

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, January 8, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.; Vice Chair, Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K. Blevins; North Fork District Supervisor Ron C. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D. Call; Royal Oak District Supervisor Regina H. Davidson (7)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Director of Finance Charlie Atkins; Economic Development Director Sally Morgan; County Attorney Michelle Clayton; Deputy Sheriff Mike Hounshell; Administrative Assistant Christy Bise (7)

[4:01:21 PM](#) Temporary Chairman Michael Carter called the meeting to order.

[4:01:24 PM](#) **Closed Session** – It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.5 Industrial/Business Prospects** – discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business’ or industry’s interest in location or expanding its facilities in the community, and **A.7 Legal** – consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:29:49 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to go out of closed session. The motion was seconded by Saltville District Supervisor Roscoe D. Call.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:30:10 PM](#) Temporary Chairman Carter recessed the meeting until 5:00 p.m.

[5:00:38 PM](#) Temporary Chairman Carter called the meeting back to order.

[5:00:39 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Rye Valley District Supervisor Rick K. Blevins, to return to open session and adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION CERTIFICATION OF CLOSED SESSION

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,

Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:01:07 PM](#) Temporary Chairman Carter introduced Heather Street, IT Department, who would be giving both the invocation and pledge for the meeting.

[5:01:46 PM](#) Mrs. Street provided the invocation and led the pledge of allegiance.

[5:02:37 PM](#) Temporary Chairman Carter asked for adoption of the agenda and additional agenda. North Fork District Supervisor Ron C. Blevins made a motion to adopt the agenda and additional agenda as presented. The motion was seconded by Saltville District Supervisor Roscoe D. Call.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:03:22 PM](#) Temporary Chairman Carter opened the floor for nominations of Chairman for calendar year 2013. Saltville District Supervisor Roscoe D. Call made a motion to nominate Chilhowie District Supervisor Wade H. Blevins, Jr. as Chairman. The motion was seconded by North Fork District Supervisor Ron C. Blevins. Rye Valley District Supervisor Rick K. Blevins made a motion to nominate Royal Oak District Supervisor Regina H. Davidson as Chair. There was no second to the motion. Saltville District Supervisor Roscoe D. Call made a motion to close the nominations, seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:04:50 PM](#) Temporary Chairman Carter called for a vote on Chilhowie District Supervisor Wade H. Blevins, Jr.'s nomination for Chairman.

After consideration, the motion PASSED by the following vote:

AYES: Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Wade H. Blevins.

ABSENT: None.

With no second to the nomination of Royal Oak District Supervisor Regina H. Davidson as Chair, there was no vote on that nomination. Temporary Chairman Carter turned the meeting over to the Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.

[5:05:24 PM](#) Chairman Blevins thanked the Board for electing him to serve another year as Chairman.

[5:05:30 PM](#) Chairman Blevins opened the floor for nominations of Vice Chairman for calendar year 2013. Rye Valley District Supervisor Rick K. Blevins nominated Park District Supervisor M. Todd Dishner as Vice Chairman. The motion was seconded by Saltville District Supervisor Roscoe D. Call. Saltville District Supervisor Roscoe D. Call made a motion to close the nominations for Vice Chairman. The motion was seconded by Atkins District Supervisor J. Howard Burton.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:06:11 PM](#) Chairman Blevins called for a vote on Park District Supervisor M. Todd Dishner's nomination for Vice Chairman.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,

Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: Park District Supervisor M. Todd Dishner.

ABSENT: None.

[5:06:26 PM](#) Chairman Blevins opened the floor for nominations of Clerk for calendar year 2013. Saltville District Supervisor Roscoe D. Call nominated Michael Carter for Clerk. The motion was seconded by Vice Chair, Park District Supervisor M. Todd Dishner. Vice Chair, Park District Supervisor M. Todd Dishner made a motion to close the nominations and Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:07:01 PM](#) Chairman Blevins called for a vote on Michael Carter's nomination for Clerk.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:07:09 PM](#) Chairman Blevins opened the floor for nominations of Deputy Clerk for calendar year 2013. Saltville District Supervisor Roscoe D. Call nominated Scott Simpson for Deputy Clerk. The motion was seconded by Atkins District Supervisor J. Howard Burton. Saltville District Supervisor Roscoe D. Call made a motion to close the nominations and the motion was seconded by Vice Chair, Park District Supervisor M. Todd Dishner.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:07:37 PM](#) Chairman Blevins called for a vote on Scott Simpson's nomination for Deputy Clerk.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:08:05 PM](#) Mr. Carter asked the Board their desired meeting schedule for calendar year 2013. Saltville District Supervisor Roscoe D. Call made a motion to continue with the regular meeting schedule on the second Tuesday of each month with closed session beginning at 4:00 p.m., the only exception being the November meeting which will occur on Wednesday, November 13th due to the VACo Conference, joint meetings with the Planning Commission as needed on the fourth Thursday of the month beginning at 7:00 p.m. and any special or called meetings that may occur throughout the year. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:09:55 PM](#) A motion was made by Royal Oak District Supervisor Regina H. Davidson to adopt the Board of Supervisors Rules of Procedures as amended January 10, 2012. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:10:44 PM](#) A motion was made by Royal Oak District Supervisor Regina H. Davidson to adopt the 2013 state holiday schedule as approved by Governor and amended throughout the year. The motion was seconded by Atkins District Supervisor J. Howard Burton.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:11:27 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to approve the minutes of the December 11, 2012 meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:11:53 PM](#) **Finance Status** – Mr. Charlie Atkins informed the Board, per the report from the Treasurer’s Office, there were sufficient funds in the bank for the requested appropriations. Mr. Carter added that, as of December 31st, 46% of projected expenditures have been spent and 50% of expected revenue has been received so it looks like the County is on track to stay within the allotted budget or come in under budget for the fiscal year.

[5:13:19 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to approve \$6,160,000.00 for the General Fund appropriation. The following is an explanation of the appropriations approved:

General County	\$ 1,675,000.00
Social Services (Jan. 9 – Jan. 31, 2013)	\$ 325,000.00
(Feb. 1 – Feb. 12, 2013)	\$ 60,000.00
Schools - Operating Fund	\$ 4,100,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:14:13 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to approve \$1,000,000.00 for the School Construction Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:14:29 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor J. Howard Burton to approve \$7,974.20 for the IDA – Fund 4 appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:14:54 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor J. Howard Burton to approve \$69,384.82 for the Courthouse Project appropriation.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: None.

[5:15:17 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to approve \$12,475.00 for the Lick Skillet Housing Project.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:15:35 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to approve \$15,000.00 for the CDBG Program Income Account.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:15:55 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to approve \$1,010,629.31 for the Accounts Payable listing.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:16:14 PM](#) Chairman Blevins opened citizen's time. There were no citizens wishing to speak. Saltville District Supervisor Roscoe D. Call asked about consideration of a request from the Saltville Fire Department in a letter presented to him prior to tonight's meeting. The request concerns Fire Department members being licensed as first responders to assist with Saltville Rescue Squad calls. Chairman Blevins noted he just received the letter and has not had time to review it yet. The County has not seen a copy of the letter, either.

[5:17:23 PM](#) Chairman Blevins closed citizen's time.

[5:18:49 PM](#) Mrs. Morgan introduced Robbie Jones, Facility Manager, and Richie Pack, Production Manager, from Mount Rogers IDC. Mr. Pack thanked the Board for the opportunity to speak. He provided information on the Industrial Development Centers which are a branch of the Mount Rogers Community Services Board. They have three facilities which are located in Atkins, Wytheville and Hillsville. These facilities employ individuals with disabilities to manufacture products for government contracts and local businesses. They serve more than 300 individuals

with disabilities and provide 40 buses for transportation to and from work each day. The IDC's are accredited through Commission on Accreditation of Rehabilitation Facilities (CARF), ISO 9001:2008, and are part of the National Industries for the Blind and National Industries for the Severely Handicapped which helps to secure government contracts. Mount Rogers is also one of only nine facilities in the U.S. approved for development and design of products for the military. Sixty percent of direct dollars are generated from products manufactured for the military including Army shirts, helmet covers, kerchiefs, sleep shirts and personal item bags. Forty percent of direct dollars earned are through local business partnerships. The IDC is looking for opportunities to get out into the community and they welcome the Board and the public to come tour their facilities.

[5:27:04 PM](#) Todd May, chief of the Marion Volunteer Fire Department, presented a resolution asking for the Board's support in licensing the fire department to be first responders and assist the Marion Life Saving Crew with answering emergency calls. Bill Wymer, Marion Life Saving Crew, was present and stated the Life Saving Crew supports this request. Dr. Peter Bruzzo has agreed to serve as the Operational Medical Director for both agencies. Mr. Carter asked Mr. May a series of questions related to the request. The fire department currently has nine EMT's and plans to outfit two vehicles for emergency response situations. The approval from the Board is the last step prior to submitting the request to the EMS council for licensing. The EMT's currently serving on the fire department have an average of seven years experience as basic responders. Once licensed, they would provide responder services only; transportation would be left up to Marion Life Saving Crew. This request is a result of volunteer numbers going down and difficulty recruiting new volunteers to provide these services. Royal Oak District Supervisor Regina H. Davidson made a motion to adopt the resolution in support of Marion Volunteer Fire Department for first responder licensing. Atkins District Supervisor J. Howard Burton seconded the motion.

**RESOLUTION IN SUPPORT OF
MARION VOLUNTEER FIRE DEPARTMENT
FIRST RESPONDER LICENSING**

WHEREAS, The Marion Volunteer Fire Department has provided volunteer service to our community since 1888, and

WHEREAS, The Marion Life Saving Crew is assisted in other areas of their service area by a trained and ready crew of First Responders that serve as members of their respective Fire Departments, and

WHEREAS, The Marion Volunteer Fire Department has agreed to provide same in our service area to provide necessary assistance to The Marion Life Saving Crew, and

WHEREAS, Dr. Peter Bruzzo has agreed to serve as the Operational Medical Director for both agencies, and

WHEREAS, certain members of The Marion Volunteer Fire Department have committed to the necessary training to become and remain certified as First Responders, and

WHEREAS, both agencies are in agreement in protocol and operations related to the First Responder program.

NOW THEREFORE BE IT RESOLVED, this ____ day of _____ 20____, that the Smyth County Board of Supervisors in Regular Session hereby approves application for the Marion Volunteer Fire Department to be licensed as a First Responder Agency.

SIGNED:

ATTEST:

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

5:33:19 PM Tim Nutter, Saltville Fire Department, was present to request first responder approval for the Saltville Fire Department. It was noted that Adwolfe and Atkins Fire Departments are licensed to serve as first responders. The Board informed Mr. Nutter the fire department will need to provide more information, including OMD support along with a resolution to be presented at the continued meeting on January 24th for this request to be considered.

[5:42:55 PM](#) Lindy White, CEO of Smyth County Community Hospital, introduced Dr. David Haney, Vice President of Academic Affairs and Dean of Faculty, and Joseph Taylor, Vice President for Institute Advancement, from Emory and Henry College to provide an update on the DPT program. Ms. White noted that Mountain States has made an additional commitment to carry the old hospital property for an additional twelve months allowing the college more time to recruit staff and raise monies to move forward with the project. The hope is to have the property transitioned to the college by January 1, 2014. Dr. Haney provided an update on the progress of the DPT school and an update on the future plans for the school. Dr. Haney reported that the Director of the DPT program resigned prior to the end of 2012 and the college has hit the ground running to find a new Director, anticipating having someone in place within the next six months; however, this will put the school back one year for admitting the first group of students. This is the first time in 175 years the college has ventured off campus to set up a new program of study. They are committed to the process and this is a central part of the college's strategic plan. The college is also in the process of recruiting a new president and they intend to get someone who will be supportive of the new DPT school. It has been a very complicated process for starting the program and obtaining accreditation and getting the new building ready will be challenging as well. Dr. Haney noted the college's Board of Trustees have not yet voted to approve borrowing between \$17 and \$20 million to fund this project, but the college is in good financial shape and willing to take on this project. Dr. Haney reported that a pre-application has been submitted to the Tobacco Commission requesting funding for the search expenses and initial salary and benefits for a Dean of Emory and Henry College School of Health Sciences. The college plans to expand the health sciences program into the fields of Occupational Therapy, Physician's Assistant and possibly Speech Pathology after the initial DPT program has been established. The pre-application is seeking \$600,000; \$300,000 from the Tobacco Commission and \$300,000 to be matched by other sources. The Town of Marion has approved to commit \$100,000 through the Town Council and the college is asking the Board of Supervisors to commit to \$100,000 to be spread out over three fiscal years to help with the project implementation. The college believes this would be a good investment because it could bring in additional revenue for the County with higher salary employees investing in housing and students staying in the area after they graduate. Mr. Taylor reminded the Board that the college and the hospital have expressed mutual and ardent interest, but the college has not taken over the property at this point. The next few months will determine a timeframe for acquisition of this property. The college will need a commitment letter within the next few weeks prior to the Tobacco Commission deadline of February 28th. This matter will be considered by the Board at their February 12, 2013 meeting.

[6:06:00 PM](#) **Public Hearing – Budget Amendments** Chairman Blevins opened the public hearing. Mr. Carter read the following advertisement as published in the Smyth County News and Messenger:

**Notice of Public Hearing
On Amending the Smyth County Budget
For the Fiscal Year
July 1, 2012 through June 30, 2013
On January 8, 2013 at 6:00 p.m.**

Pursuant to section 15.2-2507 of the Code of Virginia, the Smyth County Board of Supervisors will conduct a public hearing on Tuesday, January 8, 2013 at 6:00 P.M., or as soon thereafter, in the Board of Supervisors meeting room at 121 Bagley Circle, Marion, Virginia.

At this public hearing, subject to the rules of the Board of Supervisors, any citizen may appear and give his or her comments. A full text version of this proposed agreement is available at the office of the County Administrator and Clerk to the Board of Supervisors, at 121 Bagley Circle, Marion, Virginia 24354. In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Administrator's office at (276) 783-3298 at least forty eight (48) hours prior to the hearing.

The purpose of the hearing will be to receive public comment on proposed amendments to the Smyth County budget for fiscal year 2012-2013. The amendments relate to Smyth County School Board, Grant Award for Lick Skillet Housing, ADA Compliance, Sheriff's Office Renovations and tax reassessment costs. A brief synopsis of the proposed budget amendments follows:

By order of the Smyth County Board of Supervisors
Michael L. Carter, County Administrator

Account Number	Title	2012-2013	2012-2013	Difference
		Original	Amended	
009-099990-5699	State & Fed Op Shar	36,430,585	37,340,012	909,427
009-021010-0052	QSCB Interest Reb	-403,750	-452,610	-48,860
009-021010-0002	State Sales Tax	-4,332,117	-4,482,117	-150,000
009-021010-0006	Basis Aid	25,720,608	26,091,322	-370,714
009-021010-0072	Federal Funds	-6,377,860	-6,710,573	-332,713
009-021010-0123	Revenue other Sour	-2,035,482	-2,091,482	-56,000
020-010001-0002	Trans to Sch Proj	0	48,860	48,860
744-010000-9005	Sher Office Renova	10,000	50,000	40,000
744-010000-0001	Court Fines	-5,000	-45,000	-40,000
738-021070-8888-21	Sher Drug Asset	4,000	35,000	31,000
738-010001-0001	State/Local Funds	-4,000	-35,000	-31,000
001-011010-8788-21	ADA Compliance Co	150,000	210,000	60,000
001-010000-1000	Reserve Account	-1,621,322	-1,741,322	-60,000
314-010000-0001	Lick Skillet Exp	0	410,000	410,000
314-010000-0001	Grant Revenue	0	-350,000	-350,000
314-010000-0002	Transfer In	0	-75,000	-75,000
001-019010-0001	Misc Recoveries	-60,000	-120,000	-60,000

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302-011010-0002	Transfer Out	0	15,000	15,000
001-011010-8888-20	Transfer to Lk Skillet	0	60,000	60,000
001-012100-3002-1	Prof Srvs Reassess	0	300,000	300,000
001-010000-1000	Reserve Account	-1,741,322	-2,041,322	-300,000

Line Item Transfers

001-021020-3005	Gen Dist Ct. Maint	43,000	8,000	-35,000
001-011010-8888-5	Local Aid to Commo	170,000	145,000	-25,000
001-011010-8888-20	Transfer to Lk Skillet	0	60,000	60,000
001-011010-5801	Dues and Member	5,000	7,063	2,063
001-021020-3005	Gen Dist Ct. Maint	8,000	5,937	-2,063

**Smyth County School Board
Operations Budget For the Year Ending June 30, 2013**

Revenue Summary for Operations Budget

	2012-2013 ORIGINAL	2012-2013 PROPOSED	Difference
State Revenue	\$ 25,720,608	\$ 26,091,322	\$ 370,714
Local Revenue	\$ 7,696,986	\$ 7,696,986	\$ -
Federal Revenue	\$ 6,377,860	\$ 6,710,573	\$ 332,713
State Sales Tax	\$ 4,332,117	\$ 4,482,117	\$ 150,000
Other Revenue	\$ 2,035,482	\$ 2,091,482	\$ 56,000
TOTAL OPERATIONS	\$ 46,163,053	\$ 47,072,480	\$ 909,427

Expenditure Summary for Operations Budget

	2012-2013 ORIGINAL	2012-2013 PROPOSED	Difference
Instruction	\$ 33,888,131	\$ 34,053,131	\$ 165,000
Administration	\$ 1,571,564	\$ 1,579,064	\$ 7,500
Transportation	\$ 2,241,571	\$ 2,659,571	\$ 418,000
Facilities	\$ 4,277,698	\$ 4,410,937	\$ 133,239
Food Service	\$ 2,912,393	\$ 3,045,081	\$ 132,688
Technology	\$ 1,271,696	\$ 1,324,696	\$ 53,000
TOTAL OPERATIONS	\$ 46,163,053	\$ 47,072,480	\$ 909,427

**Smyth County School Board
Capital Outlay and Debt Service Budget For the Year Ending June 30, 2013**

Revenue Summary for Capital Outlay and Debt Service Budget

	2012-2013 ORIGINAL	2012-2013 PROPOSED	Difference
Local Funds - Debt Service	\$ 1,797,296	\$ 1,836,950	\$ 39,654
Local Funds - Capital Outlay	\$ 185,138	\$ 145,484	\$ (39,654)
Other Funds - Interest Rebate	\$ 403,750	\$ 452,610	\$ 48,860
TOTAL CAPITAL OUTLAY	\$ 2,386,184	\$ 2,435,044	\$ 48,860

Expenditure Summary for Capital Outlay and Debt Service Budget			
	2012-2013 ORIGINAL	2012-2013 PROPOSED	Difference
Capital Outlay – Facilities	\$ 185,138	\$ 145,484	\$ (39,654)
Capital Outlay - Debt Service	\$ 2,201,046	\$ 2,289,560	\$ 88,514
TOTAL CAPITAL OUTLAY	\$ 2,386,184	\$ 2,435,044	\$ 48,860

Mr. Carter identified the headers for each item. He noted the School Board's state and federal operations share at \$909,427 difference, proposed increase in School Board's state and federal operations and transfer school project capital outlay and debt service budget for \$48,860. School Board representatives were present at the meeting, but there were no questions asked of them. Mr. Carter reviewed the Sheriff's Office renovation transfer requests already approved. He noted that once amendments reach a certain percent of the adopted operating budget, any amendments have to be identified regardless. There were transfers of \$40,000 and \$31,000. ADA compliance was increased by \$60,000 and Lick Skillet Housing Project was approved for \$410,000. Professional services reassessment for \$300,000 has not been approved. This amount is for the services of tax assessors completing the four-year reassessment for 2014 as voted on by the Board. Mr. Carter has spoken with Commissioner of Revenue Jeff Richardson and Mr. Richardson is confident this number will be less than \$300,000, but an exact number will not be known until completion of the reassessment. This money will need to be spent this fiscal year. Mr. Carter reported on the line item transfers that have already been completed.

[6:11:47 PM](#) Mr. Carter read the rules for public hearings.

[6:12:42 PM](#) There was no one signed up and no one in attendance wishing to speak concerning the public hearing matter.

[6:12:50 PM](#) Chairman Blevins closed the public hearing.

[6:12:54 PM](#) Mr. Carter asked the Board to consider voting on these amendments at their continued meeting scheduled for January 24, 2013.

[6:13:20 PM](#) Ms. Clayton reported on a veteran's tax refund in the amount of \$1,006.72 plus interest. Since the amount is over \$1,000 it has to be brought before the Board. It is a combined total for tax years 2011 and 2012. Royal Oak District Supervisor Regina H. Davidson made a motion to approve the veteran's tax refund in the amount of \$1,006.72 plus interest. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:15:10 PM](#) Ms. Morgan referenced a letter from DHCD approving the amendments to Enterprise Zone 51. The additional area is now eligible for state incentives which would be retroactive for 2012. Landowners in the additional area who might qualify are in the process of being notified. Mrs. Clayton will be working to draft changes in eligibility to go before this year's Ordinance Committee for economic stimulus grants, machinery and tools tax rebates, water and sewer and building permit rebates.

[6:17:48 PM](#) Mr. Simpson provided an update on the ADA project bids for upgrades to the Morrison Building and the Library. There have been some modifications to the handicapped parking area for this building that resulted in a \$7,000 credit. The information will be put together and a contract will be presented to the Board at the continued meeting on January 24th.

[6:19:32 PM](#) Mr. Simpson reported bids were received on new vehicles for the water and sewer department. These vehicles are being purchased with surplus grant money left over from previous projects that came in under budget. Four bids were received and Mountain View Ford was the low bidder on both the SUV and the truck. The SUV will be a 2013 Ford Explorer 4WD for \$24,500 and the truck will be a 2013 Ford F150 super cab 4WD for \$20,500. Royal Oak District Supervisor Regina H. Davidson made a motion to award the low bid to Mountain View Ford for the two vehicles for the water and sewer department. The motion was seconded by Saltville District Supervisor Roscoe D. Call. Mr. Simpson noted that approximately \$11,000 of the surplus grant money will be left after the purchase of the two vehicles.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:21:58 PM](#) Mr. Simpson reported bids were received on temporary toilets used at the convenience stations. Two quotes were received and the low bidder was R & R Enterprises. They are the current provider of the temporary toilets at a cost of \$60 a month per unit and the bid received quoted a rate of \$55 a month per unit. By going out for bid, a lower monthly rate was secured for the units. The bid will be for a one year term with one renewal option. North Fork District Supervisor Ron C. Blevins made a motion to accept the low bid from R & R Enterprises for temporary toilets at

the convenience stations as presented. The motion was seconded by Atkins District Supervisor J. Howard Burton.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:24:06 PM](#) Mr. Carter reported that The Evergreen Soil and Water Conservation would like to schedule their annual meeting with the Board of Supervisors in March. The Board unanimously agreed on a meeting time of 2:00 p.m. with the date to be determined.

[6:25:22 PM](#) Mr. Carter reminded the Board that VACo Local Government Day is scheduled for January 31st in Richmond. At this time, Mr. Carter, Mr. Simpson and Mrs. Clayton will be attending. If any Board Members are interested in attending, please let Mr. Carter know prior to the January 21st registration deadline.

[6:26:46 PM](#) Mr. Blevins opened the floor for old business.

[6:26:54 PM](#) Mr. Carter reported there was an ad in the paper for a potential property sale related to delinquent taxes. This was done through the third party collection agency and will happen in the spring. The Treasurer's Office reported that halfway through the year they have collected 85% of 2012 taxes, which is a good number six months in. DMV Stop continues to be working, but since it's based on when tags come due it's hard to have a monthly comparison. The second notices for DMV Stop will go out in February. Steps taken by the Board for additional receipt of delinquent taxes is starting to show and will hopefully continue at this pace.

[6:29:10 PM](#) Mrs. Clayton reported she is trying to remove a few things from Old Business. She will work on the Subdivision Ordinance in 2013, but it needs to go back to the Planning Commission for review. Mr. Carter noted the same needs to be done with the Comprehensive Plan. Saltville District Supervisor Roscoe D. Call made a motion to send the Subdivision Ordinance and the Comprehensive Plan back to the Planning Commission for review. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,

Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:31:41 PM](#) The mega-site property is an IDA project, but the Board would like to receive updates on the project so the consensus was to leave it on Old Business.

[6:33:21 PM](#) Mr. Carter reported he had made an inquiry concerning the nuisance complaint against a property owned by Joseph F. Ellis, Jr. and Mrs. Clayton has talked with Patton Graham concerning the matter. It is recommended to leave this item on Old Business for now.

[6:33:44 PM](#) Amend the Board's Rules of Procedures can be removed since the Board just voted to adopt it for the calendar year. Mr. Carter noted there had been some previous discussion of changing the rules prior to Mrs. Clayton beginning work with the County, but with the adoption of the rules today there is no reason to continue having it on Old Business. Royal Oak District Supervisor Regina H. Davidson made a motion to remove this item from old business. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:35:04 PM](#) Work continues to be done concerning the Hungry Mother Convenience Station lease.

[6:35:16 PM](#) North Fork District Supervisor Ron C. Blevins asked about financial discussion under Old Business. This item allows the Board to discuss County finances at any point during a meeting.

[6:35:47 PM](#) Chairman Blevins opened supervisor comment time. Saltville District Supervisor Roscoe D. Call had nothing to report. Vice Chair, Park District Supervisor M. Todd Dishner thanked the Board for electing him to service at Vice Chairman for another year. He has an item he would like to bring up to the Water and Sewer Committee concerning the possibility of the County auto-drafting water and sewer payments from bank accounts. Atkins District Supervisor J. Howard Burton had nothing to report. Rye Valley District Supervisor Rick K. Blevins stated he had been getting questions about the budget request deadline for the upcoming year. Mr. Carter said a deadline date would be provided at the continued meeting on January 24th and budget request information will be advertised in the press as well. North

Fork District Supervisor Ron C. Blevins does not think the County should renew their membership with the National Association of Counties because there is little to no benefit from the \$750 annual dues paid by the County. North Fork District Supervisor Ron C. Blevins made a motion not to renew the National Association of Counties membership after the December 2012 expiration. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Royal Oak District Supervisor Regina H. Davidson would like to tour the new 911 facility. The Board agreed by consensus to meet at the new 911 facility on Thursday, January 24th at 5:30 p.m. prior to the 7:00 p.m. joint meeting with the Planning Commission. There will be no public business conducted at the 5:30 p.m. meeting.

[6:44:36 PM](#) Mr. Carter noted that, in any effort to continue bring Smyth County to the technology front, the camera placement has been changed in the board room, a new camera added and the projector repositioned and turned to the back of the room. Audio and video recordings will now be placed on the website for viewing, but they will not be streamed live at this time. Mr. Carter has asked for counters to be placed on the audio and video pages to track how many people are accessing the links to help support any decisions or improvements in the future.

[6:47:09 PM](#) Chairman Blevins thanked the Board for electing him to serve as Chairman for another year.

[6:47:28 PM](#) Mrs. Clayton distributed information to the Board concerning the Public Private Partnership Infrastructure. This information will be reviewed at the February 12, 2013 meeting.

[6:48:55 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner asked if the Emory and Henry College request from this evening's meeting would need to go before the Budget Committee. Since it is a commitment with no funds coming out of this year's budget, it would be handled as part of budget request for next fiscal year and would not need to go before the Budget Committee.

[6:50:36 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner made a motion to continue the meeting until Thursday, January 24th at 5:30 p.m. at the 911 center. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Smyth County Board of Supervisors held a continued meeting at 7:00 p.m., **Thursday, January 24, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

Members Present: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.; Vice-Chairman, Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K. Blevins; Atkins District Supervisor J. Howard Burton; Chilhowie District Planning Commissioner Graham Davidson Sr.; Royal Oak District Supervisor Regina H. Davidson; Royal Oak District Planning Commissioner G. Blake Frazier; Park District Planning Commissioner Joel Pugh; Chairman, North Fork Dist. Planning Commissioner Chairman Norman Sparks; Saltville District Planning Commissioner Wayne Venable; Atkins District Planning Commissioner Charles Wassum III; Saltville District Supervisor Roscoe D. Call; and North Fork District Supervisor Ron C. Blevins (13)

Members Absent: Vice Chair, Rye Valley Dist. Planning Commissioner L.V. "Pokey" Harris (1)

Staff: Assistant County Administrator Scott Simpson; Director of Finance Charlie Atkins; Economic Development Director Sally Morgan; Zoning Administrator Clegg Williams; 911 Coordinator Shannon Williams; County Attorney Michelle Clayton; Deputy Sheriff Mike Hounshell; Administrative Assistant Becca Kirk; Administrative Assistant Christy Bise (9)

Others Present: Approximately 6 citizens and Stephanie Porter-Nichols with the Smyth County News

Public Hearing: At 7:00 p.m. Mr. Wade Blevins, Chairman of the Board of Supervisors, and Mr. Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order. Mr. Scott Simpson read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND SMYTH COUNTY PLANNING COMMISSION

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, January 24, 2013, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Wendolyn Snider for a Special Use Permit to establish a Childcare Center at her residence, 197 Farmview Road in Marion. It is identified as Tax Map No. 45-A-35A and is zoned Agricultural/Rural.

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

Copies of the application(s) along with their maps/drawings are on file in the Office of the County Administrator of Smyth County and the County Zoning Administrator at the address given above. Copies may be viewed during regular business hours Monday through Friday from 8 a.m. to 5 p.m.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 227 at least 48 hours prior to the hearing.

Done by order of the Board of Supervisors and the Planning Commission.

*Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning Commission*

Wendolyn Snider — Application for Special Use Permit: Mr. Clegg Williams explained Wendolyn Snider's intention to seek a special use permit to establish a *Childcare Facility* at her residence located at 197 Farmview Road in Marion. The property is further identified as Tax Map No. 45-A-35D. Mr. Williams explained that Ms. Snider has operated a childcare facility for several years but until recent procedural changes with the Department of Social Services she was unaware a Special Use Permit was required. With her application, she submitted the required owner's affidavit and paid the required fee. Notice of tonight's public hearing was advertised in the Smyth County News & Messenger on January 12 and 19. Additionally, first class mailing was made to each of the applicant's adjoining property owners. He stated he received correspondence from VDOT which requires Ms. Snider to obtain a low volume commercial entrance which she has been made aware of and he answered questions from one neighbor.

Wendolyn Snider was present and informed the Board she has operated her childcare facility in her home for the past 10 years. She has up to 10 children during the day and up to 12 during the summer months from newborn up to any age and has been licensed with Department of Social Services since 2007. Her hours of operation are from around 5:00 a.m. to 6:00 p.m. Monday through Friday and she has one assistant who works every day.

George Vipperman and Adrian Vipperman, neighbors of Ms. Snider, were presented and voiced their concerns about how this would affect their farmland, farming operations, and VDOT concerns. Mr. Clegg Williams explained that Ms. Snider's application does not change any surrounding land uses nor will it affect any surrounding properties. It is only for her property to be used as a Childcare Facility in accordance with the Zoning Ordinance.

No one else spoke on the application.

Chairman Wade Blevins and Chairman Sparks closed the joint public hearing at 7:17 p.m. Chairman Sparks recessed the Planning Commission.

7:25:33 PM The Board of Supervisors reconvened and Chairman Blevins called the meeting to order.

7:25:40 PM Chairman Blevins opened citizen's time.

7:25:51 PM With no citizens wishing to speak, Chairman Blevins closed citizen's time.

7:26:20 PM Mr. Simpson reported that five members of the Board of Supervisors met for a tour of the new Sheriff's Office/911 Center at 5:30 p.m. prior to tonight's meeting. Those attending the tour were Vice Chair, Park District Supervisor M. Todd Dishner, Rye Valley

District Supervisor Rick K. Blevins, Atkins District Supervisor J. Howard Burton, Saltville District Supervisor Roscoe D. Call and Royal Oak District Supervisor Regina H. Davidson.

[7:26:40 PM](#) Atkins District Supervisor J. Howard Burton made a motion that no business was conducted during the 5:30 p.m. meeting at the Sheriff's Office/911 Center. It was only a tour of the new facility. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:27:15 PM](#) Chairman Blevins opened the floor for comments on the budget amendments presented at the public hearing on January 8, 2013. Saltville District Supervisor Roscoe D. Call made a motion to approve all budget amendments as presented at the public hearing on January 8, 2013. Vice Chair, Park District Supervisor M. Todd Dishner seconded the motion. Rye Valley District Supervisor Rick K. Blevins made the following statement: *I, Rick Blevins, declare that I and an immediate family member are employed by and receive an annual salary from the Smyth County School Board. However, despite my disclosure of this fact, and while I may have a personal interest in this matter, I believe my judgment is not impaired and I can render a fair and impartial decision and vote on this matter.* North Fork District Supervisor Ron C. Blevins questioned if the School Board amendments being voted on were all state and federal funds. Dr. Mike Robinson, who was present at the meeting, confirmed that was correct.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:29:08 PM](#) Mr. Simpson presented information on the appropriation to Adwolfe Fire Department. This is for a support check already included in the budget that's distributed annually to all local fire departments. Mr. Shannon Williams noted that he failed to get the information to Mr. Atkins in an appropriate timeframe and he's requesting the

appropriation be done at tonight's meeting so the Adwolfe Fire Department can receive their check. Royal Oak District Supervisor Regina H. Davidson made a motion to approve the \$23,000.00 appropriation to Adwolfe Fire Department for their annual support check. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:30:36 PM](#) Mr. Simpson reported on the 2013 Fire Program Funds disbursement. This is done every year with funds from the Commonwealth Department of Fire Program for support of fire programs. The County will receive \$59,832, Town of Chilhowie will receive \$8,000, Town of Saltville will receive \$8,000 and Town of Marion will receive \$15,954. The amounts received are based on population. Mr. Simpson is asking the Board's approval for the County to sign and enter into this agreement with the Commonwealth to obtain these funds. Saltville District Supervisor Roscoe D. Call made a motion to approve the County Administrator to sign and enter into the FY13 Fire Program Fund Disbursement Agreement with the Commonwealth. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:33:06 PM](#) Mr. Simpson presented an invoice from Blue Ridge Mass Appraisal Co., LLC for parcels worked as part of the reassessment process. 1,494 of 21,484 parcels have been completed so far. The company is procured under annual contract with Mount Rogers Planning District Commission for the planning district assessments at a rate of \$11.50 per parcel. This expenditure was approved as part of the budget amendments adopted earlier in the meeting. North Fork District Supervisor Ron C. Blevins made a motion to approve payment to Blue Ridge Mass Appraisal Co., LLC in the amount of \$15,462.90 for parcels

completed as part of the tax reassessment. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:34:43 PM](#) Mr. Simpson presented an invoice from the Virginia Resources Authority for two water supply revolving fund account loan payments due out of sequence this month. This is for the Groseclose and North Holston projects. Saltville District Supervisor Roscoe D. Call made a motion to approve the loan payments to Virginia Resources Authority in the amount of \$20,146.97 for water supply revolving fund account loan payments for the Groseclose and North Holston projects. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:35:54 PM](#) Mr. Jesse Choate, treasurer of the Sugar Grove Fire Department, presented a resolution to the Board seeking support for a government loan to purchase a 2008 Ford F450 4x4 truck for use as a brush truck. By making the purchase with a government loan, the fire department will secure a lower interest rate than with a regular loan. Advertisements were placed in the local paper and a public hearing was conducted on January 23, 2013 with no comment received. The Fire Department Board of Directors met and are in favor of the financing. Rye Valley District Supervisor Rick K. Blevins made a motion to approve the resolution in support of the Sugar Grove Fire Department's purchase of a brush truck with a government loan. Royal Oak District Supervisor Regina H. Davidson seconded the motion.

Resolution Approving the Financing By Sugar Grove Volunteer Fire Department
Of up to \$29,800.00 for the lease purchase a 2008 Ford F450 4X4, brush truck

WHEREAS:

Sugar Grove Volunteer Fire Department has determined to finance an amount of up to \$29,800.00 for Lease purchase a 2008 Ford F450 4X4, brush truck. The United States Internal Revenue Code requires that for such financing to be carried out on a tax-exempt basis, this Board must first approve the financing. The VFD has held a public hearing on the financing after published notice, as required by the Code. The VFD has reported the proceedings of the hearing to this Board.

BE IT THEREFORE RESOLVED by the Board of Supervisors of Smyth County, Virginia, as follows:

1. The County approves the VFD's entering into the financing, as required under the Code for the financing to be carried out on a tax-exempt basis. The VFD's conduct of the required public hearing is approved.

I hereby certify that the foregoing resolution was duly adopted at a meeting of the Smyth County Board of Supervisors duly called and held on _____ 2013, and that a quorum was present and acting throughout such meeting. Such resolution remains in full effect as of today.

Dated this _____ day of _____, 2013.

[SEAL]

Clerk, Board of Supervisors
Smyth County, Virginia

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:38:31 PM](#) Mr. Simpson presented a resolution for the declaration of a local emergency on January 17, 2013. Mr. Carter and Chairman Blevins met by phone last Thursday and agreed to make the declaration based on the severe winter weather related events within the County. The declaration allows for reimbursement of any expenditures up to \$5,000.00 the County may have incurred during the emergency. There was no state emergency

declared. Saltville District Supervisor Roscoe D. Call made a motion to adopt the resolution for the declaration of a local emergency on January 17, 2013. North Fork District Supervisor Ron C. Blevins seconded the motion.

RESOLUTION FOR THE DECLARATION OF A LOCAL EMERGENCY

AT A SCHEDULED MEETING OF THE BOARD OF SUPERVISORS OF SMYTH COUNTY, VIRGINIA, HELD AT THE SMYTH COUNTY OFFICE BUILDING, 121 BAGLEY CIRCLE ON JANUARY 24, 2013. RESOLUTION 2013 – 1 DECLARING A LOCAL EMERGENCY TO EXIST IN SMYTH COUNTY, VIRGINIA ON JANUARY 17, 2013.

WHEREAS, the Board of Supervisors of Smyth County, Virginia, does hereby find as follows:

1. That due to the occurrence of severe winter weather related events on January 17, 2013, Smyth County is facing a condition of extreme peril to the lives, safety and property of the residents of Smyth County;
2. That as a result of this extreme peril, the proclamation of the existence of an emergency is necessary to permit the full powers of government to deal effectively with this condition of peril.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Board of Supervisors of Smyth County, Virginia, that a local emergency now exists throughout Smyth County; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of this emergency the powers, functions, and duties of the Director of Emergency Management and the Emergency Services organization and functions of Smyth County shall be those prescribed by the laws of the Commonwealth of Virginia and the ordinances, resolutions, and approved plans of Smyth County in order to mitigate the effects of said emergency.

In order to carry out the effect of this resolution, a sum of money, not to exceed \$5,000.00, is hereby appropriated from the County's unappropriated fund balance (from the Board's Special Account fund) to cover the reasonable operational costs of emergency services pending further report to this Board and such additional appropriations as shall be deemed necessary to cover the expected scope of this emergency.

Dated: January 24, 2013

Board of Supervisors, Smyth County, VA

Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.
Vice Chair, Park District Supervisor M. Todd Dishner
Rye Valley District Supervisor Rick K. Blevins
North Fork District Supervisor Ron C. Blevins
Atkins District Supervisor J. Howard Burton
Saltville District Supervisor Roscoe D. Call
Royal Oak District Supervisor Regina H. Davidson

Attest: _____
Clerk, Board of Supervisors
Smyth County
Commonwealth of Virginia

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:40:39 PM](#) Mr. Simpson noted that the Senior Citizen's Center was opened as a shelter and there were seven people who utilized it. The emergency declaration continued until Tuesday when all power was restored in the area.

[7:41:11 PM](#) Mr. Simpson reported that every pump station and water treatment plant in the County lost power during this weather event and water department employees Mike Neal, Curtis Burgess and Ben Langston worked extra hours through the holiday weekend to make sure customers didn't lose water.

[7:43:03 PM](#) Mr. Simpson reported that the Courthouse jail demolition contract with South End construction is ready to be executed. The contract has been reviewed by Mrs. Clayton.

[7:43:57 PM](#) Mr. Simpson reported that the ADA contract with Glade Construction for this building and the library is ready for signatures and work can begin as early as next month. The contract has been reviewed by Mrs. Clayton.

[7:44:39 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to approve the jail demolition contract with South End Construction for signature. The motion was seconded by Rye Valley District Supervisor Rick K. Blevins.

After consideration, the motion PREVAILED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins and
Atkins District Supervisor J. Howard Burton,

ABSTAINERS: None.

ABSENT: None.

[7:45:30 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to approve the ADA improvements contract with Glade Construction for signature. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PREVAILED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: Atkins District Supervisor J. Howard Burton.

ABSTAINERS: None.

ABSENT: None.

[7:46:04 PM](#) Atkins District Supervisor J. Howard Burton, Chair of the Emergency Communications Committee, reported the committee met and discussed the purchase of new 911 recording equipment. The ten year old equipment recently quit working and bids were submitted for replacement of the equipment. The Emergency Communications Committee recommends awarding the bid to Sound Communications in the amount of \$15,516.85 for the purchase of new 911 recording equipment to be paid out of wireless fund 38.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,

Park District Supervisor M. Todd Dishner,

Rye Valley District Supervisor Rick K. Blevins,

North Fork District Supervisor Ron C. Blevins,

Atkins District Supervisor J. Howard Burton,

Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:47:31 PM](#) Mr. Simpson reported that Mr. Carter is currently in Richmond meeting with our representatives. House Bill 1667 was entered on behalf of the County by Delegate Crockett-Stark to allow mixed beverages in specific areas along Exits 39, 44 and 47. The bill was referred to the General Laws Committee ABC/Gaming Sub-committee which was scheduled to meet today. There was not a quorum present for the sub-committee meeting today, but Mr. Carter and Delegate Crockett-Stark spoke with the three members who were present and gave an indication of the County's needs, concerns and desires. Since there was no quorum, the bill will move back to General Committee on Tuesday for vote. If it goes back to the full House floor and has two readings and then it is bound and has a third reading and a vote. If the bill prevails there, then it would cross over to the Senate for vote. North Fork District Supervisor Ron C. Blevins stated the County is making an attempt to improve economic development but it takes a lot of small pieces fitting together to turn things around. Vice Chair, Park District Supervisor M. Todd Dishner stated he very much supports the Bill and thanked Chairman Blevins for the article he wrote in the Smyth County News. Being puzzled by what spurred the Town of Marion's reaction to the bill and concerned that opposition could cause the bill not to pass, Mr. Dishner would like the County to schedule a joint meeting between the Town Council and the Board of Supervisors to see where the opposition lies. North Fork District Supervisor Ron C. Blevins, Saltville District Supervisor Roscoe D. Call, Rye Valley District Supervisor Rick K. Blevins and Royal Oak District Supervisor Regina H. Davidson all spoke in favor of a joint meeting with the Town Council.

Vice Chair, Park District Supervisor M. Todd Dishner made a formal motion to request a joint meeting between the Board of Supervisors and the Marion Town Council to discuss the Town's opposition to the County's proposal to allow mixed beverages in specific areas of the County. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:57:51 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to reappoint Phyllis Griffith to the Area Beautification Committee with the Smyth County Chamber of Commerce. Ms. Griffith has agreed to serve another one-year term on this Committee. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:58:36 PM](#) **Closed Session** – It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Atkins District Supervisor J. Howard Burton, to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.5 Industrial/Business Prospects** – discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in location or expanding its facilities in the community, and **A.7 Legal** – consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,

North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:16:51 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to go out of closed session. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:17:07 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Rye Valley District Supervisor Rick K. Blevins, to return to open session and adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION CERTIFICATION OF CLOSED SESSION

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:18:28 PM](#) North Fork District Supervisor Ron C. Blevins commended the Adwolfe, Chilhowie and Marion fire departments for their response to his recent house fire. They did everything that could have been done in the situation.

[8:19:17 PM](#) Atkins District Supervisor J. Howard Burton expressed concern over Emory and Henry's request for \$100,000 over the next three years from the County to support the new Health Sciences program. The Board will be voting on this request at their February 12th meeting and, while he supports the college's expansion program, he has concerns about how money from the purchase of Smyth County Community Hospital by Mountain States is being handled by the Smyth County Community Foundation and why money from the Foundation is not being used to support the college's funding request. Rye Valley District Supervisor Rick K. Blevins suggested inviting representatives from Mountain States and the Foundation to the February 12th Board meeting to answer questions. North Fork District Supervisor Ron C. Blevins agrees it would be a good idea and noted that the County needs to start investing more wisely and balance what the County will get out versus what's being put in.

[8:28:31 PM](#) A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to adjourn the meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Smyth County Board of Supervisors held a special called joint meeting with the Marion Town Council at 5:30 p.m., **Thursday, February 7, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT:	Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.; Vice Chair, Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K Blevins; North Fork District Supervisor Ron C Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D Call; Royal Oak District Supervisor Regina H Davidson (7)
ABSENT:	None (0)
STAFF:	County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Economic Development Director Sally Morgan; County Attorney Michelle Clayton; Sheriff R. David Bradley, Deputy Sheriff Mike Hounshell; Administrative Assistant Christy Bise (7)
TOWN OF MARION:	Council Members: Jim Barker, Larry Carter, Suzy Jennings, Jim Owens, Tricia Spencer, Bill Weaver, Vice-Mayor James Gates; Mayor David Helms; Town Manager John Clark; Community and Economic Development Director Ken Heath; Assistant Town Manager/Town Engineer Cecil Hicks
OTHERS PRESENT:	Stephanie Porter-Nichols, Smyth County News; approximately 15 citizens

[5:29:36 PM](#) Chairman Blevins called the Board of Supervisors meeting order. He welcomed everyone in attendance.

