

AGENDA

Tuesday, September 10, 2013
4:00 p.m.

4:00 CALL MEETING TO ORDER

CLOSED SESSION

Code of Virginia, **Section 2.2-3711 – A.3 Land Acquisition; A.5 Industrial/Business Prospects**, discussion concerning a business or industry considering expansion with no previous announcement being made; **A.7 Legal**; discussion with legal counsel and staff pertaining to actual or probable litigation; **Section 2.2-3711(a)(40) and 2.2 3705.6(3)** – Discussion or consideration of confidential proprietary records voluntarily provided by private business pursuant to a promise of confidentiality from a public body; and **Section 15.2-2907(D)** Annexation under the Commission of Local Government.

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 August 13 and August 22, 2013 minutes **(pg. 5-29)**

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

Introduction of Judge Simmons – John Graham, Circuit Court Clerk

Day to Serve resolution – Michael Carter, County Administrator **(pg. 30)**

Highway Safety Grants – Arthur Barker, Sheriff's Department **(pg. 31-71)**

American Wood Fibers application for Agriculture and Forestry Industries Development Fund (AFID) – Michelle Clayton, County Attorney **(pg. 72-81)**

6:00 Public Hearing – Industrial Development Authority (IDA) To Economic Development Authority (EDA) Name Change

PUBLIC HEARING
BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, September 10, 2013, at 6:00 P.M. or as soon thereafter as may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following:

Proposed amendments to the Smyth County Code Section pursuant to Virginia Code §15.2-4903:

- In Smyth County Code, Article 2 Administration, Sec. 2-135: Amending the section to re-name Industrial Development Authority of Smyth County to the Economic Development Authority of Smyth County.

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

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

6:15 Public Hearing – Senior Citizen Tax Relief

PUBLIC HEARING
BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, September 10, 2013, at 6:15 P.M. or as soon thereafter as may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following:

Proposed amendments to the Smyth County Code Article VII, Tax Exemptions for Certain Elderly and Disabled Persons to provide Senior Citizen Tax Relief as follows:

- In Smyth County Code, Sec. §23-220 (a) and §23-218(4) which deals with the gross income and net worth of applicants for tax relief. The amendments provide an increase in gross income and net worth to qualify for reduction of real estate taxes. This change is still subject to the maximum relief allowed under §23-220(b) of the County Code.

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

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

6:30 Public Hearing – Personal Property Filing

PUBLIC HEARING
BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, September 10, 2013, at 6:30 P.M. or as soon thereafter as may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following:

Proposed amendments to the Smyth County Code Section pursuant to Virginia Code §58.1-3916:

- In Smyth County Code. Sec. 23-42 and 23-43; the amendments remove the filing requirement, penalty and interest for failure to file a personal property tax return for individuals not engaged in trade or business or those owning manufactured homes.

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

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

Planning Commission Recommendations (pg. 82-85)

- **Rebecca Saltz application for a Map Amendment from R to A/R:** After a discussion about the requirements for a Special Use Permit for a Campground, at approximately 7:21 Mr. Wassum made a motion to recommend approval of Ms. Saltz's request for a Map Amendment from R to A/R for Lot 8 of Deer Run Development on Chestnut Ridge Road in Chilhowie, which was seconded by Mr. Venable and the following vote was recorded.

Ayes: 5 Venable, Davidson, Wassum, Sparks, and Pugh
Absent: 2 Frazier and Harris

- **Clark T. Surber Jr. and Donna M. Thomas Special Use Permit to operate a Childcare Center:** At approximately 7:22 p.m. Mr. Davidson made a motion to recommend approval to the Board of Supervisors for Mr. Surber and Ms. Thomas to operate a Childcare Center at 426 Little Mountain Road in Saltville by a Special Use Permit. Mr. Venable seconded the motion and the following vote was recorded.

Ayes: 5 Venable, Davidson, Wassum, Sparks, and Pugh
Absent: 2 Frazier and Harris

Committee recommendations

Water and Sewer Committee - Royal Oak District Supervisor Regina H. Davidson, Chair
(pg. 86-87)

- Award of private sewer hook-ups
- Accepting School Sewer
- Water and sewer deposits

VDOT FY14 Revenue Sharing matching funds to collect for Green Acres Drive & Evergreen Court – Michael Carter, County Administrator **(pg. 88)**

VDOT FY15 Revenue Sharing Program – Michael Carter, County Administrator **(pg. 89-90)**

Schedule joint meeting between the Board of Supervisors and the Industrial Development Authority – Michael Carter, County Administrator

OLD BUSINESS

1. Collection of delinquent taxes. **(8-10-04)**
2. 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)**
3. Financial Discussion. **(7-9-13)**
4. Town of Marion's boundary line adjustment request **(7-9-13)**
5. Mega-Site Project **(11-17-11)**

Supervisor Comment Time

PLEASE NOTE UPCOMING MEETINGS:

Courthouse Committee – Monday, September 16, 2013 – 3:30 p.m.

Industrial Development Authority – Wednesday, September 18, 2013 – 3:30 p.m.

Board of Supervisors Continued Meeting & Joint Public Hearing with the Planning Commission – Thursday, September 26, 2013 – 7:00 p.m.

CONTINUE MEETING