim Fund (VSDVVF) Grant Program 525384-FY25 grant# 25-A5305DV25 totaling \$45,000.00 with the established budget code 1000-22260.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

On a motion by Christopher S. Maness, duly seconded by L. Michele Glover, this board hereby Accepts Tourism – VA Tourism Corporation 2024 DMO Grant totaling \$11,680.00 with the established budget code 1000-81900-403600-01215 Advertising.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

Tina Seay presented applications for appointment.

Planning Commission Appointment

Eddie N. Skeen nominated Glen Broadwater

On a motion by Stefanie C. Addington, duly seconded by Christopher S. Maness, this Board hereby ceases nominations and, by acclamation, appoints Glen Broadwater to serve a four-year term on the Planning Commission.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, 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 34 Attachment No: 73).

On a motion by Darrel W. Jeter, duly seconded by Eddie N. Skeen, this Board hereby orders that:

(a) Social Services Fund be allowed the sum of \$303,315.38 for voucher numbers 50016814-50016905, 50016966-50016972, 50017002-50017005, 50017057-50017066, 50017212-50017220, with voucher number 50017221 void and wire 211, 212, 213, 214, 220 and Payroll/DD Fund 5000 \$121,627.22.

(b) General Fund be allowed the sum of \$1,060,607.82 for voucher numbers 50016906-50016923, 50016932-50016964, 50017006-50017021, 50017023-50017038, 50017040-50017042, 50017044-50017056, 50017067-50017078, 50017080-50017082, 50017119-50017122, 50017124-50017125, 50017127-50017141, 50017145-50017186, and wire 215, 216, 217, 218, and 219 and payroll/DD Fund 1000 \$591,538.16.

(c) Health Insurance Reimb. Fund be allowed the sum of \$241,620.92 for voucher numbers 50017079 and 50017123.

(d) Courthouse Security be allowed the sum of \$1,895.71 for voucher number 50016960, 50017077, 50017080 and wire 215, 218, 219 and Payroll/DD Fund 1210 in the amount of \$4,042.76.

(e) Law Library Fund be allowed the sum of \$210.32 for voucher number 50016945.

(f) Wireless Grant – 911 be allowed the sum of \$2,745.20 for voucher number 50016960, 50017043, 50017124 and wire 215, 218 and Payroll/DD Fund 1505 \$1,530.59.

(g) Weapons Permit Fund be allowed the sum of \$222.28 for wire 215 and 218 and payroll/DD Fund 1230.

(h) CPMT be allowed the sum of \$102,640.98 for voucher numbers 50017222-50017242.

(i) CWAOC Collection Fund be allowed the sum of \$1,490.91 for voucher numbers 50017068, 50017082 and wire 215, 216, 217, 218, 219, and Payroll Fund/DD 1310 \$2,044.96.

(j) CWAOC Forfeit Asset fund be allowed the sum of \$482.32 for voucher number 50017132.

(k) IT Technology Fund (Clerk) be allowed the sum of \$97.47 for voucher number 500017126.

(l) OPIOID Settlement Fund be allowed the sum of \$75,000 for voucher number 50017039.

(m) American Rescue Plan Act be allowed the sum of \$92,000 for voucher numbers 50017142, 50017143, and 50017144 with voucher number 50017022 voided

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey, Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

County Administrator Freda Starnes reported that the Planning Commission will be having a meeting on the Comprehensive Plan, and those updates will come to the Board of Supervisors at the August meeting. The Comprehensive Plan will have the transportation section for the Smart Scale projects along with some other minor changes. In addition, Ms. Starnes pointed out that she received a call from a citizen who reached out to Morgan Griffith's office in regards to the Forest Service employing a full-time search and rescue person. This is due to EMS agencies being tied up at the Devil's Bathtub, and that could adversely affect a citizen in the county. Ms. Starnes stated that she would be in contact to see how that goes along with seeking federal reimbursement.

Park and Golf Course Director Derrick France gave an update (Said update being attached to the minutes of this meeting; Minute Book 34 Attachment No: 74).

Tourism Director Pam Cox gave an update (Said update being attached to the minutes of this meeting; Minute Book 34 Attachment No: 75).

Supervisor Eddie Skeen reported that he received 11 calls about work orders that the Virginia Department of Transportation has not addressed. He went on to say that residents are receiving follow-up calls and most issues are being resolved. Supervisor Skeen stated that he did not receive any orange bag complaints. He encouraged residents to call him if they see orange bags along roadways for more than two weeks. Supervisor Skeen noted that he would be receiving a weekly mowing schedule. Mowing will be done this week in the Twin Springs and Nickelsville areas, Yuma, Tennessee State Line to Highway 23, Weber City area, Fairview and Speers Valley. Contractors will also be mowing in East and West Carters Valley. Supervisor Skeen stated that he would be giving an update on Economic Development each month. There was an inquiry about Riverside that is on hold. He

reported on a possible hotel at the Riverside Property. There is ongoing discussion, and that would require a county moral obligation with the Tobacco Commission. He went on to say that it would require a loan guarantee from Scott County. Supervisor Skeen stated that he asked a Commercial Developer from another State to look at the Riverside property and give some feedback. The developer stated that the unemployment rate in Scott County is about 2.5 percent; therefore, the developer noted that recruiting industrial opportunities would not be a priority. The developer stated that tax revenue is in real estate and housing development. That is what Scott County needs to focus on.

Chairman Michael Brickey pointed out that the High School State Champions need to be recognized by the Board of Supervisors.

On a motion by Darrel W. Jeter, duly seconded by Danny M. Casteel, this Board hereby enters into closed session pursuant to Virginia Code Section 2.2-3711 A.3 Real Estate being Gate City.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

On a motion by Danny M. Casteel, duly seconded by Stefanie C. Addington, this Board hereby returns to open session.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

On a motion by Darrel W. Jeter, duly seconded by Danny M. Casteel, 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
 L. Michele Glover
 Eddie N. Skeen
 Michael K. Brickey
 Danny M. Casteel
 Christopher S. Maness
 Stefanie C. Addington.

Voting nay: None.

On a motion by Christopher S. Maness, duly seconded by Stefanie C. Addington, this Board hereby authorizes the purchase of real estate in Gate City, Virginia and allows the County Administrator to sign all necessary documents.

Voting aye: Darrel W. Jeter, L. Michele Glover, Eddie N. Skeen, Michael K. Brickey
 Danny M. Casteel, Christopher S. Maness, and Stefanie C. Addington.

Voting nay: None.

Chairman Michael K. Brickey adjourned the meeting to August 7, 2024 at 9:00 a.m.

CHAIRMAN

CLERK