[5:29:45 PM](#) The Marion Town Council reconvened their continued meeting.

[5:29:54 PM](#) Chairman Blevins opened the floor for discussion concerning the Town's opposition to House Bill 1667.

[5:30:04 PM](#) Mayor Helms expressed appreciation for the opportunity to speak. He stated that communication seems to be a problem between the Town and County. He felt like there was an arrangement in place for the two parties to work together on development at exit 47 and then he read the Smyth County News and everything fell apart. He is aware there are different Councils and Boards in place now, but he is amazed at all that has taken place recently and the Town has not been shown the courtesy of even a phone call. He stated the same thing happened with this joint meeting because he was not aware of it until he read about it in the paper. The Town is not being shown the respect that it should be. We are not living in New York City; the Mayor, the Town Manager and the County Administrator are in their offices every day. We need and want to work together, as was proven with the CDA started back in 2008, but that got pushed off to the side. The Mayor read a story emphasizing the importance teamwork and stated that he feels the Town has been eliminated as part of the team.

[5:33:24 PM](#) Jim Gates stated he has given a lot of thought to the situation. He sees the County's position. Some of the Board members are new and faced with financing a school and a courthouse. Those who live in the Town are also citizens of the County and

development is a concern for all citizens. Citizens are concerned that Smyth County does not have interstate development like other counties. If a chain restaurant could make money at an interstate exit they would be in talks to develop the property. From his standpoint, he does not know if there is a restaurant already in mind and that's why the House bill was proposed on behalf of the County. The CDA board discussed a project at exit 47 that would have been between an \$8-\$10 million dollar infrastructure, including all necessary road improvements leading to the border of the property. Both Wal-Mart and Lowes were committed at that time to the project along with two or three retail shops and one restaurant in the beginning. The restaurant could expect to do \$2 million dollars per year in business. The tax base would create \$540,000 dollars a year in revenue for the County and \$480,000 dollars a year for the Town. At that time of proposed development, the loan amount was \$11 million dollars. The project wasn't a big revenue money-maker to begin with but future growth was possible. Based on comparable numbers from sales in Wythe County, there wouldn't have been that much revenue leftover to split. There is \$40-50 million dollars a year in purchases leaving Smyth County. Everything fell through when the economy tanked. Everyone needs to realize that a building in Town pays the same County machinery and tools, personal property and real estate taxes as a building located in the County. The County doesn't lose anything by something being located in the Town. Liquor by the drink is a wonderful source of revenue and it lets you offer that as a service to citizens. It is an attraction for a restaurant and a necessity unless you have a meals tax. A \$1.5 million dollar building would generate \$10,000 dollars a year in revenue, but by doing an infrastructure upgrade to attract that business (road work, etc.) it wouldn't be a money maker. He wonders what's going on and if someone has signed up to locate at one of the exits. The town has an instant meals tax and on \$2 million dollars in yearly sales that would equal \$140,000 dollars. The County may get a meals tax through referendum, but they don't have to split a meals tax with somebody. Everything can be worked out, but it gets to be sticky if an arrangement is not worked out and then somebody comes back later wanting to work together it leaves a sour taste. The meals tax was defeated years ago and caused a lot of criticism. The County has no responsibility to tell him what's going on, but he would like to know as a Council member and as a citizen. Saltville District Supervisor Roscoe D. Call questioned that because the Town did not know what was going on they automatically took the opposite side? He also questioned why the Town is saying the Board is going against the will of the people to get mixed drinks in the County? Mayor Helms and Councilmen Carter and Gates stated it was through referendum and vote that mixed drinks were approved within the Town limits. Supervisor Call stated this proposal is not meant to knock anybody out of anything; we should all try and get business in here no matter what. The County and Town should be working together to get development here now. If we can create one job it will be worth it. Supervisor Call has spoken with people throughout the Towns of Marion, Chilhowie and Saltville in addition to people in the County and has found no opposition against the mixed beverage proposal and then he gets a letter from the Town saying they are against it. "That is a case of do as I say and not as I do."

[5:48:02 PM](#) Suzy Jennings thanked the Board for having the Town here and feels it's a good forum to talk. She has sat on both the Board and the Council and believes that what's good for one is good for the other. The thing that bothers her is the perception by the citizens of

the Town that the Board and Council can't work together. Communication is the way to do it and tonight is a good start for each side to know how the other feels. This is a wonderful opportunity to help this County and we need to work together to figure that out.

[5:49:17 PM](#) Supervisor Call stated that he sits on the Mount Rogers Planning District Commission Board and has talked with representatives from the City of Bristol about the growth at Exit 7. The response he got from them was getting one thing started, no matter how big or small, opens the flood doors for others to come. "We have got to get something going now." Saltville is going away so fast it's pitiful. Development along exits 47 or 39 could help save Saltville, too. He is tired of kids leaving here and going other places to work and come back to nothing. The letter he received from the Town has a lot of good points and a lot to talk about, but we need to concentrate on what's at hand and hash out the other later. Everyone wants the same thing, but they are pulling at different strings.

[5:52:01 PM](#) Mayor Helms expressed concern for the Town if there are plans by the County to pull a big box store into exit 47. If that were Wal-Mart, it would leave a tremendous hole in the budget for the Town because of lost taxes. The Mayor was surprised when the County pulled away to do it on their own when it had been a joint effort in the past.

[5:53:37 PM](#) North Fork District Supervisor Ron C. Blevins stated the Board of Supervisors is determined to provide economic development and the County and Towns have to work together. This is not trying to pull away but looking for development opportunities within the County. Why concentrate on one development area when you can develop more for the citizens? The County is not looking to take anything away from Marion, but looking to work jointly with Marion and other Towns to do things. We need to bring jobs (retail, factory, etc.) in because that's the biggest concern. We want to keep people here and it's up to all of us to make sure our kids have job opportunities by putting our heads together.

[5:55:50 PM](#) Royal Oak District Supervisor Regina H. Davidson thinks the Board has been trying to think outside the box to benefit the community. They are trying to bring industries in to look at empty buildings, but when the prospects look around they see there's nothing to market. There are small businesses and downtown quaint shops we love to frequent and when downtown grows that shows you have a positive community, but what else do we have? The County became aware this mixed beverage bill could be introduced allowing for growth along the interstates. This is the fastest area for growth and, for those who lost their jobs, they don't want to wait. Exit 47 has been on the table since 2008 which is four years of waiting for somebody who has lost a job. She didn't see introduction of this proposed legislation as stepping over any boundaries. As a Board you think of a team as everyone, Towns and outlying Counties included. Development of areas off interstate would enhance business downtown and not deter from it. Tourism in the County has increased over the years. The whole picture of downtown shops and interstate development would mesh together and she thinks it's the best way to grow as a community. If the County doesn't grow, Towns don't grow.

[5:59:08 PM](#) Councilman Bill Weaver wants to support the idea, but the Town didn't know what was going on. You don't pollute waters when putting in industries and, since the Town doesn't know what project County may be working on, what is the spillage going to be? Will this cause us to lose Wal-Mart or future business with things moving out of the Town? How will this affect Marion if we do this? You have to look at the big picture and it looked to us like it would hurt the Town's development and our future by what the County

is proposing to do along the interstate. During a closed meeting somebody should have communicated to the Town what was going on before it happened to determine the implications for Marion. What is the impact going to be on Marion's development and future? He is concerned with Smyth County, too, but part of the reaction is not knowing what this is going to cause. The Town should have been part of trying to work on interstate development as well. We want people to stay in the area and want more job opportunities. Why have things got us to where we are today? The Town worked with the County on the courthouse and the parking garage and has tried to work together on previous projects. It does take all working together to get things accomplished.

[6:02:43 PM](#) Councilwoman Jennings asked if there could be a committee formed between the Board and Council to meet and figure out how to work together so information is shared and then taken back to the respective groups. Mrs. Clayton said procedurally that is possible. Supervisor Davidson said there had been talk about doing it before, but there was question whether it could be done from a legal standpoint. There has also been discussion about holding an economic forum to discuss business growth in Smyth County.

[6:04:41 PM](#) Mayor Helms questioned why Atkins exit 50 was not included since there are thriving businesses already there. Mrs. Clayton answered one reason this came as a surprise was because the County was able to find a sponsor in Delegate Crockett-Stark and there was a deadline for the bill to be submitted. It was very quick but calls were placed to the Town. There was no intention to make anyone feel left out, but an urgency to spur economic development. The bill could have been amended to change the boundary lines, but once there was opposition the County could not push any amendments. These types of bills are typically for one exit. The CDA is in place by a resolution passed by both bodies which allows us to move forward and that's why 50 and 54 weren't included. Montgomery and Wythe Counties along with the Towns of Damascus and Glade Spring have submitted similar legislation and if our bill doesn't go through because of opposition then we're that much further behind.

[6:07:56 PM](#) Mayor Helms noted he has spoken with representatives from Wythe County and they did meet with the Wytheville Town Council before they pursued the legislation. If the Town of Marion was contacted by the County, he would like to know who the contact was made with.

[6:08:20 PM](#) Supervisor Davidson asked if the bill does get passed how easy would it be to add another exit? Mrs. Clayton answered it could be added next year because it's too late for an amendment.

[6:09:01 PM](#) Mark Prater, citizen, spoke up and questioned why exit 50 was not included. Mrs. Clayton said it was not typical to include every exit and the County was trying to be cautious. Mr. Prater stated that was discrimination against exits 50 and 54. He noted there is an airport and a winery at exit 54. Mrs. Clayton answered that it was not discrimination; the County was looking at higher acreage areas. She said if 10% of registered voters in each district sign a petition and file it with the Circuit Court it could go on the ballot and, if passed, would allow for mixed beverages in the entire district.

[6:13:35 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner stated this is the first effort to get something done and it got met with opposition and that's why he asked to meet together. He sees it as a whole with Counties and Towns together. When developing exit 47, the County was unable to supply liquor by the drink so there couldn't have been a

restaurant or hotel on the site. The Town of Marion said we've got that and can annex and split revenues. Then, the economy died but the CDA is still alive. He hears everybody saying we want to work together but this opposition could cause the bill to die. If it was put on referendum now it would probably pass. He doesn't mean to be disrespectful, but as long as there was involvement with the Town it was fine but when the County tried to put legs under it that's where the opposition came in. Vice-Chair Dishner questioned whether there was unanimous opposition to the bill among the Town Council. This will help develop Marion and it's a win-win for everybody. Our intention was not to pull from the Town and, no, there is nobody in particular in mind right now for development at the exit. The County would feel bad if the Town lost Wal-Mart, but it would be worse if the potential was lost from a development at the exit. Vice-Chair Dishner reiterated that he was surprised to see opposition from the Town.

[6:17:03 PM](#) Mayor Helms asked if it does go through will the County and Town still work together for exit 47. If Marion is left out of exit 47 development it's going to kill the Town. Vice-Chair Dishner stated he understands budget responsibilities and the County has some enormous things going on right now, but the County is not trying to pull meals tax from the Town of Marion.

[6:18:23 PM](#) Vice-Mayor Gates again stated the County still gets revenue from business located in the Town. The only difference is the meals tax. Vice-Chair Dishner stated this is the very first step, a starting point, and the County got hit with opposition. The Town of Marion is doing really well with people opening up downtown businesses. It's not a battle; the County is stepping out and trying to get a start on economic growth. Vice-Mayor Gates stated he was floored by the County going out on their own with this legislation. Why not do this together and get the same revenue and share it? Why does the County not want to share it?

[6:20:58 PM](#) North Fork District Supervisor Ron C. Blevins said all he hears is "Marion, Marion, Marion". He understands the concerns, but the County has to take into account every community in Smyth County. The County is trying to get all their ducks in a row and get the County and Towns built up. Amendments can be made and other exits included going forward, but you have to start one at a time.

[6:23:50 PM](#) North Fork District Supervisor Ron C. Blevins stated he would happy to be on a committee to work with the Town if the County so chooses. Every time we do something we have to look at the whole area and not just one area. This Board can't do it all and the Town can't do it all; it takes everybody.

[6:24:55 PM](#) Councilman Weaver appreciates being more enlightened and stated he learns more about the political process each time he travels to Richmond. He can see what the County was trying to do and the things that could impede the process, but he wishes the Town would have known ahead of time.

[6:25:38 PM](#) Chairman Blevins opened discussion about the boundary line adjustment request. Mayor Helms stated the group met back in October and wonders where it stands now.

[6:26:05 PM](#) Supervisor Call stated he was in the meeting and there was an issue about swapping a spring in Atkins for the boundary line adjustment that came out of that meeting and then it died away. Town Manager John Clark stated a counter letter was sent to the County.

[6:26:40 PM](#) County Administrator Carter said a contract or memorandum of understanding was received that identified a cost for use of the spring. There appears to be a misunderstanding of what took place and what came out of the committee. Mrs. Clayton reviewed the contract and, at this point, the Board has chosen not to pursue that contract as written. Councilman Weaver asked if it could be amended to get an agreement between the two parties. Supervisor Call stated it was agreed to swap one for the other, the spring and a right of way acre for the boundary adjustment. There was nothing about a purchase or cost for use of the spring. Everyone seemed to be happy because it's useless to the Town or County. It's not drinkable and was going to be used for industry only. It was a token of good faith by not giving something away for free. Now, everything changed and we don't know why. County Administrator Carter has a memorandum of understanding, in writing between the two localities identifying the source and the percentage of use for the cost and the cost per usage. He doesn't know if this document was devised by the Council, but he can provide them with a copy.

[6:29:54 PM](#) Scott Simpson stated he sat in the meeting between the Board and Council members and talked about the spring on Rocky Hollow that the Town owns and does not use now. The committee thought the comments were if the County can use it for industry then we'll give you the water and you can send it to an industry. Then the County get a m.o.u. from the Town that's got a seven year term and x number of dollars for the capacity of the spring. That is completely different conditions than what was discussed after Dr. Gates said we'll give you the thing as long as it's not for residential use. The County thought we would get to use the water from the spring at no cost and partner with the Town to sell the raw water to the industry with a revenue stream. It was a huge dollar figure to sell the County water out of the spring so the committee and others decided to leave it alone.

[6:31:48 PM](#) Supervisor Davidson asked about the figure for the loss of income tax revenue to the County since the Town owns the County Club. It was reported that amount is around \$26,000 dollars per year.

[6:32:16 PM](#) Mayor Helms noted the m.o.u. concerning the use of the spring went before the Town Council and it was sent to the County expecting a counter.

[6:32:36 PM](#) Supervisor Call stated the committee was under the impression it was just an even swap with no cost involved.

[6:33:48 PM](#) Supervisor Davidson asked if the boundary line issue could be re-explored.

[6:34:03 PM](#) Supervisor Ron C. Blevins thought there was an agreement in place when the committee came out, but the committee is willing to sit down and discuss it again.

[6:34:28 PM](#) Vice-Chair Dishner noted it is not up to the County to do the boundary line adjustment and the Town can petition the courts to have the annexation done. Vice-Mayor Gates stated that process would be very costly to the Town. Supervisor Ron C. Blevins said it would be cheaper to trade the spring than to go through all that.

[6:34:59 PM](#) Councilman Larry Carter thinks there is a need to act with utmost haste on this issue. Let's get together and iron things out.

[6:35:20 PM](#) Mayor Helms stated he did not want Town Manager John Clark taking the blame because he signed the letter concerning the spring; the Town Council approved it.

[6:35:42 PM](#) Councilman Larry Carter doesn't want to give the message of not working in harmony and unity.

[6:35:59 PM](#) Supervisor Davidson asked if the same boundary group could meet soon and get on the Board agenda. Due to time constraints, it can't be on the February agenda, but the group can meet prior to the March Board of Supervisors meeting. Mayor Helms would like to get the issue resolved before Town Manager John Clark's retirement in April. A meeting date will be scheduled for the boundary adjustment group.

[6:37:01 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to adjourn the Board of Supervisors portion of the meeting. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,

Park District Supervisor M. Todd Dishner,

Rye Valley District Supervisor Rick K. Blevins,

North Fork District Supervisor Ron C. Blevins,

Atkins District Supervisor J. Howard Burton,

Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:37:14 PM](#) The Marion Town Council adjourned their meeting.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, February 12, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.; Vice Chair, Park District Supervisor M. Todd Dishner; North Fork District Supervisor Ron C Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D Call; Royal Oak District Supervisor Regina H Davidson (arrived at 5:00 p.m.) (6)

ABSENT: Rye Valley District Supervisor Rick K Blevins (left meeting at 4:22 p.m.) (1)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Director of Finance Charlie Atkins; Economic Development Director Sally Morgan; County Attorney Michelle Clayton; Deputy Sheriff Mike Hounshell; Administrative Assistant Christy Bise (7)

[4:08:00 PM](#) Chairman Blevins called the meeting to order.

[4:08:02 PM](#) **Closed Session** – It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Rye Valley District Supervisor Rick K. Blevins, to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.5 Industrial/Business Prospects** – discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business’ or industry’s interest in location or expanding its facilities in the community, and **A.7 Legal** – consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton, and
Saltville District Supervisor Roscoe D. Call

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson.

[4:22:19 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to go out of closed session. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton, and
Saltville District Supervisor Roscoe D. Call

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson.

[5:00:00 PM](#) Chairman Blevins called the meeting to order.

[5:00:09 PM](#) Sandy Elswick, Registrar, gave the invocation.

[5:00:44 PM](#) Sally Morgan, Economic Development Director, led the Pledge of Allegiance.

[5:01:04 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to adopt the agenda and additional agenda as presented. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:01:25 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to approve the minutes of the January 8 and January 24, 2013 meetings. Vice Chair, Park District Supervisor M. Todd Dishner seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:01:54 PM](#) It was moved by Vice Chair, Park District Supervisor M. Todd Dishner, seconded by Saltville District Supervisor Roscoe D. Call, to return to open session

and adopt the following resolution certifying the business conducted in closed session as follows:

**RESOLUTION
CERTIFICATION OF CLOSED SESSION**

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton, and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Regina H. Davidson.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

5:02:17 PM Finance Status – Mr. Charlie Atkins informed the Board, per the report from the Treasurer's Office, there were sufficient funds in the bank for the requested appropriations.

5:02:53 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$5,675,000.00 for the General Fund appropriation. The following is an explanation of the appropriations approved:

General County	\$1,640,000.00
Social Services	
(Feb. 13 – 28, 2013)	\$275,000.00
(Mar. 1 – 12, 2013)	\$60,000.00
Schools – Operating Fund	\$3,700,000.00

Total General Fund

\$5,675,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:03:39 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to approve \$40,000.00 for the School Debt and Capital Outlay appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:03:46 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to approve \$1,000,000.00 for the School Construction Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:04:02 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to approve \$436.52 for the Animal Damage Fund.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:04:19 PM](#) It was moved by Vice Chair, Park District Supervisor M. Todd Dishner, seconded by Saltville District Supervisor Roscoe D. Call, to approve \$104,004.70 for the IDA Fund 4.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:04:41 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Vice Chair, Park District Supervisor M. Todd Dishner, to approve \$53,352.56 for the Courthouse Project.

After consideration, the motion PREVAILED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:05:06 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Vice Chair, Park District Supervisor M. Todd Dishner, to approve \$28,998.71 for the Pioneer/Fox Valley Water Project.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,

Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:05:25 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$13,365.38 for the Lick Skillet Housing Project.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:05:43 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to approve \$16,001.29 for the Cedars/Hall Addition Project.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:06:01 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to approve \$998,444.10 for the Accounts Payable listing.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:06:43 PM](#) Sally Morgan presented information on an application completed by the Town of Marion to apply for designation as an "Appalachian Trail Community". Ken Heath, Economic Development Director for the Town of Marion, asked Mrs. Morgan if the County would be interested in completing the application jointly. The application deadline is March 1, 2013 and a resolution of support for consideration by the Board is included in the information packet. The Marion Town Council will consider the resolution of support at their meeting next week. There are some criteria that have to be met in order receive designation, but there is no monetary commitment associated with being a Trail Community. The Town of Marion is planning to tie their annual Memorial Day event in with tourism promotion of the Trail. Royal Oak District Supervisor Regina H. Davidson made a motion to approve the resolution and apply jointly with the Town of Marion for designation as an "Appalachian Trail Community". The motion was seconded by Saltville District Supervisor Roscoe D. Call.

RESOLUTION OF SUPPORT

Application for Designation as an Appalachian Trail Community
SMYTH COUNTY

WHEREAS, the mission of the Appalachian Trail Conservancy is to "preserve and manage the Appalachian Trail, ensuring that its vast natural beauty and priceless cultural heritage can be shared and enjoyed today, tomorrow, and for centuries to come"; and

WHEREAS, the Appalachian Trail Conservancy annually accepts applications from communities along the Trail for consideration for inclusion in their "Appalachian Trail Community Program"; and

WHEREAS, Smyth County contains 78 miles of the Appalachian Trail and includes the Town of Marion which is just six miles from the Partnership Shelter at the US Forest Service Welcome Center near Sugar Grove; and

WHEREAS, the Town of Marion has formed an Advisory Committee of stakeholders interested in working to grow our stewardship and our economic base with the AT and has included representatives of Smyth County government on the committee; and

WHEREAS, Smyth County, VA recognizes the value of asset-based economic development, and desires to join the other designated communities along the 2,180 miles of the Appalachian Trail.

NOW, THEREFORE BE IT RESOLVED, this 12th day of February, 2013, the Board of Supervisors of Smyth County in regular session approved joining with the Two of Marion to submit the application for the Smyth County and Marion to be considered as an Appalachian Trail Community.

SIGNED:

ATTEST:

Wade Blevins, Chairman

Michael Carter, Clerk

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:11:04 PM](#) Chairman Blevins reported that Animal Control Committee met earlier this evening to consider animal damage claims for animals slaughtered by dogs.

[5:11:34 PM](#) The committee recommends to approve and appropriate payment in the amount of \$1,000.00 to Richard Hamm for 6 sheep. The committee recommendation was unanimously approved.

[5:12:07 PM](#) The committee recommends to approve and appropriate payment in the amount of \$400.00 to Richard Hamm for 2 sheep. The committee recommendation was unanimously approved.

[5:12:23 PM](#) The committee recommends to approve and appropriate payment in the amount of \$400.00 to Tim Sheets for 1 Holstein heifer. The committee recommendation was unanimously approved.

[5:12:42 PM](#) The committee recommends to approve and appropriate payment in the amount of \$98.70 to Lee Buchanan for 1 ewe. The committee recommendation was unanimously approved.

[5:12:57 PM](#) The committee recommends to approve and appropriate payment in the amount of \$400.00 to Robert Roop for 1 calf. The committee recommendation was unanimously approved.

[5:13:11 PM](#) The committee recommends to approve and appropriate payment in the amount of \$600.00 to David Salks for 4 sheep. The committee recommendation was unanimously approved.

[5:13:27 PM](#) The committee recommends to approve and appropriate payment in the amount of \$1,100.00 to Wade Kestner for 15 sheep. The committee recommendation was unanimously approved.

[5:13:45 PM](#) Royal Oak District Supervisor Regina H. Davidson asked how it was determined these animals were killed by dogs. Chairman Blevins explained that Animal Control investigates and uses certain criteria to make the determination. Supervisor Davidson also questioned whether these kills took place in areas close together and was informed they did not.

[5:14:40 PM](#) It was noted the animal damage claims total \$3,998.70. Vice Chair, Park District Supervisor M. Todd Dishner reported the reimbursement amounts are based on market value determined by the Extension Office. Mr. Carter noted the animal control fund has a current balance of \$63,241 so the claims are well under that amount. Supervisor Dishner noted that two claims dated back to April 2011

and, per Chairman Blevins, speed was addressed during the committee meeting and these items are not to be carried over in the future.

[5:15:48 PM](#) Chairman Blevins opened citizen's time.

[5:16:21 PM](#) Kristen Untiedt-Barnett, Executive Director of the Smyth County Chamber of Commerce, recognized the participants of the L.E.A.D. (Leadership Enrichment and Development) program in attendance at tonight's meeting. It has been 15 years since the Chamber had a leadership program and one of the Chamber's goals in 2012 was to bring the program back. It is an 8 month program with 10 participants who have been involved since September and will graduate in April. The Chamber is excited to have the program up and running and has seen a lot of success from the participants. They are looking to offer the program again during 2013-2014. Ms. Untiedt-Barnett noted the Opportunity Fair previously scheduled for February 1 that was cancelled due to weather has been rescheduled for February 15 from Noon until 5:00 p.m. The event is open to the public and will include over 40 exhibitors.

[5:19:42 PM](#) Earl McClure, Chilhowie, spoke concerning the joint meeting between the Board of Supervisor and the Marion Town Council last week. He noted there was mention of the need to establish a committee to look over issues such as the liquor by the drink legislation, but Mr. McClure said there was already have a committee in place called the Planning Commission. Mr. McClure stated he was kicked off Planning Commission ten years ago because he tried to get all Planning Commissions to meet and create a comprehensive plan together. The County has had no approved comprehensive plan since 2005 and a lot of things can't be done because there isn't one in place. The Planning Commission has 60 days to correct and resubmit the plan to the Board. Without a comprehensive plan things such as a power generation facility or a school can't even be authorized. The Planning Commission needs to sit down with others and come up with a comprehensive plan representing the vision of Smyth County. Mr. McClure stated that Mr. Carter and Mr. Simpson's hands are tied because the Commission members were appointed by the Board and it would be to the advantage of the County to give Mr. Carter and Mr. Simpson veto power. The comprehensive plan is important and shouldn't be taken lightly. He cited Virginia Code sections 15.2-2227 and 15.2-2232 as the laws that govern this activity.

[5:24:42 PM](#) Charles Wassum, Marion, stated as of October 31, 2010, the Treasurer of Smyth County showed \$68.6 million dollars worth of debt for the County. Auditors Brown Edwards indicated that interest this year alone on that amount is \$2 million dollars. Once the \$68.6 million dollar debt is paid off, that amounts to \$22 million dollars, or more, just in interest. That money could have been used for new business, expanding, infrastructure, etc. but this money is being taken from property owners, some of which may not have a job, the poor, elderly and disabled. This money is going out of County, State, and even the country. Smyth County property taxes are 74 cents per 100, the highest rate west of Blacksburg. This tax does not attract business or families to the area. Smyth County is not in a position to spend more money or give it away. There needs to be significant cuts in spending which should be applied to reduce the debt. Cutting spending and applying the savings to

reduce the debt and cutting taxes is a better way to create jobs, just as states across the county are doing.

[5:27:41 PM](#) Herbert Johnson, Rural Retreat, Commander of VFW post 4667 requests flag and cross placement at the Courthouse on May 22nd with removal May 30th. There are approximately 700 white crosses and flags to put up. There has also been discussion in the past about placing a missing man chair memorial for POWs/MIAs on the courthouse lawn at no expense to the County. Rolling Thunder would like to place it before Memorial Day. Mr. Johnson also asked for reconsideration of the \$1,500 funding request to support the Memorial Day program in Marion.

[5:29:46 PM](#) Anthony Glavocich, Marion, asked the County to consider donation of any vacant land for use by a local flying club. Other Counties in Virginia and North Carolina have done so and it would cost the County nothing. This activity is sponsored by the AMA (Academy of Model Aeronautics) and there is \$2.5 million dollar liability insurance coverage and each member of the AMA will have \$2.5 million dollars worth of coverage for a total of \$5 million dollars. There needs to be a safe, controlled place to fly and it would be a great benefit to the County. Any section of land donated would be maintained by the club (mowing and trash pick-up) at no cost to the County. The representatives present asked for consideration to try it for one summer to see how it goes. They club currently has six members and without a site it will be difficult to attract new members. The group can apply for non-profit organization status once they have more members. Chairman Blevins suggested the group speak with Mrs. Morgan about getting on the agenda for the next SWIFA meeting on March 14th as that board has representatives from Smyth and Washington Counties. Vice Chair, Park District Supervisor M. Todd Dishner stated he has talked to the group on several occasions and the liability insurance coverage had been an issue in the past but there is coverage now.

[5:38:40 PM](#) With no one else wishing to speak, Chairman Blevins closed citizen's time.

[5:38:45 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner asked Mr. Johnson whether the POW/MIA structure proposed at the courthouse would be a permanent structure. Mr. Johnson answered yes, it would be a 6 x 6 permanent structure.

[5:39:06 PM](#) Mrs. Morgan introduced Bo Surber, general manager of Superior Carriers.

[5:39:51 PM](#) Mr. Surber informed the Board he began working with Superior Carriers when it was Lemmon Transport back in 1984. He has held various jobs with the company including tank washer, shop foreman and dispatcher. Bill Lemmon started the company back in 1952. Superior is the 3rd largest tank outfit in United States now. Lemmon/Superior hauled jet fuel for the space shuttles, but now eight trailers are parked because the program has been discontinued and the trailers were specially designed for that purpose only. Superior Carriers looks at providing advancement opportunities for their employees and promoting from within. They are a good company and have respect for their employee's service to the community by supporting such programs such as the volunteer fire department.

[5:45:49 PM](#) Royal Oak District Supervisor Regina H. Davidson asked if someone could explain to the L.E.A.D. group why the Board doesn't vote on issues during citizen's time.

[5:46:13 PM](#) Mr. Carter explained that citizen's time is designated for voicing concerns, suggestions, comments, compliments by the citizens of the County. It is an opportunity for Board to listen and it doesn't go unheard. The information is recorded and put in minute form and looked at for further review by committees or as reference material. It is an opportunity for a voice of the people to express thoughts and opinions. There is not a lot of back and forth interaction from the Board, but they listen and the items will come up again as we move forward.

[5:47:44 PM](#) Saltville Fire Department submitted a resolution for consideration by the Board to be recognized as a first responder. Representatives from the Fire Department came to the meeting last month and were instructed to provide certain documentation in order to be considered for approval. Mr. Carter noted that most of the information had been provided with the exception of an emergency response vehicle listing. Royal Oak District Supervisor Regina H. Davidson asked if the resolution could be approved pending receipt of the emergency response vehicle listing and Mr. Carter stated that it could. Saltville District Supervisor Roscoe D. Call made a motion to approve the resolution in support of recognizing Saltville Fire Department as first responders pending receipt of the emergency response vehicle listing. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:54:16 PM](#) Mrs. Clayton presented information on an extension and amendment of agreement with Appalachian Power. This is part of the Virginia public authority contract and sent to us as part of a pool we're involved with. VML and VACO have thoroughly negotiated the contract and Mrs. Clayton is asking for the Board's approval of the contract under the pooled agreement we have. Mrs. Clayton noted there are over 100 localities in pool per AEP. Saltville District Supervisor Roscoe D. Call made a motion to adopt the resolution. Atkins District Supervisor J. Howard Burton seconded the motion.

VIRGINIA PUBLIC AUTHORITIES

**EXTENSION AND AMENDMENT TO THE AGREEMENT EFFECTIVE JULY 1, 2009
FOR THE PURCHASE OF ELECTRICITY FROM APPALACHIAN POWER
COMPANY**

THIS *EXTENSION and AMENDMENT* ("Amendment") is entered into this ____ day of _____, 2013, by and between APPALACHIAN POWER COMPANY, hereinafter called the "Company," and SMYTH COUNTY BOARD OF SUPERVISORS, called the "Customer." Collectively, Company and Customer may be referred to herein as the "Parties" and each, individually, as a "Party."

WITNESSETH:

WHEREAS, the Company and Customer are Parties to an Agreement for the Purchase of Electricity, which became effective July 1, 2009 (the "2009 Agreement"); and

WHEREAS, the Term of the 2009 Agreement extended through June 30, 2012, with the provisos that the Customers would continue to pay the rates in effect thereunder while negotiations were in process, and that the applicable Public Authority surcredit factor under the 2009 Agreement would continue to be in effect for up to six (6) months beyond June 30, 2012, while negotiations were in progress; and

WHEREAS, in the 2009 Agreement, the Company agreed to provide through June 30, 2012, a total of \$450,000, for energy efficiency programs to the Public Authority customer group, and there still remains a balance of \$214,000 not utilized by that group; and

WHEREAS, the 2009 Agreement contained the Street Lighting ("SL") rates at which the Company would provide SL service to Customer, if Customer takes SL service, through June 30, 2012.

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, the Parties hereto agree with each other to extend and amend the 2009 Agreement as follows:

1. Subsection (b) of the Second Article of the 2009 Agreement, Rates, shall be renumbered as subsection (b)(1), and that Article shall be amended by adding a new subsection (b)(2), which shall be read as follows:

(b)(2) The surcredit factor in effect for the period July 1, 2011, through June 30, 2012, shall continue in effect through March 31, 2013, and then terminate. Effective April 1, 2013, Schedule P.A.S. (Public Authority Surcredit) shall cease to be part of, and shall be removed from, the Public Authority Tariff then in effect. The Parties agree that the surcredit in effect from January 1, 2013, through March 31, 2013, will distribute to the Public Authority customer group \$250,000, plus the \$214,000 amount not utilized by June 30, 2012, as part of the Energy

Efficiency Program that is the subject of Article Twelve of this Agreement. The Customer acknowledges that Company has provided support for the calculation of the surcredits under this Agreement.

2. The current Third Article of the 2009 Agreement, Term, shall be redesignated as subsection (a), and that Article shall be amended by adding a new subsection (b), which shall read as follows:
 - (b) As a result of the negotiations described in (a) above, the Parties have agreed to an extension of this Agreement, as amended, from July 1, 2012, through December 31, 2013. In the event that a new contract, or further extension of this Agreement, has not been consummated by December 31, 2013, then the Parties agree that Customer shall continue to be subject to the applicable rates in "Exhibit A-1" and "Exhibit B-1," as may be adjusted from time to time per the provisions of this Agreement, until negotiations are concluded. Any agreement reached between Company and the Public Authority customer group, after December 31, 2013, as to the rates for electric service to Customer after that date, whether above or below the rates then in effect pursuant to the provisions of this Agreement, shall be retroactive to January 1, 2014, unless otherwise agreed by the Parties.
3. The Eleventh Article of the 2009 Agreement, Generation, shall be amended to read as follows:

The Customer represents and agrees that (1) it has chosen the Company to provide generation service through the duration of this Agreement; and 2) it will not choose a different generation supplier to begin providing service prior to December 31, 2013. After December 31, 2013, the parties' rights and responsibilities regarding generation service shall be as provided by applicable law and regulation, except to the extent otherwise agreed by the parties.
4. The Twelfth Article of the 2009 Agreement, Energy Efficiency Program, shall be amended by adding a new subsection (d), which shall read as follows:
 - (d) Customer acknowledges that Company has complied with the provisions of subsections (a) and (b) of this Article. The Parties agree that the Company's commitment to provide any money for Energy Efficiency Programs terminated on June 30, 2012, given the Parties' agreement regarding a surcredit factor for the period January 1, 2013 through March 31, 2013, as set out in subsection (b)(2) of the Second Article of this Agreement.
5. The Thirteenth Article of the 2009 Agreement, Street Lighting, shall be amended by adding a new subsection (d), which shall read as follows:

- (d) If Customer was taking SL service from Company, under a separate SL Agreement, as of the July 1, 2012, then the following provisions shall apply:
- 1.) The SL rates charged by the Company on June 30, 2012, adjusted at the same time as rates contained in "Exhibit A-1" are changed to reflect any changes to existing fuel factor rates, surcharges, and rate adjustment clauses approved by the SCC, or any new or revised riders, surcharge factors, or rate adjustment clauses approved by the SCC, shall continue in effect through March 31, 2013.
 - 2.) The SL rates set out in "Exhibit C-1," attached hereto and made a part hereof, shall become effective April 1, 2013, and shall remain in place through at least March 31, 2014. Per agreement of the Parties, "Exhibit C-1" includes a new LED-Experimental street light offering, and the rates contained therein have been designed to produce a \$200,000 increase in Company's annual revenues from Public Authority customers who take SL service.
 - 3.) In the event that new SL rates and/or a new SL agreement, have not been agreed upon by the Parties by March 31, 2014, then Customer, if it is taking SL service from the Company, shall continue to pay the rates contained in "Exhibit C-1," as may be adjusted from time to time, per the provisions of this Agreement, until negotiations are concluded and new SL rates and/or a new SL agreement become effective.
6. Subsection (d) of the Fourteenth Article of the 2009 Agreement, Additional Terms and Conditions, shall be amended to read as follows:
- (d) The following exhibits were part of the initial Agreement:
- | | |
|--------------|---|
| Exhibit A -- | Public Authority Tariff No. 12 |
| Exhibit B -- | The Company's current Virginia Schedule O.L. |
| Exhibit C -- | Public Authority Street Lighting Tariff No. 12(a) |
- In accordance with the provisions of other Sections of this Agreement, Exhibits A through C shall be updated or revised, from time to time, during the Term of this Agreement.
- To reflect updates and revisions made to Exhibits A and B, in accordance with the provisions of other Sections of this Agreement, through June 30, 2012, the following exhibits are attached hereto and made a part hereof:

Board of Supervisors Meeting Minutes
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Exhibit A-1 -- Public Authority Tariff No. 16
Exhibit B-1 -- The Company's Virginia Schedule O.L., as of July 1, 2012

The following exhibit, which shall become effective on April 1, 2013, per the provisions of Article Thirteen (d) 1.) of this Agreement, is also attached hereto and made a part hereof:

Exhibit C-1 -- Public Authority Street Lighting Tariff No. 16(a)

In accordance with the provisions of other Sections of this Agreement, Exhibits A-1 through C-1 shall be updated or revised, from time to time, during the Term of this Agreement.

7. The Fourteenth Article of the 2009 Agreement, Additional Terms and Conditions, shall be further amended by adding a new subsection (k), which shall read as follows:
 - (k) The Public Authority customer group and the Company agree to use their best efforts, in good faith, to renegotiate, on a cost-of-service basis, fair and reasonable rates and terms, for the extension of this Agreement beyond December 31, 2013. In connection with such renegotiation, 1.) the Company and Customer agree to utilize the Company's most recent return on equity, and Off-System Sales ("OSS") margin sharing, as approved by the SCC in the Company's most recent base and fuel factor proceedings; and 2.) on or before October 1, 2013, the Company agrees to provide one representative of the Public Authority customer group, as designated by the Executive Directors of the Virginia Municipal League and the Virginia Association of Counties, with aggregate Public Authority load data, as well as a public Authority, and a Public Authority Street Lighting, cost-of-service analysis. To the extent practicable, the Company will endeavor to provide available cost-of-service information prior to October 1, 2013.
8. Each Party to this Amendment represents and warrants that it has all authorizations necessary for it to legally enter into and perform its obligations under this Amendment. This Amendment shall be binding upon the Company and Customer only when accepted by and approved by a proper official, and shall not be modified by any promise, agreement, or representation of any agent or employee of the Company or Customer unless reduced to writing before such acceptance. In no event shall any officer or agent of the Customer executing or authorizing the execution of this Amendment be held personally liable on account of such authorization or execution.
9. Except as modified and extended by this Amendment, the provisions of the 2009 Agreement shall remain in full force and effect.

CUSTOMER: SMYTH COUNTY BOARD
OF SUPERVISORS

BY: Wade H. Blevins, Jr.

TITLE: Chairman

DATE: 2-12-13

APPALACHIAN POWER COMPANY

BY: _____

TITLE: Director, Regulatory Services,
VA/TN

DATE: _____

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: North Fork District Supervisor Ron C. Blevins.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:56:03 PM](#) Mrs. Clayton referenced a certificate of satisfaction for a special tax assessment. Mr. Dunn paid the full amount of taxes on the assessment and then road improvements were done by the County. A title search picked this up and the deed needs to be released and an approval of certificate of satisfaction authorized. Royal Oak District Supervisor Regina H. Davidson made a motion to authorize the deed of release and certificate of satisfaction. Saltville District Supervisor Roscoe D. Call seconded the motion.

CERTIFICATE OF SATISFACTION

The Circuit Court of Smyth County, Virginia is the location of the following lien record referenced by this certificate:

SPECIAL TAX ASSESSMENT

Date of Lien: July 30, 2004	Deed Book: 503 Page: 389
Name of taxpayers on original liens: Charles E. Branson and Michelle Lemly Branson	Lot # 20, Tax Map No. 64C-1-20
Name of current owner: Brian Keith Dunn	Lot #21, Tax Map No. 64C-1-21
Amount of Each Lien: \$3658.52	Total on both = \$7317.06

Brief description of the property covered by lien: those certain lots of parcel of land lying and being in the Colecrest (Clarkcrest) Subdivision, located south of the Town of Chilhowie, in the Chilhowie Election District, Smyth County, Virginia, and being described in a deed recorded in Deed Book 639, Page 65 and Deed Book 639, Page 69 in the Smyth County Circuit Court Clerk's Office. This land is known as Lot 20 and Lot 21 of the plat of the Clarkcrest Subdivision, which plat is recorded in Plat Book 8, Page 114 in the records of the aforementioned Clerk's Office. The property was transferred from Charles Edward Branson and Michelle Lemley to Brian K. Dunn in a deed dated November 18, 2004 and recorded in Deed Book 667, Page 109 at the Clerk of the Circuit Court of Smyth County.

I CERTIFY that the lien created and applicable to the property described above is fully released by the current owner of the properties, which tax lien was imposed by a special assessment of Smyth County, Virginia. The taxpayers have now fully satisfied the entire lien with respect to the above property by the payment of the amount of the special assessment imposed on the taxpayers. This special assessment was imposed on the land of the taxpayers referenced above by action of the Smyth County Board of Supervisors in a regular meeting on July 13, 2004.

This is a certificate in full satisfaction of the tax lien and special assessment tax debt to Smyth County, Virginia which was created by improvements to streets in Clarkcrest Subdivision and in which improved streets the taxpayer owns property abutting the same.

The person making this release on behalf of Smyth County, Virginia has been property authorized by appropriate action of the Board of Supervisors of Smyth County to make this release. Done at Marion, Virginia on this 12 day of February, 2013.

By: 
Wade Blevins, Chairperson,
Smyth County Board of Supervisors

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,

North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:57:09 PM](#) Ms. Clayton reported on a veteran's tax refund in the amount of \$1,077.09 plus interest. Since the amount is over \$1,000.00 it has to be brought before the Board. Saltville District Supervisor Roscoe D. Call made a motion to approve the veteran's tax refund in the amount of \$1,007.09 plus interest. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:59:22 PM](#) Mrs. Clayton presented resolutions recognizing volunteer fire departments and rescue squads as EMS and DERA organizations in the County. For-profit ambulance organizations are not recognized by the County as DERA for liability reasons. Mrs. Clayton has been working with Charlie and Sara Harrington on this issue and they are in attendance to answer any questions. Royal Oak District Supervisor Regina H. Davidson made a motion to approve the resolutions recognizing EMS and DERA organizations in the County. North Fork District Supervisor Ron C. Blevins seconded the motion.

Board of Supervisors Meeting Minutes
Tuesday, February 12, 2013

Proposed for Approval by the Board of Supervisors of the County of Smyth, Virginia at its Regular Meeting on February 12, 2013 – A Resolution Recognizing Certain Smyth County Volunteer Fire and Emergency Medical Services Agencies.

RESOLUTION

WHEREAS, the Code of Virginia § 15.2-955 provides that no volunteer rescue squad, emergency medical service organization or other organization providing similar type services, or volunteer fire-fighting organization shall be established in any locality on or after July 1, 1984, without the prior approval by resolution of the governing body, i.e. the Smyth County Board of Supervisors;

WHEREAS, the Code of Virginia § 15.2-955 also provides that each locality shall seek to ensure that emergency medical services are maintained throughout the entire locality.

WHEREAS, the County may from time-to-time review the status of already recognized and approved volunteer EMS and volunteer fire departments operating within its boundaries.

NOW, THEREFORE, BE IT RESOLVED, on this the 12th Day of February, 2013, by the Smyth County Board of Supervisors:

Smyth County recognizes that the following volunteer fire companies and volunteer rescue squads are an integral part of the official safety system of the county:

- | | |
|-------------------------------------|---|
| • Adwolfe Volunteer Fire Department | • Saltville Rescue Squad |
| • Atkins Volunteer Fire Department | • Saltville Volunteer Fire Department |
| • Chilhowie Fire/EMS Department | • Sugar Grove Life Saving Crew |
| • Marion Fire Department | • Sugar Grove Volunteer Fire Department |
| • Marion Life Saving Crew | |
| • Nebo Volunteer Fire Department | |

Adopted this 12th day of February, 2013.

By: 
Wade Blevins, Chair for the Smyth County
Board of Supervisors

Board of Supervisors Meeting Minutes
Tuesday, February 12, 2013

Proposed for Approval by the Board of Supervisors of the County of Smyth, Virginia at its Regular Meeting on February 12, 2013 – A Resolution Recognizing Certain Smyth County Volunteer Rescue Squads and Life Saving Crews as Designated Emergency Response Agencies ("DERA") in compliance with Virginia Administrative Code 12 VAC5-31-10.

