

# AGENDA

Tuesday, May 14, 2013  
4:00 p.m.

## **4:00 CALL MEETING TO ORDER**

## **CLOSED SESSION**

Code of Virginia, Section 2.2-3711 – **A.5 Industrial/Business Prospects**; discussion concerning a business or industry considering expansion with no previous announcement being made, and **A.7 Legal**; discussion with legal counsel and staff pertaining to actual or probable litigation.

## **5:00 CALL MEETING TO OPEN SESSION**

Invocation and Pledge of Allegiance

## **ADOPTION OF AGENDA**

Adopt the agenda and the additional agenda as presented

## **MINUTES OF PREVIOUS MEETINGS**

Request adoption of the April 9, 2013 minutes (**pg. 5-31**)

## **FINANCIAL STATUS**

Charlie Atkins – Inform the Board of the County’s financial status

## **PAYMENT OF INVOICES**

Consideration of appropriations and accounts payable as listed on the additional agenda

## **5:15 CITIZENS TIME**

## **NEW BUSINESS**

**Sally Morgan – Introduction of Businesses in Smyth County**

U.S. Solutions – Robert Smith, Call Center Manager

**5:30 Ron Thomason, Smyth County Tourism Association**  
Presentation on Tourism activities

**Hungry Mother Festival signs** – Michael Carter, County Administrator **(pg. 32)**

**Consideration of Comprehensive Plan – April 9, 2013 public hearing**

**6:00 Public Hearing – Fiscal Year July 1, 2013 – June 30, 2014 School Board Budget**  
**(pg. 33)**

**6:15 Public Hearing – Fiscal Year July 1, 2013 – June 30, 2014 County Budget (pg. 34)**

**6:30 Public Hearing – Atkins Fire Department/Crowe Festival application**

**PUBLIC HEARING NOTICE**

The Smyth County Board of Supervisors will conduct a hearing on Tuesday, May 14, 2013, at 6:30 p.m., or soon thereafter, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application for an Annual Musical or Entertainment Festival permit under the Code of Smyth County, Virginia:

*The Atkins Volunteer Fire Department has submitted a festival application for an event to be held on Saturday, June 15, 2013 (rain date Saturday, June 22, 2013). This event will be held at the Davis Valley Winery grounds located at 1167 Davis Valley Road, Rural Retreat, VA 24368, and will be held between the hours of 6:00 p.m. and 12:00 midnight.*

At this public hearing, subject to the rules of procedure of the Board of Supervisors of Smyth County, Virginia, any person may appear and state his/her views thereon.

A copy of this application along with their maps and plans are on file in the Office of the County Administrator of Smyth County at the address given above, and may be viewed during regular business hours Monday through Friday, 8:00 a.m. to 5:00 p.m.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact Clegg Williams, Smyth County ADA Coordinator, at (276) 783-3298 x227 at least forty eight (48) hours prior to the hearing.

Done by order of the Board of Supervisors  
Michael L. Carter, County Administrator

**6:45 Public Hearing – VDOT Secondary Systems Six Year Plan (pg. 35-39)**

**Public Hearing Notice**

The Virginia Department of Transportation and the Board of Supervisors of Smyth County, in accordance with Section 33.1-70.01 of the Code of Virginia, will conduct a joint public hearing in the Board of Supervisors Meeting Room of the Smyth County Administration Office, 121 Bagley Circle, Suite 100, Marion, Virginia 24354 at 6:45 p.m. on May 14, 2013. The purpose of this public

hearing is to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 20013/14 through 2018/19 in Smyth County and on the Secondary System Construction Budget for Fiscal Year 2013/14. Copies of the proposed Plan and Budget may be reviewed at the Wytheville Residency Office of the Virginia Department of Transportation, located at 2843 Chapman Road, Wytheville, Virginia 24382 or at the Smyth County Administration Office located at 121 Bagley Circle, Suite 100, Marion, Virginia 24354.

All projects in the Secondary Six-Year Plan that are eligible for federal funds will be included in the Statewide Transportation Improvement Program (STIP), which documents how Virginia will obligate federal transportation funds.

Persons requiring special assistance to attend and participate in this hearing should contact the Virginia Department of Transportation at (276) 228-2153. Persons wishing to speak at this public hearing should contact the Smyth County Board of Supervisors at (276) 783-3298.

**Request from Melvin and Deborah Thweatt to abandon a portion of Atkins Tank Road –**  
Sally Morgan, Economic Development Coordinator (pg. 40-42)

**Request for Resolution Concerning APCO filing with State Corporation Commission –**  
Sally Morgan, Economic Development Coordinator

**Discussion on PPEA/PPTA –** Michelle Clayton, County Attorney

#### **Planning Commission Recommendation**

**Other Business:** As the result of several comments he had received, Mr. Williams discussed the protocol by which Lot Line Vacations are processed. Presently, the Planning Commission is the designated agent for such requests. Mr. Williams suggested they consider recommending to the Board of Supervisors that the staff (Subdivision Agent and County Attorney) be appointed as the agent for the Lot Line Vacations. He cited a reduction in processing time and costs as the main reasons for the recommendations. After discussion Mr. Pugh made a motion to recommend the Board appoint staff as the official agent charged with reviewing and approving Lot Line Vacations. Furthermore, he recommended the fee be reduced to \$75.00. Mr. Venable seconded the motion and the following vote was recorded:

|         |   |  |
|---------|---|--|
| Ayes:   | 6 | Venable, Davidson, Wassum, Sparks, Pugh, and Frazier |
| Absent: | 1 | Harris   |

#### **Committee recommendations**

- **Courthouse** (Wade Blevins, Chairman)
  - Update on office locations (pg. 43)
- **Water and Sewer**
  - Groseclose sewer project (pg. 44-45)
- **Surplus** (Todd Dishner, Chairman)
  - Surplus vehicles (pg. 46-48)
- **Emergency Communications** (Howard Burton, Chairman)
  - Study for improved emergency radio communication in Saltville (pg. 49-50)

- **Ordinance** (Ron Blevins, Chairman)
  - Enterprise zone ordinance amendments
  - Joint meeting between the Board of Supervisors ordinance committee and the Planning Commission ordinance committee **(pg. 51-53)**

## **OLD BUSINESS**

1. Collection of delinquent taxes. **(8-10-04)**
2. Referred to the Water and Sewer Counsel, proceed with legal documents to provide uncollectable names and accounts from the Water and Sewer Department to other water providers in the county. **(2-10-09)**
3. Nuisance complaint against a property owned by Joseph F. Ellis, Jr. – The Board voted to leave the matter on the Old Business agenda until the conclusion of a civil case is resolved. *(Civil case filed March 6, 2009)*. At that time, the nuisance issue will be revisited. Mr. Patton Graham (Mr. Ellis' Attorney) will update the Board on the civil case as it progresses. **(4-14-09)**
4. Financial Discussion. **(2-9-10)**
5. Town of Marion's boundary line adjustment request **(10-25-11)**
6. Mega-Site Project **(11-17-11)**
7. Request for Designation of a Special Project Area by Virginia Outdoors Foundation **(2-12-13)**
8. Reaffirmation of Virginia Sovereignty **(3-12-13)**

## **Supervisor Comment Time**

### **PLEASE NOTE UPCOMING MEETINGS:**

Industrial Development Authority – Wednesday, May 15, 2013 – 3:30 p.m.

Joint BOS/Planning Commission Meeting – Thursday, May 23, 2013 – 7:00 p.m.

## **CONTINUE MEETING**