RESOLUTION

WHEREAS, the Code of Virginia § 15.2-955 provides that no volunteer rescue squad, emergency medical service organization or other organization providing similar type services, or volunteer fire-fighting organization shall be established in any locality on or after July 1, 1984, without the prior approval by resolution of the governing body, i.e. the Smyth County Board of Supervisors;

WHEREAS, the Code of Virginia § 15.2-955 also provides that each locality shall seek to ensure that emergency medical services are maintained throughout the entire locality.

WHEREAS, Emergency Medical Services Agency or "EMS Agency" means a person licensed by the Office of EMS to engage in the business, service, or regular activity, whether or not for profit, of transporting immediate medical care to persons who are sick, injured, or otherwise incapacitate.

WHEREAS, the Virginia Administrative Code 12VA5-31-10, defines "Designated Emergency Response Agency" ("DERA") as an EMS agency recognized by an ordinance or a resolution of the governing body of any county, city or town as an integral part of the official public safety program of the county, city or town with a responsibility for providing emergency medical response.

WHEREAS, the County may from time-to-time review the status of already recognized and approved EMS agencies operating within its boundaries.

NOW, THEREFORE, BE IT RESOLVED, on this the 12th Day of February, 2013, by the Smyth County Board of Supervisors:

Smyth County hereby recognizes that the following volunteer rescue squads as DERA designated because they are an integral part of the official safety system of the county:

- Chilhowie Fire/EMS Department
- Marion Life Saving Crew
- Saltville Rescue Squad
- Sugar Grove Life Saving Crew

Adopted this 12th day of February, 2013.

By: 
Wade Blevins, Chair for the Smyth County
Board of Supervisors

Board of Supervisors Meeting Minutes
Tuesday, February 12, 2013

Proposed for Approval by the Board of Supervisors of the County of Smyth, Virginia at its Regular Meeting on February 12, 2013 – A Resolution Approving the Chilhowie Ambulance Service to Operate a Medical Transport Service at two locations in Smyth County.

RESOLUTION

WHEREAS, Chilhowie Ambulance Service operates a for-profit medical transport service licensed by the Virginia Department of Health – Office of Emergency Medical Services (EMS); and

WHEREAS, the Virginia Department of Health, Office of Emergency Medical Services is the regulatory authority for EMS organizations; and

WHEREAS, Chilhowie Ambulance Service operates two offices within the County of Smyth, located at 709 N. Main Street, Marion, Virginia and 822 E Lee Highway, Chilhowie, Virginia 24354; and

WHEREAS, Chilhowie Ambulance Service responds to calls within the County from private citizens and on occasion from the Emergency 9-1-1 Center; and

WHEREAS, the Code of Virginia § 15.2-955 provides that no volunteer rescue squad, emergency medical service organization or other organization providing similar type services, or volunteer fire-fighting organization shall be established in any locality on or after July 1, 1984, without the prior approval by resolution of the governing body, i.e. the Smyth County Board of Supervisors;

WHEREAS, the Code of Virginia § 15.2-955 also provides that each locality shall seek to ensure that emergency medical services are maintained throughout the entire locality.

WHEREAS, the County may from time-to-time review the status of already approved for-profit ambulance services operating within its boundaries.

NOW, THEREFORE, BE IT RESOLVED, on this the 12th Day of February, 2013, by the Smyth County Board of Supervisors:

1. Chilhowie Ambulance Services is approved as an EMS Agency to provide medical transport service within the entire geographical area of the County.
2. Nothing in the Resolution shall be deemed to recognize Chilhowie Ambulance Service as an integral part of the official safety program of the County.

Adopted this 12th day of February, 2013.

By: Wade H. Blevins
Wade Blevins, Chair for the Smyth County
Board of Supervisors

Board of Supervisors Meeting Minutes
Tuesday, February 12, 2013

Proposed for Approval by the Board of Supervisors of the County of Smyth, Virginia at its Regular Meeting on February 12, 2013 – A Resolution Approving the Richardson Ambulance Service to Operate a Medical Transport Service in Smyth County.

RESOLUTION

WHEREAS, Richardson Ambulance Service operates a for-profit medical transport service licensed by the Virginia Department of Health – Office of Emergency Medical Services (EMS); and

WHEREAS, the Virginia Department of Health, Office of Emergency Medical Services is the regulatory authority for EMS organizations; and

WHEREAS, Richardson Ambulance Service operates an office within the County of Smyth, located at 1111 South Main Street, Marion, VA 24354-4269; and

WHEREAS, Richardson Ambulance Service responds to calls within the County from private citizens and on occasion from the Emergency 9-1-1 Center; and

WHEREAS, the Code of Virginia § 15.2-95.5 provides that no volunteer rescue squad, emergency medical service organization or other organization providing similar type services, or volunteer fire-fighting organization shall be established in any locality on or after July 1, 1984, without the prior approval by resolution of the governing body, i.e. the Smyth County Board of Supervisors;

WHEREAS, the Code of Virginia § 15.2-95.5 also provides that each locality shall seek to ensure that emergency medical services are maintained throughout the entire locality.

WHEREAS, the County may from time-to-time review the status of already approved for-profit ambulance services operating within its boundaries.

NOW, THEREFORE, BE IT RESOLVED, on this the 12th Day of February, 2013, by the Smyth County Board of Supervisors:

1. Richardson Ambulance Services is approved as an EMS Agency to provide medical transport service within the entire geographical area of the County.
2. Nothing in the Resolution shall be deemed to recognize Richardson Ambulance Service as an integral part of the official safety program of the County.

Adopted this 12th day of February, 2013.

By: Wade H. Blevins
Wade Blevins, Chair for the Smyth County
Board of Supervisors

Board of Supervisors Meeting Minutes
Tuesday, February 12, 2013

Proposed for Approval by the Board of Supervisors of the County of Smyth, Virginia at its Regular Meeting on February 12, 2013 – A Resolution Approving the Smyth County Ambulance Service to Operate a Medical Transport Service in Smyth County.

RESOLUTION

WHEREAS, Smyth County Ambulance Service operates a for-profit medical transport service licensed by the Virginia Department of Health – Office of Emergency Medical Services (EMS); and

WHEREAS, the Virginia Department of Health, Office of Emergency Medical Services is the regulatory authority for EMS organizations; and

WHEREAS, Smyth County Ambulance Service operates an office within the County of Smyth, located at 1257 Highway 16, Marion, VA 24354-4269; and

WHEREAS, Smyth County Ambulance Service responds to calls within the County from private citizens and on occasion from the Emergency 9-1-1 Center; and

WHEREAS, the Code of Virginia § 15.2-955 provides that no volunteer rescue squad, emergency medical service organization or other organization providing similar type services, or volunteer fire-fighting organization shall be established in any locality on or after July 1, 1984, without the prior approval by resolution of the governing body, i.e. the Smyth County Board of Supervisors;

WHEREAS, the Code of Virginia § 15.2-955 also provides that each locality shall seek to ensure that emergency medical services are maintained throughout the entire locality.

WHEREAS, the County may from time-to-time review the status of already approved for-profit ambulance services operating within its boundaries.

NOW, THEREFORE, BE IT RESOLVED, on this the 12th Day of February, 2013, by the Smyth County Board of Supervisors:

1. Smyth County Ambulance Services is approved as an EMS Agency to provide medical transport service within the entire geographical area of the County.
2. Nothing in the Resolution shall be deemed to recognize Smyth County Ambulance Service as an integral part of the official safety program of the County.

Adopted this 12th day of February, 2013.

By: 
Wade Blevins, Chair for the Smyth County
Board of Supervisors

Proposed for Approval by the Board of Supervisors of the County of Smyth, Virginia at its Regular Meeting on February 12, 2013 – A Resolution Approving the Trinity Ambulance Service to Operate a Medical Transport Service in Smyth County.

RESOLUTION

WHEREAS, Trinity Ambulance Service operates a for-profit medical transport service licensed by the Virginia Department of Health – Office of Emergency Medical Services (EMS); and

WHEREAS, the Virginia Department of Health, Office of Emergency Medical Services is the regulatory authority for EMS organizations; and

WHEREAS, Chilhowie Ambulance Service operates an office within the County of Smyth, located at 4429 Lee Hwy Marion, VA 24354-4269; and

WHEREAS, Chilhowie Ambulance Service responds to calls within the County from private citizens and on occasion from the Emergency 9-1-1 Center; and

WHEREAS, the Code of Virginia § 15.2-955 provides that no volunteer rescue squad, emergency medical service organization or other organization providing similar type services, or volunteer fire-fighting organization shall be established in any locality on or after July 1, 1984, without the prior approval by resolution of the governing body, i.e. the Smyth County Board of Supervisors;

WHEREAS, the Code of Virginia § 15.2-955 also provides that each locality shall seek to ensure that emergency medical services are maintained throughout the entire locality.

WHEREAS, the County may from time-to-time review the status of already approved for-profit ambulance services operating within its boundaries.

NOW, THEREFORE, BE IT RESOLVED, on this the 12th Day of February, 2013, by the Smyth County Board of Supervisors:

1. Trinity Ambulance Services is approved as an EMS Agency to provide medical transport service within the entire geographical area of the County.
2. Nothing in the Resolution shall be deemed to recognize Trinity Ambulance Service as an integral part of the official safety program of the County.

Adopted this 12th day of February, 2013.

By: Wade H. Blevins, Jr.
Wade Blevins, Chair for the Smyth County
Board of Supervisors

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

6:00:54 PM Mrs. Clayton presented information concerning the VACORP LODA trust agreement. This agreement is necessary to continue with insurance coverage the

County has in place with VACORP. A motion was made by North Fork District Supervisor Ron C. Blevins to accept the trust as presented. Saltville District Supervisor Roscoe D. Call seconded the motion.

VACORP LODA TRUST

The undersigned Counties, Cities, Towns, and Regional Jails of the Commonwealth of Virginia ("Grantors") being authorized and directed to so, do make this trust agreement dated June 29, 2012 with VACORP, a local government risk sharing pool, which is an instrument of the government of the Commonwealth of Virginia, as Trustee ("the Trustee"). The Trustee and any successor Trustees are all referred to herein as "the Trustee."

The name of this trust agreement is the "VACORP LODA TRUST dated June 29, 2012" ("Trust") and is effective July 1, 2012.

ARTICLE 1

TRUST PROVISIONS

- A. Transfer of Assets and Liabilities. Contemporaneously with the execution of this trust, Grantors (hereinafter "Members") do transfer to the Trustee of the Trust all liabilities appertaining to any claim which they may have prior to June 30, 2011 under the Line of Duty Act pursuant to §9.1-400 et seq. of the 1950 Code of Virginia, as amended ("Act") and do promise to timely pay for said liabilities.
- B. Line of Duty Act Trust Fund. By entering into this Trust, each Member Acknowledges that they have opted out of the Commonwealth of Virginia Line of Duty Act Trust Fund.
- C. Eligibility of Members. Each member shall purchase liability insurance from Trustee covering claims under the Act. Likewise each member shall timely pay to

the Trustee all premiums for said insurance and monies for claims prior to June 30, 2011. In the event a Member purchases insurance from other than the Trustee, the Trustee and this Trust shall have no liability or obligation to such Member.

- D. Administration of Claims. During the existence of this Trust, the Trustee shall administer all pre-June 30, 2011 claims of its members under this Trust, shall provide the administration of all claims and shall provide insurance to insure against claims under the Act to all Members after July 1, 2011.
- E. Insurance & Payments by Members. Each Member is obligated to purchase liability insurance for claims under the Act from the Trustee and pay the Trustee those payments for insurance and claims as provided for under the Act, which payments must be timely made. If a payment is overdue by thirty (30) days, or if an insurance premium payment is not made within thirty (30) days of the invoice date, then the Trustee shall not provide claims administration, insurance or payment to claimants, until payments are brought current and all insurance coverage is purchased from the Trustee.

ARTICLE II

TRUSTEE PROVISIONS

- A. Trustee's Management Powers. The Trustee shall have the powers granted by law and the powers in Sections 64.2-105, 64.2-777 and 64.2-778 of the 1950

Code of Virginia, as amended, as in effect on the date of the signing of this agreement. These sections are incorporated in this agreement by this reference.

- B. Trustee's Compensation. The Trustee, or any successor Trustee, shall receive compensation for services rendered. The corporate Trustee, or any successor corporate Trustee, shall receive compensation for services rendered according to their list of fees published from time to time.
- C. Resignation of Trustee. The Trustee may resign as Trustee by notice to the Members. The resignation shall take effect upon the effective appointment of a successor Trustee.
- D. Successor Trustee. The Trustee shall have the right to designate a successor Trustee who shall be any natural person or corporation having trust powers, which shall be effective upon the resignation or termination of corporate existence of the Trustee. Such designation shall be made while such Trustee is serving as Trustee by an instrument executed by the Trustee during and by the successor Trustee. In the event that the Trustee does not appoint a successor Trustee or a successor Trustee does not appoint its successor Trustee, which it shall have the privilege to do hereunder, the Members shall have the right to appoint a Trustee.
- E. Actions of Prior Trustee. No Trustee serving under this agreement shall be responsible for or required to inquire into any acts or omissions of a prior Trustee.

ARTICLE III

RIGHTS RESERVED BY MEMBERS

- A. Revocation and Amendment. Members reserve the right to opt out of this Trust by a writing signed by the Member and delivered to the Trustee. All obligations of Member to the Trust shall be paid by Member prior to opting out. Any amendment that changes the duties or compensation of the Trustee shall require the consent of the Trustee.
- B. New Members. Members agree that new members as defined by the Act may become Members if the Trustee accepts them.

ARTICLE IV

MISCELLANEOUS PROVISIONS

- A. Protection from Claims. To the extent permitted by law, the principal and income of any trust shall not be liable for the debts of any beneficiary or subject to alienation or anticipation by a beneficiary, except as otherwise provided.
- B. Governing Law. This agreement shall be governed by the laws of Virginia.
- C. Signatures. This trust may be executed in counterparts and electronically.

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WITNESS the following signatures and seals:

The Trustee accepts the terms of the VACORP LODA TRUST dated June 29, 2012.

VACORP

By: _____
Administrator, Officer

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, To-wit:

The foregoing instrument was acknowledged before me this ____ day of _____,
2013, by _____, Trustee, _____ of VACORP, on
behalf of VACORP, who is identified and known to me.

Notary Public

SMYTH COUNTY
Name of County/Jail/City/Town

By: Wade H. Blevins, Jr.
Wade Blevins, Chairperson
Smyth County Board of Supervisors

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

6:02:02 PM Mrs. Clayton presented a deed of dedication for the Cumbow well. Under the Virginia Code the well needs to be dedicated in land records as a future well and the language has to do with establishing it as a water supply for human habitation. Atkins District Supervisor J. Howard Burton asked if the well is active and Mr. Simpson informed the Board the County owns the site and it is in the evaluation stage of how to adapt it to our system. A motion was made by North Fork District Supervisor Ron C. Blevins to approve the deed of dedication for the Cumbow well. The motion was seconded by Atkins District Supervisor J. Howard Burton.

Tax Map No. 38-A-16Q

The County of Smyth is exempt from recordation and grantor taxes pursuant to Sections 58.1-811.A.3 and 58.1-811.C.5 of the Code of Virginia, 1950, as amended.

DEED OF DEDICATION

THIS DEED OF DEDICATION is made this 12th day of February, 2013 by and between the SMYTH COUNTY BOARD OF SUPERVISORS, Grantor, and the COUNTY OF SMYTH, VIRGINIA, a political subdivision of the Commonwealth of Virginia, Grantee.

:WITNESSETH:

WHEREAS, the Grantor is the owner in fee simple of the real property located in Smyth County that is described below and hereinafter referred to as the "Property;"

WHEREAS, the Grantor offers to grant, convey and dedicated this Property to the County in fee simple for public use, namely, a water supply well system, including improvements, and

WHEREAS, the Grantee is willing to accept the Grantor's offer of dedication.

NOW, THEREFORE, in consideration of the mutual premises, the Grantor does hereby grant, convey, and dedicate for public use to the Grantee, with General Warranty and English Covenants of Title, the following real property, to wit:

WELL LOT, RIGHT OF WAY AND WATER LINE:

BEGINNING at a rod found in the line of Smyth-Wythe Joint Airport Commission; thence N78 11 09 E 95.88 feet to a rod set; thence S 11 48 51 E 104.76 feet to a rod set; thence S78 11 09 W 104.05 feet to rod found; thence N 7 21 16 W 105.08 feet to the point of Beginning; containing 0.240 acres, and shown as "Water-Well Subdivision of Tax Parcel 38-A-16 Area= 0.240 Acre..." on a plat of survey by Neal

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Avery Martin, Land Surveyor, dated November 13, 2012, entitled, "Plat of Water-Well Subdivision," which is attached hereto and made a part of hereof, and to which reference is made for a more particular description of the property herein conveyed.

Included with this conveyance is a twenty foot right of way shown on the plat referenced above as "20.00' Private Water Line and Ingress/Egress..." for access to and from property conveyed herein to U.S. Route 11 (Lee Highway).

The COUNTY OF SMYTH, VIRGINIA, does hereby dedicate that tract or parcel of real estate situated, lying and being in Smyth County, Virginia, more particularly described by deed and plat of survey of record in Deed Book 840, Page 171, 172, 173 and 174 and as shown upon Plat Slide 357, Page 8 and Plat Slide 358, Page 1 at the Clerk's Office of the Circuit Court of Smyth County, Virginia, and being the identical real estate which SMYTH COUNTY acquired by deed with General Warranty of Title and English covenants from J.W. Cumbow and Anne Cumbow on December 20, 2012.

This dedication is being established in the aforesaid area for water supply use only, and SMYTH COUNTY hereby agrees that only appurtenances pertinent to the well and water supply system will be constructed in said area dedicated and that said well lot will not be used for human habitation or other sources of contamination.

The full interest and control of the aforesaid area dedicated shall remain with the Grantee and this instrument is solely for the purpose of assuring the Department of Health of the Commonwealth of Virginia as to the matters hereinabove set forth so long as said parcel is used for a water supply system; and this dedication shall be null and void and of no further effect should the well on the said premises be abandoned and the use thereof for a water supply system cease.

The Grantee, acting by and through its Chairperson, Wade Blevins, duly authorized by resolution adopted by the Board of Supervisors of the County of Smyth, Virginia, accepts the conveyance of this property pursuant to Virginia Code Section 15.2-1803 as evidenced by the Chairperson's signature hereto and recordation of this Deed.

WITNESS the following signatures and seal this 12 day of February, 2013.

By: Wade H. Blevins
Wade Blevins, Chairperson
Smyth County Board of Supervisors

Attest: Michael Carter
Michael Carter, County Clerk
Smyth County Board of Supervisors

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:03:59 PM](#) Mrs. Clayton presented a deed of release for a citizen who granted the County as easement on their property during a utility project. The County never used the easement and the landowner is requesting its release along with the property right. A motion was made by Saltville District Supervisor Roscoe D. Call to grant the deed of release as presented. North Fork District Supervisor Ron C. Blevins seconded the motion.

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Tax Map No.56-2-14

The County of Smyth is exempt from recordation and grantor taxes pursuant to Sections 58.1-811.A.3 and 58.1-811.C.5 of the Code of Virginia, 1950, as amended. Approved as to form by: Michelle Clayton, Smyth County Attorney, 121 Bagley Circle, Room 100, Marion, Virginia 24354.

THIS DEED OF RELEASE, is made and entered into this 12th day of February, 2013, by and between **THE BOARD OF SUPERVISORS OF SMYTH COUNTY, VIRGINIA**, hereinafter called Grantor, parties of the first part, and **JAKE SCOTT** and **MADELINE HARRIS SCOTT**, Husband and Wife, Grantees, party of the second part, and having a tax mailing address of P.O. Box 405, Marion, Virginia 24354.

: WITNESSETH :

That for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00), cash in hand paid to the party of the first part at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, the said party of the first part does hereby release and quit claim the party of the second part from a Deed of Easement dated November 29, 2004 and of record at Deed Book 670, Page Number 615 in the Clerk of the Circuit Court's Office of Smyth County. The easement was a 10-foot wide permanent water line easement from the centerline of said water pipeline on each side and a 10-foot wide temporary construction easement from the centerline of said water pipeline on each side. The easement is on property owned by Grantees located in the Marion Magisterial District, North Fork Election District, Smyth County Thomas Bridge Water System Interconnection Project.

The easement is on the property acquired by the Grantees by quitclaim deed dated April 28, 2007, and recorded in the Circuit Court Clerk's Office of Smyth County, Virginia, in Deed Book 680, Page 389 and identified by Smyth County Commissioner as Tax Parcel No. 56-2-14.

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All being more particularly described on Construction Plan Sheet 2R of the certain set of plans and maps filed in the Office of the Smyth County Engineer prepared by Adams-Heath Engineering, Inc. of Galax, Virginia, reference to which is hereby made for a further description of the centerline of said easement being released and extinguished.

This easements of right-of-way described in Deed Book 670, Page Number 615 are hereby released and extinguished with regard to the above-referenced project and the terms, covenants and provisions of this easement of right-of-way are released to the Grantees and are no longer binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

WITNESS the following signatures and seal this 12 day of February, 2013.

By: 
Wade Blevins, Chairperson

Attest: 
Michael Carter, County Clerk

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

6:04:58 PM Neal Kilgore, Virginia Outdoors Foundation, presented information requesting the County's support in the designation of a special project area in the Rich Valley area. The purpose of special project area designation is to try and have some agriculture and farm land protected. As our population increases, the amount of farm land decreases and this is an effort to try and protect the land. The area to be considered is 48,380 acres along Route 42 in the northern part of Smyth County that has already been designated as a prime agricultural area by the County. There are no regulations or EPA associations with this designation nor are there any extra taxes or zoning requirements. Agreeing to become partners in protecting the land would help to protect it for the scenic beauty which helps to increase tourism potential. This is a voluntary program so if the landowners aren't interested in participating it goes no further. If landowners and the County are interested in designating this as a special project area, this would allow for land owners to be eligible for any money that may become available for use with appraisals, attorney

fees and surveys. The County can change their mind and rescind the designation at any time. The primary goal of this is to protect farm land, forest and scenic views. North Fork District Supervisor Ron C. Blevins asked if the County has already designated this as a prime agricultural area what advantage would it be to the County to join. Mr. Kilgore stated it can help accomplish keeping it as prime area. Royal Oak District Supervisor Regina H. Davidson asked about benefits with the designation. Mr. Kilgore answered that landowners within the area, if they choose to place property under conservation easement, would be more likely to get funding from \$4,500 up to \$12,000 per landowner to help with certain expenses. Mr. Kilgore questioned what parameters were in place to ensure this land is kept as an agricultural area. The zoning ordinance governs that area. There was concern by the Board about permanent restrictions placed on the property by the easements if the landowner agrees to the special project area designation. Mr. Kilgore referenced Virginia Code Section 10.1-1704 which allows an entity to look and say "we need that for the public good" and then the County could make a petition to take the land out of an easement. Mr. Kilgore stated that once the land is under easement the property owner cannot opt out. Mr. Carter questioned if the County chooses to designate the area as such, how are the property owners notified? Mr. Kilgore answered it would be by word of mouth; there isn't time or resources to complete a mass mailing to the property owners. North Fork District Supervisor Ron C. Blevins asked if Mr. Kilgore had spoken with anyone from the Soil and Water Conservation and Mr. Kilgore stated the issue was presented at their meeting this past Thursday and approved unanimously. Saltville District Supervisor Roscoe D. Call noted that if the County is even considering this the public will need a lot of information to know what they're stepping into. Royal Oak District Supervisor Regina H. Davidson stated the road in this area has already been designated as part of Back of the Dragon. North Fork District Supervisor Ron C. Blevins suggested a public hearing to let people know what was going on and make sure they understand what's happening because this is in his district and he doesn't want to make that decision for the landowners. Mr. Kilgore reiterated there is no obligation by the County or landowners to participate. North Fork District Supervisor Ron C. Blevins believes if the County chooses to partner on this, it would give the impression the County is pushing this on the landowners. Chairman Blevins asked for this item to be added to old business for further discussion.

[6:33:52 PM](#) Chairman Blevins called for a five minute recess.

[6:41:43 PM](#) Chairman Blevins called the meeting back to order.

[6:41:48 PM](#) Lindy White, CEO of Smyth County Community Hospital, and Dr. Dave Haney and Joe Taylor from Emory and Henry College were in attendance to answer questions about the resolution presented asking for \$100,000 over the next three years. This money would be matching dollars for a Tobacco Commission grant to hire a Dean for the School of Health Sciences that has to be submitted prior to the end of February. The Town of Marion and the Smyth County Foundation have each committed \$100,000 matching funds over the next three years. The college has already gotten positive feedback from the Tobacco Commission on the pre-application already submitted. North Fork District Supervisor Ron C. Blevins asked

what the college is putting toward this part of the process. Dr. Haney stated the college will be paying the Dean's salary in full after three years. The program will begin producing revenue in 2016/2017 and this request is for start-up funding for the first three years until a revenue stream will take over. This will be a \$17-\$20 million dollar project if the college takes over the hospital. Atkins District Supervisor J. Howard Burton stated he is reluctant to add to the debt the County already has. This is not a lot of money as far as a high percentage of the budget, but he thinks the Foundation should pay more than the \$100,000. Gary Peacock from the Smyth County Foundation stated the Foundation has paid their fair share, including \$500,000 for PT program along with the \$100,000 matching funds. This project has a big potential for return and Mr. Peacock doesn't think the Foundation should be asked to give more. Ms. White discussed concern for the project's success with funding sources like the Tobacco Commission without the local government's support. It will send a positive message to other agencies if the County supports this program. Dr. Haney stated he knows this is not a wealthy County and he believes that Emory and Henry can help with that debt. An economic study predicted that over a three year period the project will have an \$11 million economic impact along with an \$18 million capital investment. Mr. Taylor stated this is a project that will continue to give for many years to come. Chairman Blevins said he has been on this Board for eleven years and it would be crazy to go against an opportunity like this for \$100,000 considering all it's going to bring in. Royal Oak District Supervisor Regina H. Davidson disclosed she is employed by Mountain States Health Alliance and has compliance regulatory obligations but can be fair and impartial in making this decision. Supervisor Davidson also noted that Emory and Henry is a service oriented school and would bring a lot to the community. Supervisors Davidson "wants to be that County and Board member who says in future years that we were the ones who supported that college." Saltville District Supervisor Roscoe D. Call said he made the statement just a few days ago that he would turn over every stone to bring economic development to the County and he makes a motion to accept this resolution as presented to provide \$100,000 of support to Emory and Henry College over the next three years. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: Atkins District Supervisor J. Howard Burton.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

7:02:26 PM Mr. Carter presented the Planning Commission's recommendation for a special use permit by Wendolyn Snider. By a vote of 6 ayes, 0 nays, 1 absent, the Planning Commission recommends the Board approve Ms. Snider's application for a

Special Use Permit to operate a Childcare Facility at 197 Farmview Road in Marion (Tax Map No. 45-A-35A). A motion was made by Vice Chair, Park District Supervisor M. Todd Dishner, seconded by Atkins District Supervisor J. Howard Burton, to approve the Planning Commission recommendation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[7:03:19 PM](#) Saltville District Supervisor Roscoe D. Call reported the Building and Grounds Committee met with the Town of Chilhowie concerning the proposed farmer's market on the former County owned property located on Chilhowie Street and North Pine Avenue. The deed would need to be amended to allow for the placement of a permanent structure on the property. The Town presented good sketches and the facility will be available for public use. The Committee unanimously recommends to the Board accepting the plans as presented by the Town of Chilhowie along with deed modification to allow for placement of the structure on the property.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[7:04:45 PM](#) Mr. Simpson reported the Courthouse Committee met last week to interview two material testing firms for the demolition phase of the Courthouse project. After evaluating the two presentations, the Committee unanimously recommends ECS Mid-Atlantic, LLC as their first choice to begin contract negotiations for this phase of the project.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Atkins District Supervisor J. Howard Burton,

Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[7:07:52 PM](#) Mr. Carter presented a letter from Circuit Court Clerk John Graham requesting a line item transfer in his budget to accommodate hiring an additional part-time employee in the Clerk's Office. The part-time help is needed due to an increase in concealed handgun permits and other activity in the office. This request is not for a budget increase, only a transfer of funds from full-time (1001) to part-time (1003) in the amount of \$7,000. The Board has to approve anything over \$2,000. A motion was made by Royal Oak District Supervisor Regina H. Davidson, seconded by North Fork District Supervisor Ron C. Blevins, to approve this line item transfer request for the Circuit Court Clerk's Office.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[7:10:05 PM](#) Mr. Carter reported Atkins District Supervisor J. Howard Burton's appointment to the Mount Rogers Community Services Board has expired. Mr. Burton is willing to continue serving in this capacity so it is being brought before the full Board for consideration. A motion was made by Vice Chair, Park District Supervisor M. Todd Dishner, seconded by Saltville District Supervisor Roscoe D. Call, to appoint Atkins District Supervisor J. Howard Burton to service on the Mount Rogers Community Services Board for a three year term.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[7:11:11 PM](#) Mr. Carter thanked Mrs. Porter-Nichols from the Smyth County News for providing legislative updates in the newspaper.

[7:11:43 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to nominate Rachel Rush to continue serving as the Chilhowie District representative on the Area Beautification Committee. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[7:12:31 PM](#) Mrs. Clayton asked to removed item 7, Hungry Mother Convenience Station Lease, from old business. Vice Chair, Park District Supervisor M. Todd Dishner made a motion to remove this item from old business. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[7:13:02 PM](#) Mrs. Clayton stated item number 8, Town of Chilhowie request for deed restriction modification to allow permanent structure to be placed on former County property bounded by Chilhowie Street and North Pine Avenue, can be removed from old business. A motion was made by North Fork District Supervisor Ron C. Blevins, seconded by Atkins District Supervisor J. Howard Burton, to remove the item from old business.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[7:13:24 PM](#) Royal Oak District Supervisor Regina H. Davidson asked about item 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. Mrs. Clayton stated the case has been resolved and there will be an update on the status but it will remain on old business for now.

[7:13:56 PM](#) Chairman Blevins opened supervisor comment time. Royal Oak District Supervisor Regina H. Davidson had nothing at this time.

[7:14:00 PM](#) North Fork District Supervisor Ron C. Blevins included information in the Board packet this month concerning reaffirmation of Virginia's sovereignty. The Board has been asked to support this and the gentleman who co-wrote the letter will be present at next month's Board meeting to discuss.

[7:15:00 PM](#) Atkins District Supervisor J. Howard Burton heard the comments during citizen's time about the County's debt and this is not where we want to be. Mr. Burton stated he is on the Budget Committee again this year and will fight to keep gifts and commitments down. There is school and courthouse construction along with other things coming up and the debt will increase. He is not against Emory and Henry College, he just thought somebody needed to say something about the County's debt.

[7:17:05 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner wanted to say the County and Town of Marion had an opportunity to meet last week and iron out some things and he hopes the legislation goes well.

[7:17:28 PM](#) Saltville District Supervisor Roscoe D. Call had nothing at this time.

[7:17:38 PM](#) Chairman Blevins thanked those from the L.E.A.D./Chamber of Commerce group who came to attend tonight's meeting.

[7:17:47 PM](#) A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to adjourn the meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,

Vice Chair, Park District Supervisor M. Todd Dishner,

North Fork District Supervisor Ron C. Blevins,

Atkins District Supervisor J. Howard Burton,

Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, March 12, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.; Vice Chair, Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K. Blevins; North Fork District Supervisor Ron C. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D Call; Royal Oak District Supervisor Regina H Davidson (7)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Director of Finance Charlie Atkins; Economic Development Director Sally Morgan; County Attorney Michelle Clayton; Deputy Sheriff Mike Hounshell; Administrative Assistant Christy Bise (7)

[4:03:50 PM](#) Chairman Blevins called the meeting to order.

[4:03:52 PM](#) **Closed Session** – It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Atkins District Supervisor J. Howard Burton, to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.5 Industrial/Business Prospects** – discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business’ or industry’s interest in location or expanding its facilities in the community, and **A.7 Legal** – consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:58:47 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to go out of closed session. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:06:05 PM](#) Chairman Blevins called the meeting to order.

[5:06:17 PM](#) Andy Overbay, Smyth County Extension Office, gave the invocation. He informed the Board that March 19, 2013 is National Agriculture Day.

[5:06:51 PM](#) Scott Simpson led the Pledge of Allegiance.

[5:07:15 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Atkins District Supervisor J. Howard Burton, to return to open session and adopt the following resolution certifying the business conducted in closed session as follows:

**RESOLUTION
CERTIFICATION OF CLOSED SESSION**

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,

Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:07:43 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner asked if the Board still planned to discuss The Crooked Road and designation of a national heritage area as listed on the agenda or consider that matter at a later date. Mr. Carter referenced a letter from Jack Hinshelwood, Executive Director of The Crooked Road, stating The Crooked Road will defer making any additional presentations to localities for the time being. Mr. Carter asked the Board if it was their intention to omit the item from the agenda or continue it to a later date until proper information has been received. North Fork District Supervisor Ron C. Blevins made a motion to omit this item from today's agenda due to lack of information and consider this item at a later date not yet set. Royal Oak District Supervisor Regina H. Davidson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:09:34 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner made a motion to adopt the agenda and additional agenda. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:09:53 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to approve the minutes of the February 7 and February 12, 2013 meetings.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:10:12 PM](#) **Finance Status** – Mr. Charlie Atkins informed the Board, per the report from the Treasurer's Office, there were sufficient funds in the bank for the requested appropriations.

[5:10:37 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$5,705,000.00 for the General Fund appropriation. The following is an explanation of the appropriations approved:

General Fund:

General County	\$1,345,000.00
Social Services	
(Mar. 13 – 31, 2013)	\$300,000.00
(Apr. 1 – 9, 2013)	\$60,000.00
Schools – Operating Fund	\$4,000,000.00
Total General Fund	\$5,705,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:11:23 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins to approve \$160,000.00 for the School Debt and Capital Outlay appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:11:40 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to approve \$1,000,000.00 for the School Construction Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:11:54 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Vice Chair, Park District Supervisor M. Todd Dishner, to approve \$4,054.43 for the Animal Damage Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:12:14 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor Regina H. Davidson, to approve \$155,776.51 for the IDA – Fund 4 appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:12:40 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Vice Chair, Park District Supervisor M. Todd Dishner, to approve \$102,838.05 for the Courthouse Project appropriation.

After consideration, the motion PREVAILED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: None.

[5:13:03 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Vice Chair, Park District Supervisor M. Todd Dishner, to approve \$692,508.70 for the accounts payable listing appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

5:13:33 PM Chairman Blevins opened citizen's time.

5:13:47 PM Mr. Scott Schriefer, Hollow Road, Marion, stated he was part of the Chamber of Commerce LEAD team that attended last month's Board of Supervisors meeting. Mr. Schriefer referenced the article that was in the Smyth County News and Messenger concerning the LEAD group and how they are looking to promote Smyth County tourism inside of Smyth County. They want to educate County residents on what is available to them and are using such methods as social media to promote "live here, play here". The LEAD group plans to hold a volunteerism fair to inform citizens of volunteer opportunities available within the County and they look to do another opportunity fair in the near future. The group is working to get the word out to Smyth County about Smyth County and wanted to let County leaders know what they are doing.

5:15:46 PM Herbert Johnson stated he attended last month's Board of Supervisors meeting and presented a request for flags and crosses to be placed at the Courthouse for Memorial Day and asked for consideration of a POW/MIA missing man chair to be placed on the Courthouse lawn. He also asked the Board to consider reinstating the \$1,500 in funding for the Memorial Day program that was cut from the budget this year. Mr. Carter informed Mr. Johnson that the County's building and grounds committee will be meeting on March 19th to discuss the memorial chair and will make a decision on placement at that time. He further stated the flags on the Courthouse lawn have been done historically for many years and the Board can decide to consider that once citizen's time is over. He noted the Board has remained steadfast in adhering to the current budget and this funding request can be considered in the FY13/14 budget cycle. Mr. Johnson urged the Board to reconsider providing \$1,500 to support this veteran's program.

5:18:49 PM With no one else wishing to speak, Chairman Blevins closed citizen's time.

5:18:55 PM Mrs. Morgan introduced Larry Souverielle, president of the Southwest Virginia Alliance for Manufacturing Board of Directors. Mr. Souverielle introduced Ms. Anita McGinnis, the new Executive Director for the Alliance, who will provide a brief update to the Board on changes that have been implemented since she took over the position. Ms. McGinnis thanked the Board for having her at the meeting. She reported that she has been in all the schools in Smyth and Washington Counties giving presentations to students and providing them with information on a website contest being sponsored by the Alliance. The Alliance will be providing a \$1,000 scholarship based on live job skills, not grades or attendance. A "reality store" will be coming to the Higher Ed Center in Abingdon that will choose a career for students and teach them about reality in the job market. Ms. McGinnis noted that there are currently unfulfilled manufacturing jobs available, but still a high unemployment rate in the area. There is a job portal on the Alliance website where applications can be completed and the Alliance will forward the information to the manufacturers that have jobs openings. Ms. McGinnis also requested to schedule a meeting with the budget committee to discuss her budget request for the upcoming budget year. Royal Oak District Supervisor Regina H. Davidson asked if the Alliance

is working with the Employment Commission and Ms. McGinnis stated not currently, but she plans to develop that relationship down the line.

5:25:20 PM Stephen Clear, Superintendent of the Southwest Virginia Regional Jail Authority in Abingdon, presented information on the regional jail expansion. In 2010, the regional jail reached 150% capacity of the state level for the Virginia Department of Corrections ratings. There are triple bunks in every cell and the population has now expanded into the indoor recreation area. The General Assembly cut the state's share of daily operating costs per inmate from \$8.00 to \$4.00. All three regional jails in the area are scheduled for expansion. The jails were built to add on as cheaply as possible and in 2012 the General Assembly did approve paying half the construction cost for the expansions. The projected cost for the expansion is \$34 million dollars. The jails will borrow the money to build and then ask for reimbursement from the State. Smyth County has 139 inmates which equals an 8.28% share to the County. This is a zero-based budget so if any money is left over it is allocated back to the County. There has been a drastic increase in inmate population due to State changes in compliance and sentence terms. The jail is asking the Board for consideration of a resolution supporting financing the Authority's portion of the expansion through the Virginia Resources Authority (VRA). If the rates are acceptable and savings are appropriate, the Authority would also refinance the previous debt through the VRA. Royal Oak District Supervisor Regina H. Davidson asked about repeat offenders and what types of rehab programs available to inmates to help them adjust back in society. Mr. Clear discussed the programs available to the inmates such as counseling, GED programs, job skills and healthcare provided at the jail. He did not have specific numbers available for repeat offenders, but noted the unemployment rate drives inmate numbers. He noted that prescription drug abuse is an epidemic in this area and that creates a lot of inmate medical costs which are driven back to the Counties due to medical-related issues. The additional cost to the County is approximately \$76,000 per year starting in FY16. This year there will be savings due to the refinancing and, if the State adds more money to the project, the cost to the County will go down. Royal Oak District Supervisor Regina H. Davidson made a motion to accept the resolution presented by the regional jail. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SMYTH,
VIRGINIA, APPROVING THE EXECUTION AND DELIVERY OF A SUPPORT
AGREEMENT OR AGREEMENTS WITH THE SOUTHWEST VIRGINIA REGIONAL
JAIL AUTHORITY FOR THE ISSUANCE BY SUCH AUTHORITY OF ITS JAIL
FACILITY REVENUE BOND OR BONDS AND JAIL FACILITY GRANT REVENUE
ANTICIPATION NOTES**

WHEREAS, the Southwest Virginia Regional Jail Authority (the "**Authority**") is a public instrumentality of the Commonwealth of Virginia created pursuant to Article 3.1, Chapter 3, Title 53.1, Code of Virginia of 1950, as amended (the "**Act**") by resolutions duly adopted by the governing bodies of the Counties of Buchanan, Dickenson, Lee, Russell, Scott, Smyth, Tazewell, Washington and Wise, Virginia and the City of Norton, Virginia (collectively, the "**Member Jurisdictions**") for the purpose of developing regional jail facilities (collectively, the "**Regional Jail**") to be operated on behalf of the Member Jurisdictions by the Authority;

WHEREAS, the Authority and the Member Jurisdictions have entered into a Southwest Virginia Regional Jail Authority Service Agreement, dated February 1, 2003, which was amended to include Tazewell County by an Amended Service Agreement dated as of July 1, 2005 (the "**Service Agreement**"), in which the Authority has agreed to, design, construct and equip the Regional Jail and obtain financing therefor.

WHEREAS, the Authority desires to issue its jail facility revenue bond (the "**New Money Local Bond**"), the proceeds of which, together with other available funds, are expected to be sufficient to finance a portion of the construction and improvement of additions to the Regional Jail facilities in an estimated maximum aggregate principal amount of \$24,000,000 (collectively, the "**Project**");

WHEREAS, the Authority proposes to issue its jail facility revenue refunding bond (the "**Refunding Local Bond**," and, together with the New Money Local Bond, the "**Local Bond**") to finance the refunding, redemption and defeasance of all or a portion of the Authority's outstanding \$61,095,000 Jail Facilities Revenue Bonds, Series 2003 (the "**2003 Bonds**"), subject to certain debt service savings parameters as determined by the Authority, in an aggregate principal amount sufficient to refund, redeem and defease the 2003 Bonds;

WHEREAS, the Authority's financial advisor, Davenport & Company LLC (the "**Financial Advisor**") has advised the Authority that the Virginia Resources Authority ("**VRA**"), a public body corporate and political subdivision of the Commonwealth of Virginia, is willing to finance the Project and refinance the 2003 Bonds, if appropriate, at favorable rates to the Authority and that alternatively the Authority may choose to issue the Local Bond in a public offering utilizing one or more underwriting firms (the "**Underwriter**");

WHEREAS, VRA has indicated its willingness to purchase such Local Bond from a portion of the proceeds of its Series 2013A VRA Bonds (as more particularly defined in the below-defined Local Bond Sale and Financing Agreement, the "**VRA Bonds**") and to provide a portion of the proceeds thereof to the Authority to finance the Project and refinance the 2003 Bonds and pay certain costs of issuance of the Local Bond, in accordance with the terms of a Local Bond Sale and Financing Agreement to be dated as of a date to be specified by VRA,

between VRA and the Authority (the **"Local Bond Sale and Financing Agreement"**) and alternatively if the Local Bond is issued in a public offering the proceeds thereof may be used for the same purposes in accordance with the terms of a bond purchase agreement (the **"Bond Purchase Agreement"**) to be entered into between the Authority and the Underwriter;

WHEREAS, the Authority desires to issue its jail facility grant revenue anticipation note in an estimated maximum aggregate principal amount of \$19,000,000 (the **"Note"**) to be sold to a purchaser to be selected by the Authority, the proceeds of which, together with proceeds from the sale of the New Money Local Bond are expected to be sufficient to finance a portion of the construction of the Project;

WHEREAS, VRA has indicated that its agreement to purchase the Local Bond will be conditioned upon each of the Member Jurisdictions undertaking non-binding obligations to appropriate from time to time moneys to the Authority in connection with payments due on the Local Bond and a similar agreement to purchase the Note by the purchaser thereof will require a similar non-binding obligation to appropriate;

WHEREAS, the Board of Supervisors (the **"Board of Supervisors"**) of the County of Smyth, Virginia (the **"County"**) has through the issuance of the 2003 Bonds and the execution of the Service Agreement previously indicated its support of the financing the Project and the issuance of the Local Bond by the Authority and desires to enter into a support agreement evidencing such obligation to better secure VRA or such other purchasers of the Local Bond (the **"Bond Support Agreement"**) and a support agreement to better secure the purchaser of the Note, if required in such Note transaction (a **"Note Support Agreement"**).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SMYTH, VIRGINIA:

1. It is determined to be in the best interests of the County and its citizens for the Board of Supervisors to support the issuance of the Local Bond by the Authority and enter into the Bond Support Agreement to better secure VRA or such other purchasers of the Local Bond as described above and a Note Support Agreement to better secure the purchaser of the Note.
2. It is acknowledged and agreed that (i) VRA would not purchase the Local Bond without the security and credit enhancement provided by the Bond Support Agreement, (ii) VRA will be an express, intended third party beneficiary of the Service Agreement, and (iii) VRA is treating the Bond Support Agreement as a "local obligation" within the meaning of Section 62.1-199 of the Code of Virginia of 1950, as amended, including amendments thereto taking effect as of July 1, 2011 (the **"Virginia Code"**), which in the event of a nonpayment thereunder authorizes VRA or the trustee for VRA's bonds to file an affidavit with the Governor that such nonpayment has occurred pursuant to Section 62.1-216.1 of the Virginia Code. In purchasing the Local Bond, VRA is further relying on Section 62.1-216.1 of the Virginia Code, providing that if the Governor is satisfied that such nonpayment has occurred, the Governor will immediately make an order directing the Comptroller to withhold all further payment to the County of all funds, or of any part of them, appropriated and payable by the Commonwealth of Virginia to the County for

any and all purposes, and the Governor will, while the nonpayment continues, direct in writing the payment of all sums withheld by the Comptroller, or as much of them as is necessary, to VRA, so as to cure, or cure insofar as possible, such nonpayment.

3. In consideration of the Authority's undertakings with respect to the financing plans of the Project and the plan to refund, redeem and defease the 2003 Bonds, the Chairman or Vice-Chairman of the Board of Supervisors, either of whom may act, is hereby authorized and directed to execute and deliver the Bond Support Agreement and a Note Support Agreement. The Bond Support Agreement and the Note Support Agreement shall be in substantially the forms presented to this meeting, which are each hereby approved, with such completions, omissions, insertions or changes not inconsistent with this resolution as may be approved by the Chairman or Vice-Chairman of the Board of Supervisors, in their sole discretion, the execution thereof by the Chairman or Vice-Chairman of the Board of Supervisors to constitute conclusive evidence of his or her approval of such completions, omissions, insertions or changes.
4. The County Administrator is hereby authorized and directed to carry out the obligations imposed by the Bond Support Agreement and the Note Support Agreement on the County Administrator, and to take all proper steps on behalf of the County as may be required, in accordance with the plan of financing set forth above, including, but not limited to, any amendments, supplements or certifications under the Service Agreement in connection therewith, if any, or any other documents relating to the financing of the Project or the refunding, redemption and defeasance of the 2003 Bonds.
5. Nothing contained herein or in the Bond Support Agreement or the Note Support Agreement is or shall be deemed to be a lending of the credit of the County to the Authority, VRA or to any holder of the Local Bond or the Note or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the County, nor shall anything contained herein or in the Bond Support Agreement or the Note Support Agreement legally bind or obligate the Board of Supervisors to appropriate funds for purposes described in the Bond Support Agreement or the Note Support Agreement.
6. All actions previously taken by representatives or agents of the County in furtherance of the plan of financing of the Project, the refinancing of the 2003 Bonds and the issuance of the Local Bond and the Note are hereby ratified and approved.
7. This resolution shall take effect immediately.

CERTIFICATION OF ADOPTION OF RESOLUTION

The undersigned Clerk of the Board of Supervisors of the County of Smyth, Virginia hereby certifies that the Resolution set forth above was adopted during an open meeting on Mar. 12, 2013, by the Board of Supervisors with the following votes:

Aye: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Nay: Royal Oak District Supervisor Regina H. Davidson (7)
none (0)

Abstentions: none (0)

Signed this 12 day of March, 2013.

By: Michael A. Carter
Clerk, Board of Supervisors

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:41:11 PM](#) Crystal Breeding, United Way Virginia Highlands, reported to the Board that Smyth County raised \$114,000 for the United Way program in 2012. She wanted to thank the community for their support and noted that one organization within the County is setting the pace for giving in 2013 and will be challenging other businesses to step forward and increase giving this year. United Way is not just about fundraising but providing health, income and education initiatives to those needing assistance. People can contact the United Way office to get more information on how to obtain resources.

[5:43:30 PM](#) John Patterson, general manager for American Wood Fibers in Seven Mile Ford, provided an update to the Board on a possible expansion at their facility. A national brand has approached the company to do one-third of their national packaging at the Seven Mile Ford facility. This would require a rail sighting since it would involve 130,000 tons of material a year. Mr. Patterson has been working with Mrs. Morgan and Mr. Carter on applying for Tobacco Commission funding to help support this project. The expansion would mean a multi-million dollar investment in the facility and create a minimum of 25 new jobs. The investment would also require 25 rail cars a month, ingredients and consumables would be involved and 30 truckloads of materials would be going out each day. Mr. Patterson noted there have been some delays in obtaining the necessary information from Norfolk Southern railroad about the use of the rail sighting. He noted two other locations with CSX rail access are being considered for the expansion – Johnson City, Tennessee and Jessup, Maryland. North Fork District Supervisor Ron C. Blevins stated the use of rail sites could flow over to other businesses in the area if this expansion takes place in Seven Mile Ford.

[5:49:46 PM](#) Chairman Blevins called a ten minute recess.

[6:03:26 PM](#) Chairman Blevins called the meeting back to order and opened the public hearing.

[6:03:30 PM](#) **Public Hearing – Town of Chilhowie – Consider Deed Modifications Allowing For Placement Of A Permanent Farmer's Market Structure On The Former County Owned Property Bounded By Chilhowie Street & North Pine Avenue** – Mr. Carter read the following advertisement as published in the Smyth County News and Messenger:

**PUBLIC HEARING NOTICE
TO CONSIDER DEED MODIFICATIONS
ALLOWING FOR PLACEMENT OF A
PERMANENT FARMER'S MARKET STRUCTURE
ON THE FORMER COUNTY OWNED PROPERTY
BOUNDED BY CHILHOWIE STREET & NORTH PINE AVENUE**

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, March 12, 2013, at 6:00 p.m., or as soon thereafter, to receive public input concerning deed modifications allowing for placement of a permanent farmer's market structure on the former County owned property bounded by Chilhowie Street and North Pine Avenue in the Town of Chilhowie. The public hearing will be held at the Board of Supervisors Meeting Room in the Smyth County Office Building located at 121 Bagley Circle, Marion, Virginia 24354.

Copies of the plans are available for inspection in the Smyth County Administrator's Office at the address given above, Monday – Friday, from 8:00 a.m. to 5:00 p.m. If you have any questions, please contact Michelle Clayton, County Attorney, by telephone at (276) 783-3298 x201.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact the 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

[6:04:47 PM](#) Mr. Carter read the rules for public hearings.

[6:06:04 PM](#) Gene Groseclose, Old Stage Road, Chilhowie, stated he is not opposed to the farmer's market, but he is opposed to where it's going to be moved and the size of it. The area where it's being proposed is currently used for the apple festival and other large events. It's also a residential area and doesn't need loud music every Saturday night.

[6:07:33 PM](#) Laura Etta Wilkinson, Chilhowie Street, stated that the farmer's market had an average of five vendors last year. She does not understand the need of having a structure that provides eighteen spaces for three hours a day over twenty six days. She noted the proposed area is currently used by the little league and the church located next to the lot. The Town of Chilhowie has a wonderful park that facilities can use as is. Why not use money to expand things at the park? Ms. Wilkinson was a member of the Chilhowie Town Council when they asked the County for the property with the stipulation it was to be used for green space for 99 years. She is concerned if the Board votes to change it now then other groups would come in asking for something to be put on the site and there would be no green space for future use.

[6:12:08 PM](#) David Gary, West Lee Highway, stated he just became aware of this project. He has an issue with the Board deeding this property to the Town of Chilhowie with the stipulation that it not be built upon and then coming back and changing their mind to allow for a farmer's market that the County won't have

anything to do with. The citizens of Chilhowie should be the ones to decide where they want this farmer's market, but the citizens have not been able to address the issue. He asked the Board to give serious consideration to changing what has already been decided and to stand by that past decision.

[6:14:56 PM](#) Shirley Little, Auburn Lane, stated she has several businesses in the Town and is concerned about the lack of things available for children and seniors. She has spoken with the farmers who come to the market and asked if they would be willing to move to the park as long as there were signs specifying the location and they stated to her they would be willing to do that. She cannot understand wanting to spend money on this project when there's only three farmers who come in and use it. She is not opposed to farmer's market, but hopes the Board will consider bringing it to park and use the money being spent on the proposed farmer's market and invest it in the park.

[6:19:16 PM](#) With no one else wishing to speak, Chairman Blevins closed the public hearing.

[6:19:25 PM](#) William Carr, Patrick County, presented information concerning the reaffirmation of Virginia sovereignty. Mr. Carr was a candidate for Congress a few years ago and became concerned about the federal government's handling of Constitutional rights. Mr. Carr gave historical information about the Constitution and discussed Constitutional amendments. He noted there are twenty three areas identified that the federal governments has dominion over but everything else belongs to the states. He is concerned that power to the states is being taken away by the federal government. Mr. Carr is asking the Board to consider adopting a resolution to honor state sovereignty under the Tenth Amendment to the United States Constitution. Mr. Carr stated this resolution has been reviewed by the national attorney for the Tenth Amendment Center. This action is being pushed to the states where it has a chance to pass. He has also spoken with Delegates Carrico and O'Quinn along with Attorney General Ken Cuccinelli who, according to Mr. Carr, said they would support the issue if the Counties got behind it. Royal Oak District Supervisor Regina H. Davidson asked for more time to review the information and do more research concerning whether it is legal for Board to adopt such a resolution. Atkins District Supervisor J. Howard Burton made a motion to add this item to old business and discuss further at the March 28, 2013 continued meeting. Royal Oak District Supervisor Regina H. Davidson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:38:25 PM](#) Charlie Harrington, Director of Emergency Services, presented information on the 2012 EMPG grant awarded from the Commonwealth of Virginia. The grant is in the amount of \$22,600 and will be used to purchase equipment for the new truck and make it a command post. This is a 50/50 grant, but the purchase of the truck acted as the match for the grant. As soon as the equipment is purchased the state will reimburse the cost and it will result in no cost to the County. Mr. Harrington noted the emergency operations center is on the way to being completed. Saltville District Supervisor Roscoe D. Call made a motion to accept the grant. Atkins District Supervisor J. Howard Burton seconded the motion. Royal Oak District Supervisor Regina H. Davidson informed Mr. Harrington the Board recently toured the new 911 Center was found it to be impressive and she was very pleased with its progress.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:41:23 PM](#) Bill Turman, Chief Animal Control Officer, provided an update on the animal shelter. He reported the shelter has been closed for three weeks due to a recent distemper outbreak. During that time, a laborious cleaning of the shelter has been completed by in-house staff. Mr. Turman provided information on distemper including how it is spread and symptoms of the disease. Four dogs at the shelter tested positive for distemper and all other dogs were not infected at the time of testing. One dog had to be euthanized while eight were transferred to Promised Land Animal Shelter and eight were sent to City Dog Rescue which was a big help. Staff have been trying to come up with preventive measures to keep another outbreak from occurring, but it can't be 100% eliminated because the shelter deals with sick animals. Disinfection carpet mats are being placed in front of doors to disinfect footwear. Mr. Turman also noted that, during the time of the outbreak, the state inspector showed up for an annual inspection. The shelter received 100% compliance on the inspection, but did receive some recommendations from the inspector. Mr. Turman is willing to meet with the animal control committee to talk about further preventative measures. Mr. Turman has included in next year's budget request funding for isolation panels to place between kennels to prevent nose to nose contact among the animals and to keep from sweeping waste into other kennel areas. Royal Oak District Supervisor Regina H. Davidson stated this was a sad situation but couldn't have been avoided. Atkins District Supervisor J. Howard

Burton asked how many dogs are in the shelter now and Mr. Turman replied ten to twelve now that word has gotten out the shelter has reopened. The Board thanked Mr. Turman and Mr. Carter for keeping them updated on the situation and extended thanks to staff for their hard work during this difficult situation.

[6:50:09 PM](#) Mrs. Clayton presented information on the Public-Private Educational Facilities Infrastructure Act (PPEA) guidelines so the Board can consider adopting a resolution in support of the PPEA for the County. This Act would allow private entities to make proposals on County projects. The document has some legislative changes and Mrs. Clayton will review before sending it out to the Board for review. Since there is no public hearing requirement Mrs. Clayton wants to make sure the Board has proper information to make a decision on this matter. Thorough consideration would need to be given of proposals submitted if the PPEA is adopted by the Board.

[6:51:58 PM](#) Mrs. Clayton gave an update on the comprehensive plan. The plan was sent back to the Planning Commission for review and is not in agreement of making any changes and no specific changes were requested of them when it was sent back. The next step in getting the comprehensive plan up to date is to hold a public hearing and have the Board vote yes or no. She noted the Planning Commission has worked hard on the plan and if it's not adopted an eight year old comprehensive plan would be in effect for the County. The question is does the Board want to have an eight year old plan or a more up to date one going forward? Mrs. Clayton noted the plan is a guideline but can come into play for County issues. Saltville District Supervisor Roscoe D. Call made a motion to hold a public hearing on the comprehensive plan at the April 9, 2013 Board of Supervisors meeting at 6:00 p.m. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PREVAILED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: None.

[6:55:26 PM](#) Mrs. Clayton referred to the Norfolk Southern railroad permit contract included in the agenda packet. She has reviewed the contract and found a few minor changes. Mr. Simpson stated this contract is for the Groseclose sewer project which has to cross the Norfolk Southern railroad in two places. The County applied for a permit and the railroad issued two agreements (#1173539 and 1173540). If the Board agrees to the contracts, an appropriation of funds in the amount of \$18,300 for the railroad permits will also need to be approved. Atkins District Supervisor J. Howard Burton asked if this would be a part of grant money and Mr. Simpson stated yes, it would be a reimbursable permitting cost. Vice Chair, Park

District Supervisor M. Todd Dishner made a motion to approve the contracts and appropriation. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:57:54 PM](#) Mrs. Clayton discussed a memorial tree project for John Tate. She stated the Virginia State Bar and Senior Lawyers have a “plant a tree” program across the state the County has participated in before. The IDA has expressed interest, along with the Bank of Marion, for a tree to be put here on grounds honoring Mr. Tate’s 34 years of service to the County. The General Assembly passed a resolution in Mr. Tate’s honor and a tree planting ceremony would be an opportunity to present that resolution to his family. Mrs. Clayton is requesting funds from the budget committee and the community to go toward this project. A motion was made by Vice Chair, Park District Supervisor M. Todd Dishner, seconded by Saltville District Supervisor Roscoe D. Call to support the memorial tree in memory of John Tate.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:00:07 PM](#) Mr. Simpson reported the scope of work and pricing has been received from ECS Mid-Atlantic who was awarded the materials testing contract for phase one of the Courthouse demolition. The contract was awarded at last month’s meeting upon a recommendation from the Courthouse Committee. Mr. Simpson and Mrs. Clayton have reviewed the information and Mrs. Clayton has some questions but has not spoken with ECS representatives yet since this information was only recently received. The County is asking approval of the scope and price estimate for the project and authorization to sign upon Mrs. Clayton completing legal negotiations with ECS council. Saltville District Supervisor Roscoe D. Call made a

motion to accept the contract pending legal negotiations. Royal Oak District Supervisor Regina H. Davidson seconded the motion. Atkins District Supervisor J. Howard Burton asked if this went out for bid and Mr. Simpson stated it was procured under professional services and the Courthouse Committee selected ECS after presentations from two firms. Vice Chair, Park District Supervisor M. Todd Dishner asked if this will be done in different phases and Mr. Simpson answered yes, there are two phases of construction but another procurement process won't have to be done because this negotiation was done for the entire project. This is the fee for phase one. The internal budget for this work is roughly \$300,000 so the two phases should come in well below budget.

After consideration, the motion PREVAILED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: None.

7:05:08 PM Mr. Carter discussed the Personnel Committee recommendation concerning the pending legislation which requires offering benefits to employees exceeding 30 work hours per week. Due to budgetary concerns this year, convenience stations are now closed on Wednesday of each week. Convenience station workers now work split shifts equaling 22 hours one week and 33 hours the next week which makes them exceed 29 hours every other week. The recommendation being presented to the Board would create a 28 hour work week each week, while continuing the same ongoing schedule rotation. It would mean weekly convenience station operating hours would change to Monday and Tuesday from 7:00 a.m. to 6:00 p.m., Wednesday from 7:00 a.m. until 1:00 p.m., Thursday from Noon until 6:00 p.m. and Friday and Saturday from 7:00 a.m. to 6:00 p.m. This change will have the ability to increase the part-time salary line item by \$1,037.00, but that can be accommodated in the budget. If the Board considers this change, Mr. Carter stated he would like to make it effective April 1st and, if considered and approved, he would ask the local paper to help with advertising the change in operating hours. After consideration, the Board unanimously recommended the change in convenience station operations hours effective April 1, 2013 as recommended by the Personnel Committee.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,

Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:12:08 PM](#) Royal Oak District Supervisor Regina H. Davidson, Chair of the Insurance Committee, presented information concerning the Anthem/Local Choice renewal for July 1, 2013 – June 30, 2014. The plan will increase by 8.3% for the coming cycle. The Insurance Committee is recommending to the Board to renew with Anthem/Local Choice and provide the same \$1,000 deductible plan. She noted there was not enough data available during the January – March period to use for comparison with other plan options.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:14:30 PM](#) Mr. Carter reviewed a lease between the County and the Virginia Department of Education to provide office space on the fourth floor of the administration building for one of their employees. In the past, Department of Education has occupied six rooms on the fourth floor but staffing has been reduced. The lease is dated January 2, 2013 and there was no space requirement identified. Mr. Carter worked with Monique Robinson in Richmond and negotiated space for one office, one combination file/copier room and access to a conference room. The rent amount will remain the same at \$1,216. Mr. Carter is asking the Board's consideration to execute the contract on behalf of the County with the Department of Education. North Fork District Supervisor Ron C. Blevins made a motion to allow Mr. Carter to execute the contract on behalf of the County. Vice Chair, Park District Supervisor M. Todd Dishner seconded the motion. Mr. Carter noted the extra rooms no longer being occupied by the Department of Education will be utilized for storage of files for the County.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,

Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:18:28 PM](#) Under Old Business, North Fork District Supervisor Ron C. Blevins stated he has spoken with Neil Kilgore concerning the request for special project area designation that was presented at last month's Board meeting. The County is requesting that a "town hall" type meeting be scheduled so residents of the area can be provided more information about the designation and allow for citizen input. That meeting will be held on April 22, 2013 at 7:00 p.m. at Northwood Middle School.

[7:19:49 PM](#) Mrs. Clayton reported that the collection of delinquent taxes is past the halfway mark with balance of \$8,000 remaining. Under item 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) she noted that Patton Graham could not come to tonight's meeting, but a final order was drafted and presented to the party last June. Nothing can be done on the property until the court case is settled.

[7:20:46 PM](#) Chairman Blevins opened supervisor comment time. Saltville District Supervisor Roscoe D. Call had nothing.

[7:20:57 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner expressed concern over comments received during the public hearing. He wonders if that's how all the residents in Chilhowie feel or just the ones that came tonight. He also noted that he and Mr. Carter attended a regional jail meeting in Russell County this morning and, prior to leaving for the meeting, Mr. Dishner was able to participate in the tornado drill conducted in the County administration building. Mr. Dishner thought it was neat to be a part of that and he thought the drill went very well.

[7:22:14 PM](#) Atkins District Supervisor J. Howard Burton stated the presentation concerning Virginia sovereignty was well worth considering. The Constitution is the glue holding this country together. It sounds basic but it's true and serious consideration of this proposal is in order.

[7:22:46 PM](#) Rye Valley District Supervisor Rick K. Blevins would like more answers concerning the public hearing and whether the Chilhowie Town Council notified citizens and give them the opportunity to speak on the matter. He also would like more information on why this area was selected as the location for the farmer's market. Mr. Carter stated he would contact the Town of Chilhowie and have more information available at the continued meeting on March 28th.

[7:23:44 PM](#) North Fork District Supervisor Ron C. Blevins noted that the County doesn't have anything to do with what happens during Town meetings. A public hearing held by the Town would be more effective than coming here. He stated he has heard both sides of the issue and it's up to the Town of Chilhowie what they want to do. Mr. Blevins further stated he has thoroughly read the information

concerning Virginia sovereignty and spoken with Delegates Carrico and O'Quinn along with Attorney General Ken Cuccinelli and he asked the Board to take a serious look at the information.

[7:25:28 PM](#) Royal Oak District Supervisor Regina H. Davidson would like to know what steps the Town of Chilhowie took to get the Town's wishes on the farmer's market. She has received calls on the matter, including one organization that is opposed to the idea. Mrs. Davidson questioned the issue concerning Virginia sovereignty and whether the Board can legally represent citizens by passing a resolution of support or opposition.

[7:27:21 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to continue the meeting until March 28, 2013 at 7:00 p.m. for a joint public hearing with the Planning Commission. The motion was seconded by Rye Valley District Supervisor Rick K. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Smyth County Board of Supervisors held a continued meeting at 7:00 p.m., **Thursday, March 28, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

Members Present: Chairman, Chilhowie District Supervisor, Wade H. Blevins, Jr.; Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K. Blevins; Atkins District Supervisor J. Howard Burton; Chilhowie District Planning Commissioner Graham Davidson Sr.; Royal Oak District Supervisor Regina H. Davidson; Park District Planning Commissioner Joel Pugh; Chairman, North Fork Dist. Planning Commissioner Chairman Norman Sparks; Saltville District Planning Commissioner Wayne Venable; Atkins District Planning Commissioner Charles Wassum III; Saltville District Supervisor Roscoe D. Call; North Fork District Supervisor Ron C. Blevins; Royal Oak District Planning Commissioner, Blake Frazier and Rye Valley District Planning Commissioner, L. V. Pokey Harris (14)

Members Absent: None (0)

Staff: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Economic Development Director Sally Morgan; Zoning Administrator Clegg Williams; County Attorney Michelle Clayton; Deputy Sheriff Mike Hounshell; Administrative Assistant Becca Kirk; Administrative Assistant Christy Bise (8)

Others Present: Approximately 15 citizens and Linda Burchette with the Smyth County News

Public Hearing – At 7:00 p.m. Mr. Wade Blevins, Chairman of the Board of Supervisors, and Mr. Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order. Mr. Carter read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND SMYTH COUNTY PLANNING COMMISSION

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, March 28, 2013, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Charles Melvin Thweatt to amend the text of 3-5.2 of the Zoning Ordinance to add "(o) Mini-Warehouse" as a Use Permitted with a Special Use Permit in the Industrial District.

An application from William Watson Gollehon which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to

the official Zoning Map to rezone approximately 0.664 acres from Residential to Agricultural/Rural. The Smyth County Comprehensive Plan does not identify a density range and the general usage of this property has most recently been vacant. The property is located beside 1663 Chestnut Ridge Road in Chilhowie, Virginia, and is identified as Tax Map No. 65-3-3G, and can be found in Grid Map No. 125 of the official Zoning Map of Smyth County; also known as Lot 7 of Deer Run Development on Chestnut Ridge by plat of record on Plat Slide 331, Page 3.

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

Copies of the application(s) along with their maps/drawings are on file in the Office of the County Administrator of Smyth County. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 227 at least 48 hours prior to the hearing.

Done by order of the Board of Supervisors and the Planning Commission.

Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning Commission

Charles Melvin Thweatt – Text Amendment in Industrial District: At approximately 7:03 p.m. Mr. Williams explained a Text Amendment application from Charles Melvin Thweatt to add Mini-Warehouse as a use permitted by Special Use in the Industrial District. He advertised notice of this public hearing in the Smyth County News on March 16 and 23. In addition, he sent letters to all of the adjoining property owners for which an affidavit is on file.

Charles Melvin Thweatt stated he purchased the Virginia House Furniture Factory and has a vacant storage building and would like to operate a secured storage facility out of the building. Units would only be accessible when employees were in the facility and there would be no “yard sales” conducted on the premises.

Supervisor Ron Blevins asked what he would do with unpaid units. Mr. Thweatt stated he would sell the contents of those units off premises. Supervisor Burton congratulated Mr. Thweatt on attempting to start a business in the vacant building.

Earl McClure spoke in favor of the application and stated he was against zoning, it should be repealed, citizens should be allowed to do as they wish with their property, and the applicants should be refunded their filing fees.

No one else spoke on the application.

William Watson Gollehon – Map Amendment request (R to A/R): Mr. Williams explained Mr. Gollehon's request to rezone Lot 7 of Deer Run Development Subdivision on Chestnut Ridge in Chilhowie from Residential to Agricultural/Rural. Due to Ordinance regulations, when Mr. Gollehon subdivided the property he had to request the property be zoned Residential.

Mr. Gollehon stated he did not want to place single wide manufactured homes on the lots he created when he subdivided the property; however, he has since determined the shape of Lot 7 prohibits anything larger than a single wide be placed on the property.

No one else spoke on the application.

Chairman Wade Blevins and Chairman Norman Sparks closed the public hearing at approximately 7:14 p.m.

[7:26:42 PM](#) The Board of Supervisors reconvened and Chairman Blevins called the meeting to order.

[7:26:45 PM](#) Chairman Blevins opened citizen's time.

[7:27:11 PM](#) William Carr read a prepared statement concerning his presentation on the reaffirmation of Virginia sovereignty at the Board Meeting on March 12, 2013. He stated this is a controversial matter and he understands the hesitancy to support such a movement. Mr. Carr explained the federal government is seizing power from the states but few are willing to take a stand against it. He believes this is an opportunity that would prove beneficial to the citizens of Smyth County, as well as others throughout the state and country, but he is willing to withdraw his request if the Board cannot support the resolution he presented.

[7:29:55 PM](#) Rod Blevins, Marion, stated if the Board is fearful of reaffirming rights to the citizens then God help Virginia and the citizens because we are all doomed.

[7:30:29 PM](#) Charles Wassum, Marion, stated the Board Members have all taken an oath to support the Virginia Constitution and the U.S. Constitution. He proceeded to give a history of the evolution of the Virginia Constitution. He noted if these documents were supported then what Mr. Carr is talking about wouldn't be necessary. People need to start asserting their rights.

[7:34:14 PM](#) With no one else wishing to speak, Chairman Blevins closed citizen's time.

[7:34:22 PM](#) Saltville District Supervisor Roscoe D. Call reported the Building and Grounds Committee met to discuss placement of a POW/MIA missing man chair on the Courthouse lawn by the local VFW and Rolling Thunder. It would be a 6 x 6 permanent structure and a location has been found on the Courthouse lawn for placement of the structure. Supervisor Call noted it would be totally maintained and funded by the VFW and Rolling Thunder.

The Committee also discussed donation of the jail plaque to the Smyth County Historical and Museum Society with the presentation of the plaque done by Mr. Marshall Guy.

The Building and Grounds Committee unanimously recommends placing the POW/MIA missing man chair on the Courthouse lawn by the local VFW and Rolling Thunder

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:35:56 PM](#) The Building and Grounds Committee unanimously recommends donation of the jail plaque to the Smyth County Historical and Museum Society with the presentation to be done by Mr. Marshall Guy.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:36:22 PM](#) Mr. Marshall Guy presented the jail plaque to Mr. and Mrs. Clayborne Gwyn, representatives from the Smyth County Historical and Museum Society. Mr. Guy thanked the Board for making the plaque available for donation to the museum. Mr. Guy served on the Board of Supervisors from 1968 to 1974 and is the only surviving member of the Board Members listed on the plaque. He spoke about the history of the jail and the County having to purchase a church property to build the jail because it was the only land available at the time.

[7:40:39 PM](#) Royal Oak District Supervisor Regina H. Davidson updated the Board on the Water and Sewer Committee's meeting with the Town of Chilhowie to discuss utility water and sewer infrastructure at exit 39 for possible future development. There are no prospects at this time, but the infrastructure information needs to be available in order to market the area to potential developers. The County and Town of Chilhowie will be applying jointly for grant money.

[7:42:09 PM](#) Rye Valley District Supervisor Rick K. Blevins provided information on the Solid Waste Committee meeting concerning the solid waste contract. The Committee is unanimously recommending written notification be sent to the current provider, Waste Management, of the County's intent not to renew the five year contract and begin the RFP process to go out for bid. There is more competition now and the County wants to get the best price.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:43:09 PM](#) Mr. Carter stated that Atkins District Supervisor J. Howard Burton has been attending meetings of the New River/Mount Rogers Workforce Investment Area Consortium Board and has agreed to represent the County on this Board. A motion was made by Vice Chair, Park District Supervisor M. Todd Dishner, seconded by North Fork District Supervisor Ron C. Blevins, to appoint Atkins District Supervisor J. Howard Burton to service on the New River/Mount Rogers Workforce Investment Area Consortium Board.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:44:09 PM](#) Under Old Business, North Fork District Supervisor Ron C. Blevins would like to table item number 8 "*Reaffirmation of Virginia Sovereignty*" until more information can be obtained and the Board can get a clearer vision of what it is. He asked that this item be left on Old Business for discussion at a future date.

[7:45:11 PM](#) North Fork District Supervisor Ron C. Blevins reminded the Board there is a public meeting scheduled for Monday, April 22nd at 7:00 p.m. at Northwood Middle School to discuss item number 7 "*Request for Designation of a Special Project Area by Virginia Outdoors Foundation*" and get citizen input.

[7:46:16 PM](#) **Closed Session** – It was moved by Royal Oak District Supervisor Regina H. Davidson, seconded by Saltville District Supervisor Roscoe D. Call, to enter into closed session under 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.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:11:57 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins, seconded by Rye Valley District Supervisor Rick K. Blevins, to go out of closed session.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:12:22 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Atkins District Supervisor J. Howard Burton, to return to open session and adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION CERTIFICATION OF CLOSED SESSION

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:13:01 PM](#) A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to adjourn the meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, April 9, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.; Vice Chair, Park District Supervisor M. Todd Dishner (entered meeting at 4:07 p.m.); Rye Valley District Supervisor Rick K. Blevins; North Fork District Supervisor Ron C. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D. Call; Royal Oak District Supervisor Regina H. Davidson (7)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Director of Finance Charlie Atkins; Economic Development Director Sally Morgan; County Attorney Michelle Clayton; Deputy Sheriff Mike Hounshell; Administrative Assistant Christy Bise (7)

4:02:05 PM Chairman Blevins called the meeting to order.

4:02:08 PM **Closed Session** – It was moved by Saltville District Supervisor Roscoe D. Call to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.5 Industrial/Business Prospects** – discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business’ or industry’s interest in location or expanding its facilities in the community, and **A.7 Legal** – consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. Mr. Carter asked for consideration to add **A.6 Investment of Public Funds** and **A.3 Land Acquisition**. Mr. Call amended his motion to enter into closed session and also include A.3 and A.6. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.,
Rye Valley District Supervisor Rick K Blevins,
North Fork District Supervisor Ron C Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D Call and
Royal Oak District Supervisor Regina H Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:07:03 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to go out of closed session. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:09:41 PM](#) Chairman Blevins called the meeting to order.

[5:09:46 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins, to return to open session and adopt the following resolution certifying the business conducted in closed session as follows:

**RESOLUTION
CERTIFICATION OF CLOSED SESSION**

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,

Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:10:11 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to work on a Memorandum of Understanding with the Town of Marion for the progression of a CDA as discussed during closed session and authorize the County Administrator to sign the document. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:10:53 PM](#) Atkins District Supervisor J. Howard Burton gave the invocation and Michelle Clayton, County Attorney, led the Pledge of Allegiance.

[5:12:09 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to adopt the agenda and additional agenda. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:12:28 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve the minutes of the March 5 and March 28, 2013 meetings.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:12:51 PM](#) **Financial Status** – Mr. Charlie Atkins informed the Board, per the report from the Treasurer’s Office, there were sufficient funds in the bank for the requested appropriations.

[5:13:15 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$6,475,000.00 for the General Fund appropriation. The following is an explanation of the appropriations approved:

General Fund:

General County	\$2,300,000.00
Social Services	
(Apr. 10 – 30, 2013)	\$315,000.00
(May 1 – 14, 2013)	\$60,000.00
Schools – Operating Fund	\$3,800,000.00
Total General Fund	\$6,475,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:13:51 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins to approve \$260,000.00 for the School Debt and Capital Outlay appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:14:06 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve \$1,000,000.00 for the School Construction Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:14:21 PM](#) It was moved by Atkins District Supervisor J. Howard Burton, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$1,241.73 for the Animal Damage Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:14:37 PM](#) It was moved by Royal Oak District Supervisor Regina H. Davidson, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve \$129,067.01 for the Courthouse Project appropriation.

After consideration, the motion PREVAILED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: None.

[5:15:00 PM](#) It was moved by Royal Oak District Supervisor Regina H. Davidson, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve \$1,566,207.69 for the accounts payable listing appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:15:34 PM](#) Chairman Blevins opened citizen's time.

[5:15:39 PM](#) Roland Williams, Interim Director of the Free Clinic, asked the Board to consider the Clinic's budget request submitted to the County for the coming year. He stated the Clinic provides \$2 million dollars in healthcare services to citizens of the County and all the providers work at no charge.

[5:17:23 PM](#) Earl McClure, Chilhowie, suggested the Board open up a two way exchange with citizens during citizen's time. He also stated the County's debt is approaching \$100 million dollars and one way to save money would be to get rid of the zoning ordinance and restore savings to the citizens.

[5:19:50 PM](#) Shirley Little, Chilhowie, spoke on the proposed farmer's market in Chilhowie. She stated she has talked with people in Chilhowie and nobody knew anything about it. According to Ms. Little, the Mayor and Town Manager said people knew about it but they didn't. The residents don't want loud music and why build eighteen units for three or four farmers. There is no need to go in debt when the park needs attention.

[5:22:22 PM](#) Charles Wassum, Marion, read an excerpt from the Virginia Constitution. He noted that, according to the Constitution, government entities serve the public. He also discussed the public private transportation act.

[5:25:56 PM](#) Tom Bishop, Chilhowie, had questions on the Town of Chilhowie's request to change the deed for a farmer's market. Mr. Bishop stated he was a

member of the Board of Supervisors when the County deeded the property to the Town. The deed included a 99 year restriction for green space use on the property. Mr. Bishop questioned how, if the County gave the property to the Town in good faith with restrictions, can the terms of the contract legally be changed from what was agreed to at that time? Mrs. Clayton stated the 99 year clause is a protection put into the lease so there would have to be discussion by the Board before the property was built on, but the County absolutely has the right to change the deed. Mr. Bishop noted the community is voicing their opinion against infringing on the green space; it is not appropriate. There are other places for a farmer's market down by the river or behind the old high school.

[5:29:45 PM](#) With no one else wishing to speak, Chairman Blevins closed citizen's time.

[5:29:50 PM](#) Mrs. Morgan introduced Mike Leake from UniFirst in Atkins. The company is a small business that is part of a larger company headquartered in Boston, Massachusetts.

[5:30:58 PM](#) Mr. Leake thanked the Board for allowing him to speak. UniFirst in Atkins is one branch of 185 service facilities that provides uniforms and manages floor care and restroom programs. The company started in 1995 in Lynchburg and this branch has been located in Atkins for 13 years. The Atkins location currently employs 21 people. The future looks bright for the company and they are happy to be in Atkins.

[5:32:39 PM](#) Suzy Jennings gave a PowerPoint presentation on the Smyth County Foundation and its activities over the past few years.

Chairman Blevins called a 10 minute recess.

[5:58:44 PM](#) Chairman Blevins called the meeting back to order and opened the public hearing.

[5:58:55 PM](#) **Public Hearing – To Consider Amendments to Sections of the Smyth County Comprehensive Plan** – Mr. Carter read the following advertisement as published in the Smyth County News and Messenger:

**PUBLIC HEARING NOTICE
TO CONSIDER AMENDMENTS TO SECTIONS OF
THE SMYTH COUNTY COMPREHENSIVE PLAN**

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, April 9, 2013, at 6:00 p.m., or as soon thereafter, to receive public input on and consider a comprehensive update of the Smyth County Comprehensive Plan ("Plan"). The public hearing will be held at the Board of Supervisors Meeting Room in the Smyth County Office Building located at 121 Bagley Circle, Marion, Virginia 24354. This update is undertaken to assure compliance with Code of Virginia Section 15.2-2230 which requires that comprehensive plans be reviewed and updated on a regular basis. The Plan serves as a general guide for decisions about future land development

and facility development. It contains goals for long range development as well as objectives for implementing the goals. Draft changes have been made to the text, policies and maps.

Updates to the following Chapters were made: 1) Environment; 2) Population and Housing; 3) Economy; 4) Land Use; 5) Public Facilities and Services; 6) Transportation; and 7) Quality of Life. The updates include data from the Census Bureau, VEC, VDOT and other local sources. A Transportation Improvements Map and Broadband Map were added; as well as; new or revised strategies. There have been no amendments or changes to this proposed Comprehensive Plan since the last public hearing held on May 8, 2012.

Copies of the proposed plan and maps are available for inspection in the Smyth County Administrator's Office at the address given above, Monday – Friday, from 8:00 a.m. to 5:00 p.m., and online at Smyth County's website: www.smythcounty.org. All are encouraged to view the proposed plan and maps and attend the public hearing. At the hearing, persons may make comments regarding the proposed Comprehensive Plan amendment, subject to the rules of procedure of the Board of Supervisors of Smyth County. If you have any questions, please contact Clegg Williams, Zoning Administrator, by telephone at (276) 783-3298 x227 or by e-mail at zoning@smythcounty.org.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact the 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

[6:02:11 PM](#) Mr. Carter read the rules for public hearings.

[6:02:57 PM](#) Rod Blevins commended the Board on working to bring business into the County. It's overdue and welcome. He stated that commercial and industrial development needs measurable goals on activity for attracting business. "If you can't measure it, you can't manage it". There needs to be measurable goals on contacts with potential businesses to help the Board to say are we doing the right thing. By tracking you can adjust as you go. The definition of insanity is doing the same thing over and over and expecting a different outcome.

[6:04:32 PM](#) Earl McClure stated he has reviewed the entire comprehensive plan. He saw a lot of narrative changes, but not changes in strategies or accomplishments. He outlined four elements of a plan – objective, strategy, schedule and accountability. Nothing convinces him this is a viable plan. He mentioned finding 50 objectives and 130 strategies and the handout he provided shows actions that are supposed to be

taken. He stated the plan shows in 2005 there were 136 families in the County with outside toilets and eight years later it's still in the plan so he questions what has been done about this. Mr. McClure also discussed water contamination and water testing. He appreciates the work going into the plan, but it lacks commitment from the County.

[6:09:57 PM](#) Billy Robbins, Saltville, had questions concerning the subdivision ordinance. Mr. Robbins stated he had completed a survey for Dean Fullen and presented the plat to the Building and Zoning Department for signature and it was not signed based on a letter from John Tate's office concerning new versus existing right of ways. Mrs. Clayton explained this letter was produced by Mr. Tate defining right of ways and could not be released due to attorney-client privilege between the County Attorney and the Board of Supervisors. Mr. Robbins stated his interpretation of the letter was putting a stronghold on a parcel of land that is not a state maintained road. Mrs. Clayton noted the Planning Commission is working on the subdivision ordinance, but without right of way laws roads could be built anywhere that aren't maintained properly. Mr. Robbins questioned how an ordinance can be abided by if it is not placed where the public can view it. Mrs. Clayton stated she would be happy to talk with Mr. Robbins and Mr. Fullen in more detail, but this time has been designated as a public hearing pertaining to the comprehensive plan.

[6:16:02 PM](#) With no one else wishing to speak, Chairman Blevins closed the public hearing.

[6:16:12 PM](#) John Neel, Gay and Neel Engineering, provided an update on the Groseclose sewer project. Mr. Neel reported there have been both opportunities and constraints in the project so far, but the opportunities outweigh the constraints. Mr. Neel reviewed the status of the permitting process and the project's budget up to this point. At the December 11, 2012 Board meeting, \$47,325 was allocated to begin the project and \$19,925 of that money remains. Gay and Neel is requesting a reallocation of those remaining funds to be used for expenses related to meeting NEPA requirements. A sewer line will have to be put across 81 and a water line down Conover Lane so there would be \$50,000 additional money in design fees along with additional construction cost. Vice Chair, Park District Supervisor M. Todd Dishner asked if this item would go through the water and sewer committee and Mr. Simpson stated yes, the task order would go before that committee but he wanted to make the full Board aware of the situation. The water and sewer committee will be meeting next week to discuss and will bring a recommendation back to the Board for consideration.

[6:28:46 PM](#) Dr. Mike Robinson, School Superintendent, presented information on the 2013-2014 school budget. The School Board reviewed the information last night and approved the document to come before Board of Supervisors tonight. Dr. Robinson explained that, for the first time in eight years, enrollment numbers are up and that impacts the school's budget by bringing in additional revenue. He thanked the Board for approving those extra funds earlier this year to be spent toward bus replacement and teacher incentives. This year's enrollment numbers are expected to be lower, but enrollment this year has maintained throughout the year from

September 30th until now. The General Assembly provided a 2% salary increase this year for staff which localities would provide half. Federal funding is showing a significant decrease. Stimulus money will be lost and sequestration has also hurt funding. There is an increase in other funds due to money generated from food service indirect cost and dual enrollment credits. The school is requesting 115% of the required local effort from localities. Smyth County schools have a hard time competing with Washington and Wythe Counties along with the city of Bristol. VRS rates have increased along with health insurance cost and employees are seeing less in take home pay. Dr. Robinson thanked the Board for their consideration and said the school will manage the budget conservatively, spend wisely and work cooperatively with the County. Rye Valley District Supervisor Rick K. Blevins asked about the number of schools being operated next year and Dr. Robinson answered there was no change for next year, but depending on funding and costs the following year some drastic measures would have to be considered. No student programs have been ended, but that along with school consolidation will have to be looked at next year if things don't improve. Mr. Carter asked the Board for consideration of setting a public hearing for the 2013-2014 school budget on May 14, 2013 at 6:00 p.m. Atkins District Supervisor J. Howard Burton made a motion to set the public hearing. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:40:19 PM](#) Chairman Blevins recognized Chilhowie Boy Scout Troop 78 in attendance at this evening's meeting.

[6:41:01 PM](#) Chairman Blevins called a brief recess.

[6:43:56 PM](#) Chairman Blevins called the meeting back to order.

[6:44:03 PM](#) In consideration of the public hearing held on March 12, 2013 concerning the Town of Chilhowie's request for deed modifications to allow for placement of a farmer's market permanent structure on the former County owned property bounded by Chilhowie Street and North Pine Avenue, Rye Valley District Supervisor Rick K. Blevins made a motion requesting the Town of Chilhowie conduct a public hearing and get citizen input on the matter. He asked the Town to make a definite decision on how they wish to proceed and then report back to the Board. Vice Chair, Park District Supervisor M. Todd Dishner seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:45:20 PM](#) Mr. Carter reviewed the Planning Commission recommendations from the March 28, 2013 joint meeting. On a motion by Mr. Venable, seconded by Mrs. Harris, the Planning Commission recommends approving Mr. Thweatt's application to add "*Mini-Warehouse*" through Special Use Permit in the Industrial District with the following vote: Ayes – 7 (Venable, Davidson, Wassum, Sparks, Pugh, Harris and Frazier). A motion was made by Royal Oak District Supervisor Regina H. Davidson, seconded by Atkins District Supervisor J. Howard Burton, to approve the Planning Commission recommendation.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

On a motion by Mr. Frazier, seconded by Mr. Davidson, the Planning Commission recommends approving Mr. Gollehon's application for a Map Amendment to rezone Lot 7 of Deer Run Development Subdivision on Chestnut Ridge Road from Residential to Agricultural/Rural. Mr. Davidson seconded the motion with the following vote: Ayes – 7 (Venable, Davidson, Wassum, Sparks, Pugh, Harris and Frazier). A motion was made by Royal Oak District Supervisor Regina H. Davidson, seconded by Saltville District Supervisor Roscoe D. Call, to approve the Planning Commission recommendation.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,

Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:47:24 PM](#) Mr. Carter reviewed the aid to localities allocations as requested by Shannon Williams, 911 coordinator. The following allocations were considered for disbursement:

Agency	Disbursement Amount
Atkins Fire Department	\$11,374.83
Adwolfe Fire Department	\$11,374.83
Nebo Fire Department	\$11,374.84
Sugar Grove Fire Department	\$11,374.84
Chilhowie Fire Department	\$4,174.83
Saltville Fire Department	\$4,174.83

These disbursements total \$53,849.00. Mr. Carter asked, if approved for payment, that the checks be held for Mr. Williams until additional information is received from the entities. North Fork District Supervisor Ron C. Blevins made a motion to approve the disbursements. Royal Oak District Supervisor Regina H. Davidson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:51:17 PM](#) Con Smith, Chairman of the Smyth-Washington Regional Industrial Facilities Authority, presented the 2012 SWIFA Annual Report. SWIFA is moving forward and hopes the economy will improve and industry will also move forward. Prospects and inquiries come along, including some this year, and SWIFA offers the best they can. SWIFA hopes to continue the partnership with the County as there is strength in numbers. North Fork District Supervisor Ron C. Blevins had some questions about the budget numbers included in the annual report and Mr. Smith stated that Mount Rogers Planning District Commission prepared that information and he would follow up with them concerning the profit and loss performance numbers. North Fork District Supervisor Ron C. Blevins also had questions about

any people on salary with SWIFA. Mr. Smith explained that the workforce training program used to be included as part of SWIVA but that has since changed and moved into entity of its own. Mr. Smith extended an invitation to the Board to attend the SWIFA meetings and drive through the park and look around.

[6:59:17 PM](#) Mrs. Morgan presented a letter from BVU requesting support for extension of their service area. There are currently 62 BVU customers in Smyth County, but BVU is not allowed to provide cable outside their electric service area. The letter is addressed to Lt. Governor Bill Bolling, who heads up the Governor's Rural Jobs Council, and requests support of legislation allowing BVU to provide cable TV throughout its internet service territory. Kyle Hollifield, BVU, stated broadband is critical for economic development and this would allow another provider of internet for the home and provide for more competition in this area. In order for BVU's business model to work, they have to be able to provide video/cable TV to customers in the service area. This is not allowed in Commonwealth because it's not specifically outlined in the law and BVU wants to amend the law allowing them to offer video in all eight counties within their electronic footprint area. It would also allow broadband introspect in underserved areas of the Commonwealth. North Fork District Supervisor Ron C. Blevins asked if BVU supplied electricity in Smyth County and Mr. Hollifield stated no, their electricity is controlled by the Tennessee Valley Authority as part of a 20 year contract. Mrs. Morgan noted that Dr. Robinson is on the Governor's Rural Jobs Council. North Fork District Supervisor Ron C. Blevins made a motion to approve the letter of support for BVU. Atkins District Supervisor J. Howard Burton seconded the motion.



March 28, 2013

The Honorable William T. "Bill" Bolling
Chairman, Governor's Rural Jobs Council
Lieutenant Governor
Commonwealth of Virginia
102 Governor Street
Richmond, VA 23219

Dear Lieutenant Governor Bolling:

On behalf of Smyth County, I am writing to ask the Rural Jobs Council to make every effort to expedite the expansion of broadband telecommunications in the rural communities of Virginia, especially Southwest Virginia. Numerous studies have indicated that broadband is a key tool in economic development. Not only is business-to-business broadband an absolute requirement, but "last-mile" broadband is becoming a greater necessity as businesses want their employees to be able to work from home; new business start-ups often are home-based; and residents want the quality of life furnished by the amenities available elsewhere in the Commonwealth.

The geography and lack of population density in Southwest Virginia are natural barriers to development and expansion of broadband in our region by the private sector. Realistically we must look to the public sector to complete this infrastructure. BVU has built significant "middle mile" broadband in Smyth County, but it is prohibited by statute from providing cable TV services outside of its electric service territory. Without the ability to provide cable TV, according to BVU, it is not feasible to make the business case to finance the build-out of broadband. With the removal of that statutory prohibition, BVU will be positioned to provide the infrastructure so badly needed for Southwest Virginia's economic development.

I urge the Council to recommend legislation allowing BVU to provide cable TV throughout its Internet service territory so that it can build out broadband infrastructure in Southwest Virginia.

Sincerely,

Michael L. Carter
County Administrator

<i>Saltville District</i> Roscoe D. Call	<i>North Fork District</i> Ron C. Blevins	<i>Chilhowie District</i> Wade H. Blevins, Jr.	<i>Park District</i> M. Todd Dishner	<i>Atkins District</i> J. Howard Burton	<i>Royal Oak District</i> Regina H. Davidson	<i>Rye Valley District</i> Rick K. Blevins
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After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:07:31 PM](#) Saltville District Supervisor Roscoe D. Call presented requests from the Saltville VFW for four bridge dedications of fallen soldiers from the Vietnam War. He has discussed this with the highway department and it's a simple request for them to do but there are proper paperwork channels that have to be completed. Supervisor Call feels it's the least we could do for someone who sacrificed their life for what we are able to do today. Mr. Carter identified the names of the fallen soldiers and the bridges requested for dedication – Cedar Branch Bridge, Blake Wiley Farris, Jr.; Broadford Bridge, Herbert Alanson Frye; Beaver Creek Bridge, Troy Ray Hayden; Rich Valley Bridge, Robert Keith Worley. Mr. Carter reminded the Board that, according to Virginia Code Section 33.1-12(4), the cost of producing and placing the signs must be paid by the County in which they are located. VDOT will maintain the signs. Once the formal resolutions have been done, VDOT's maintenance department will review the request and install the signs and bill the locality for any associated costs, if approved by the Transportation Board. North Fork District Supervisor Ron C. Blevins asked about the cost of the signs and Mr. Carter stated that, per Juanita Wells at VDOT, the cost is \$150 for two signs placed at each end of the structure. The total cost for the four bridges would be \$600. Supervisor Call stated he had discussed this with the VFW and if the locality is unable to pay Mr. Call will pay for the signs himself. North Fork District Supervisor Ron C. Blevins made a motion to approve the four resolutions in support of the bridge dedications and begin the paperwork process with VDOT for approval. Atkins District Supervisor J. Howard Burton seconded the motion. Supervisor Call asked about signs presented to the families for the dedications and stated he would personally pay the cost for those signs. Mr. Carter explained there would be a dedication ceremony at the bridges. Supervisor Call said he would make sure the families get the signs.



Smyth County Board of Supervisors

121 Bagley Circle, Suite 100, Marion, VA 24354
Phone (276) 783-3298 Fax (276) 783-9314
www.smythcounty.org

Michael L. Carter
County Administrator

Scott R. Simpson, P.E.
Assistant County Administrator

RESOLUTION

**Naming the Cedar Branch Bridge in Smyth County as the
"Blake Wiley Farris, Jr. Memorial Bridge"**

At the April 9, 2013 meeting of the Smyth County Board of Supervisors, the Board adopted the following:

SUPERVISORS:	VOTE:
Wade H. Blevins, Jr., Chairman, Chilhowie District	AYE
M. Todd Dishner, Vice Chairman, Park District	AYE
Rick K. Blevins, Rye Valley District	AYE
Ron C. Blevins, North Fork District	AYE
J. Howard Burton, Atkins District	AYE
Roscoe D. Call, Saltville District	AYE
Regina H. Davidson, Royal Oak District	AYE

WHEREAS, the Smyth County Board of Supervisors has received a request from the Saltville VFW to assist in naming a bridge in Blake Wiley Farris, Jr.'s honor, and

WHEREAS, the Smyth County Board of Supervisors adopts this resolution for the Commonwealth Transportation Board to consider the approval of naming the Cedar Branch Bridge in Smyth County as the Blake Wiley Farris, Jr. Memorial Bridge; and

WHEREAS, per the Virginia Code Section 33.1-12(4), the costs of producing, placing, and maintaining these signs shall be paid by the counties, cities, and towns in which they are located.

NOW, THEREFORE, BE IT RESOLVED, that the Smyth County Board of Supervisors, does hereby request the Commonwealth Transportation Board consider approval to name the Cedar Branch Bridge in Smyth County the Blake Wiley Farris, Jr. Memorial Bridge; and

BE IT FURTHER RESOLVED, the Smyth County Board of Supervisors request that the appropriate signs, as directed by the Department, be placed calling attention to this designation.


Clerk
Smyth County Board of Supervisors

4-10-13
Date

<i>Saltville District</i>	<i>North Fork District</i>	<i>Chilhowie District</i>	<i>Park District</i>	<i>Atkins District</i>	<i>Royal Oak District</i>	<i>Rye Valley District</i>
<i>Roscoe D. Call</i>	<i>Ron C. Blevins</i>	<i>Wade H. Blevins Jr.</i>	<i>M. Todd Dishner</i>	<i>J. Howard Burton</i>	<i>Regina H. Davidson</i>	<i>Rick K. Blevins</i>



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Michael L. Carter
County Administrator

Scott R. Simpson, P.E.
Assistant County Administrator

RESOLUTION

**Naming the Broadford Bridge in Smyth County as the
"Herbert Alanson Frye Memorial Bridge"**

At the April 9, 2013 meeting of the Smyth County Board of Supervisors, the Board adopted the following:

SUPERVISORS:

Wade H. Blevins, Jr., Chairman, Chilhowie District
M. Todd Dishner, Vice Chairman, Park District
Rick K. Blevins, Rye Valley District
Ron C. Blevins, North Fork District
J. Howard Burton, Atkins District
Roscoe D. Call, Saltville District
Regina H. Davidson, Royal Oak District

VOTE:

AYE
AYE
AYE
AYE
AYE
AYE
AYE

WHEREAS, the Smyth County Board of Supervisors has received a request from the Saltville VFW to assist in naming a bridge in Herbert Alanson Frye's honor, and

WHEREAS, the Smyth County Board of Supervisors adopts this resolution for the Commonwealth Transportation Board to consider the approval of naming the Broadford Bridge in Smyth County as the Herbert Alanson Frye Memorial Bridge; and

WHEREAS, per the Virginia Code Section 33.1-12(4), the costs of producing, placing, and maintaining these signs shall be paid by the counties, cities, and towns in which they are located.

NOW, THEREFORE, BE IT RESOLVED, that the Smyth County Board of Supervisors, does hereby request the Commonwealth Transportation Board consider approval to name the Broadford Bridge in Smyth County the Herbert Alanson Frye Memorial Bridge; and

BE IT FURTHER RESOLVED, the Smyth County Board of Supervisors request that the appropriate signs, as directed by the Department, be placed calling attention to this designation.


Clerk
Smyth County Board of Supervisors

4-10-13
Date

Saltville District North Fork District Chilhowie District Park District Atkins District Royal Oak District Rye Valley District
Roscoe D. Call Ron C. Blevins Wade H. Blevins Jr. M. Todd Dishner J. Howard Burton Regina H. Davidson Rick K. Blevins



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Michael L. Carter
County Administrator

Scott R. Simpson, P.E.
Assistant County Administrator

RESOLUTION

**Naming the Beaver Creek Bridge in Smyth County as the
"Troy Ray Hayden Memorial Bridge"**

At the April 9, 2013 meeting of the Smyth County Board of Supervisors, the Board adopted the following:

SUPERVISORS:

Wade H. Blevins, Jr., Chairman, Chillhowie District
Rick K. Blevins, Rye Valley District
Ron C. Blevins, North Fork District
J. Howard Burton, Atkins District
Roscoe D. Call, Saltville District
Regina H. Davidson, Royal Oak District
M. Todd Dishner, Vice Chairman, Park District

VOTE:

AYE
AYE
AYE
AYE
AYE
AYE
AYE

WHEREAS, the Smyth County Board of Supervisors has received a request from the Saltville VFW to assist in naming a bridge in Troy Ray Hayden's honor, and

WHEREAS, the Smyth County Board of Supervisors adopts this resolution for the Commonwealth Transportation Board to consider the approval of naming the Beaver Creek Bridge in Smyth County as the Troy Ray Hayden Memorial Bridge; and

WHEREAS, per the Virginia Code Section 33.1-12(4), the costs of producing, placing, and maintaining these signs shall be paid by the counties, cities, and towns in which they are located.

NOW, THEREFORE, BE IT RESOLVED, that the Smyth County Board of Supervisors, does hereby request the Commonwealth Transportation Board consider approval to name the Beaver Creek Bridge in Smyth County the Troy Ray Hayden Memorial Bridge; and

BE IT FURTHER RESOLVED, the Smyth County Board of Supervisors request that the appropriate signs, as directed by the Department, be placed calling attention to this designation.


Clerk
Smyth County Board of Supervisors

4-10-13
Date

Saltville District	North Fork District	Chillhowie District	Park District	Atkins District	Royal Oak District	Rye Valley District
Roscoe D. Call	Ron C. Blevins	Wade H. Blevins Jr.	M. Todd Dishner	J. Howard Burton	Regina H. Davidson	Rick K. Blevins



RESOLUTION

**Naming the Rich Valley Bridge in Smyth County as the
"Robert Keith Worley Memorial Bridge"**

At the April 9, 2013 meeting of the Smyth County Board of Supervisors, the Board adopted the following:

SUPERVISORS:	VOTE:
Wade H. Blevins, Jr., Chairman, Chilhowie District	AYE
Rick K. Blevins, Rye Valley District	AYE
Ron C. Blevins, North Fork District	AYE
J. Howard Burton, Atkins District	AYE
Roscoe D. Call, Saltville District	AYE
Regina H. Davidson, Royal Oak District	AYE
M. Todd Dishner, Vice Chairman, Park District	AYE

WHEREAS, the Smyth County Board of Supervisors has received a request from the Saltville VFW to assist in naming a bridge in Robert Keith Worley's honor, and

WHEREAS, the Smyth County Board of Supervisors adopts this resolution for the Commonwealth Transportation Board to consider the approval of naming the Rich Valley Bridge in Smyth County as the Robert Keith Worley Memorial Bridge; and

WHEREAS, per the Virginia Code Section 33.1-12(4), the costs of producing, placing, and maintaining these signs shall be paid by the counties, cities, and towns in which they are located.

NOW, THEREFORE, BE IT RESOLVED, that the Smyth County Board of Supervisors, does hereby request the Commonwealth Transportation Board consider approval to name the Rich Valley Bridge in Smyth County the Robert Keith Worley Memorial Bridge; and

BE IT FURTHER RESOLVED, the Smyth County Board of Supervisors request that the appropriate signs, as directed by the Department, be placed calling attention to this designation.

Clerk
Smyth County Board of Supervisors

4-10-13
Date

<i>Saltville District</i>	<i>North Fork District</i>	<i>Chilhowie District</i>	<i>Park District</i>	<i>Atkins District</i>	<i>Royal Oak District</i>	<i>Rye Valley District</i>
<i>Roscoe D. Call</i>	<i>Ron C. Blevins</i>	<i>Wade H. Blevins Jr.</i>	<i>M. Todd Dishner</i>	<i>J. Howard Burton</i>	<i>Regina H. Davidson</i>	<i>Rick K. Blevins</i>

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:15:39 PM](#) Mrs. Clayton referenced a tower license agreement for a tower on Flat Top Mountain owned by the County. The Tazewell County Sheriff's Office has requested a license to put equipment on the tower for a fee. This agreement would allow them to do that and give the County protection. Royal Oak District Supervisor Regina H. Davidson made a motion to approve the tower license agreement. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:16:42 PM](#) Mrs. Clayton provided additional information on the Public Private Education Facilities and Infrastructure Act. PPEA would be used as a tool for economic development allowing the County to accept proposals as opposed to going out for RFP on economic development issues. PPEA is geared more toward education, but covers any type of development for public use. In a lot of cases, companies that respond to RFP's are selected based on lowest price even if someone else is a better choice. By adopting a resolution supporting the PPEA, a private company could solicit a project through PPEA and then come to the County with all the details. This way, the cost is shifted to the private sector. Since the County is focused on economic development, this would be a tool for us to open the door and let other people know that we have this. Mr. Simpson noted that any unsolicited plan that is received would have to be evaluated, but the County would have to advertise that an unsolicited bid was received and open it up for other bids to come in. It reduces cost and puts the risk on the builder and accelerates the timeframe. He believes it could be advantageous, but not right for every situation. North Fork District Supervisor Ron C. Blevins asked about any known problems related to PPEA projects and stated he would like more time to look into it deeper before voting; he doesn't want to jump into something we're not sure about it. Atkins District Supervisor J. Howard Burton stated he would like to table this matter until there's more information received. Vice Chair, Park District Supervisor M. Todd Dishner stated he appreciates looking into different avenues. Royal Oak District Supervisor

Regina H. Davidson wanted to make sure the County is not locked into doing this; "it's just another avenue and we can always fall back to the other". Rye Valley District Supervisor Rick K. Blevins asked if we receive an unsolicited proposal then there is an advertising requirement for other bids; no deal can be cut or proposals come in and we just do it. Mrs. Clayton answered if the County likes the proposal then they would advertise for other bids and bring it back before the Board. Mr. Carter asked Mrs. Clayton if there needed to be a public hearing to consider a project and Mrs. Clayton said no public hearing is necessary to approve a project. North Fork District Supervisor Ron C. Blevins made a motion to table this matter until next month to study more. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:36:52 PM](#) Mr. Carter presented a resolution supporting Mount Rogers Planning District Commission as an indoor plumbing rehabilitation regional sub-recipient. Saltville District Supervisor Roscoe D. Call made a motion to the resolution of support. Royal Oak District Supervisor Regina H. Davidson seconded the motion.



RESOLUTION

**IN SUPPORT OF MOUNT ROGERS PLANNING DISTRICT COMMISSION
AS IPR REGIONAL SUB-RECIPIENT**

WHEREAS, The Virginia Department of Housing and Community Development has modified the program delivery vehicle of the Indoor Plumbing Rehabilitation Program; and

WHEREAS, this modification results in the formation of Six Service Regions across the State served by a sole Regional Sub-Recipient; and

WHEREAS, The Mount Rogers Planning District Commission is submitting a proposal to serve as the Regional Sub-Recipient for Service Area One; and

WHEREAS, the Planning District Commissions are governed by an Executive Committee comprised of representatives from each member locality; and

WHEREAS, the MRPDC's proposal is based on partnerships with several independent organizations that will serve as "Local Service Providers" to the localities; and

WHEREAS, The MRPDC's proposal includes language to continue working with the governing body of each member locality to solicit input and direction on the delivery of the IPR Program; and

WHEREAS, under the MRPDC's proposal, each member locality will be asked to choose an area provider from all interested Local Service Providers.

NOW THEREFORE, BE IT RESOLVED, that the Smyth County Board of Supervisors supports the Indoor Plumbing Rehabilitation Program Delivery proposal as written and submitted by the Mount Rogers Planning District Commission, and looks forward to the continued success of this program in our locality.

Adopted this the 9th day of April, 2013, in Smyth County, Virginia.

By: Wade H. Blevins, Jr.
Wade H. Blevins, Jr., Chairman
Smyth County Board of Supervisors

Attest: Michael L. Carter
Michael L. Carter, Clerk
Smyth County Board of Supervisors

<i>Salville District</i>	<i>North Fork District</i>	<i>Chilhowie District</i>	<i>Park District</i>	<i>Atkins District</i>	<i>Royal Oak District</i>	<i>Rye Valley District</i>
<i>Rascoe D. Call</i>	<i>Ron C. Blevins</i>	<i>Wade H. Blevins, Jr.</i>	<i>M. Todd Dishner</i>	<i>J. Howard Burton</i>	<i>Regina H. Davidson</i>	<i>Rick K. Blevins</i>

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,

Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Supervisor Call stated that the Mount Rogers Planning District Commission has a good program for indoor plumbing rehab and any citizen without indoor plumbing should contact them for more information.

[7:39:45 PM](#) Mr. Simpson provided an update on construction taking place in the County administration building for ADA compliance. The contractor has started work in the evenings doing demolition of restrooms. They are being completely gutted and put back three at a time. The first three bathrooms are 50-60% complete and should be finished next week. There are eight bathrooms in the building that need to be redone. There are also door corrections in the Building Inspection area and handicapped parking upgrades at that same end of the building. Plans and specs begin tomorrow at the Library on the bathrooms and parking lot upgrades. All work on these two buildings should be completed by June. Bids will go out soon for the ADA upgrades at the Animal Shelter, Solid Waste, Health Department, Konnarock and Riverside Community Centers and the contracts will be awarded prior to adopting the final budget for next year.

[7:42:41 PM](#) Mr. Simpson reported that sewer relocation work at the Courthouse has begun and is about 30% complete on Main Street. Work will move to Park, Strother and Church Streets as it progresses, but the traffic impact on Main Street should be finished the end of next week. The lower level of the Courthouse has been gutted with holding cells built back in. Utility reconnection to the building is being coordinated with AEP, Centurylink and the gas company to bring the utilities in on the side of the building. The contractor is on schedule and plans to have the holding cells ready the first of next week to free up the jail facility for any abatement and begin the demolition. Mr. Simpson reported that phase one should be 100% complete by the middle of July.

[7:45:29 PM](#) Arthur Barker, Smyth County Sheriff's Office, provided information to the Board about a DCJS grant being handed down for \$1.2 million dollars to provide for additional school resource officers. With the recent increase in school violence, there is a need for more officers to combat violence and a dedication to keeping schools safe. The Sheriff's Office is seeking to apply for funding for three more positions – one at Oak Point Elementary, one at Northwood Middle and one at either Atkins or Sugar Grove. Mr. Barker is asking for permission from the Board to apply for the grant. North Fork District Supervisor Ron C. Blevins made a motion to approve applying for the grant and stated there is nothing more precious to keep secure than our children. Saltville District Supervisor Roscoe D. Call seconded the motion. Mr. Carter asks if this would be a salary of \$41,000 per position for a total of three and Mr. Barker stated it would. It was noted this request is for the application which requires no commitment at this time but, if awarded the grant, Mr. Barker will come back and discuss the financial part for the Board to accept or deny. Vice Chair, Park District Supervisor M. Todd Dishner asks if these are

matching grants and Mr. Barker stated it would be – the basic salary plus fringe benefits x.2178 which is an \$8,000 match. Rye Valley District Supervisor Rick K. Blevins asks if localities have to sustain the positions after four years with the County having to fund the position. Mr. Barker said the County would have to show that it can be, not will be, sustained.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:49:38 PM](#) Mrs. Clayton presented a resolution recognizing Black Diamond Search and Rescue Council as a first responder agency. They have been in existence since 2004 going out for search parties and are in the process of seeking EMS licensing. The resolution doesn't put any liability on the County, but Black Diamond has indicated they need approval from the Board to apply for first responder status. They are more like "for profit" and the County doesn't have any line of duty or DERA coverage. Mr. Carter asked about vehicle information and Mrs. Clayton said she would follow up, but she doesn't think they utilize any emergency response vehicles; only their own vehicles for personal use. Royal Oak District Supervisor Regina H. Davidson stated that we have great EMS services in our area, but they are not trained to go out in areas such as the Appalachian Trail like the Black Diamond group. Mrs. Clayton stated that these responders will only be providing emergency treatment in their search area. Royal Oak District Supervisor Regina H. Davidson made a motion to approve the resolution of support contingent upon verification of the emergency vehicle list. Saltville District Supervisor Roscoe D. Call seconded the motion.

Proposed for Approval by the Board of Supervisors of the County of Smyth, Virginia at its Regular Meeting on April 9, 2013 – A Resolution Recognizing Black Diamond Search and Rescue Council and Approving its Application as a First Responder Agency.

RESOLUTION

WHEREAS, the Code of Virginia § 15.2-955 provides that no volunteer rescue squad, emergency medical service organization or other organization providing similar type services, or volunteer fire-fighting organization shall be established in any locality on or after July 1, 1984, without the prior approval by resolution of the governing body, i.e. the Smyth County Board of Supervisors, and

WHEREAS, the Code of Virginia § 15.2-955 also provides that each locality shall seek to ensure that emergency medical services are maintained throughout the entire locality, and

WHEREAS, the County may from time-to-time review the status of already recognized and approved volunteer EMS and volunteer fire departments operating within its boundaries, and

WHEREAS, Black Diamond Search and Rescue Council Inc. (BDSAR) was incorporated in 2004 with an address of 226 Park Boulevard, Marion, Virginia, and operates throughout Southwest Virginia, and

WHEREAS, Dr. Mark Henley has agreed to serve as the Operational Medical Director for the agency and to establish necessary protocols, and

WHEREAS, twenty-seven (27) members of the BDSAR have committed to the necessary training to become and remain certified as First Responders, and

WHEREAS, BDSAR needs to be recognized in order to obtain EMS Licensure.

NOW, THEREFORE, BE IT RESOLVED, on this the 9th Day of April, 2013 that the Smyth County Board of Supervisors in its Regular Session hereby approves the following:

1. Recognition of BDSAR as an EMS Agency;
2. Application for the BDSAR to be licensed as a First Responder Agency when conducting search and rescue missions; and,
3. Nothing in the Resolution shall be deemed to recognize BDSAR as an integral part of the official safety program of the County.

Adopted this 9th day of April, 2013.

By: 
Wade Blevins, Chair for the Smyth County
Board of Supervisors

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:54:18 PM](#) Mr. Carter stated a festival permit had been received from Atkins Fire Department for the Crowe Festival in Atkins on June 15, 2013 (rain date June 22, 2013). All of the information required by the ordinance to go along with the application has been provided along with an estimate of 200 people expected to attend. A check for the application fee was included, but Mr. Carter asks for consideration of an exemption for the amount of the check. Mr. Carter asked Mrs. Clayton to check on what exemptions may apply and he also asks the Board for consideration of setting a public hearing on May 14, 2013 at 6:30 p.m. Royal Oak District Supervisor Regina H. Davidson made a motion to set the public hearing for the Crowe Festival application. Saltville District Supervisor Roscoe D. Call seconded the motion. Mr. Carter noted at the May 14th meeting he will ask the Board to consider waiving the rules to allow for ample time for advertising for the festival.

[7:58:04 PM](#) John Patterson, General Manager of American Wood Fibers in Seven Mile Ford, asked to be taken off the agenda.

[7:58:17 PM](#) Mr. Carter asked the Board to consider setting a public hearing for the County budget on May 14th at 6:15 p.m. for consideration at the June 11th Board meeting. Rye Valley District Supervisor Rick K. Blevins asked if the proposed budget would be received by the Board in advance of that meeting for review. Mr. Carter stated they would be distributed to the Board before the end of April. North Fork District Supervisor Ron C. Blevins made a motion to set the public hearing. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:00:04 PM](#) Under Old Business, North Fork District Supervisor Ron C. Blevins gave a reminder about the public meeting scheduled for Monday, April 22nd at 7:00 p.m. at Northwood Middle School to receive citizen input on a request from the Virginia Outdoors Foundation for designation of a special project area.

[8:00:55 PM](#) Rye Valley District Supervisor Rick K. Blevins asked about the status of meeting with the new Town Manager concerning the Town of Marion's request for a boundary line adjustment. Mr. Carter stated the initial priority has been working on the information discussed during closed session. Mr. Carter asked that this matter be continued for at least another month.

[8:01:44 PM](#) **Supervisor Comment Time** – Royal Oak District Supervisor Regina H. Davidson had nothing. North Fork District Supervisor Ron C. Blevins had nothing. Rye Valley District Supervisor Rick K. Blevins had nothing. Atkins District Supervisor J. Howard Burton wished Vice Chair, Park District Supervisor M. Todd

Dishner a happy birthday. Saltville District Supervisor Roscoe D. Call thanked the Board for approving the resolutions for the bridge dedications in Saltville.

[8:02:22 PM](#) A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to adjourn the meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chilhowie District Supervisor Wade H. Blevins, Jr.,
Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call, and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, May 14, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.; Vice Chair, Park District Supervisor M. Todd Dishner (entered meeting at 5:05 p.m.); Rye Valley District Supervisor Rick K. Blevins; North Fork District Supervisor Ron C. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D. Call; Royal Oak District Supervisor Regina H. Davidson (7)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Director of Finance Charlie Atkins; Economic Development Director Sally Morgan; County Attorney Michelle Clayton; Deputy Sheriff Mike Hounshell; Administrative Assistant Christy Bise (7)

OTHERS PRESENT: Dr. Michael Robinson, Smyth County School Superintendent; Stephanie Porter-Nichols, Smyth County News and Messenger; Renss Greene, Smyth County News and Messenger; approximately 75 citizens

[4:02:55 PM](#) Chairman Blevins called the meeting to order.

[4:02:58 PM](#) **Closed Session** – It was moved by North Fork District Supervisor Ron C. Blevins to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.5 Industrial/Business Prospects** – discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business’ or industry’s interest in location or expanding its facilities in the community. Mrs. Clayton stated she had nothing under **A.7 Legal**. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[4:13:16 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to go out of closed session. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[4:13:27 PM](#) Chairman Blevins called a 45 minute recess.

[4:59:28 PM](#) Chairman Blevins called the meeting back to order.

[4:59:38 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Saltville District Supervisor Roscoe D. Call to return to open session and adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION CERTIFICATION OF CLOSED SESSION

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,

Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[4:59:59 PM](#) Heather Street, IT Department, gave the invocation and led the pledge of allegiance.

[5:00:52 PM](#) Chairman Blevins welcomed all those in attendance.

[5:00:58 PM](#) A motion was made by Royal Oak District Supervisor Regina H. Davidson, seconded by Saltville District Supervisor Roscoe D. Call, to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:01:20 PM](#) A motion was made by Atkins District Supervisor J. Howard Burton, seconded by North Fork District Supervisor Ron C. Blevins, to approve the minutes of the April 9, 2013 meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:01:44 PM](#) **Financial Status** Charlie Atkins reported that, per an e-mail from the Treasurer's Office on May 8th, there was \$8.2 million dollars available at the end of April which is sufficient to cover this month's appropriations. Mr. Atkins also noted that he received word Moody's upgraded the County's bond issues from an aa3 to an aa2 which is a positive step.

[5:02:46 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$5,510,000.00 for the

General Fund appropriation. The following is an explanation of the appropriations approved:

General Fund:

General County	\$1,350,000.00
Social Services	
(May 15 – 31, 2013)	\$300,000.00
(June 1 – 11, 2013)	\$60,000.00
Schools – Operating Fund	\$3,800,000.00
Total General Fund	\$5,510,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:03:27 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$700,000.00 for the School Textbook Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:03:46 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$300,000.00 for the School Debt and Capital Outlay Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,

North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:03:57 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$500,000.00 for the School Construction Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:04:13 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$195.77 for the Animal Damage Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:04:30 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$2,209.80 for the IDA Fund 4 appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:04:49 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor J. Howard Burton, to approve \$213,200.91 for the Courthouse Project appropriation.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:05:12 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner enters the meeting.

[5:05:18 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$34,089.96 for the Lick Skillet Housing Project appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: Vice Chair, Park District Supervisor M. Todd Dishner.

ABSENT: None.

[5:05:34 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$755,670.68 for the accounts payable listing.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

5:06:25 PM Mrs. Morgan introduced Robert Smith and Lori Ringley from U.S. Solutions call center located in Marion, Virginia.

5:07:16 PM Ms. Smith thanked the Board for the opportunity to speak. U.S. Solutions started in Bristol, Tennessee in November 2001 with eight employees and they now employ 500 employees at that site. The Marion site opened during the 3rd quarter of 2006 and is currently operating at capacity with up to 150 employees. The center handles calls primarily for Fed Ex, a customer since the late 1990's, related to billing, scheduling pick-ups, shipping and handling escalated issues. U.S. Solutions' goal is to keep the Marion site running at capacity and they have their next training class for new hires scheduled in August. Mr. Smith noted that everyone with the company starts out as agent to grow their career path and 95% of promotions are from within the company.

5:09:22 PM Mr. Simpson reported on manhole leaks in the Green Hill area caused by the recent rains. The leaks created infiltrations into the sewer system and instead of sending 20,000–30,000 gallons of sewer a day to Chilhowie the groundwater infiltration caused in excess of 1,000,000 gallons per day being sent. Emergency repairs were done to the manholes by a company out of Richmond. The County repaired eighteen manholes and the Town of Chilhowie repaired two. The County's cost of the repair totaled \$27,000 and can be covered through an internal transfer within the water and sewer budget and establishing a new line item. The breakdown of the transactions would be as follows:

Transfer from:

501-085020-0102	\$18,200	Water Purchases – Town of Marion – Atkins
501-085060-0001	\$6,700	Capital Projects – Burgess/Goodpasture
501-085060-0010	\$2,100	Capital Projects – Hwy. 107 Sewer

Establish new line item and transfer to:

501-085060-0015	\$27,000	Manhole Leak Repairs
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Mr. Simpson noted there was no time for the water and sewer committee to meet since this was an emergency situation and County administration made the decision to repair the manholes. Royal Oak District Supervisor Regina H. Davidson made a motion to transfer the money to compensate for the manhole repairs. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,

Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:13:18 PM](#) Chairman Blevins opened citizen's time.

[5:13:54 PM](#) Wilson Leonard, Chilhowie, Smyth County representative and Chairman of the Smyth-Wythe Airport Commission, presented information on the upcoming Wythe County Board of Supervisors' public hearing for consideration of withdrawing financial support to the airport commission effective June 30, 2014. Mr. Wilson gathered data to brief that Board at the meeting on May 28th at 9:00 a.m. on why they shouldn't, and legally can't, withdraw with one year's notice. The agreement between the Counties of Smyth and Wythe along with the Towns of Marion and Wytheville dates back to 1958 and for the past 55 years the two towns and two counties have worked together without conflict and the airport has grown to where it is today. Mr. Leonard provided information on the economic impact the airport provides and how it benefits this area as well as the state. It is currently used by business jets, life flights, mercy flights, the highway patrol, forestry service for spraying, mapping and aerial survey services outside of business along with occasional use by the military. Mr. Leonard noted that, as of May 2013, there is \$6.5 million dollars outstanding from the airport in grants and funding that is on a 20-year amortization schedule. If an airport that receives those funds closes, the airport has to pay back that outstanding amount. Mr. Leonard said this information will be presented to the Wythe County Board of Supervisors at the public hearing on the 28th.

[5:27:03 PM](#) With no one else wishing to speak, Chairman Blevins closed citizen's time.

[5:27:13 PM](#) Ron Thomason, Smyth County Tourism Association, presented information to the Board on tourism information that is being presented on behalf of the County. The tourism initiative is being promoted at conventions and trade shows and has been generating a lot of interest. Mr. Thomason reported tourism expenditures for the County are up 8.1% in 2011 over 2010 with the state average being an increase of 7-7.5%. Lodging and excise tax were also up along with the food tax. Numbers are being driven up thanks to the informative website and the money being given to the Tourism Association by the Towns and the County that is used toward marketing Smyth County's tourism. Mr. Thomason highlighted tourism opportunities throughout the County, further stating there are a tremendous number of assets in Smyth County to be proud of. Mr. Bob Lincoln addressed the Board on how promotion of the "Back of the Dragon" motorcycle venue attracts visitors to the area who use that event as a starting place and then discover other places they can go in the area. Mr. Thomason discussed a potential project to create a lookout on Walker Mountain similar to the one in Saltville that will need financial support in the future. He stated that "people who come to the County spend money and create revenue dollars"; "we need economic development in the County". Mr. Thomason commended the Board on the liquor by the drink legislation because that

will drive economic development. He expressed concern about lack of funding to the Lincoln Theatre, Song of the Mountains and the Crooked Road because those organizations would drive statistics to get motels and restaurants in the area. He encouraged the Board to rethink this funding because it will affect not just Smyth County but the surrounding counties as well. He stated "You will only be successful if you work together" and that will be critical in order for the exit 47 initiative to succeed. Mr. Thomason asked the Board to also reconsider the Tourism's funding request of \$4.25 per capita. The towns of Marion and Saltville have agreed to fund at that level and this money is needed to continue promoting the County's tourism. Royal Oak District Supervisor Regina H. Davidson noted she was recently in Florida and had a conversation with some people there about the "Back of the Dragon" events in our area. Mr. Thomason reported the next "Back of the Dragon" event in Smyth County is scheduled for October 5th. It is a one day rally, but generates months of business.

[5:56:12 PM](#) North Fork District Supervisor Ron C. Blevins stated he thinks there are some ways in the budget to come up with more funding for tourism, but it would have to be approved by the full Board. He stated that "in order to make money, you have to spend money".

[5:57:36 PM](#) Mr. Carter reviewed a request from the Art League of Marion concerning the Hungry Mother Festival signs placed in Seven Mile Ford and Atkins to advertise the festival. The League is asking the Board to recognize these as "official signs" to meet VDOT regulations. Mr. Carter noted this request comes before the Board each year and there is no cost to the County; the League takes care of everything. Vice Chair, Park District Supervisor M. Todd Dishner made a motion to recognize the signs belonging to the Art League as "official signs" to advertise the upcoming Hungry Mother Festival. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:00:02 PM](#) Chairman Blevins opened the public hearing for the **FY13-14 Smyth County School Board budget.**

[6:00:17 PM](#) Mr. Carter read the following advertisement as published in the Smyth County News and Messenger:

**NOTICE OF PUBLIC HEARING
ON THE SMYTH COUNTY SCHOOL BUDGET
FOR FISCAL YEAR COMMENCING
July 1, 2013– June 30, 2014
On May 14, 2013 at 6:00 p.m.**

This budget synopsis is prepared and published in accordance with Section 15.2-2506 and 22.1-93, of the Code of Virginia of 1950, as amended. The budget has been prepared and proposed on the basis of estimates made by the Smyth County School Board. The adoption of this proposed budget shall require a monthly appropriation by the Smyth County Board of Supervisors as required in Section 15.2-2506 for any contemplated expenditures.

The Smyth County Board of Supervisors will conduct a hearing for the purpose of receiving public comment on the proposed School Board budget for fiscal year beginning July 1, 2013. The public hearing will be held in the **Board of Supervisors meeting room, 121 Bagley Circle, Smyth County Office Building on May 14, 2013 at 6:00 p.m.**

Subject to the rules and procedures of the Board of Supervisors, at the above-mentioned day, time, and place any citizen of Smyth County may appear and express their opinion(s).

A full copy of the proposed Smyth County School Board budget is on file at the Office of the County Administrator, 121 Bagley Circle, Suite 100, Marion, Virginia, and may be viewed during regular business hours 8:00 a.m. – 5:00 p.m., Monday – Friday.

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

By order of the Smyth County Board of Supervisors
Michael Carter, County Administrator

Smyth County School Board			
Operations Budget For the Year Ending June 30, 2014			
Revenue Summary for Operations Budget			
	2012-2013	2013-2014	Difference
State Revenue	\$ 25,720,608	\$ 26,280,584	\$ 559,976
Local Revenue	\$ 7,696,986	\$ 8,011,575	\$ 314,589
Federal Revenue	\$ 6,377,860	\$ 5,295,987	\$ (1,081,873)
State Sales Tax	\$ 4,332,117	\$ 4,590,628	\$ 258,511
Other Revenue	\$ 2,035,482	\$ 2,158,402	\$ 122,920
TOTAL OPERATIONS	\$ 46,163,053	\$ 46,337,176	\$ 174,123

Expenditure Summary for Operations Budget			
	2012-2013	2013-2014	Difference
Instruction	\$ 33,888,131	\$ 33,912,629	\$ 24,498
Administration	\$ 1,571,564	\$ 1,602,304	\$ 30,740
Transportation	\$ 2,241,571	\$ 2,256,299	\$ 14,728
Facilities	\$ 4,277,698	\$ 4,252,996	\$ (24,702)
Food Service	\$ 2,912,393	\$ 3,033,210	\$ 120,817
Technology	\$ 1,271,696	\$ 1,279,738	\$ 8,042
TOTAL OPERATIONS	\$ 46,163,053	\$ 46,337,176	\$ 174,123

Smyth County School Board			
Capital Outlay and Debt Service Budget For the Year Ending June 30, 2014			
Revenue Summary for Capital Outlay and Debt Service Budget			
	2012-2013	2013-2014	Difference
Local Funds - Capital Outlay	\$ 185,138	\$ 185,138	\$ -
Local Funds - Debt Service	\$ 1,797,296	\$ 1,781,221	\$ (16,075)
Other Funds – Interest Rebate	\$ 403,750	\$ 487,113	\$ 83,363
TOTAL CAPITAL OUTLAY	\$ 2,386,184	\$ 2,453,472	\$ 67,288
Expenditure Summary for Capital Outlay and Debt Service Budget			
	2012-2013	2013-2014	Difference
Capital Outlay – Facilities	\$ 185,138	\$ 185,138	\$ -
Capital Outlay - Debt Service	\$ 2,201,046	\$ 2,268,334	\$ 67,288
TOTAL CAPITAL OUTLAY	\$ 2,386,184	\$ 2,453,472	\$ 67,288

[6:04:18 PM](#) Mr. Carter read the rules for public hearings.

[6:05:26 PM](#) Charles Buchanan, North Fork District, stated he was speaking as a grandfather and as a School Board representative. He noted it was a challenging year to balance the budget and commended the School Board staff on their hard work. He said some hard and life affecting decisions had to be made and other Counties are facing the same choices. It was also more difficult this year because the School Board was blindsided by an 18% increase in health insurance for employees which figured into a \$375,000 shortfall that wasn't planned. The School Board was able to overcome that and present a balanced budget. Mr. Buchanan appealed to the Board that full funding this year at 115% from the County is necessary in order to make things happen for kids in Smyth County because they are our future.

[6:09:40 PM](#) With no one else wishing to speak, Chairman Blevins closed the public hearing.

[6:09:45 PM](#) Mr. Carter asked the Board's consideration to vote on this matter. Dr. Robinson indicated a decision by the Board prior to May 31, 2013 would be acceptable so the Board agreed by consensus to vote on this item at their continued meeting on May 23, 2013.

[6:10:34 PM](#) North Fork District Supervisor Ron C. Blevins asked Dr. Robinson about any strings that might be attached to implementing federal funding. Dr. Robinson said he had researched the matter and found nothing related to Title 1 and 6b funds attached to working with disadvantaged children. He further noted that, at the federal level, most programs that require a match have been eliminated. Any funding requiring a match has been accommodated in the budget. Supervisor Blevins also asked if it is worth the cost to implement the programs versus the 11.48% that we are receiving from the federal government; i.e. "are we better off without the money and doing things on their own?" Dr. Robinson stated this answer has been debated in the past and the cost to the County is relatively small compared to the amount of funding received.

[6:13:28 PM](#) Chairman Blevins opened the public hearing for the **FY13-14 Smyth County proposed budget.**

[6:13:35 PM](#) Mr. Carter read the following advertisement as published in the Smyth County News and Messenger:

**NOTICE OF PUBLIC HEARING ON THE PROPOSED SMYTH COUNTY BUDGET FOR FISCAL
YEAR JULY 1, 2013 - JUNE 30, 2014
MAY 14, 2013 at 6:15 P.M.**

This budget synopsis is prepared and published for informative and fiscal planning purposes only. The inclusion in the budget for any item does not constitute an obligation or commitment on the part of the Board of Supervisors of this county to appropriate any funds for that purpose, except as it relates to the budget for the Smyth County School Board, which is governed by §22.1-93, et Seq.

This budget has been prepared on the basis of estimates and requests submitted to the Board of Supervisors by several offices and department heads of this County. There is no allocation or designation of any funds of this County for any purpose until there has been an appropriation for that purpose by the Board of Supervisors.

A hearing will be conducted by the Board of Supervisors on the budget for informative and planning purposes in the Board of Supervisors meeting room, 121 Bagley Circle, Smyth County Office Building on Tuesday, May 14, 2013, at 6:15 p.m., or soon thereafter, at which time any citizen of the County shall have the right to attend and subject to Rules and Procedures of the Board of Supervisors state his or her views. The budget is for informative and fiscal planning purposes and will not be approved, adopted or ratified by the Board of Supervisors on Tuesday, May 14, 2013.

A full copy of the proposed Smyth County Budget is on file at the Office of the County Administrator, 121 Bagley Circle, Suite 100, Marion, Virginia, and may be viewed during regular business hours 8:00 a.m. to 5:00 p.m., Monday - Friday.

Board of Supervisors Meeting Minutes
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SMYTH COUNTY BUDGET

<u>Revenue</u>	<u>FY/2013 Budget</u>	<u>Proposed FY/2014</u>	<u>Inc./Dec.</u>
Real Property Taxes	\$10,198,000	10,398,000	200,000
Public Services	810,000	950,000	140,000
Personal Property	2,638,640	2,622,500	(16,140)
PPTRA	1,804,310	1,804,310	-
Machinery & Tools	1,512,500	1,567,600	55,100
Merchants Capital	187,500	197,500	10,000
Lodging Tax	55,015	60,000	4,985
Penalties & Interest	240,000	275,000	35,000
Franchise Fees TV Cable	4,500	4,500	-
Motor Vehicle License	255,800	263,800	8,000
Rolling Stock Tax	32,800	38,000	5,200
Utility Licenses Tax	146,000	93,000	(53,000)
Consumer's Utility Tax	1,253,000	1,203,000	(50,000)
Permits & Other Licenses	107,150	111,150	4,000
Fines & Forfeitures	202,100	178,750	(23,350)
Interest on Investments	270,250	196,000	(74,250)
Use of Property	126,074	139,074	13,000
Court Cost	10,876	9,076	(1,800)
Charges for Commonwealth Attorney	2,500	3,500	1,000
Charges Correction & Detention	100	100	-
Charges Sanitation & Waste	848,000	896,000	48,000
Expenditure Refunds	628,279	484,949	(143,330)
Miscellaneous Revenue	131,000	31,500	(99,500)
Grant Money	2,225,000	2,230,000	5,000
Revenue from the Commonwealth	232,639	286,139	53,500
Comprehensive Service Act	623,500	587,079	(36,421)
Commonwealth Attorney	486,071	505,878	19,807
Sheriff	1,622,250	1,647,633	25,383

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Commissioner of the Revenue	104,263	105,959	1,696
Treasurer	102,631	104,508	1,877
Registrar/Electoral Board	56,563	57,694	1,131
Clerk's office	301,569	322,073	20,504
Local Sales Tax	1,950,000	2,100,000	150,000
Categorical Aid - Other	131,530	96,500	(35,030)
Special Assessments	4,900	23,650	18,750
Animal Licenses	11,500	11,500	-
IDA Funds	355,010	355,000	(10)
State School Funds	39,828,104	38,770,335	(1,057,769)
Board of Welfare -Social Serv	3,476,574	3,748,741	272,167
Proceeds from 2012 bonds	-	9,805,000	9,805,000
School Textbook Revenue	615,000	429,051	(185,949)
On-Site Wastewater Revenue	-	-	-
911 Wireless Grants	55,008	41,008	(14,000)
DEQ-EPA-STAR Grants	16,002	-	(16,002)
Pioneer Greenwood Project	109,728	11,547	(98,181)
Lick Skillet Project	425,000	400,000	(25,000)
Water-Sewer Revenue	1,980,000	2,096,400	116,400
Special Projects	375,000	850,000	475,000
Special Welfare	157,620	197,200	39,580
Drug Asset Revenue	39,006	8,000	(31,006)
Sheriff Dare Revenue	8,000	7,000	(1,000)
Courthouse Security Revenue	125,510	126,000	490
Asset Forfeiture	24,500	27,500	3,000
Revenue from Radar Fines Fund	865,000	724,000	(141,000)
Revenue from Local Sources (Fund Balance)	<u>1,981,322</u>	<u>1,510,788</u>	<u>(470,534)</u>
Sub-total	<u>79,753,194</u>	<u>88,713,492</u>	<u>8,960,298</u>

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Debt Service

Proceeds From Short term borrowing	5,000,000	5,000,000	-
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Sub-total	5,000,000	5,000,000	-
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Total County Budget Revenues	\$84,753,194	\$ 93,713,492	\$ 8,960,298
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<u>Expenditures</u>	<u>FY/2013 Budget</u>	<u>Proposed FY/2014</u>	<u>Inc./Dec.</u>
Board of Supervisors	\$997,010	\$ 761,641	\$ (235,369)
County Administration	454,774	432,363	(22,411)
Legal Department	96,618	124,582	27,964
Accounting	139,827	143,287	3,460
Commissioner of the Revenue	283,426	294,577	11,151
Assessor	300,000	60,000	(240,000)
Treasurer	350,882	379,060	28,178
Information Systems	320,666	333,530	12,864
Registrar	180,205	172,497	(7,708)
Circuit Court	65,505	76,177	10,672
General District Court	11,647	6,600	(5,047)
Juvenile & Domestic Courts	175,956	194,918	18,962
Clerk of the Circuit Court	519,691	554,204	34,513
Sheriff	2,853,506	2,870,514	17,008
Law Library	8,000	11,000	3,000
Commonwealth Attorney	591,824	583,220	(8,604)
Victim Witness Asst. Program	56,453	57,711	1,258
Central Dispatch	4,500	3,500	(1,000)
Smyth County Basic 911	755,002	537,617	(217,385)
Volunteer Fire Department	239,250	229,250	(10,000)
Ambulance & Rescue Service	165,800	129,800	(36,000)
Forestry	9,000	9,000	-
Sheriff - Jail	1,434,841	1,541,768	106,927

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Building Inspection & Zoning	348,447	370,922	22,475
Animal Control - Dog Warden	385,335	411,616	26,281
Medical Examiner - Coroner	500	500	-
Emergency Services - Civil Defense	20,415	21,238	823
Refuse Collection & Disposal	1,394,408	1,446,320	51,912
Convenience Stations	304,077	330,345	26,268
Rye Valley Water Co.	91,988	91,988	-
Smyth County Tourism	35,561	35,561	-
Courthouse Maintenance	181,196	194,051	12,855
Health Department Bldg Main.	91,032	88,806	(2,226)
County Office Bldg Main.	274,601	281,349	6,748
Local Health Department	441,023	441,023	-
Mental Health	207,528	166,022	(41,506)
Welfare & Social Services	4,200	4,200	-
Other Community expenses	225,821	256,821	31,000
Community Colleges	55,641	55,480	(161)
Capital Improvements	45,000	10,155,000	10,110,000
Recreation	29,000	29,000	-
Library Administration	926,466	947,479	21,013
Planning Commission	12,973	12,973	-
Community & Economic Development	172,164	213,650	41,486
County Engineer	15,500	10,100	(5,400)
Industrial Development Authority	2,349,350	2,490,835	141,485
Soil & Water Conservation	28,250	28,250	-
Cooperative Extension Program	87,234	87,234	-
Comprehensive Service Act	857,936	811,354	(46,582)
Animal Control	44,323	42,862	(1,461)
IDA General Expenses	570,000	225,000	(345,000)
County School Operations & Capital Outlay	47,072,480	46,337,176	(735,304)
County School Debt Service	2,435,044	2,453,472	18,428
Welfare & Social Service Cost	4,256,894	4,648,720	391,826

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School Textbook Fund Expense	600,000	250,000	(350,000)
Special Dispatch Funds	75,836	66,420	(9,416)
Pioneer Greenwood Project	109,728	11,547	(98,181)
Cedar/Hall Expense	16,002	-	(16,002)
On Site Waste Water Expense	33,021	33,000	(21)
Lick Skillet Project	410,000	400,000	(10,000)
Water-Sewer Department Operations	1,385,432	1,306,221	(79,211)
Water-Sewer Department Debt Service	957,003	965,388	8,385
Funded Projects	375,000	850,000	475,000
Special Welfare Funds	173,000	173,000	-
Drug Asset Expense	39,000	8,000	(31,000)
Sheriff Dare Program	7,000	7,000	-
Courthouse Security	115,500	115,500	-
Asset Forfeiture	24,500	24,500	-
Radar Fund Expense	<u>655,402</u>	<u>508,753</u>	<u>(146,649)</u>
Sub-total	<u>77,955,194</u>	<u>86,915,492</u>	<u>8,960,298</u>
DEBT SERVICE			
Payment on Line of Credit	5,000,000	5,000,000	-
Payment on Courthouse Debt	<u>1,798,000</u>	<u>1,798,000</u>	<u>-</u>
Sub-total	<u>6,798,000</u>	<u>6,798,000</u>	<u>-</u>
Total County Budget Expenditures	<u>\$ 84,753,194</u>	<u>\$ 93,713,492</u>	<u>\$ 8,960,298</u>

In preparation of the above budget the Smyth County Board of Supervisors proposed no changes in the current tax levies:

The Board proposes to adopt, pursuant to §58.1-3001 et seq. a real estate levy on all taxable real estate located in Smyth County, Virginia, including equalized real estate, where applicable, a unit levy of \$0.74 per \$100.00 of assessed valuation; Tax on tangible personal property and the tangible personal property of public service corporations, except rolling stock of corporations operating railroads, a unit levy of \$2.30 per \$100.00 of assessed valuation; Machinery & Tools \$1.55 per \$100.00 of assessed valuation; Tax on Category 23 items (trucks used in interstate commerce over 10,000 pounds) a unit levy of \$1.55 per \$100.00 of assessed valuation; Tax on merchants capital a unit levy of \$0.40 per \$100.00 of assessed valuation.

By order of the Smyth County Board of Supervisors, Michael L. Carter, County Administrator

Mr. Carter gave a brief summary of the budget and noted that, although the bottom lines have increased, the deficit funding has decreased.

[6:18:30 PM](#) Mr. Carter read the rules for public hearings.

[6:19:36 PM](#) Todd Christensen presented information in support of Friends of Southwest Virginia's budget request. This organization represents the 19 county, 4 city Southwest Virginia region and stresses bringing in enterprise and tourism through cultural representation.

[6:24:38 PM](#) Diana Blackburn presented information on the Artisan Trails of Southwest Virginia. She noted that Smyth County has a wealth of talented artisans and craft sales at Heartwood from Smyth County artisans totaled \$31,000 in 2012. Brochures on the Artisan Trails are available at the local Chamber of Commerce and at welcome centers.

[6:27:21 PM](#) Jack Hinshelwood presented information in support of the Crooked Road's budget request. Smyth County has two popular attractions – the Smyth County Jam in Chilhowie is the most popular jam session on the Crooked Road along with the Song of the Mountains performances. Mr. Hinshelwood stated there is a wonderful musical legacy here in Smyth County along with many talented musicians. He also presented information on an SOL compatible music of the region lesson plan that can be made available to Smyth County schools. The Crooked Road was also featured in U.S. Airways March 2013 issue as one of the best musical pilgrimages.

[6:34:21 PM](#) Jane Hale presented information in support of the Guardian Angel ministry. This organization is in place to help the people of Smyth County who "fall through the cracks". Financial support from the County would help provide a full-time staff person that would be available to handle the requests for assistance received by the organization. Ms. Hale had also sent a letter to Mr. Carter requesting a donation from the County of one of the surplus vehicles that Guardian Angel volunteers could use for client's transportation needs.

[6:38:21 PM](#) Carolyn Cattle also spoke on behalf of the Guardian Angel program. She is a member of their board and a retired employee of a local church and has seen people struggling and suffering in the County. She stated there are many people who need assistance from this program and having a full-time person in place to point them in the right direction is what they need.

[6:41:00 PM](#) Jim Gates stated he is a member of the Marion Town Council and sat in this same position with the Town last week discussing revenues and not enough money to meet expenses. He understands that in a tough budget cycle some things aren't as important as mandated things such as expenses and payroll. He believes the County is headed in right direction and doing great things. Debt has been forced upon the County and a lot of debt has been incurred that needs to be paid off, but he believes a silver lining is coming up. His request is that, when things turn around, the Board remembers we're all in this together and consider all organizations that have been cut when discretionary income does become available.

[6:44:22 PM](#) Trevor Cassell spoke on behalf of the Brain Injury Services of Southwest Virginia. They are a non-profit human services agency that serves individuals with traumatic brain injuries. Mr. Cassell stated it takes \$60,000 a year to serve brain

injury patients in Smyth County and any funding given to the organization would be an investment in those individuals. He concluded that any donation amount would be appreciated.

[6:47:17 PM](#) Tracy McCarty spoke on behalf of the SCALE adult literacy program. This is the program's 25th anniversary year and the Board has provided funding to the organization for 23 of those years. She outlined the importance of the program and gave examples of how it helps those in the County. SCALE is about building up people who are the heart of the program. The program is working to help break the cycle of poverty and get people jobs in order for them to be sustainable which, in turn, has a large impact on the county.

[6:53:43 PM](#) Beverly Haddock spoke on behalf of the Humane Society. The main goal of the program is to raise money to subsidize the cost of spaying and neutering animals to help control the overpopulation problem in the County. The Society coordinates the spay/neuter program with the Margaret Mitchell Clinic in Bristol, Virginia. Ms. Haddock noted the Society only asked for support from the County once before in 2011-12 fiscal year when there was an opportunity to get matching grant funds from the Two Mauds Foundation. The guidelines for the matching grant changed this year to a two-year requirement and the Society is asking for \$2,000 from the County this coming fiscal year and \$2,000 the next fiscal year.

[7:01:57 PM](#) Charles Buchanan spoke on behalf of the SCALE program. Mr. Buchanan encouraged the Board to consider providing some funding to the program if they are unable to commit to the full amount requested.

[7:05:17 PM](#) Earl McClure, Chilhowie, stated he appreciated the work done on the budget and a lot of unnecessary items were cut, but cuts didn't go far enough. He questioned some discrepancies between what was in the ad in the paper and what was posted online. Mr. McClure stated that citizens don't realize the County debt and how much their property has been mortgaged for that debt. He also stated there is a debt limit and the County needs to see how far they can go before revisiting Exit 47 development. He encouraged the Board to look for ways to add money to the budget to help hungry children throughout the County.

[7:13:43 PM](#) Beecher Perry, Marion, stated he has heard a lot of worthy causes that aren't able to be funded this year. Stating he was speaking for most people in the County, the ordinary person is working without a raise and the cost of living keeps going up. Mr. Perry believes a lot of money could be saved in the County by the elimination of paying overtime to the Sheriff's Office employees and giving them comp time instead.

[7:19:05 PM](#) James McNeil spoke on behalf of Marion Downtown. He noted that County support of main street communities is mentioned as part of the County's comprehensive plan. He stated the best reason to fund this organization is because they work hard and deserve it. The businesses opened downtown pay property tax that goes toward the County. Mr. McNeil discussed awards that have been presented to Marion Downtown for their revitalization efforts. He stated that any County money presented to Marion Downtown goes directly to projects and events, no salaries are paid from that money. This investment results in increased tax revenue for the County.

[7:24:49 PM](#) Mindy Dyer spoke on behalf of the W.W. Scott Senior Center. She reported that half of the members who come to the Center are County residents while all the cost of the Center is being beared by the Town of Marion. County residents aren't being charged to come to the Center, but Ms. Dyer is fearful that might happen if funding for the Center isn't provided. She also asked the Board's consideration to other agencies who are speaking tonight and any help would be extremely appreciated.

[7:28:49 PM](#) Kristen Untiedt-Barnett spoke on behalf of the Lincoln Theatre. She is aware of the recent losses incurred in the County, but there has also been growth. She stated tourism initiatives are growing across the country and the world. The Lincoln Theatre draws 10,000 visitors each year who are dining, shopping, lodging and visiting other venues within the County. The Lincoln offers a variety of programs and services to citizens through arts, culture, education and entertainment. She expressed appreciation for past support but, without continued funding support, the Theatre can't move forward and grow.

[7:33:27 PM](#) Tim White spoke on behalf of the Lincoln Theatre and Song of the Mountains. He stated people come here to see and hear what goes on at Lincoln and, if they are unable to physically come to the Theatre, they can at least see it on TV. He believes the Lincoln is a jewel in this fine town and in Smyth County and it's an investment for the County. He reported that 90-95% of people at the Song of the Mountain performances are from outside Smyth County and bring tourism dollars back to the County. Mr. White asked the Board not to take the Theatre for granted and reconsider investing because there is no better way to invest money for people to spend money in the County.

[7:36:45 PM](#) David Helms, Mayor of the Town of Marion, thanked the Board for their service to the County and understands the battle they've been through with the budget. It's a difficult problem with difficult choices that takes a lot of thought. Mayor Helms stated "we have a wonderful Town and County and need to work together". He is pleased that the Board included money again this year to help with the VFW's Memorial Day program because educating young people on the true meaning of Memorial Day is important. The missing man chair the Board approved to be placed on the Courthouse lawn will be dedicated on May 23rd at Noon and he extended an invitation to all Board members to attend. Mayor Helms asked the Board to consider funding for Marion Downtown to give people the tools they need to provide the services they are expected to provide. Mayor Helms commented that, in reference to Mr. Perry's remarks about paying overtime versus comp time for law enforcement, the Town of Marion gets grant money to pay for extra enforcement. He encouraged people not to criticize for the job being done, but to appreciate it and look toward moving forward. Mayor Helms concluded by asking the Board to look over the budget and, even though fees might have to be raised, if citizens want services they need to pay for them.

[7:42:28 PM](#) Ferrell Jones spoke on behalf of the 4-H Center in Abingdon. He stated he knows things are tight, but any support given toward these children comes back to the County with what they learn at the Center.

[7:43:37 PM](#) John Graham spoke on behalf of the Circuit Court Clerk's Office. He asked for reconsideration of cutting the postal budget for his office. He reported that, by law, concealed handgun permits now have to be mailed and his office has seen a marked increase in these permits. He also noted juror mailings have increased to 900 mailings up from 600 and the postage rate has increased as well. Mr. Graham noted his office is sending items out electronically when it is practical to do so.

[7:47:06 PM](#) With no one else wishing to speak, Chairman Blevins closed the public hearing.

[7:47:10 PM](#) Chairman Blevins called a 10 minute recess.

[8:10:39 PM](#) Chairman Blevins called the meeting back to order.

[8:10:43 PM](#) Chairman Blevins opened the public hearing for the **Atkins Volunteer Fire Department festival application.**

[8:10:55 PM](#) Mr. Carter read the following advertisement as published in the Smyth County News and Messenger:

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

[8:12:25 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to waive the reading of the rules for public hearings. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:12:42 PM](#) With no one wishing to speak on this matter, Chairman Blevins closed the public hearing.

[8:12:49 PM](#) Mr. Carter noted this matter was discussed at the April meeting and, in order to be able to advertise and get the word out about the event, the fire department would appreciate the Board's consideration of waiving the rules and voting on this item tonight.

[8:13:18 PM](#) Royal Oak District Supervisor Regina H. Davidson made a motion to waive the rules, seconded by Rye Valley District Supervisor Rick K. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:13:35 PM](#) Royal Oak District Supervisor Regina H. Davidson made a motion to approve the Atkins Volunteer Fire Department festival permit. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:13:51 PM](#) Mr. Carter noted Mrs. Clayton researched the possibility of waiving of the \$200 application permit fee for this organization. Mrs. Clayton stated the volunteer fire department would fall under “civic organizations” under Virginia Code Section 57. She stated if the Board chooses to waive the fee she wouldn’t object.

[8:14:48 PM](#) Atkins District Supervisor J. Howard Burton noted this is in his district and he is in favor of waiving the fee, but there is a question about setting precedence of waiving fees. Mrs. Clayton noted as a civic organization the volunteer fire department could get a waiver.

[8:15:42 PM](#) Royal Oak District Supervisor Regina H. Davidson made a motion to waive the festival application fee for the Atkins Volunteer Fire Department. Atkins District Supervisor J. Howard Burton seconded the motion. Rye Valley District Supervisor Rick K. Blevins asked for verification this would be just for volunteer fire departments and Mrs. Clayton confirmed that it was.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:16:18 PM](#) Chairman Blevins opened the public hearing for **VDOT Secondary Systems Six Year Plan**.

[8:16:27 PM](#) Mr. Carter read the following advertisement as published in the Smyth County News and Messenger:

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 2013/14 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.

[8:18:14 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to waive the reading of the rules for public hearings. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:18:32 PM](#) No citizens were signed up to speak. Jeff Russell, James Schwartz and Amy Frye were present representing VDOT. Mr. Russell reviewed the plan and the estimated allocations. He noted that CTB Formula funding is available and to qualify roads have to count 200 or more vehicles per day. Five roads in Smyth County meet this qualification. Mr. Russell gave an update on projects approved on last year's plan. Vice Chair, Park District Supervisor M. Todd Dishner asked about Farm View Road and Mr. Russell said it is almost complete; it needs shaping up from the winter weather and surface treatment which should be complete in month or two. Mr. Russell reviewed the roads added to this year's plan. North Fork District Supervisor Ron C. Blevins asked about Little Walker Way and Mr. Russell noted this project would begin this year. Rye Valley District Supervisor Rick K. Blevins noted some hazardous road conditions in the Rye Valley District and Mr. Schwartz noted some work had been done at the end of winter but he will follow-up. Atkins District Supervisor J. Howard Burton thanked VDOT for addressing the issues with the culvert coming out from under the interstate at the industrial park in Atkins.

[8:35:40 PM](#) With no one else wishing to speak, Chairman Blevins closed the public hearing.

[8:35:49 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to waive the rules for public hearings and vote on the VDOT six-year plan tonight. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,

Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:36:18 PM](#) Mr. Carter also asked for consideration of item 7 on the additional agenda related to a bridge closure on Route 617.

[8:37:36 PM](#) Royal Oak District Supervisor Regina H. Davidson made a motion to approve the resolution supporting VDOT's Secondary Systems Six-Year Plan. North Fork District Supervisor Ron C. Blevins seconded the motion.



Resolution

At a regular meeting of the Board of Supervisors of the County of Smyth, held at the Smyth County Administration Building on May 14, 2013 at 6:45 p.m.

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2013/14 through 2018/19) as well as the Construction Priority List (2013/14) on May 14, 2013, after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

WHEREAS, Jeff Russell, Residency Administrator, Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2013/14 through 2018/19) and the Construction Priority List (2013/14) for Smyth County,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Smyth County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2013/14 through 2018/19) and Construction Priority List (2013/14) are hereby approved as presented at the public hearing.

A COPY,

TESTE:


Michael L. Carter
County Administrator

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

8:38:11 PM Mr. Carter asked Mr. Russell about a beginning and completion date for the Route 617 bridge. Mr. Russell stated construction is scheduled to begin in April 2014 with a 30-day completion depending on the weather. Vice Chair, Park District Supervisor M. Todd Dishner made a motion to approve the resolution for the Route 617 bridge closure. Saltville District Supervisor Roscoe D. Call seconded the motion.



RESOLUTION FOR BRIDGE CLOSING
Route 617 (Walkers Creek Road)

The Board of Supervisors of Smyth County, in regular meeting on the 14th day of May, 2013, adopted the following:

RESOLUTION

WHEREAS, the Virginia Department of Transportation has deemed it necessary to close a portion of Route 617 (Walkers Creek Road) in Smyth County for approximately 30 days in the replacement of bridge structure #6019; and

NOW, THEREFORE, BE IT RESOLVED, that the Smyth County Board of Supervisors hereby concurs with the Virginia Department of Transportation's decision to close a portion of Route 617 to traffic when the bridge work occurs in 2014 until reconstruction of structure #6019 is complete.

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to the Resident Administrator for the Virginia Department of Transportation.

Recorded Vote:

Moved By: Park District Supervisor M. Todd Dishner

Seconded By: Saltville District Supervisor Roscoe D Call

Yeas: 7 Nays: 0

A Copy Teste:

Signed: Michael L. Carter

Printed Name: Michael L. Carter

Title: County Administrator

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:41:27 PM](#) The Board considered adoption of the Comprehensive Plan as discussed during the April 9, 2013 public hearing. Mrs. Clayton stated that no amendments to the plan have been approved since October 2005, which is in compliance with the eight year review required by the Virginia Code, but census numbers have not been updated during those eight years. She stated the plan is so out of date that it creates a problem and there will be plenty of opportunities to amend it as needed. Atkins District Supervisor J. Howard Burton asked if it is the Planning Commission's responsibility to update the plan and Mrs. Clayton answered that they did, but it is out of line with the census and it would be beneficial to get these numbers updated at this point. North Fork District Supervisor Ron C. Blevins made a motion to accept the Comprehensive Plan as written with the understanding changes can be made in the future. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:44:18 PM](#) Mrs. Morgan presented a request from Melvin and Deborah Thweatt to abandon a portion of Atkins Tank Road and move an existing rail siding closer to the existing Virginia House building. Mr. and Mrs. Thweatt plan to convert the old Virginia House building into an industrial warehouse space and, by moving the existing former siding closer to the building, it would allow off-loading on either side. A 300 foot section of Atkins Tank Road in front of the building would need to be officially abandoned to accommodate this request. Since it is a public road, there has been a meeting with VDOT to discuss the process and a public hearing is required. Atkins District Supervisor J. Howard Burton and Mr. Thweatt have spoken with the people along the road affected by this closure and didn't find any objection

to the request. Mrs. Morgan noted that after the public hearing the matter would go before the Board of Supervisors for vote and then to the Commonwealth Transportation Board so it will be September at the earliest before a final decision is made. Once a public hearing is set, VDOT will prepare a resolution to be presented to the Board. North Fork District Supervisor Ron C. Blevins made a motion to set the public hearing on the Atkins Tank Road abandonment request for June 11, 2013 at 6:00 p.m. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:48:48 PM](#) Mrs. Morgan presented a resolution of support on behalf of Competitive Power Ventures (CPV Smyth Generation Company LLC). CPV is proposing to construct a power plant in Atkins that is expected to generate a considerable economic impact here in Smyth County. Their plan was for Appalachian Power Company to be the primary purchaser when they go offline with some plants and need other power generation. APCo has now filed with the State Corporation Commission to transfer or acquire part of Amos and Mitchell coal power plants in West Virginia for satisfying that need for additional power generation when they have to go offline with other plants. CPV has filed with the SCC opposing APCo's application because they don't believe this is the lowest cost option and it does not address fuel diversity. This resolution would support CPV in their filing opposing APCO's application. There is a deadline for comments by May 24th. Atkins District Supervisor J. Howard Burton questioned how APCO's buying a portion of other plants would affect CPV's project here. Mrs. Morgan stated it would change their game plan for who they would be providing power to and could impact the timing of their project. The plant was scheduled to be online by 2017. North Fork District Supervisor Ron C. Blevins stated CPV is a good start for Smyth County to get into providing clean power. Royal Oak District Supervisor Regina H. Davidson made a motion to adopt the resolution of support for CPV. North Fork District Supervisor Ron C. Blevins seconded the motion.



Smyth County Board of Supervisors

121 Bagley Circle, Suite 100, Marion, VA 24354
Phone (276) 783-3298 Fax (276) 783-9314
www.smythcountys.org

Michael L. Carter
County Administrator

Scott R. Simpson, P.E.
Assistant County Administrator

RESOLUTION

Smyth County Board of Supervisors

WHEREAS, Appalachian Power Company (APCo) has filed a request with the State Corporation Commission (SCC) to acquire a portion of the ownership of two coal plants (33% of the Amos plant and 50% of the Mitchell plant) in West Virginia; and


WHEREAS, APCo contends that the purchase of these assets is the least cost alternative for its capacity and energy requirements; and

WHEREAS, participants in the case (Virginia Office of Attorney General, Old Dominion Committee for Utility Rates and East Tennessee Energy Consumers, and CPV Smyth Generation Company LLC) have conducted detailed analysis of APCo's conclusions and have questioned the validity of APCo's conclusions that acquisition of these two plants is the lowest cost solution for ratepayers; and

WHEREAS, these participants have also asserted that this proposal does not address the benefits of fuel diversity.

THEREFORE BE IT RESOLVED THAT the Smyth County Board of Supervisors recognizes the need for increased power generation, however it requests that the SCC consider the economic benefits of in-state generation, reject APCo's application, and require APCo to conduct an unbiased competitive procurement for in-state natural gas generation.

BE IT FURTHER RESOLVED THAT the Board of Supervisors requests that the SCC consider the significant economic benefits to Southwest Virginia, especially distressed areas like Smyth County, resulting from in-state power generation, as well as the direct and indirect benefits to rate-payers in the Commonwealth of Virginia.


Wade H. Blevins, Jr., Chairman


Michael L. Carter, County Administrator

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:55:16 PM](#) Mrs. Morgan also reported that CPV has hired a contractor to install a “met” tower to measure the meteorologic conditions on the site for twelve months as required by DEQ as part of the permitting process. Royal Oak District Supervisor Regina H. Davidson asked if property owners were informed the tower was going up and Mrs. Morgan and Atkins District Supervisor J. Howard Burton stated CPV indicated that everyone would be contacted. Mrs. Morgan also noted she has spoken with Mayor Helms and the Town of Marion is willing to do a similar resolution of support on CPV’s behalf.

[8:57:52 PM](#) Mr. Simpson provided information on the Groseclose sewer project. He stated that Mr. Neel from Gay and Neel Engineering presented information at the April Board meeting concerning changes to the engineering services and project design. Gay and Neel is working with VDOT to utilize an existing culvert already in place instead of drilling under the interstate which would result in a cost savings on the total project. The water and sewer committee met and discussed the project. At that time, Mr. Neel presented information on the additional engineering fees involved with changes to the project. The Board has already approved \$39,000 for the scope of work for exploratory borings under interstate to determine whether rock or clay was present. That work wasn’t done when it was discovered costs could be reduced by using the existing VDOT culvert. Mr. Neel’s proposal is for additional surveying totaling \$69,000 in rough numbers with \$39,000 already approved for exploratory drilling. There are plant and mussel surveys that will need to be completed which are required by DEQ in order to get DEQ funding for the project. The total new design task is reimbursable under DEQ and ultimately this additional design work will result in \$100,000 to \$150,000 savings on the project by not having to bore under the interstate. This is coming before the Board as a recommendation from the water and sewer committee.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[9:04:26 PM](#) Mr. Simpson noted that Mr. Neel is getting started on their end of the project immediately and will advertise for bids during the July-August timeframe. Items will be finalized with DEQ in the next few months and the County will see this important project happen.

9:05:00 PM Mrs. Clayton presented information on the PPEA/PPTA that has been discussed at previous Board meetings. Mrs. Clayton previously distributed information on the PPEA/PPTA guidelines for the Board to review and vote on whether to accept proposals from private industry for economic development. She noted the County maintains full control over what is received and has the opportunity to advertise for these types of proposals. She stated it requires a lot of someone wanting to make proposal but it is a positive thing for economic development. Atkins District Supervisor J. Howard Burton questioned what is being asked for and Mrs. Clayton answered the ability to have guidelines in place so private industry can come to the Board and make a proposal for consideration. The Board doesn't have to accept anything from these proposals, but it gives a lot of flexibility. North Fork District Supervisor Ron C. Blevins questioned the possibility of being flooded with unsolicited requests and proposals. Mrs. Clayton answered all proposals received would be reviewed by staff and, if a proposal was accepted, it would have to go out to the public for bid. She stated she doesn't see a downside. It is really complex and would require a lot of information be provided by serious developers. Saltville District Supervisor Roscoe D. Call stated the Board is under no obligation and Atkins District Supervisor J. Howard Burton disagreed because the County has to respond to any proposal received and County staff have other things to do with their time. Royal Oak District Supervisor Regina H. Davidson stated she thinks it's a great idea because there might be something out there the Board may not have thought of. "We've got to be one of those Counties that is ahead of the game". She added this will give the County another avenue to look at and they all have to be reviewed and if it's not good for the area it can be rejected. Mrs. Clayton also noted "we can always undo it" if it doesn't work. Mr. Simpson noted one example of how PPEA/PPTA would have been a good option for the County was with the parking structure. It could have been put out through PPEA with 4-5 proposals received with a guaranteed maximum price and then the developers are responsible for the design, building, everything. The new school construction and the courthouse renovations are other good examples because all the burden is put on the design group. Mr. Simpson added if the County doesn't adopt it then the opportunities aren't there. He added that any offer can be outright rejected by providing written response. Royal Oak District Supervisor Regina H. Davidson made a motion to approve the PPEA/PPTA legislation. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins and
Atkins District Supervisor J. Howard Burton,

ABSTAINERS: None.

ABSENT: None.

[9:16:10 PM](#) Mr. Carter read a recommendation to the Board of Supervisors from the Planning Commission.

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

Saltville District Supervisor Roscoe D. Call made a motion to accept the Planning Commission recommendation. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[9:17:35 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. deferred to Mr. Simpson concerning the courthouse committee meeting. Mr. Simpson reported the committee met on April 16, 2013 to discuss phase one of the courthouse project. The final building layout was the primary discussion at that meeting. After discussion, the committee agreed to recommend leaving the administrative offices at their current location because of the relationship these offices have with the School Board and Social Services. The committee also agreed to recommend having Mosley rework the plans and redesign the bottom floor of the courthouse as shell space that could be leased to outside agencies. Mosley's cost to rework the plans would cost \$39,711. After working with Mosley to redesign the plans, two options were presented. Option 1 goes back to the plan of having the Commissioner of Revenue and Treasurer on the same floor (the bottom) with their own "storefront"

entrance without requiring patrons to these offices to go through full security. This would leave open, unfinished areas of 1215, 1925 and 2915 square feet that would be potentially leasable space and on the upper floor would create future space for expansion. Option 2 would leave the Commissioner of Revenue where they're at on the first floor next to General District Court with the Treasurer located on the ground floor where the back entrance is so those two entities would not be located together. This redesign would leave 8,200 square feet of unfinished office space on the ground floor. Mr. Simpson noted Mosley can do this redesign work within 60 days and that would put an August/September timeframe to bid the work which would to start after first of the year. He also noted that shelling out this space would save \$485,000 in construction cost. Royal Oak District Supervisor Regina H. Davidson asked about cost versus savings on creating lease space and it was noted that leases would be structured accordingly. Supervisor Davidson also asked if there is anything that says the space can't legally be leased. Mrs. Clayton stated there is specific code that says it can be done. Chairman Wade Blevins said the committee recommendation is to leave the administrative offices where they are and lease out the shell space that could then allow for the Commission of Revenue and Treasurer to be located closer together. The Board's further decision is whether to locate the Commissioner of Revenue and Treasurer offices together on the ground floor or leave the Commissioner of Revenue's Office where it is. The Board unanimously agreed with the committee's recommendation for the administrative offices to stay where they are currently located.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

North Fork District Supervisor Ron C. Blevins made a motion to put the Commissioner of Revenue and Treasurer's office together to make it more accessible to citizens through Option 1. Royal Oak District Supervisor Regina H. Davidson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,

Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[9:30:02 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner, Chairman of the Surplus Committee, deferred to Mr. Carter concerning the surplus vehicles listing. Mr. Carter reviewed the list of vehicles available for surplus. A total of 15 vehicles are available for surplus; mostly former police cars from the Sheriff's Department with high mileage. Mr. Carter stated there are some seized vehicles and the Sheriff typically does those separately, but it is being encouraged to combine those as part of this sale. Sealed bids will be submitted and the scrap prices will be on hand for comparison. Mr. Carter noted that some vehicles came in after the surplus committee met but the committee is recommending to the Board to surplus all 15 vehicles and receive/compare bids in the next couple of weeks prior to June meeting and decide then whether to sell or not. North Fork District Supervisor Ron C. Blevins suggested during this meeting there be discussion with the Sheriff's Office about how the cars are being treated by the employees. Mr. Carter said he would relay that information to the Sheriff. The Board unanimously approved the committee's recommendation to surplus the vehicles.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[9:35:23 PM](#) Atkins District Supervisor J. Howard Burton reported the emergency communications committee met and discussed problems in the Town of Saltville receiving emergency calls on the new 911 system. Shannon Williams presented the committee information on how emergency calls are being handled in Saltville by using cell phones to communication. The committee is recommending completion of a study to look at installing a new tower which could boost the signal to the Saltville area. There is money in the current year's budget to fund the study. Saltville District Supervisor Roscoe D. Call said the rescue squad needs better service because they have to go outside the building to receive calls. Rye Valley District Supervisor Rick K. Blevins clarified this would not be a cell phone tower but a tower to boost the 911 system signal to reach Saltville.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[9:37:36 PM](#) North Fork District Supervisor Ron C. Blevins reported the Ordinance Committee met and discussed the amendments to the enterprise zone. A public hearing will need to be set to adopt these amendments. Rye Valley District Supervisor Rick K. Blevins made a motion to set the public hearing concerning amendments to the enterprise zone for Tuesday, June 11, 2013 at 6:30 p.m. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[9:38:50 PM](#) North Fork District Supervisor Ron C. Blevins also noted the Ordinance Committee agreed to hold joint meetings with the Planning Commission's Ordinance Committee to discuss issues including zoning and the comprehensive plan. The Board unanimously agreed with this committee recommendation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[9:39:51 PM](#) Mr. Simpson reported that CenturyLink has determined a way to re-route their cables out of Court Street to serve the Courthouse as part of the renovation project. Mr. Carter and Mr. Simpson talked with CenturyLink and walked the project and modified the preliminary project cost from \$48,632.70 to \$44,332. This will be a permanent installation to the Courthouse and includes additional capacity if needed. This project cost is built in to the original project budget with no new money involved. Mr. Simpson stated the Board needs to agree this is a cost that we agreed to incur as part of the project to keep it on track. Royal Oak District Supervisor Regina H. Davidson made a motion to have CenturyLink re-route their cables at a cost not to exceed \$44,332. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: None.

[9:44:34 PM](#) Mr. Carter provided an update on the Town of Chilhowie farmer's market. He made phone calls to the Town of Chilhowie and does have a copy of the minutes from the Town Council meeting when the public hearing was held. Mr. Carter was told by Town Manager Boswell he could reference Ms. Burchette's article in the Smyth County News. Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. stated he received petitions both supporting and opposing the project. Mr. Carter stated he would like to review the petitions and Chairman Blevins said the Board would take action at their June 11, 2013 meeting. More information will be provided at the May 23, 2013 continued meeting to better prepare the Board for making a decision in June.

[9:47:24 PM](#) Mr. Simpson reviewed the contract with Cherokee Construction for work at Exit 50 to make a better entrance as part of the plan is to put a guard house in at the entrance to Utility Trailer. There are potential issues with the septic and Utility wants to tie into the sewer across the road which requires boring. The IDA has agreed to fund the cost to bore under Nick's Creek Road to provide sewer service to that parcel. Mr. Simpson procured quotes from two qualified contractors and Cherokee Construction out of Abingdon has the in-house forces to do the work. This will be a beneficial project because if the County needs to upgrade and extend service further the road wouldn't have to be bored again. The estimated cost of \$11,750 includes VDOT permitting and this money would be taken from current IDA incentive money; there is no new money involved. North Fork District Supervisor Ron C. Blevins asked if the sewer could be moved down to other housing in the area and Mr. Simpson answered yes, it could. North Fork District Supervisor Ron C.

Blevins made a motion to move forward with the recommendation by the IDA to fund the \$11,750 that is not new money for this project. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[9:52:07 PM](#) Mr. Carter informed the Board that Youth Government Day will be held Thursday, May 16th. The students will arrive around 10:00 a.m. and he invited Board Members to attend. The program this year will be set up to introduce them to life as a board member. Royal Oak District Supervisor Regina H. Davidson stated she couldn't come this year but attended last year and it was great. She encouraged the other Board Members to attend.

[9:53:25 PM](#) Mr. Carter reported since the County has been designated as an Appalachian Trail Community along with the Town of Marion, there will need to be Board representation in that capacity. Royal Oak District Supervisor Regina H. Davidson volunteered to serve. Vice Chair, Park District Supervisor M. Todd Dishner made a motion to appoint Royal Oak District Supervisor Regina H. Davidson to serve as a Board representative for the AT Community. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[9:54:39 PM](#) Under Old Business, Mr. Carter informed the Board he had received one letter of support concerning the request for designation of a special project area by the Virginia Outdoors Foundation.

[9:55:10 PM](#) Chairman Blevins opened supervisor comment time.

[9:55:18 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner asked about resuming budget committee meetings. Mr. Carter said he anticipated they would resume next week.

[9:57:06 PM](#) Rye Valley District Supervisor Rick K. Blevins thanked the Board for all they do and thanked the budget committee for their work. He stated it is frustrating to sit and listen to public comments and not be able to respond.

[9:57:29 PM](#) Royal Oak District Supervisor Regina H. Davidson stated she will make her formal statement on the budget at the May 23rd continued meeting. She said she appreciates the budget committee's time and thought put into the budget.

[9:58:42 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to continue the meeting until May 23, 2013 at 7:00 p.m. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Smyth County Board of Supervisors held a continued meeting at 7:00 p.m., **Thursday, May 23, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor, Wade Blevins; Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K Blevins; Atkins District Supervisor J. Howard Burton; Chilhowie District Planning Commissioner Graham Davidson Sr.; Royal Oak District Supervisor Regina H Davidson; Park District Planning Commissioner Joel Pugh; Chairman, North Fork Dist. Planning Commissioner Norman Sparks; Saltville District Planning Commissioner Wayne Venable; Atkins District Planning Commissioner Charles Wassum III; Saltville District Supervisor Roscoe D. Call; North Fork District Supervisor Ron C Blevins; Royal Oak District Planning Commissioner, Blake Frazier and Rye Valley District Planning Commissioner, L. V. Pokey Harris (14)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Building and Zoning Administrator Clegg Williams; Director of Finance Charlie Atkins; Economic Development Director Sally Morgan; County Attorney Michelle Clayton; Smyth County Sheriff's Deputy Derek Breedlove; Administrative Assistant Becca Kirk; Administrative Assistant Christy Bise (9)

OTHERS: Stephanie Porter-Nichols, Smyth County News and Messenger; approximately 10 citizens

Public Hearing: At 7:03 p.m. Wade Blevins, Chairman of the Board of Supervisors, and Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order.

Mr. Carter read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND SMYTH COUNTY PLANNING COMMISSION

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, May 23, 2013, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County

Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Charles Melvin Thweatt for a Special Use Permit to establish a Mini-Warehouse. The property is located at 5735 and 5781 Atkins Tank Road in Atkins. It is identified as Tax Map Nos. 48B-1-1, 48B-1-2, 48B-1-3, 48B-1-4, 48B-1-5, 48B-1-6, 48B-6-2, 48B-A-1, 48B-6-1 and 48B-A-4 and is zoned Industrial.

An application from Randall and Carl Taylor for a Special Use Permit to construct an Accessory Building in excess of 150 square feet. The property is located at 2431 Whitetop Road, Chilhowie, identified as Tax Map No. 65-12-3 and is zoned Agricultural/Rural.

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

Copies of the application(s) along with their maps/drawings are on file in the Office of the County Administrator of Smyth County. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 227 at least 48 hours prior to the hearing.

Done by order of the Board of Supervisors and the Planning Commission.

Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning Commission

Charles Melvin Thweatt – Special Use Permit for Mini-Warehouse in the Industrial District: At approximately 7:03 p.m. Mr. Williams reminded those in attendance of the Board's approval of Mr. Thweatt's request for a Text Amendment to add "mini-warehouses" in the Industrial District last month. Now Mr. Thweatt has come back requesting he be allowed to develop his property addressed as 5735 and 5781 Atkins Tank Road, in Atkins, (Tax Map Nos. 48B-1-1, 48B-1-2, 48B-1-3, 48B-1-4, 48B-1-5, 48B-1-6, 48B-6-2, 48B-A-1, 48B-6-1 and 48B-A-4) into Mini-Warehouse units. He advertised notice of this public hearing in the Smyth County News on May 11th and 18th. In addition, he sent letters to all of the adjoining property owners for which an affidavit is on file.

Mr. Thweatt's wife was present for any questions. None were made and no one else spoke on the application.

Randall and Carl Taylor – Special Use Permit to construct an Accessory Building in excess of 150 ft² on a vacant lot in the A/R District: Mr. Williams explained Mr. Taylor's request to construct a personal garage on his adjacent lot which is vacant. Again he notified all adjoining property owners and placed the ad in the Smyth County news as stated above. He stated he had received comments and questions about Mr. Taylor's application; however, none were requested to be presented to the Board or Planning Commission at the hearing. The property is identified as Tax Map No. 65-12-3 and is zoned Agricultural/Rural, and is located beside 2431 Whitetop Road in Chilhowie.

Mr. Taylor was present and indicated he wished to construct this garage for personal use to store a number of cars he has as collector items. When questioned, he did state that he does have race cars which he races in Rural Retreat on the weekends and may park them in the driveway overnight; however, he does not intend to start working on the race cars in this particular garage. He was questioned about the number of unlicensed vehicles currently on the property. He stated there are three but he intends to take them to Berry's for scrap and does not intend to collect more.

Roger Seymour of Whitetop Road was present to speak in opposition of Mr. Taylor. He stated he had heard Mr. Taylor planned to use this garage to work on his race cars. Mr. Seymour indicated his concerns of property values and the noise levels working on the cars and how they could impact their life.

Mr. Taylor was questioned about his race cars. He stated again that he does not own the race car located on 107 but he does race it at Wythe Raceway. Regarding the race cars which he owns in Konnarock, he stated that he does not intend to race them any longer. He stated he may continue to park any race car he may bring to the property on a trailer overnight but he intended to only use the garage for storage for his collectible cars. Mr. Williams was presented with the question as to what consequences would come about should Mr. Taylor decide to start working on his race cars in the personal garage. Mr. Williams stated the County Ordinance does not prohibit individuals from working on race cars on their property; however, if they were to collect multiple race cars and create an automobile graveyard/junkyard that would constitute a violation of the Zoning Ordinance and can be addressed as such. Mr. Williams reminded the Board and Commission that they have the right to place restrictions on the Special Use Permit, including a prohibition on race cars.

Mr. Taylor was questioned again about working on cars in the garage. He stated he may change the oil, etc. in the garage but it would just be his personal vehicles, not race cars.

Mr. Williams explained that any citizen in the A/R District can build an accessory building on their property and work on their race car(s); however, the reason for tonight's application is because the structure is being requested to be built on an adjoining vacant lot.

Mr. Wassum inquired if Mr. Taylor would have to apply for a Special Use Permit if he had vacated the lot line separating the two tracts. Mr. Williams explained that he would not but vacating the lot line was not a practicable option for Mr. Taylor considering the two tracts were under different ownership. Mr. Wassum also inquired about the Noise Ordinance which Mr. Williams explained was administered through the Smyth County Sheriff's Office.

Mr. Taylor owns property on Laurel Valley Road and he asked if he planned to create the same unfavorable site at the Whitetop Road garage. Mr. Taylor said he did not intend to create any unfavorable conditions on the Whitetop Road property.

Mr. Pugh pointed out the fact the neighbors may be more protected if the Special Use Permit was approved with restrictions. He also stated Mr. Taylor would not be subject to the Special Use Permit if he was able to vacate the lot line.

Mr. Williams pointed out the Special Use Permit would be transferred with the property should it ever be sold along with any restrictions placed upon it

No one else spoke on the application.

Chairman Wade Blevins and Chairman Norman Sparks closed the public hearing at approximately 7:28 p.m.

[7:50:43 PM](#) Chairman Blevins called the Board of Supervisors meeting back to order.

[7:50:50 PM](#) Chairman Blevins opened citizen's time.

[7:51:03 PM](#) With no one wishing to speak, Chairman Blevins closed citizen's time.

[7:51:06 PM](#) Mr. Carter presented information on the \$229,751.25 water and sewer debt service payment. He noted the money for this payment is included in the current year's budget. The payment due date is June 1, 2013. Saltville District Supervisor Roscoe D. Call made a motion to approve for payment. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:52:34 PM](#) The Board considered the FY13-14 Smyth County School Board budget as presented at the May 14, 2013 public hearing. The FY14 operations and capital outlay budget totals \$48,790,648 with 115% included as the required local match. Saltville District Supervisor Roscoe D. Call made a motion to approve the budget. Vice Chair, Park District Supervisor M. Todd Dishner seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:53:24 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner stated that his wife is an employee of the Smyth County school system but he can cast a fair and impartial vote.

[7:53:34 PM](#) Rye Valley District Supervisor Rick K. Blevins stated that both he and his wife work for the Smyth County school system but he can cast a fair and impartial vote.

[7:53:45 PM](#) Mrs. Morgan presented information on VDOT's request for the re-addition of a portion of Route 686 – Mulberry Lane/Atkins Tank Road as a no-cost rural addition. In reviewing Melvin and Deborah Thweatt's request to abandon a 300 foot section of Atkins Tank Road, VDOT discovered that in 1964 a portion of this road had been discontinued. Even though discontinued, VDOT has continued to maintain that portion of road so the discontinuation action will need to be reversed through a resolution approved by the Board of Supervisors and paperwork signed by the County Administrator. VDOT states there will be no cost maintenance or upgrade associated with getting this section of Route 686 back into the secondary road system. Although the VDOT paperwork reads Mulberry Lane, County 911 signs identify this discontinued portion of road as Atkins Tank Road. Another issue with Mr. and Mrs. Thweatt's abandonment request is the 30-day period needed to advertise for the public hearing for the road abandonment. The Board originally set the public hearing for June 11, 2013, but it will have to be moved to July 9, 2013 to allow for the 30-day notification. Mrs. Clayton stated, as in the past, the County will take the initiative and post laminated signs on the road regarding the abandonment even though affected residents have already been notified. North Fork District Supervisor Ron C. Blevins asked if the discontinued section of Route 686 was up to

State and County standards now and Mrs. Morgan answered that, according to VDOT Wytheville Residency, there are no funds required to upgrade that portion of the road. Royal Oak District Supervisor Regina H. Davidson made a motion, seconded by Atkins District Supervisor J. Howard Burton, to adopt the resolution.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:59:15 PM](#) The Board agreed by consensus to move the public hearing on the Thweatt's request to abandon a portion of Atkins Tank Road from June 11, 2013 at 6:00 p.m. to July 9, 2013 at 6:00 p.m.

[7:59:41 PM](#) Mrs. Morgan presented a resolution for consideration by the Board to adopt as a nice gesture in support of Business Appreciation Week June 3-7, 2013. The Chamber of Commerce will be hosting a luncheon related to Business Appreciation Week on Friday, June 7th at the General Frances Hotel and Anita McGinnis, the Executive Director of Southwest Virginia Alliance for Manufacturing, Inc. will be the guest speaker. Mrs. Morgan invited the Board Members to attend the luncheon. Atkins District Supervisor J. Howard Burton made a motion to adopt the resolution. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:01:14 PM](#) Mr. Carter provided an update on the Chilhowie Farmer's Market. This issue is still ongoing and he has requested some additional information from the Town of Chilhowie and is awaiting their response. This issue will still be on the agenda for discussion at the June 11, 2013 Board meeting. The petitions that were received both for and against the Farmer's Market were reviewed and have been passed on to the Registrar's Office for verification of registered voter status and

identification of voting districts to give accurate numbers. This information should also be available for the June 11, 2013 Board meeting.

[8:02:41 PM](#) Mrs. Clayton presented an update on the Southwest Virginia Regional Jail bond financing that was approved by the Board in March 2013. Two support agreements related to the bond financing have been received by the County that were not included as part of the information presented to the Board at the March 28, 2013 meeting. Mrs. Clayton is presenting this information to the Board tonight for their review and asking consideration of approval of the two support agreements pending further legal review. The deadline for the bond indenture is June 5, 2013. Mr. Carter stated the next Regional Jail meeting will be held on May 30, 2013 so there will be time to discuss this issue further at that meeting if necessary. Royal Oak District Supervisor Regina H. Davidson made a motion to approve the two support agreements pending further legal review. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:05:29 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner presented a flag and plaque that was donated to the Board by the Rolling Thunder at today's dedication of the missing man chair at the Courthouse. Supervisor Dishner attended the dedication program and thought it was a very good presentation. He suggested placing the donated flag and plaque on display inside the Courthouse. The Board unanimously agreed by consensus.

[8:06:50 PM](#) Chairman Blevins opened the budget roundtable discussion.

[8:07:27 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner stated the budget committee met earlier this evening and they are asking for other input from the Board.

[8:07:46 PM](#) North Fork District Supervisor Ron C. Blevins had some questions about specific use amounts in the budget.

[8:08:23 PM](#) Rye Valley District Supervisor Rick K. Blevins stated he had the same questions and he outlined the answers he received for clarification.

[8:10:05 PM](#) Rye Valley District Supervisor Rick K. Blevins further stated he came to the budget committee meeting earlier this evening and listened to the discussion. He appreciates all the work done by the committee and it's encouraging to see the bottom line effect improvement over the last two years and things appear to be heading in the right direction. As far as the individuals who spoke during the public

hearing concerning budget requests, Supervisor Blevins believes they are all worthy and do invaluable services for the community, but it is his opinion that it is up to the Board of Supervisors to manage the budget and provide things that will build tax base and infrastructure. He further believes that individual donations can be made to the organizations represented at the public hearing. Supervisor Blevins is also not opposed to taking another look at items generating revenue for the County such as the Lincoln Theatre. He understands the County was approached for "seed money" back in the 1990's to help develop that project and the Lincoln puts the community in a favorable light and brings a lot of people to Smyth County, but if that was the initial request then it is not the County's responsibility to continue that funding. He is not opposed to continuing some funding for that organization but under the stipulation that it is not continual funding. It's a great program but they have to manage their budget and operate within what they earn. Supervisor Blevins concluded that not everybody will be happy, but there is one whole pie that has to be divided up and a lot of tough decisions made. If there was extra money lying around he would be all for funding these organizations, but we're in the times where that is not possible.

[8:13:54 PM](#) North Fork District Supervisor Ron C. Blevins had questions about what contingency money is used for. Mr. Carter explained that, for budgeting purposes, that money is set aside for discretionary use by the Board. It can be used when something out of the ordinary comes as a request before the Board that they see fit to participate in and that small amount of money would allow for such without going through the budget amendment process. Supervisor Blevins questioned why nothing had been used this year and Mr. Carter stated because the Board has voted to stand firm on the budget. Mr. Carter clarified that any money not used as part of the current year's budget will be reabsorbed back into the general fund if not appropriated for use. Supervisor Blevins agreed with Rye Valley District Supervisor Rick K. Blevins in that the County doesn't have enough money to dole out for everyone. He believes there is more money that could be cut out of the budget, but it wouldn't close the gap that much with the deficit the County is working with. He thinks the Board has done an excellent job with standing their ground on last year's budget and believes if they do the same again this year the County will be alright. Supervisor Blevins asked about some items where no money was requested but funds were given. One project included the Green Acres Drive revenue share for the coming year in Chilhowie which will bring that street up to state standards. The County is responsible for the first year cost upfront, but that cost will be applied to owner's personal property taxes through revenue sharing and be repaid back to the County over seven years. There was also \$30,000 allotted for a new phone system for the County.

[8:18:11 PM](#) Royal Oak District Supervisor Regina H. Davidson stated she appreciates what the budget committee has done and she understands it's a tough job. She would like to encourage looking for money somewhere to see the County add some things back under "other", particularly tourism, the Lincoln Theatre, the Chamber of Commerce and the Crooked Road which are all huge marketing tools for the County. They do bring revenue into area, but also provide amenities for our citizens; the

things our people need to live and grow and want to stay here. She wishes the County Board of Supervisors could find something to help organizations such as SCALE, the senior citizens center and Brain Injury Services of Southwest Virginia. "Citizens depend on them and we have a duty to support them". Supervisor Davidson also believes it hurts the overall picture of the County when trying to recruit industry. The County can put together a good package to recruit them to the area, but we do not have the amenities to bring them in, even with the support incentives, because there is nothing to attract them here. She stated one thing industry leaders look at is recruitment of employees who will come to that area and stay. Supervisor Davidson concluded by expressing her appreciation to the budget committee for all they do.

[8:20:49 PM](#) Saltville District Supervisor Roscoe D. Call stated he appreciates and trusts the budget committee in their work. He also concurred with Rye Valley District Supervisor Rick K. Blevins on the community activities. Supervisor Call hates to cut money from programs because it affects his small town of Saltville, too, but he believes these programs are stable, do a good job and can stand alone for another year or so. He wants the County to get on their feet and have a balanced budget through not raising taxes. When industry looks at a County to see if it's always in the red it reflects on how that County is being run. He wants to see the County have a balanced budget or even a surplus by tightening our belts. Hopefully these organizations can stand alone and survive for another year or two and one day the County can start giving back. "We have to get our own house in order" he stated. These groups are strong enough and eventually they will understand what the County is trying to do. He encouraged the Board to show they mean business, stick to their guns and get the County straightened out first and he believes they're doing a good job at it.

[8:23:05 PM](#) North Fork District Supervisor Ron C. Blevins reminded the Board that the County's Moody's bond rating has been improved to the highest point and he believes part of the reason was by "sticking to our guns". This rating improvement will help improve commercial and industry chances because it shows a serious Board taking things seriously.

[8:23:47 PM](#) Atkins District Supervisor J. Howard Burton stated he believes in taking the taxpayers money seriously because the Board is elected to be watchdogs and spend wisely. The County is in a real budget crunch and, in order to have a balanced budget, you have to look at needs before wants. It would be good to finance all these things, but it's not going to happen because there is not the money to do it. The County has gone into a lot of debt with the new school and courthouse and have to watch every dollar spent. Possibly next year or the following year the County can be of assistance to the needs.

[8:25:10 PM](#) Royal Oak District Supervisor Regina H. Davidson questioned whether one department can do without a \$5,000 copier in order to help something else? She stated she wished the County could find the money somewhere and still maintain a balanced budget.

[8:25:34 PM](#) Atkins District Supervisor J. Howard Burton noted the budget committee has been working since the beginning of the year and it has not been easy. He believes that committee is on the right track and did the best they could.

[8:25:49 PM](#) Rye Valley District Supervisor Rick K. Blevins wanted to thank Jim Gates for his comments during the public hearing. Mr. Gates represents the Marion Town Council and understands the same issues the Board is facing. Mr. Gates stated during his comments that he understands we're all in the same boat trying to do the best within our means and Supervisor Blevins appreciated that approach and believed it was both helpful and sincere.

[8:26:29 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. thanked the staff for their hard work put into working on the budget. It's not a fun job, but Chairman Blevins hopes as a whole the Board can support what the budget committee has put before them for the coming year. He continued that next budget season, whoever is sitting here will see that it won't be easy but it will be very close if not being a balanced budget without the debts the County has had over the last several years. It is a difficult process, but he expressed thanks to staff, Supervisors Burton and Dishner along with the rest of the Board for putting up with them and trying to get the County moving in right direction.

[8:28:39 PM](#) There was nothing discussed under old business.

[8:29:00 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins to adjourn the meeting. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, June 11, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.; Vice Chair, Park District Supervisor M. Todd Dishner (entered meeting at 4:07 p.m.); Rye Valley District Supervisor Rick K. Blevins; North Fork District Supervisor Ron C. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D. Call; Royal Oak District Supervisor Regina H. Davidson (7)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Director of Finance Charlie Atkins; Economic Development Director Sally Morgan; County Attorney Michelle Clayton; Deputy Sheriff Derek Breedlove; Administrative Assistant Christy Bise (7)

OTHERS PRESENT: Dr. Michael Robinson, Smyth County School Superintendent; Stephanie Porter-Nichols, Smyth County News and Messenger; approximately 10 citizens

[4:03:16 PM](#) Chairman Blevins called the meeting to order.

[4:03:20 PM](#) **Closed Session** – It was moved by North Fork District Supervisor Ron C. Blevins to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.5 Industrial/Business Prospects** – discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business’ or industry’s interest in location or expanding its facilities in the community and **A.7 Legal** – discussion with legal counsel and staff pertaining to actual or probable litigation. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[4:07:26 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner entered the meeting.

[4:25:03 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to go out of closed session. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,

Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:25:15 PM](#) Chairman Blevins recessed the meeting until 5:00 p.m.

[5:01:40 PM](#) Chairman Blevins called the meeting back to order.

[5:01:42 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Rye Valley District Supervisor Rick K. Blevins, to return to open session and adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION CERTIFICATION OF CLOSED SESSION

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:02:13 PM](#) Atkins District Supervisor J. Howard Burton gave the invocation and Christy Bise, County Administrator's Office, led the Pledge of Allegiance.

[5:03:34 PM](#) Mr. Carter asked the Board's consideration for adding two items to the agenda. Mr. Atkins will be presenting information on changes to the proposed FY14 budget as part of the budget committee recommendations listed on the additional agenda and Mrs. Morgan will be presenting information on a meeting she recently attended in Minneapolis, Minnesota on economic development. North Fork District Supervisor Ron C. Blevins made a motion, seconded by Saltville District Supervisor Roscoe D. Call, to adopt the agenda and additional agenda as presented along with the two items discussed by Mr. Carter.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:04:50 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to approve the minutes from the May 14 and May 23, 2013 meetings. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:05:11 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve \$5,317,895.00 for the General Fund appropriation. The following is an explanation of the appropriations approved:

General Fund:

General County	\$ 1,081,000.00
Social Services (June 12 – 30, 2013)	\$ 221,895.00

Schools – Operating Fund	\$ 4,015,000.00
Total General Fund	\$ 5,317,895.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:06:46 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve \$96,512.33 for the School Debt and Capital Outlay Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:07:08 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$1,500,000.00 for the School Construction Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:07:24 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Atkins District Supervisor J. Howard Burton, to approve \$87.77 for the Animal Damage Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:07:45 PM](#) It was moved by Atkins District Supervisor J. Howard Burton, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$244.27 for the IDA Fund 4 appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:08:00 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Vice Chair, Park District Supervisor M. Todd Dishner, to approve \$160,820.11 for the Courthouse Project appropriation.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: None.

[5:08:20 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Vice Chair, Park District Supervisor M. Todd Dishner, to approve \$55,934.57 for the Lick Skillet Housing Project appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:08:47 PM](#) It was moved by Atkins District Supervisor J. Howard Burton, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve \$459,040.13 for the accounts payable listing.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:09:56 PM](#) Mrs. Morgan introduced Scott Schumaker, owner of Appalachian Mountain Spirits, located in the Walker's Creek area of Marion. She noted that Appalachian Mountain Spirits is one of the few legal distilleries in Virginia.

[5:10:39 PM](#) Mr. Schumaker informed the Board he got his start by making alcohol for fuel since he lives off the grid and makes his own power. It was suggested, because the alcohol he made was good, that he not burn it but do something else with it. Mr. Schumaker obtained a federal license, put together a business plan and got financing through his fraternity brothers to start the business. His product is now in 40 stores in Virginia including ABC stores. He does tastings at ABC stores throughout southwest Virginia, but he cannot sell or do tastings on his property due to Smyth County being a dry county. He does have a store located at 112 East Main that he is making into a tourism retail shop/country store and the federal government has approved for one of his stills to be placed there for processing. Mr. Schumaker noted that he purchases all the grains he possibly can from Smyth County farmers. He currently has three employees at his business. Mr. Schumaker currently has a full time job at Smyth County Community Hospital but he looks forward to expanding his business. He stated he picked Smyth County for his business because he

loves this area. He noted that his War Horn whiskey is named in honor of his deceased brother who served in the military. Mr. Schumaker also currently funds two scholarship programs for the ROTC, one in Massachusetts and one in Florida, and he has plans to fund a local one in Smyth County. He wants his business to bring tourists in and make Smyth County and Marion special. Mr. Schumaker believes the area has wonderful resources and he praised the outstanding support he has received from the community.

[5:20:35 PM](#) Chairman Blevins opened citizen's time. Watson Gollehon spoke concerning his recent request to rezone approximately 0.664 acres located beside 1663 Chestnut Ridge Road in Chilhowie, Virginia from residential to agriculture/rural. After the Planning Commission and Board of Supervisors approved this rezoning request, Mr. Gollehon encountered a problem when laying out the septic system on lot 7 as defined on the plat presented to the Board. There is a utility easement in place that affects the northwest corner of this lot and a permit can't be issued to put in the septic because of this easement. Mr. Gollehon is requesting this utility easement be vacated and he would appreciate any help the Board could provide with regard to this matter. There will need to be a public hearing set and Mr. Carter noted, if the Board chooses to set the public hearing, they have the ability to waive the rules and consider the vacation of the easement the same day of the public hearing. Mr. Carter informed Mr. Gollehon that July 9th is the quickest turnaround possible to set the public hearing. North Fork District Supervisor Ron C. Blevins made a motion to hold a public hearing on July 9, 2013 at 6:30 p.m. and that all notices and publications related to the removal of the utility easement on lots 7 and 8 shall be paid by the applicant. Atkins District Supervisor J. Howard Burton seconded the motion. Mr. Carter added that Mrs. Clayton will work to put together the ad and clarified that Mr. Gollehon will be required as Supervisor Blevins' motion stated to pay for the advertising.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:28:57 PM](#) With no one else wishing to speak, Chairman Blevins closed citizen's time.

[5:29:14 PM](#) The Board moved to the additional agenda to consider the budget committee recommendations prior to consideration of the proposed FY14 budget.

[5:29:38 PM](#) Mr. Atkins reported the budget committee met after the public hearing on the proposed budget and five changes were made to what was presented at the meeting: 1) Professional services related to the tax reassessment cost was decreased from \$45,000 to \$30,000; 2) increased revenue in machinery and tools tax from \$1.5 million dollars to \$1.9 million dollars; 3) the storm water management grant was increased by \$18,000; 4) the Department of Education revenue was decreased from \$12,000 to \$1,500; and 5) the line of

duty payment to VACO was decreased from \$57,074 to \$54,074. There were some changes to the school board's part of the budget that do not affect the amount of local dollars or the bottom line. These changes include increasing revenue in the textbook fund from \$310,000 to \$418,144 and increasing the expenditure side from \$250,000 to \$560,000. There was also a request from the Zoning Department to create expense and revenue line items pertaining to nuisance and zoning clean-ups. This will allow for public nuisance properties to be cleaned up by the County prior to being sold. \$10,000 was placed in both these new revenue and expenditure line items with no change to the local money involved but it does affect the budget bottom line. The difference in the budget was originally \$1,404,600 and has now decreased to \$1,094,000. This reflects a significant, positive change from the same time last year. It was also noted that \$15,000 of local money was included in the current year's budget to match the \$600,000 CDBG grant money for the Lick Skillet housing project. Unfortunately, some problems were encountered during project administration and \$5,850 of local money still remains and will have to be spent out of next year's budget. The expenditure side for Lick Skillet is showing \$470,405 and the revenue side showing \$505,405. All revenue received next year related to the project will be grant money.

[5:36:18 PM](#) Mr. Carter also reported the School Board is requesting a transfer in the current FY13 budget in the amount of \$275,000 from the facilities (64000) to the instruction (61000). This request doesn't affect local money; it's already approved and adopted in current FY 13 budget but does require Board action to authorize the transfer. This request is coming before the Board as a unanimous recommendation from the budget committee. The Board unanimously approved this recommendation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:37:58 PM](#) Mr. Atkins informed the Board two audit proposals were received during the audit bid process. The previous three audits have been done by Brown Edwards and that contract expired and the budget committee approved going out for bid. One bid was received from Brown Edwards and one from Robinson, Farmer, Cox. Staff are in the process of setting up interviews to begin the selection process and this is coming as a unanimous recommendation from the budget committee. The Board unanimously approved this recommendation from the budget committee.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,

North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

5:39:21 PM Mr. Carter presented information on the Bryne Justice Assistance Grant through the Sheriff's Department. This is a grant through the Commonwealth of Virginia Department of Criminal Justice Services in the amount of \$1,767. This grant requires a local match of \$196.00 and will be used to purchase spike strips. There is money available in fund 744-010000-5450 for grants and the Sheriff's Office is asking the Board to approve the grant and the local match. This is coming before the Board as a unanimous recommendation from the budget committee. The Board unanimously approved this recommendation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

5:40:30 PM Charlie Atkins presented information on the Lick Skillet housing project. Previously the Board had authorized \$60,000 of working capital to be put into this fund. \$20,000 has already been put in the Lick Skillet checking account and an additional \$40,000 needs to be added. This \$40,000 will be transferred from the General Fund. No new money is coming out of current year's budget and this money will come back to County when the project is finished. Royal Oak District Supervisor Regina H. Davidson made a motion to appropriate \$40,000 for the Lick Skillet housing project. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:41:49 PM](#) The Board considered the FY13-14 budget from the May 14, 2013 public hearing. Mr. Carter reemphasized the changes Mr. Atkins identified that have been made since the proposed budget was presented at that public hearing. There is a reduction in the deficit this year and the budget that includes all changes is very tight. After discussion, Atkins District Supervisor J. Howard Burton made a motion to adopt the FY13-14 budget with the changes approved at tonight's meeting. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: Royal Oak District Supervisor Regina H. Davidson.

ABSTAINERS: None.

ABSENT: None.

[5:46:04 PM](#) Mr. Carter reviewed the tax rates.

The Board proposes to adopt, pursuant to §58.1-3001 et seq. a real estate levy on all taxable real estate located in Smyth County, Virginia, including equalized real estate, where applicable, a unit levy of \$0.74 per \$100.00 of assessed valuation; tax on tangible personal property and the tangible personal property of public service corporations, except rolling stock of corporations operating railroads, a unit levy of \$2.30 per \$100.00 of assessed valuation; Machinery & Tools \$1.55 per \$100.00 of assessed valuation; tax on Category 23 items (trucks used in interstate commerce over 10,000 pounds) a unit levy of \$1.55 per \$100.00 of assessed valuation; Tax on merchants capital a unit levy of \$0.40 per \$100.00 of assessed valuation.

There was no tax increase declared for FY14. Atkins District Supervisor J. Howard Burton made a motion to approve the tax rates as they stand. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:47:41 PM](#) Mrs. Clayton presented information on the proposed farmer's market in the Town of Chilhowie. The County held a public hearing regarding the 99 year deed restriction on the former County owned property where the location of the farmer's market is being proposed. Mrs. Clayton has been working with Rick Money, the Town of Chilhowie's attorney, since the public hearing. Mrs. Clayton believes it would be wise to add language to the deed that reads, once voted for, would allow for the deed modification and the Town of Chilhowie would accept the modification along with indemnity to the County holding the Town responsible for dealing with any issues that may arise from the placement of the farmer's market on the green space. Mrs. Clayton would like to work with the Town of Chilhowie some more before the Board decides for or against the deed modification. This would require a vote by the Board of Supervisors to accept the deed modifications and the Town of Chilhowie would then vote on accepting the deed. Mrs. Clayton plans to have the information available for presentation at the July meeting. North Fork District Supervisor Ron C. Blevins asked if there could be a vote on the matter tonight and Mrs. Clayton answered it was her preference to wait until she and Mr. Money can do more work on the deed. Rye Valley District Supervisor Rick K. Blevins asked whether it was known if the Chilhowie Town Council has approved the development of the farmer's market. Mrs. Clayton answered the Town vote that took place was to send the matter back before the Board for the deed modification but there was no affirmative vote on the farmer's market placement. Mrs. Clayton also stated the deed would only permit for the building of a farmer's market, it would not release any right. The Town could only build what has been presented and the Town would be required to accept the deed modifications and have the deed recorded. Rye Valley District Supervisor Rick K. Blevins stated he thought the Town was asked to have a public hearing and approve the farmer's market but, according to paper, that motion was made with no second. He questioned why they are coming before the Board of Supervisors before they vote. Mrs. Clayton answered they don't have to vote. It's prudent for the Town of Chilhowie to accept responsibility for the space and indemnify the County if the restriction on the deed is released. Rye Valley District Supervisor Rick K. Blevins stated he has no problem for or against the farmer's market, he's asking why should the Board make modification to the deed prior to town voting whether they want to do it. Mrs. Clayton answered the Board of Supervisors has the power to say the Town of Chilhowie has to vote before the deed can be modified. Vice Chair, Park District Supervisor M. Todd Dishner stated the Town of Chilhowie was to have the plans worked out before coming back to the Board and he asked if that had been done at the Town Council meetings. Mrs. Clayton answered the Town had the hearings but the Council voted to send it back to the County. Mrs. Clayton stated she was not aware of other placement options for the farmer's market. Mrs. Clayton also stated the Board could require the Town Council to take a vote. Mrs. Clayton stated once more that, if County does approve deed modifications, it would be the Town's responsibility and the County should not be involved after that point. Rye Valley District Supervisor Rick K. Blevins made a motion for the Town of Chilhowie to work out the plans and details of the proposed farmer's market and have the Chilhowie Town Council accept or deny that and, if they vote to proceed, then bring it back to the Board with a request for deed modification. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:02:17 PM](#) Mr. Carter informed the Board a festival permit application had been received for the Rich Valley Fair. The fair begins on Friday, July 26th and runs through Saturday, August 3rd. The fair has gone through the ordinance process and Mr. Carter is asking board to set a public hearing for the July 9th meeting to take comments. In addition, he's asking the Board to consider waiving the rules due to time constraints and vote on the application at the July 9th meeting. Vice Chair, Park District Supervisor M. Todd Dishner made a motion to set the public hearing for Tuesday, July 9, 2013 at 6:15 p.m. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:03:56 PM](#) Mr. Carter reviewed the Planning Commission recommendation on Charles Melvin Thweatt from the May 23, 2013 public hearing.

Recommendation on Charles Melvin Thweatt – Special Use Permit to develop “Mini-Warehouse” in the Industrial District: *With no discussion, at approximately 7:30 p.m. Mrs. Harris made a motion to recommend the Board of Supervisor’s approve Mr. Thweatt’s application to allow him to develop “Mini-Warehouses” on his property addressed as 5735 and 5781 Atkins Tank Road, in Atkins, (Tax Map Nos. 48B-1-1, 48B-1-2, 48B-1-3, 48B-1-4, 48B-1-5, 48B-1-6, 48B-6-2, 48B-A-1, 48B-6-1 and 48B-A-4). Mr. Venable seconded the motion and the following vote was recorded.*

Ayes:	6	Venable, Davidson, Wassum, Pugh, Harris and Frazier
Abstain:	1	Sparks

Vice Chair, Park District Supervisor M. Todd Dishner made a motion to approve the Planning Commission recommendation. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: North Fork District Supervisor Ron C. Blevins.

ABSENT: None.

[6:05:10 PM](#) Mr. Carter reviewed the Planning Commission recommendation on Randall and Carl Taylor from the May 23, 2013 public hearing.

Recommendation on Randall and Carl Taylor – Special Use Permit (Accessory Building above 150ft² in size, without a main building): At approximately 7:30 p.m. Mr. Frazier turned the meeting back over to Mr. Sparks, Chairman. After more discussion, including the following: (1) Mr. Seymour's acknowledgement that to date, there have been no problems with race cars at Mr. Taylor's; (2) the fact that Mr. Taylor's property is zoned the same as Mr. Seymour's; and, (3) while there are deed restrictions on Mr. Seymour's property, they are not applicable to Mr. Taylor's. Ms. Harris made a motion to approve Mr. Taylor's application with the following restriction: No motor vehicle shall be parked or stored outside of the garage on this lot unless the same shall be properly registered, inspected, and tagged for legal operation on the highways on the Commonwealth of Virginia. Mr. Davidson seconded the motion and the following vote was recorded.

Ayes: 7 Venable, Davidson, Wassum, Sparks, Pugh, Harris and Frazier

North Fork District Supervisor Ron C. Blevins asked if there was any public announcement of intent made on these recommendations from the Planning Commission. He stated that, according to the rules, there has to be a publication of intent. Mr. Carter stated that's an interpretation and Mrs. Clayton stated she doesn't know of anything published after the public hearing but she will check into it. North Fork District Supervisor Ron C. Blevins questioned why nothing was published and Mrs. Clayton answered there was no additional requirement for ads after the Planning Commission findings, but stated again she will look into the matter. Earl McClure addressed the Board on repealing the zoning ordinance because neither the Board of Supervisors or the Planning Commission follow it. He stated the ordinance says the Planning Commission will review and attest anything that comes before them but the recommendation said there was no discussion on the matter. He further stated that, according to Virginia Code Section 15.2-2204, the local Planning Commission shall not recommend any plan or ordinance until notice of intention to do so has been published in the paper. Mrs. Clayton noted that Planning Commission members

are expected to know what they are to follow, specifically the code, principles and standards. She further stated these hearings can be joint and when the Planning Commission makes a recommendation it's presumed the members know what they're looking at so when recommendations are sent to the Board there is no second hearing requirement. Mrs. Clayton will research further and send a response to the Board. Royal Oak District Supervisor Regina H. Davidson made a motion, seconded by Rye Valley District Supervisor Rick K. Blevins, to accept the Planning Commission's recommendation including the restriction.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: North Fork District Supervisor Ron C. Blevins.

ABSENT: None.

[6:17:49 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner, Chairman of the Surplus Committee, reported the committee met and reviewed the bids submitted for the surplus vehicles. The committee is recommending to accept the highest bids on each vehicle with the exception of the 2002 Ford Explorer which was taken off the list and will remain as part of the County vehicle fleet. Mr. Carter reported \$13,412.00 will go into the County's general fund and \$7,948.75 will go into the Sheriff's Department drug asset or literary fund. The Board unanimously approved the committee's recommendation to accept the bids.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:19:20 PM](#) Chilhowie District Supervisor Wade H Blevins, Jr., Chairman of the Animal Control Committee, presented the committee's recommendation on paying animal damage claims. Of the seven claims submitted, one was not approved for payment due to lack of evidence that another animal was involved. The claims total \$2,152.75. The Board unanimously approved the committee's recommendation on the animal damage claims.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,

Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:20:33 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner made a motion to appropriate \$2,152.75 for payment of the animal damage claims. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:21:07 PM](#) Rye Valley District Supervisor Rick K. Blevins, Chairman of the appointment committee, presented recommendations on term expirations and committee appointments. The appointment committee unanimously recommends reappointing John "Robbie" Doyle to serve on the Wytheville Community College Board for a four-year term that expires June 30, 2017.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:21:50 PM](#) The appointment committee unanimously recommends reappointing Carl Parsons, Jr. to serve on the Rye Valley Water Authority for a four-year term that expires June 30, 2017.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:22:11 PM](#) The appointment committee unanimously recommends appointing Bobby Coe to serve on the Rye Valley Water Authority for a four-year term that expires June 30, 2017. Mr. Coe will be replacing Gary Hall.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:22:31 PM](#) The appointment committee unanimously recommends reappointing Manuel Street to serve on the Keep Southwest Virginia Beautiful committee for a one year term that expires June 30, 2014.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:22:48 PM](#) The appointment committee unanimously recommends reappointing North Fork District Supervisor Ron C. Blevins to serve on the Marion Downtown Revitalization Committee for a one-year term that expires June 30, 2014.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: North Fork District Supervisor Ron C. Blevins.

ABSENT: None.

6:23:18 PM Saltville District Supervisor Roscoe D. Call stated he had spoken with Con Smith, current Industrial Development Authority chairman, and Mr. Smith does not wish to continue his service on the Authority when his term expires on June 30, 2013. Supervisor Call is working on two prospective IDA members and will have more information at the next meeting.

6:24:25 PM Mrs. Morgan presented information on a consultant's forum she recently attended in Minneapolis, Minnesota. The focus of the forum was on the resurgence of manufacturing. Mrs. Morgan stated the forum gave her an opportunity to learn a lot along with the opportunity to meet with consultants from different companies and specialties. Royal Oak District Supervisor Regina H. Davidson asked about expected increases in manufacturing by 2015 and North Fork District Supervisor Ron C. Blevins mentioned quality issues with products made outside the U.S. Mrs. Morgan noted unemployment rates in the region are still higher than most, but unemployment in the County did go down to 9.2% in April. She also reported the Trade Act application submitted by Merillat was approved which means additional training dollars for displaced workers.

6:34:00 PM Chairman Blevins opened the public hearing on the Smyth County/Chilhowie Enterprise Zone (#51) amendments.

6:34:09 PM Mr. Carter read the following advertisement as published in the Smyth County News and Messenger:

Notice of Public Hearing

The Smyth County Board of Supervisors, in accordance with section 15.2-1427 (F) of the Code of Virginia, will hold a public hearing on Tuesday, June 11, 2013 at 6:30 p.m., or soon thereafter, in the Board of Supervisors Meeting Room at the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia.

The purpose of the hearing is to receive comments on changes to the Smyth County/Chilhowie Enterprise Zone (Virginia Enterprise Zone #51). The changes, presented on September 11, 2012 at a public hearing, apply to County Code Article IX – Sections 23-278, 23-279 and 23-280, and relate primarily to the enterprise zone incentive eligibility requirements for the economic stimulus grant and the reduction of user fees on water/sewer and building permits.

The text of the proposed amendments is on file and can be viewed at the County Administrator's Office at 121 Bagley Circle, Marion, Virginia. Any questions regarding the proposed changes can be directed to Sally Morgan at 276-783-7000, Ext. 206 or smorgan@smythcounty.org.

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 ext. 227 at least forty eight (48) hours prior to the hearing.

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

[6:35:45 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to waive the reading of the rules for public hearings. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:36:07 PM](#) With no one wishing to speak, Chairman Blevins closed the public hearing.

[6:36:19 PM](#) Chairman Blevins opened discussion on old business. No items under old business were discussed.

[6:36:54 PM](#) Chairman Blevins opened supervisor comment time.

[6:36:58 PM](#) Saltville District Supervisor Roscoe D. Call asked about the date and time for the next School Board meeting.

[6:37:46 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner asked about any updates on Exit 47 and Mr. Carter answered that discussions continue. Supervisor Dishner said working on the budget was hard this year and he would like to see certain things funded, but the County needs to take care of their own things first. He would like to see the "other" requests fully funded because those areas contact a lot of people and groups in the county, but some of these agencies are funded by other places in the budget. It's not as if they aren't being funded, they're being funded in different ways such as one area being that funds down to another. Supervisor Dishner concluded that it was a hard-nosed budget and he appreciates the budget committee and staff's hard work.

[6:40:46 PM](#) Atkins District Supervisor J. Howard Burton reported that he worked with Supervisor Dishner on the budget committee and he echoes what was just said. There is a lot of very difficult work done behind the scenes. There are a lot of good projects that help people throughout the county that the committee would like to fund, but there is only so much money to go around. "You have to work on needs before wants". Supervisor Burton was also wondering about any progress on Exit 47 and it appears things are moving behind the scenes so "we'll wait and see what happens". Supervisor Burton stated that in his year and a half serving on the Board of Supervisors his reward is working with good people. He

sat out in the audience before he ran not realizing what all goes on in the County behind the scenes and staff do a good job but they don't get much recognition.

[6:42:41 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner added that cuts made to the budget were not spiteful. There are only "x" amount of dollars available to work with without increasing taxes.

[6:43:58 PM](#) Rye Valley District Supervisor Rick K. Blevins said it's been a very fast and good year and a half since he's served on the Board. The budget process has been difficult and, although he doesn't feel 100% good about how it stands, he looks forward to the day of a balanced budget or surplus so the "other" category can be discussed positively versus negatively.

[6:44:54 PM](#) North Fork District Supervisor Ron C. Blevins expressed his thanks to the budget committee. Everything can't be funded and he would like everyone to know this is the citizen's money the County is dealing with and the Board needs to be responsible with it. Both the Board and budget committee have done just that by dividing wants and needs and making sure the needs of the citizens are met. He would like to have money for the "wants" but it's just not there and he cannot see raising taxes on every citizen in this County. The Board has to "concentrate on needs and that's what we're doing".

[6:45:58 PM](#) Royal Oak District Supervisor Regina H. Davidson expressed her appreciation for what the budget committee has done. She understands it's a huge task and undertaking. Supervisor Davidson stated she looks at the budget from another business model and running the County is a business. You have to look at every facet that comes through. The "other" items are not wants but needs because she uses more of a marketing business model. For a business to succeed you have to market it, put it out there and look at the return on investment; however, she understands the business model the budget committee came from.

[6:47:24 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. expressed his thanks to the staff for work done on the budget. He also thanked the other members of the budget committee along with the full Board for their support of what was presented to them. Chairman Blevins said he hopes next year to have a balanced budget.

[6:48:47 PM](#) Mr. Carter reported that, with additional appropriations to be made prior to the end of the fiscal year on June 30th, a second meeting will need to be scheduled. Saltville District Supervisor Roscoe D. Call made a motion to continue the meeting until Thursday, June 20, 2013 at 5:00 p.m. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Smyth County Board of Supervisors held a special called meeting at 4:00 p.m., **Friday, June 28, 2013**. The purpose of the meeting was to approve end of FY13 appropriations. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.; Rye Valley District Supervisor Rick K. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D. Call (4)

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner; North Fork District Supervisor Ron C. Blevins; Royal Oak District Supervisor Regina H. Davidson (3)

STAFF: County Administrator Michael Carter; Director of Finance Charlie Atkins; County Attorney Michelle Clayton; Deputy Sheriff Mike Hounshell; Administrative Assistant Christy Bise (5)

[4:02:21 PM](#) Chairman Blevins called the special meeting to order.

[4:02:26 PM](#) Mr. Atkins provided an update on the financial status of the County at the end of the fiscal year. He noted that FY13 was completed without using any of the \$1.9 million dollars in reserve. Revenue collected was close to what was projected for the fiscal year. General property taxes, local sales tax, County water and landfill revenue collected was in excess of what was budgeted. There was no draw on the \$5 million dollar line of credit and the year finished with \$2.8 million dollars in the general fund banking account. There is more money in other bank accounts that is dedicated to other projects, but the general fund is where the general well-being of the County is gauged. Of the twenty nine County departments, seven came in over budget but that overage was offset by additional grant money. The 2013 budget was a success, but it was not designed to get cash back to a minimal operating level. Mr. Atkins noted that for the 2014 budget year, cash flow will be tight for July and August. Mr. Atkins concluded there is enough money in the bank to cover today's requested appropriations.

[4:06:12 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to approve \$5,667,480.00 for the General Fund appropriation. The following is an explanation of the appropriations approved:

General Fund:

General County	\$ 500,000.00
Social Services (July 1 – 9, 2013)	\$ 60,000.00
Schools – Operating Fund	\$5,107,480.00
Total General Fund	\$5,667,480.00

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After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins and
Royal Oak District Supervisor Regina H. Davidson.

[4:06:43 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to approve \$453,074.25 for the accounts payable listing.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins and
Royal Oak District Supervisor Regina H. Davidson.

[4:07:02 PM](#) A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins, to adjourn the meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins and
Royal Oak District Supervisor Regina H. Davidson.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, July 9, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.; Vice Chair, Park District Supervisor M. Todd Dishner; North Fork District Supervisor Ron C. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D. Call; Royal Oak District Supervisor Regina H. Davidson (entered the meeting at 4:50 p.m.) (6)

ABSENT: Rye Valley District Supervisor Rick K. Blevins (1)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Director of Finance Charlie Atkins; Economic Development Director Sally Morgan; County Attorney Michelle Clayton; Administrative Assistant Christy Bise (6)

OTHERS: Sheriff David Bradley; Major Mike Hounshell; Arthur Barker, Sheriff's Office grant writer; Stephanie Porter-Nichols, Smyth County News and Messenger

[4:02:29 PM](#) Chairman Blevins called the meeting to order.

[4:02:37 PM](#) **Closed Session** – It was moved by North Fork District Supervisor Ron C. Blevins to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.1 Personnel; A.5 Industrial/Business Prospects** – discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in location or expanding its facilities in the community and **A.7 Legal** – discussion with legal counsel and staff pertaining to actual or probable litigation. Mrs. Clayton asked that **A.3 Acquisition of Property** also be added to closed session discussion. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins, Royal Oak District Supervisor Regina H. Davidson.

[5:37:10 PM](#) Chairman Blevins called the meeting back to order.

[5:37:17 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to return to open session

and adopt the following resolution certifying the business conducted in closed session as follows:

**RESOLUTION
CERTIFICATION OF CLOSED SESSION**

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Regina H. Davidson.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:38:00 PM](#) Atkins District Supervisor J. Howard Burton gave the invocation and Michelle Clayton, County Attorney, led the pledge of allegiance.

[5:39:13 PM](#) Royal Oak District Supervisor Regina H. Davidson made a motion, seconded by Saltville District Supervisor Roscoe D. Call, to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:39:28 PM](#) One correction was noted to the June 11, 2013 minutes. The minutes will be corrected to show that Chairman Blevins opened citizen's time under the timestamp 5:20:35 PM. North Fork District Supervisor Ron C. Blevins made a motion to approve the minutes of the June 11, 2013 and June 28, 2013 meetings with the noted correction. The motion was seconded by Saltville District Supervisor Roscoe D. Call.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:40:18 PM](#) Mrs. Morgan introduced Pat Messer, plant manager from TRW. Mr. Messer provided a presentation to the Board on TRW's facility and the automobile parts they manufacture.

[5:50:24 PM](#) Mrs. Morgan asked the Board's consideration of the resolution listed on the additional agenda commending TRW for their recent manufacturing award from the SW VA Technology Council. Saltville District Supervisor Roscoe D. Call made a motion to adopt the resolution. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

RESOLUTION

WHEREAS, the TRW Automotive facility in Atkins, Virginia has been in operation for 22 years and currently employs 350 people; and

WHEREAS, the TRW facility will ship 1.4 million steering units this year, including 1.1 million electric power steering (EPS) systems.

WHEREAS, the facility began converting from manufacturing hydraulic steering units to EPS units in 2010, and this conversion included a significant investment of capital at the facility and retraining of the workforce.

WHEREAS, over the last 22 years, the Atkins facility customer base has included companies such as Volkswagen, Nissan, BMW, and Mazda. The facility currently supplies EPS steering units to Ford and General Motors and also continues to supply hydraulic steering units for certain Ford and Chrysler vehicle platforms.

Board of Supervisors Meeting Minutes
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WHEREAS, the EPS gears are assembled on state-of-the-industry assembly lines at the Atkins facility which has a test system that is world class in terms of capability. In addition to assembly of the gear, the plant must manage a global supply network for electronic and close-tolerance mechanical components.

WHEREAS, the Southwest Virginia Technology Council honored TRW Automotive in Atkins, Virginia with its "High Tech Excellence in Advanced Manufacturing" award at its June 13, 2013 Annual Banquet, recognizing its overall achievement in advanced manufacturing in the region.

BE IT RESOLVED THAT the Board of Supervisors of Smyth County commends TRW Automotive in Atkins, Virginia for its award for Advanced Manufacturing of the Year; and

BE IT FURTHER RESOLVED THAT the Board of Supervisors sincerely appreciates the significant investment that the company has made at its Atkins plant and wishes the company continued success.

Adopted by the Smyth County Board of Supervisors
July 9, 2013

Wade Blevins, Chairman

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins

[5:51:22 PM](#) Mr. Atkins provided a financial status update. He stated any Board member wanting a hard copy of the recently adopted budget needs to let him know and a copy will be provided to them. Mr. Atkins reported, according to the Treasurer's Office, there is \$3,299,000 in the bank to cover tonight's \$3,200,000 appropriation request. He noted there are some large payment amounts in this request including line of duty, insurance and the regional jail payments which didn't hit until August last year.

[5:53:12 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$2,400,000.00 for the General Fund appropriation. The following is an explanation of the appropriations approved:

General County	\$1,475,000.00
Social Services (July 10 – 31, 2013)	\$325,000.00

Schools – Operating Fund	\$600,000.00
Total General Fund	\$2,400,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:53:35 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$400,000.00 for the School Textbook Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:53:51 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$800,000.00 for the School Debt and Capital Outlay Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:54:05 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$1,200,000 for the School Construction Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:54:18 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$248.29 for the Animal Damage Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:54:32 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$22,899.17 for the IDA Fund 4 appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:54:46 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Vice Chair, Park District Supervisor M. Todd Dishner, to approve \$139,534.85 for the Courthouse Project appropriation.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:55:06 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$1,343,254.54 for the accounts payable listing appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:55:27 PM](#) Chairman Blevins opened citizen's time.

[5:55:36 PM](#) With no one wishing to speak, Chairman Blevins closed citizen's time.

[5:55:54 PM](#) Mrs. Morgan reviewed the changes to Enterprise Zone #51. A public hearing was held last fall on the changes, which were approved by the Board, and the public hearing last month pertained to codifying the language in the County Code to reflect those approved amendments. North Fork District Supervisor Ron C. Blevins made a motion to accept codifying the language in the County Code to reflect the amendments to Enterprise Zone #51. Royal Oak District Supervisor Regina H. Davidson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[5:58:41 PM](#) Mr. Carter reviewed the FY13 aid to localities. Shannon Williams, 911 Coordinator, provided a letter identifying the remaining portion of aid to localities for local fire programs. This money is in the budget and Mr. Carter noted the collections runs 100% with 90% collected in one budget year and the remaining 10% in the first quarter of the following year. Mr. Williams is seeking Board approval to disburse \$9,986.00 to the six fire departments (Atkins, Adwolfe, Nebo, Sugar Grove, Chilhowie and Saltville). North Fork District Supervisor Ron C. Blevins made a motion to approve disbursement of the FY13 aid to localities in the amount of \$9,986.00. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:00:04 PM](#) Mrs. Clayton presented information on a real estate tax refund in the amount of \$2,624.56 submitted by the Commissioner of Revenue's Office for tax map #62-A-4. This property is located in Wythe County but was mistakenly assessed as being located in Smyth County and the property owners paid taxes in Smyth County when they weren't supposed to. The Commissioner of Revenue is requesting a refund be issued for three years of those tax payments. Mrs. Clayton noted there is no obligation by the Commissioner of Revenue's Office to pay beyond three years. Saltville District Supervisor Roscoe D. Call made a motion to support payment of the tax refund. Royal Oak District Supervisor Regina H. Davidson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:01:57 PM](#) Chairman Blevins opened the public hearing on the abandonment of a portion of Atkins Tank Road.

[6:02:04 PM](#) Mr. Carter read the following advertisement as published in the Smyth County News and Messenger:

NOTICE OF PUBLIC HEARING

Pursuant to section 33.1-151 of the Code of Virginia, the Smyth County Board of Supervisors will conduct a public hearing on Tuesday, July 9, 2013 at 6:00 P.M., or soon thereafter, in the Board of Supervisors meeting room at 121 Bagley Circle, Smyth County Office Building.

The purpose of the hearing will be to receive comments on a proposed abandonment of a portion of Secondary Route 686 ("Atkins Tank Road") from Route 625 ("Virginia Highlands Avenue") to approximately 380 feet east of Route 625.

At the above-mentioned day, time, and place any citizen of Smyth County may appear to express their opinion(s).

A full copy of a map detailing the surrounding affected area is on file at the office of the County Administrator at 121 Bagley Circle, Suite 100, Marion VA, and may be viewed during regular business hours 8:00 am – 5:00 pm, Monday – Friday.

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

[6:03:26 PM](#) Atkins District Supervisor J. Howard Burton made a motion to waive the reading of the rules for public hearings. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:03:47 PM](#) There was no one in attendance wishing to speak at this public hearing.

[6:03:54 PM](#) Chairman Blevins closed the public hearing.

[6:04:05 PM](#) Atkins District Supervisor J. Howard Burton made a motion to waive the rules and take action on this matter at tonight's meeting. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,

Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:04:30 PM](#) Atkins District Supervisor J. Howard Burton made a motion to approve the abandonment of the specified portion of Atkins Tank Road. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:04:57 PM](#) Chairman Blevins opened the public hearing on the Rich Valley Fair festival permit.

[6:05:04 PM](#) Mr. Carter read the following advertisement as published in the Smyth County News and Messenger:

PUBLIC HEARING NOTICE

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, July 9, 2013, at 6:15 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 Rich Valley Fair Association has submitted a festival application for a nine (9) day event to be held July 26, 2013 thru August 3, 2013. This event will be held at the Rich Valley Fairgrounds located at 325 Long Hollow Road, Saltville, Virginia. The applied festival hours are as follows:

Friday, July, 26, 2013 – 7:00 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

Saturday, July 27, 2013 – 7:00 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

Sunday, July 28, 2013 – 6:00 p.m. to 10:00 p.m.

Monday, July 29, 2013 – 4:30 p.m. to 10:30 p.m.

Tuesday, July 30, 2013 – 1:30 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

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Wednesday, July 31, 2013 – 6:00 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

Thursday, August 1, 2013 – 6:00 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

Friday, August 2, 2013 – 6:00 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

Saturday, August 3, 2013 – 10:00 a.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

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 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 the public hearing should contact Clegg Williams, Smyth County ADA Coordinator, at (276) 783-3298 x227 at least forty eight (48) hours prior to the public hearing.

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

6:08:16 PM North Fork District Supervisor Ron C. Blevins made a motion to waive the reading of the rules for public hearings. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

6:09:17 PM At the present time, there was no one wishing to speak related to this public hearing. Mrs. Clayton stated it would be acceptable to discuss other business while the public hearing remained open until the specified start time of 6:15 p.m. in the event a citizen enters the meeting wishing to comment on the festival permit application.

[6:09:32 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to appoint Amy McVey as the Saltville District representative to the Industrial Development Authority. Vice Chair, Park District Supervisor M. Todd Dishner seconded the motion. Ms. McVey's term will expire June 30, 2017.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:10:26 PM](#) Sheriff David Bradley presented information on the fingerprinting process at the Sheriff's Office. Fingerprinting is done through the Livescan system which is controlled by the Virginia State Police. Due to an increase in background checks related to employment and working with children, the Sheriff's Office has seen an increase in civilian fingerprinting requests, sometimes up to 15 per week. So far, these fingerprints are being done at no cost to the civilian. The Sheriff's Office is required to fingerprint individuals related to misdemeanor and felony charges along with convicted juveniles at no charge. Sheriff Bradley stated he had discussed civilian fingerprinting with Mrs. Clayton and the Virginia code allows for a \$10 charge for the first civilian fingerprint card and \$5 for each successive card. It was noted that Smyth County is one of the few County's that is currently not charging for civilian fingerprinting. Sheriff Bradley also stated that Judge Powell has requested a fingerprinting machine be placed at the Courthouse to complete the juvenile fingerprinting and Arthur Barker is looking into grants to help off-set the \$13,000 cost for a new machine. Judge Powell understands the financial constraints of her request and is looking at the possibility of obtaining the machine through court system funds. It takes approximately \$2,600 per year to maintain the machines and Sheriff Bradley has talked to the County's IT department about their staff performing the machine maintenance. Mr. Carter noted the current budget line item related to fingerprinting expenses won't change and the Sheriff's Office is seeking a potential revenue line item to be set up for the civilian fingerprinting fees. Mrs. Clayton stated the Sheriff already has the authority to charge for civilian fingerprints, but this matter is being brought before the Board asking them to authorize creation of the revenue line item for these fees and also to make the public aware there will now be a charge for civilian fingerprinting done through the Sheriff's Office. North Fork District Supervisor Ron C. Blevins made a motion authorizing the County to set up the revenue line item for collecting civilian fingerprinting fees. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:18:30 PM](#) Chairman Blevins returned to the public hearing and asked if there was any comment at this time related to the Rich Valley Fair festival permit. There being no public comment, Chairman Blevins closed the public hearing.

[6:18:51 PM](#) Mr. Carter asked the Board's consideration for waiving the rules and voting on the festival application tonight. Royal Oak District Supervisor Regina H. Davidson made a motion to waive the rules and vote on the application tonight. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:19:17 PM](#) Royal Oak District Supervisor Regina H. Davidson made a motion to approve the Rich Valley Fair festival permit application. Saltville District Supervisor Roscoe D. Call seconded the motion. It was noted by Mr. Carter the application fee has been received and all paperwork is in order.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:20:01 PM](#) Mrs. Morgan asked the Board's consideration of the IDA appointment to the SWIFA Board. She stated that, historically, the IDA chairman has served as the

IDA representative on the SWIFA board. With Mr. Smith's upcoming retirement from the IDA, his remaining term on the SWIFA board will need to be filled. The IDA will conduct election of officers at their meeting on July 17, 2013 and the next SWIFA meeting is scheduled the day after on July 18, 2013. She is asking the Board to consider appointing the newly elected IDA chair to the SWIFA Board. Mr. Carter noted that, according to the by-laws, it does not have to be the IDA chair serving on the SWIFA board as the IDA representative. North Fork District Supervisor Ron C. Blevins made a motion to approve whoever is elected IDA chairman on July 17, 2013 as the SWIFA IDA representative. Atkins District Supervisor J. Howard Burton seconded the motion. Mr. Carter noted the appointment will be for the remainder of Mr. Smith's term which will expire 12/31/14.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: Royal Oak District Supervisor Regina H. Davidson.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:26:10 PM](#) Mr. Carter reported the budget committee met and interviewed the accounting two firms, Brown Edwards and Robinson, Farmer, Cox, who submitted bids for the FY13-15 audit. Both firms presented well and gave good reasoning and explanation for their proposed services. It was the budget committee's consensus that Brown Edwards be recommended to the Board for further negotiation. Mr. Carter has spoken with the Brown Edwards representative and he will have firm numbers to present at the continued Board meeting on July 25th. The budget committee's recommendation for this meeting is to proceed with negotiations for Brown Edwards' audit services.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:28:09 PM](#) Chairman Blevins opened the public hearing related to the proposed vacation of a public utility easement.

[6:28:21 PM](#) Mr. Carter read the following advertisement as published in the Smyth County News and Messenger:

NOTICE OF PUBLIC HEARING

Pursuant to sections 15.2-2204 and 15.2-2271(2) of the Code of Virginia, the Smyth County Board of Supervisors will conduct a public hearing on Tuesday, July 9, 2013 at 6:30 P.M., or soon thereafter, in the Board of Supervisors meeting room at 121 Bagley Circle, Smyth County Office Building.

The purpose of the hearing will be to receive comments on a proposed ordinance vacating a public utility easement located at Chestnut Ridge Road Rt. 645 and shown on a Plat Slide 331, Page 3 on lots 7 and 8 of the Deer Run Development on Chestnut Ridge.

At the above-mentioned day, time, and place any citizen of Smyth County may appear to express their opinion(s).

A full copy of a map detailing the surrounding affected area is on file at the office of the County Administrator at 121 Bagley Circle, Suite 100, Marion VA, and may be viewed during regular business hours 8:00 am – 5:00 pm, Monday – Friday.

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

6:30:09 PM North Fork District Supervisor Ron C. Blevins made a motion to waive the reading of the rules for public hearings. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

6:30:22 PM There was no one in attendance wishing to speak related to the public hearing.

6:30:33 PM Chairman Blevins closed the public hearing.

6:30:39 PM As requested at last month's meeting, a motion was made by North Fork District Supervisor Ron C. Blevins to waive the rules and consider this matter at tonight's meeting. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:31:01 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to accept the vacation of the public utility easement. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:31:38 PM](#) Mr. Carter reported the budget committee met with the Sheriff's Office to discuss the School Resource Officer (SRO) grants. Arthur Barker presented information to the Board on the four-year SRO grants. Two grants were awarded to Smyth County – one for the Trade/Vocational School and one for Northwood Middle School. If approved, this would mean two officers would cover four schools. The SRO assigned to the Trade/Vocational School would also cover Oak Point Elementary and the SRO assigned to Northwood Middle School would also cover Rich Valley Elementary. There is a local match required for the four-year grants and that match increases 25% each year. The Sheriff's Office has a line item already in this year's budget that would cover the first year's required match. He stated that year two funding would be discussed with the School Board and the Board of Supervisors in January. Mr. Barker noted there would be no penalty if local match funding is not available for the grant positions in years two through four, but hopefully funds will come available for those remaining years. Major Hounshell noted the locations for placement of the SRO's were picked by the grant officials, not the Sheriff's Office. A grant for a SRO at Sugar Grove was also applied for, but it was not awarded by grant officials. Major Hounshell also stated that no extra money would need to be added to budget for this year because this money would come out of a line item already established for matching grant funds. Mr. Carter noted that the first year local match for the two officers would total \$17,186.25. The Sheriff's Office matching grant line item was approved and adopted for the current year's

budget with \$30,000 so there are sufficient funds to cover this amount without altering the budget. Mr. Carter also noted there would be other expenses related to these SRO positions such as uniforms and vehicles and the Sheriff's Office is willing to take two vehicles out of the radar fund to accommodate two officers. Mr. Carter stated he does not have accurate pricing numbers for the two vehicles at this point, but Major Hounshell will work on obtaining that information to present at the continued meeting on July 25th. North Fork District Supervisor Ron C. Blevins made a motion to move forward with accepting the School Resource Officer positions with the \$17,186.25 local match coming out of the Sheriff's Office matching grant line item with automobile expenses being discussed at a future date. Saltville District Supervisor Roscoe D. Call seconded the motion. Vice Chair, Park District Supervisor M. Todd Dishner noted that it was discussed in the budget committee and the School Board is willing to work with the Board of Supervisors and the Sheriff's Office but, as of right now, these SRO positions aren't something that the County can commit to funding for the entire program.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:40:01 PM](#) Mr. Carter presented information discussed by the personnel committee related to the County's leave share program. Mr. Carter, Mrs. Clayton and Lisa Richardson, HR Director, have been working on revisions to the personnel rules and regulations and will presenting that information to the personnel committee soon. One issue they have been working on is the County's leave share policy. The current leave share program allows an employee to donate sick time to another employee in the event of a "catastrophic illness". Once their leave has been exhausted, employees are required to take a mandatory two-week period of leave without pay prior to using any leave donated to them by another County employee. What defines "catastrophic illness" has recently come into question. The personnel committee felt maternity leave should be added to the leave share program. The options of leave without pay and FML may still exist, but the committee is asking the Board to consider adding maternity leave to the leave share program in addition to catastrophic illness or accident. Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. stated he thinks maternity leave needs to be included, but he noted there is no guarantee the employee will get any leave share time. Atkins District Supervisor J. Howard Burton asked about FML and Mrs. Clayton answered that would be unpaid leave and by using leave share that would allow for an employee to get paid for their leave. Mr. Carter stated the leave share program has worked well

in the past and is a morale booster for employees. Any donation of leave is voluntary and will be administered through the Human Resource office. Royal Oak District Supervisor Regina H. Davidson stated leave sharing is commonplace and has to include maternity because that falls under FML categories. Mrs. Clayton stated her research found that a lot of Counties don't do maternity leave. She also noted that after January 1st new employees will get short-term and long-term disability coverage as part of their VRS benefit which would include maternity leave and that did not seem fair to long-term employees who may not have optional disability coverage. Royal Oak District Supervisor Regina H. Davidson also questioned whether it had to be sick leave that was donated or if it could be annual leave. It was noted that County employees currently earn 8 hours of sick leave per month up to 960 hours maximum. Mr. Carter also asked if the Board sees fit to follow through with the committee's recommendation of adding maternity leave to the leave share program that they consider an effective date to implement accordingly.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

The Board unanimously agreed this change to the leave share program would take effect immediately.

[6:51:15 PM](#) Mrs. Morgan presented a resolution thanking Con Smith for his years of service to Smyth County and the Industrial Development Authority. She noted Mr. Smith was appointed to the IDA at its inception in 1976 as a charter member and has continually served on the Authority for 37 years with a good part of those years in the capacity of chairman. Saltville District Supervisor Roscoe D. Call made a motion to adopt this resolution. North Fork District Supervisor Ron C. Blevins seconded the motion. Vice Chair, Park District Supervisor M. Todd Dishner asked if there would be a formal presentation of this resolution to Mr. Smith and Mrs. Morgan stated a reception in Mr. Smith's honor is tentatively scheduled for August 15th and the resolution will be presented to him at that time.

RESOLUTION

**In Honor of and Gratitude to Clarence F. (Con) Smith
For His Service to the Industrial Development Authority of Smyth County**

WHEREAS, Con Smith has served on the Industrial Development Authority of Smyth County for thirty-seven (37) years, beginning in June 1976, and serving as Chairman from September 1981 through June 2013; and

WHEREAS, Mr. Smith has provided invaluable time, knowledge, and leadership to the Industrial Development Authority of Smyth County over this extended period of time; and

WHEREAS, due to this remarkable, long term service to Smyth County, Mr. Smith has been instrumental in numerous economic development projects, resulting in new jobs and investment for the County.

THEREFORE BE IT RESOLVED THAT the Board of Supervisors and the Industrial Development Authority of Smyth County recognize the outstanding dedication and service provided by Con Smith, and

BE IT FURTHER RESOLVED THAT the Board of Supervisors and the Industrial Development Authority of Smyth County expresses its sincere appreciation and gratitude to Clarence F. Smith for his achievements and contributions to Smyth County.

Adopted by and presented by the Smyth County Industrial Development Authority on June 19, 2013 and by the Board of Supervisors on July 9, 2013.

_____ Wade Blevins, Chairman, Board of Supervisors

_____ Harry Dean, Vice-Chairman, Industrial Development Authority

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:54:34 PM](#) Mrs. Morgan presented information on applying for a multi-year planning grant for the Lick Skillet housing project. Initially, thirteen houses were approved as part of the first phase and the grant application for the second phase needs to be started. The request will be for \$30,000 of state funds with no local money requirement. Mrs. Morgan is asking for authority to have the County Administrator sign the letter of intent to apply for funds along with submitting the grant application. Saltville District Supervisor Roscoe D. Call made a motion to approve authorization. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:57:41 PM](#) Mrs. Clayton presented a quitclaim deed for the closing of Court Street. She stated the Town of Marion approved this closing in 2006 and again in 2010. She is asking the Board to authorize Mr. Carter and Chairman Blevins to sign the paperwork and submit it to the Town of Marion. Mrs. Clayton also noted this is a draft and the Marion Town Council still need to review and approve. Saltville District Supervisor Roscoe D. Call made a motion to authorize signatures by Mr. Carter and Chairman Blevins. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[6:59:35 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner made a motion to prepare a letter of intent for sewer development as discussed during closed session. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Regina H. Davidson.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[7:00:47 PM](#) Mr. Simpson noted the deadline for the Tobacco Commission grant for engineering design money related to a potential sewer development project is July 12, 2013. He asks the Board's consideration to apply for a grant not to exceed \$190,000. Vice Chair, Park District Supervisor M. Todd Dishner made a motion authorizing application for the Tobacco Commission grant funds. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,

North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Regina H. Davidson.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[7:02:03 PM](#) Under Old Business, North Fork District Supervisor Ron C. Blevins asked about item number 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)"*. He asked if this item could be removed since it dates back to 2009. Mrs. Clayton stated she had spoken with Marion town attorney Mark Fenyk about this and never came to any particular suggestion. She noted there are some changes in the law on water and sewer collections, i.e. collections for nonpayment of water and sewer. Mr. Carter suggested removing it from Old Business and adding this item back in the future if something changes. North Fork District Supervisor Ron C. Blevins made a motion to remove this item from old business. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[7:04:04 PM](#) North Fork District Supervisor Ron C. Blevins asked about item number 4 *"Financial Discussion. (2-9-10)"*. He questioned if this needs to be updated so people don't think it sits there forever. Mr. Carter stated a new date can be added to reflect a more current event.

[7:04:40 PM](#) North Fork District Supervisor Ron C. Blevins asked about item number 5 *"Town of Marion's boundary line adjustment request (10-25-11)"*. He asked if there had been any communication on this matter with the new Marion Town Manager in place. He asked about removing this from Old Business and starting with a new approach. Mr. Carter asked if North Fork District Supervisor Ron C. Blevins, Atkins District Supervisor J. Howard Burton and Saltville District Supervisor Roscoe D. Call were still interested in serving on this committee and all three stated they were. Mr. Carter stated the Town of Marion is interested in approaching the committee with a different philosophy if they would like to move forward. The committee members requested that Mr. Carter to set up another meeting with the Town of Marion related to this matter. The item will remain on Old Business with a new date to reflect today's request for a new beginning.

[7:08:05 PM](#) North Fork District Supervisor Ron C. Blevins reported that Old Business items 7 "*Request for Designation of a Special Project Area by Virginia Outdoors Foundation (2-12-13)*" and 8 "*Reaffirmation of Virginia Sovereignty (3-12-13)*" are dead in the water with no recent movement. North Fork District Supervisor Ron C. Blevins made a motion to remove these two items from Old Business. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[7:08:51 PM](#) Mr. Carter informed the Board members that information pertaining to the 2013 VACO Conference coming up in November was included in tonight's handout.

[7:09:06 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner made a motion to authorize up to \$7,000 for property acquisition related to the Groseclose sewer project as discussed during closed session. The money will come out of line item 502-012010-0227. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Regina H. Davidson.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

[7:10:09 PM](#) There were no comments during Supervisor Comment Time.

[7:10:27 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to continue the meeting until Thursday, July 25, 2013 at 7:00 p.m. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,

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Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

The Smyth County Board of Supervisors held a continued meeting at 7:00 p.m., **Thursday, July 25, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor, Wade H. Blevins, Jr.; Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K. Blevins; Atkins District Supervisor J. Howard Burton; Chilhowie District Planning Commissioner Graham Davidson Sr.; Royal Oak District Supervisor Regina H. Davidson; Park District Planning Commissioner Joel Pugh; Chairman, North Fork Dist. Planning Commissioner Norman Sparks; Saltville District Planning Commissioner Wayne Venable; Atkins District Planning Commissioner Charles Wassum III; Saltville District Supervisor Roscoe D. Call; North Fork District Supervisor Ron C. Blevins; and Rye Valley District Planning Commissioner, L. V. Pokey Harris (13)

ABSENT: Royal Oak District Planning Commissioner, Blake Frazier (1)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Economic Development Director Sally Morgan; County Attorney Michelle Clayton; Sheriff's Department Major Mike Hounshell; Administrative Assistant Becca Kirk; Administrative Assistant Christy Bise (7)

OTHERS: Stephanie Porter-Nichols, Smyth County News and Messenger; approximately 3 citizens

Public Hearing: At 7:00 p.m. Wade Blevins, Chairman of the Board of Supervisors, and Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order.

Mr. Carter read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND SMYTH COUNTY PLANNING COMMISSION

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, July 25, 2013, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Judy Wise for a Special Use Permit to establish an Automotive Sales and Service business. The property is located at 230 River Road, Chilhowie. It is identified as Tax Map No. 64-A-28 and is zoned Agricultural/Rural.

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

Copies of the application(s) along with their maps/drawings are on file in the Office of the County Administrator of Smyth County. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 227 at least 48 hours prior to the hearing.

Done by order of the Board of Supervisors and the Planning Commission.

Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning Commission

Judy Wise – Special Use Permit for Automotive Sales and Service Business in the Agricultural/Rural District: At approximately 7:03 p.m. Mrs. Clayton stated Ms. Wise's interest in establishing an Automotive Sales and Service business in an existing retail sales business she owns at 230 River Road in Chilhowie. She identified the property as Tax Map Number 64-A-28 and stated it is zoned Agricultural/Rural. She informed the Members of Section 3-2-2 e) which allows the proposed use by the issuance of a Special Use Permit, Section 10-8 which defines an Automotive Sales and Service Business, Article 6 which contains the provisions for a Special Use Permit, and she pointed out the 2013 Comprehensive Plan identifies this property as Rural/Residential on the Future Land Use map. She stated Mr. Williams advertised notice of this public hearing in the Smyth County News on July 13th and 20th. In addition, he sent letters to all of the adjoining property owners for which an affidavit is on file. He received no comments or questions on tonight's application.

Ms. Wise was present for any questions. Mr. Ron Blevins and Mr. Graham Davidson questioned Ms. Wise if the business was for car sales only which she stated yes, and she stated there would not be car parts exposed outside either.

One neighbor, Shirley Little, inquired as to whether or not Ms. Wise's application would affect the zoning of her adjacent property, to which Mrs. Clayton assured her it would not. Ms. Little further stated her concerns about D.C. Walker's property further down the road being a nuisance for people to hang out and requested VDOT install guard railing.

No one else spoke on the application.

Chairman Wade Blevins and Chairman Norman Sparks closed the public hearing at approximately 7:08 p.m.

[7:12:47 PM](#) Chairman Blevins called the Board of Supervisors meeting back to order.

[7:12:59 PM](#) Chairman Blevins opened citizen's time.

[7:13:06 PM](#) With no one wishing to speak, Chairman Blevins closed citizen's time.

[7:13:14 PM](#) A motion was made by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$1,485,000.00 for the General Fund appropriation. The following is an explanation of the appropriations approved:

General Fund:

General County	\$625,000.00
Social Services (August 1 – 13, 2013)	\$60,000.00
Schools – Operating Fund	\$800,000.00
Total General Fund	\$ 1,485,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

[7:13:49 PM](#) Mrs. Morgan reported the third and final installment of the performance agreement repayment from Wellborn Cabinet has been received. Of the \$53,333.33 payment, \$25,000 will go to the Virginia Economic Development Partnership (Treasurer of Virginia) and \$17,000 will go to the Virginia Tobacco Indemnification and Community Revitalization Commission. The remaining \$11,333.33 will be retained by the IDA. The Board needs to appropriate these payments out of the IDA checking account and Mrs. Morgan will submit a letter to Wellborn acknowledging that their repayment obligations have been met. Royal Oak District Supervisor Regina H. Davidson made a motion to approve the appropriations. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,

Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

[7:15:42 PM](#) Mrs. Morgan reported the Code of Virginia allows for an Industrial Development Authority (IDA) to change their name to an Economic Development Authority (EDA). The name change would not affect anything related to the IDA's functions. At their last meeting, the IDA voted to change their name to an EDA and make that recommendation to the Board of Supervisors for their consideration. Per the County Attorney, this name change would require a public hearing. A motion was made by North Fork District Supervisor Ron C. Blevins to set a public hearing on this matter for Tuesday, September 10, 2013 at 6:00 p.m. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

[7:18:12 PM](#) Mr. Carter presented fee quotes from Brown Edwards for FY13-15 audit services: 2013 - \$52,800, 2014 - \$54,800 and 2015 - \$56,800. A recommendation is being made to the Board to consider entering into an agreement with Brown Edwards to continue providing auditing services at the rates identified. North Fork District Supervisor Ron C. Blevins made a motion, seconded by Atkins District Supervisor J. Howard Burton, to enter into an agreement with Brown Edwards for FY13-15 audit services.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

7:19:30 PM Major Hounshell provided an update on the Sheriff's Department vehicles for the new School Resource Officers as discussed at the July 9, 2013 Board meeting. Two 2013 model police vehicles were found through Greenbriar of Virginia, Inc. for a total of \$48,288.07. These vehicles do not come equipped, but Haley Auto Group will equip both vehicles for a total of \$6,900.66. The total for both vehicles with equipment is \$55,188.73 which comes in under budget. Major Hounshell stated a total of six cars were approved in this year's budget and this purchase will be for two of those six. 2014 models will be out soon and, as in the past, Haley Auto Group will carry the state bid on the other four vehicles to be purchased. Prices are expected to increase slightly for 2014 models, around \$200 per vehicle. He also noted the Sheriff's Department would like to have the School Resource Officers in place next month. A motion was made by North Fork District Supervisor Ron C. Blevins, seconded by Royal Oak District Supervisor Regina H. Davidson, to appropriate \$48,288.07 (744-010000-9003) to Greenbrier of Virginia, Inc. for the purchase of two police vehicles and \$6,900.66 (744-010000-9003) to Haley Auto Group for the placement of emergency equipment in those vehicles. Upon delivery, Mr. Carter is authorized to sign the check for purchase.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

7:23:27 PM Charlie Harrington, Emergency Services Coordinator, presented information on a grant from the Virginia Department of Emergency Management for administrative services, i.e. Mr. Harrington's salary. It is a \$7,500 grant that requires 100% match from the County. Mr. Harrington noted there was a \$2,500 entitlement increase in his salary this year through the VDEM. North Fork District Supervisor Ron C. Blevins asked if this \$2,500 increase was included in this year's budget and Mr. Carter answered yes, it was. Royal Oak District Supervisor Regina H. Davidson made a motion to approve this grant. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

[7:25:03 PM](#) Mr. Simpson reported that in June the County applied for Mount Rogers Planning District Commission grants under the Southwest Virginia wastewater construction fund and received a grant in the amount of \$100,000 to go toward the Groseclose sewer project. This grant would be in addition to a \$250,000 already awarded for this project from the Tobacco Commission. Total project cost is expected to be around \$800,000. He is asking the Board's consideration to accept the \$100,000 grant and authorize Mr. Carter to sign the paperwork. Rye Valley District Supervisor Rick K. Blevins asked if there was any additional grant money available for this project and Mr. Simpson stated the County continues to search out grants but he anticipates these two will be all that is available for this project. North Fork District Supervisor Ron C. Blevins made a motion to accept the grant and authorize Mr. Carter to sign the paperwork. Rye Valley District Supervisor Rick K. Blevins seconded the motion. Mr. Simpson noted the grant has a two year life so all activities related to the grant must be completed within two years. The project should go out for bid in late August or early September and is expected to be completed by the summer of 2014.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

[7:28:17 PM](#) Mr. Simpson reported the Board of Supervisors had applied jointly with the Town of Chilhowie for technical assistance funds for preliminary engineering on potential sewer expansion in the Seven Mile Ford area. \$10,000 was awarded from MRPDC toward preliminary engineering and Mr. Simpson is asking the Board's consideration to accept the grant funds and allow Mr. Carter to sign the paperwork. A motion was made by Atkins District Supervisor J. Howard Burton, seconded by North Fork District Supervisor Ron C. Blevins, to accept the grant and allow Mr. Carter to sign the paperwork.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

[7:29:55 PM](#) Mrs. Morgan presented a resolution to the Tobacco Commission related to the potential Seven Mile Ford sewer expansion. This resolution will support the \$180,000 grant application already submitted to the Tobacco Commission for this project. North Fork District Supervisor Ron C. Blevins made a motion to accept this resolution and authorize Mr. Carter's signature. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

Board of Supervisors Cont'd Meeting Minutes
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Smyth County Board of Supervisors

121 Bagley Circle, Suite 100, Marion, VA 24354
Phone (276) 783-3298 Fax (276) 783-9314
www.smythcounty.org

Michael L. Carter
County Administrator

Scott R. Simpson, P.E.
Assistant County Administrator

RESOLUTION

WHEREAS, the Virginia Indemnification and Community Revitalization Commission is soliciting applications for 2013 Economic Development Projects, including funding for infrastructure related to economic development, and

WHEREAS, the Smyth County Board of Supervisors has determined that there is a critical economic development need to extend public sewer in the Seven Mile Ford area, and

THEREFORE BE IT RESOLVED that the Smyth County Board of Supervisors authorizes a grant application for \$180,000 in funding from the Tobacco Commission for the engineering design, environmental assessment, and permitting for the proposed Seven Mile Ford Sewer Project, and

BE IT FURTHER RESOLVED that the Smyth County Board of Supervisors recognizes that the Tobacco Commission funds are limited to no more than ninety (90) percent of the cost of the project and the remaining ten (10) percent must come from other funding, and

BE IT FURTHER RESOLVED that the Smyth County Board of Supervisors authorizes the County Administrator to sign and submit all grant-related documents for Tobacco Commission Economic Development grant funding.

Adopted by the Board of Supervisors
July 25, 2013

A handwritten signature of Michael L. Carter in black ink.
Michael L. Carter
County Administrator

<i>Saltville District</i> <i>Roscoe D Call</i>	<i>North Fork District</i> <i>Ron C Blevins</i>	<i>Chilhowie District</i> <i>Wade H Blevins Jr.</i>	<i>Park District</i> <i>M Todd Dishner</i>	<i>Atkins District</i> <i>J Howard Burton</i>	<i>Royal Oak District</i> <i>Regina H Davidson</i>	<i>Rye Valley District</i> <i>Rick K Blevins</i>
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7:30:56 PM Rye Valley District Supervisor Rick K. Blevins presented information to the Board on a request from citizens of Sugar Grove concerning cell phone coverage in that area. A website has been set up with a petition for cell phone towers to be placed in the Sugar Grove area. Residents in the area have land they are willing to use for cell phone towers. Rye Valley District Supervisor Rick K. Blevins and Mr. Carter have contacted cell service providers to determine the next steps in this process and it requires a letter from the Board of Supervisors encouraging the placement of a cell tower in that area. Supervisor Blevins stated that cell service in

the Sugar Grove area would greatly benefit the residents along with the County. He is asking the Board to submit a letter to cell service providers requesting their consideration to place a tower in the Sugar Grove area. Supervisors Dishner and Burton stated this has been discussed in the past without any success because cell providers have said enough usage would not be generated in that area. Mr. Carter stated that providers he has spoken with in the last week indicate that area is on their radar now and the next step is a request from the Board of Supervisors asking them to look deeper into the matter. Royal Oak District Supervisor Regina H. Davidson made a motion to send a letter to cell service providers asking them to look at cell tower placement in the Sugar Grove area. Atkins District Supervisor J. Howard Burton seconded the motion. Rye Valley District Supervisor Rick K. Blevins noted the online petition currently has 260 signatures.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

[7:34:33 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to set a public hearing for the Konnarock festival permit application on Tuesday, August 13, 2013 at 6:00 p.m. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

[7:35:25 PM](#) Mrs. Morgan informed the Board about a ceremony being held on July 31, 2013 at 10:30 a.m. announcing a grant from the Smyth County Community Foundation to Emory and Henry College for the Health Science program. The event will be held in the former education building located behind the old hospital. Supervisor Davidson noted a lot of work has been done by the college to that building and it looks wonderful.

[7:36:40 PM](#) There was nothing discussed under Old Business.

[7:36:50 PM](#) **Closed Session** – It was moved by North Fork District Supervisor Ron C. Blevins to enter into closed session under 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; **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. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

[8:19:32 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins, to return to open session and adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION CERTIFICATION OF CLOSED SESSION

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

[8:20:11 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to establish a committee to discuss matters related to the CDA in order to move forward as discussed during closed session. Atkins District Supervisor J. Howard Burton seconded the motion. Mr. Carter noted Chairman Blevins will designate such committee.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

[8:21:31 PM](#) Mr. Carter called the Board's attention to tonight's handout and noted there are several upcoming events which require an RSVP and he asked that members interested in attending any of the events respond accordingly.

[8:22:04 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins to adjourn the meeting. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, August 13, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.; Vice Chair, Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K. Blevins; North Fork District Supervisor Ron C. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D. Call; Royal Oak District Supervisor Regina H. Davidson (7)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Deputy Sheriff Derek Breedlove; Administrative Assistant Christy Bise (5)

Closed Session – At approximately 4:00 p.m., it was moved by North Fork District Supervisor Ron C. Blevins to enter into closed session under 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; **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. Vice Chair, Park District Supervisor M. Todd Dishner seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

5:07:58 PM Chairman Blevins called the meeting to order.

5:08:07 PM It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Rye Valley District Supervisor Rick K. Blevins, to return to open session and adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION
CERTIFICATION OF CLOSED SESSION

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:09:08 PM](#) Sandy Elswick, Registrar, gave the invocation and Michelle Clayton, County Attorney, led the Pledge of Allegiance.

[5:10:16 PM](#) A motion was made by Royal Oak District Supervisor Regina H. Davidson, seconded by North Fork District Supervisor Ron C. Blevins, to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:10:39 PM](#) Ron Blevins made a motion to approve the minutes from the July 9 and July 25, 2013 minutes as written. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:11:06 PM](#) Mr. Carter provided information on the County's financial status. As of Noon today, there was an available balance in the bank of \$4,387,580.63 which is sufficient to cover tonight's general fund appropriation request of \$3,085,000.00.

[5:12:05 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$3,085,000.00 for the General Fund appropriation. The following is an explanation of the appropriations approved:

General County	\$1,300,000.00
Social Services	
(August 14 – 31, 2013)	\$325,000.00
(September 1 – 10, 2013)	\$60,000.00
Schools – Operating Fund	\$1,400,000.00
Total General Fund	\$3,085,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:12:42 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve \$1,000,000.00 for the school construction fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:13:05 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$42.00 for the animal damage fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:13:19 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve \$42,000.00 for the IDA – Fund 4 appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:13:40 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Vice Chair, Park District Supervisor M. Todd Dishner, to approve \$70,444.60 for the courthouse project appropriation.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: None.

[5:14:01 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve \$35,864.72 for the Lick Skillet housing project appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:14:26 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve \$599,606.81 for the accounts payable listing.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:14:58 PM](#) Chairman Blevins opened citizen's time.

[5:15:08 PM](#) Earl McClure, Rye Valley District, questioned the proposal to change the name of the Industrial Development Authority to the Economic Development Authority. If there is going to be no impact on their job or what they do, is it worth the expense to citizens just to change the name? Mr. McClure also stated the containers at the convenience stations are leaking and with all the recent rains it has created a mess. He also wants the County to consider entering into a contract with CPV if they haven't already because a County business should be the one to build the power plant, not somebody from outside. He also questioned what the County will be getting once the plant is up and running. Mr. McClure concluded by saying that, since item A.7. concerning litigation has been on the closed session agenda since last year, he has to wonder what's going on.

[5:19:17 PM](#) Sarah Combs, Sugar Grove, presented information on Sugar Grove's request for cellular service in that area. There was a meeting held recently with House of Delegates candidate Jeff Campbell concerning the need for cell service in Sugar Grove. The meeting was well attended and letters of intent were generated to present to Smyth and Grayson Counties and the Mount Rogers Planning District Commission to show that the formal request process has started.

[5:21:06 PM](#) With no one else wishing to speak, Chairman Blevins closed citizen's time.

[5:21:16 PM](#) Mr. Carter presented information on the Four-For-Life disbursements to local emergency medical services agencies. The disbursement amounts are broken down as follows:

Marion Life Saving Crew:	\$7,043.14
Chilhowie FD/EMS	\$7,043.14
Saltville Rescue Squad	\$7,043.14
Sugar Grove Life Saving	\$7,043.14

Mr. Carter is asking the Board to consider awarding each of these amounts and appropriating the funds for disbursement. A motion was made by Atkins District Supervisor J. Howard Burton, seconded by Saltville District Supervisor Roscoe D. Call, to approve and appropriate the funds.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:22:50 PM](#) Mr. Simpson reported the second phase of ADA improvements was bid for the Konnarock Community Center, Animal Shelter and Health Department. The building and grounds committee met to review the bids and awarded the phase two contract to RGM Erectors out of Max Meadows (to be subcontracted locally). The bid came in at \$254,491.43 which was under the budget established for this phase of the project. Contract information was received from RGM late today and Mrs. Clayton has not had time to review for conformity. He is requesting the Board's approval of the contracts pending legal review and permission for Mr. Carter to execute once Mrs. Clayton has completed her review. Saltville District Supervisor Roscoe D. Call made a motion to approve the contracts pending legal review and authorizing Mr. Carter to sign. North Fork District Supervisor Ron C. Blevins seconded the motion. Supervisor Call noted the Town of Saltville will be discussing their ADA improvements at tonight's Town Council meeting.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: Atkins District Supervisor J. Howard Burton.

ABSTAINERS: None.

ABSENT: None.

[5:25:18 PM](#) Mr. Carter reviewed the Planning Commission's recommendation on the special use permit presented at the July 25, 2013 public hearing:

Recommendation on Judy Wise application for a Special Use Permit to operate an Automotive Sales and Service Business: Mrs. Harris made a motion to approve Ms. Wise's application for a Special use Permit to operate an Automotive Sales and Service Business at 230 River Road in Chilhowie. Mr. Venable seconded the motion and the following vote was recorded.

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

Royal Oak District Supervisor Regina H. Davidson made a motion to accept the Planning Commission recommendation on this special use permit. Saltville District Supervisor Roscoe D. Call seconded the motion. North Fork District Supervisor Ron C. Blevins questioned whether the Planning Commission went through the proper checklist of discussion on this matter before making their recommendation. Mrs. Clayton stated the discussion held by the Planning Commission concerning the permit was sufficient to the code. She also noted there is a checklist being

developed that will be put before the Planning Commission at a later time for consideration, but she believes everyone on the Planning Commission understands their responsibility as members.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: North Fork District Supervisor Ron C. Blevins,

ABSENT: None.

[5:27:54 PM](#) Dreama Shreve presented information to the Board on the HANDS (homeless assistance network and development services) and the Rural Housing Stability Assistance Program through the Department of Housing and Urban Development. There is a lack of services in southwest Virginia similar to what she has dealt with in east Tennessee and Ms. Shreve is working to determine the needs in this area. She stated there is funding available for Smyth County to help homeless and at risk individuals, but that funding has not been utilized. The money can be used toward various needs such as rent, mortgage assistance, utilities, relocation and emergency lodging. In order for the County to receive this money, a needs assessment will have to be completed and Mrs. Shreve stated she has taken the liberty of starting that and is asking the Board's permission to continue that process. The County would decide which agency administers the funds. This money differs from Social Services because that assistance is for health and human services but not housing needs. Mrs. Shreve will gather more data to identify gaps in Smyth County and bring a plan back to Board later this year and let them review the information and decide if they want to apply. Mrs. Clayton asked if this money could be used toward housing rehab projects and Ms. Shreve stated it could be used to fill funding gaps. Ms. Shreve also mentioned a program called charity check that is now being used to make sure clients aren't receiving duplicate assistance services.

[5:48:47 PM](#) Chairman Blevins called a 10 minute recess.

[6:02:45 PM](#) Chairman Blevins called the meeting back to order.

[6:02:49 PM](#) **Public Hearing – Konnarock festival permit application** Chairman Blevins opened the public hearing on the Konnarock festival permit application. Mr. Carter read the ad as it appeared in the Smyth County News and Messenger.

NOTICE OF PUBLIC HEARING

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, August 13, 2013 at 6:00 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:

Board of Supervisors Meeting Minutes
Tuesday, August 13, 2013

The Konnarock-Green Cove Laurel Valley Community Association has submitted a festival application for an event to be held on Sunday, September 15, 2013. This event will be held at the Konnarock-Green Cove Community Center located at 6535 Whitetop Road, Troutdale, Virginia, 24378, and will be held between the hours of 11:00 a.m. and 5:00 p.m.

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 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 the public hearing should contact Clegg Williams, Smyth County ADA Coordinator, at (276) 783-3298 x227 at least forty eight (48) hours prior to the public hearing.

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

[6:04:33 PM](#) Mr. Carter read the rules for public hearings.

[6:05:37 PM](#) Anne Pennington, Damascus, spoke on behalf of the Konnarock Community Association and expressed appreciation of the Board's consideration of the festival permit. She stated this festival is the biggest money making project the association has each year. Ms. Pennington questioned why the permit fee increased from \$25 to \$200 and Ms. Clayton explained it was to cover the cost of advertising for the public hearing. The Virginia Code requires recipients pay for the advertising costs. Mr. Carter noted that all the required information has been provided by the organization and he is asking the Board to consider waiving the rules and vote tonight in order to allow proper advertising and community support for the festival.

[6:09:46 PM](#) With no one else wishing to speak, Chairman Blevins closed the public hearing.

[6:09:50 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to waive the rules and vote tonight on this application. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:10:27 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to approve the Konnarock festival permit. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:11:17 PM](#) Mrs. Clayton presented information on a meals tax resolution that would allow the food and beverage tax proposal to be placed on the November 2013 ballot. This proposal was included on the ballot several years ago and did not pass. A food and beverage tax would assist the County with obtaining financing and bonding for infrastructure related to economic development. Mrs. Clayton noted the County cannot lobby for or against the meals tax, but Board members can provide information to citizens so they will be more informed. The County is allowed to do a 4% tax; the Town of Marion is currently at 7%. This request from the Board would only be for the item to be put on the ballot; citizens will be the ones who decide the outcome. North Fork District Supervisor Ron C. Blevins made a motion to move forward with the meals tax resolution and put it on the ballot for citizens to decide. Saltville District Supervisor Roscoe D. Call seconded the motion. Mrs. Clayton stated the meals tax would apply to prepared meals only. Atkins District Supervisor J. Howard Burton agreed that it would be a selling point to finance infrastructure, but he thinks the general public is taxed too much as it is. He expressed concern that by voting to put it on the ballot, the Board is sending a message that the County wants the 4% meals tax.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: Atkins District Supervisor J. Howard Burton.

ABSTAINERS: None.

ABSENT: None.

[6:20:23 PM](#) Mrs. Clayton discussed release of the school board liens related to the road at the new Marion Elementary School. The road would be deeded to the school

as a gift of property for maintenance by the school, which the Virginia Code allows. The Marion Town Council asked the County to facilitate this as it was part of the agreement made when school was built. Saltville District Supervisor Roscoe D. Call made a motion to release the liens. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:22:27 PM](#) Mrs. Clayton provided information on the CDA articles of incorporation for the Smyth Crossing. The articles are currently being reviewed by the Town and County and there is a request to increase the number of members from five (5) to seven (7) to allow for more community participation. The Town and County are contemplating revenue sharing of 50/50 along with the cost for infrastructure so there needs to be an official CDA. The Board was provided a copy of the CDA documents at their last meeting for review. Rye Valley District Supervisor Rick K. Blevins made a motion to change the CDA from five (5) to seven (7) members. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:24:55 PM](#) Mrs. Clayton asked for a vote on the revenue sharing 50/50 split. In principle, the Town should vote on this also and it is contingent upon some other factors being considered. A motion was made by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins, to approve the 50/50 revenue sharing split.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:26:00 PM](#) Rye Valley District Supervisor Rick K. Blevins, chairman of the solid waste committee, asked Mr. Carter to present information on the solid waste haul and disposal contract negotiations. Mr. Carter reviewed the numbers for both haul and disposal services for the proposed five year contract term. The solid waste committee recommends asking the Board to consider entering into an agreement for solid waste disposal with the City of Bristol and solid waste transportation by W & L Transport.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:30:45 PM](#) The solid waste committee unanimously recommends renewing the one-year contract with Scott Recycling for electronics haul and disposal.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:31:15 PM](#) North Fork District Supervisor Ron C. Blevins, chairman of the ordinance committee, introduced Jeff Richardson to present information on personal property reporting for business owners and senior citizen tax relief.

[6:31:43 PM](#) Jeff Richardson, Commissioner of Revenue, presented information on the senior citizen tax relief program. This tax relief is based on two aspects: income level and asset limitations established by the Board of Supervisors. Mr. Richardson's office is recommending a change in the income level from \$22,000 to \$25,000 and an asset value change from \$50,000 to \$65,000. Mr. Richardson noted the asset value change is being considered because of this year's reassessment. He noted that Smyth County is different from other localities because it uses a sliding scale to determine the amount of tax relief. It can range from 15% to 80% up to a maximum of \$200. A motion was made by Vice Chair, Park District Supervisor M. Todd Dishner to set a public hearing for Tuesday, September 10, 2013 at 6:15 p.m. to receive input on this matter. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:40:21 PM](#) Mr. Richardson also presented information on personal property reporting. Personal property was reported every year to his office, even if there were no changes, up until about four years ago. At that time, the procedure switched to file by exception where only changes to personal property were reported. This reduced the amount of paperwork handled by the Commissioner's Office and also reduced the part-time salary budget. After analyzing further, the Commissioner's Office is recommending downloading personal property information from DMV to update records thus eliminating the penalty for citizens who fail to report personal property changes. This would greatly reduce the amount of paperwork and storage issues created by the current process. He feels comfortable to eliminating the penalty on individuals, but noted that businesses still have to file and will be penalized because this data cannot be obtained through DMV. North Fork District Supervisor Ron C. Blevins made a motion to set a public hearing for Tuesday, September 10, 2013 at 6:30 p.m. to receive input on this matter. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,

Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:47:16 PM](#) The matter of off-duty employment from the Sheriff's Department was moved to the August 22, 2013 agenda when Sheriff Bradley can be present to provide more information.

[6:48:11 PM](#) There was nothing discussed under Old Business.

[6:48:16 PM](#) **Supervisor Comment Time** Royal Oak District Supervisor Regina H. Davidson asked about the letter to cell providers discussed at last month's meeting. Mr. Carter stated he has gotten one response saying existing towers would have to be upgraded, one response that the request was being passed up the line and the County would be notified for further discussion when it reached the appropriate person and there was no response received from the third provider. Rye Valley District Supervisor Rick K. Blevins added this information was shared with the residents attending the recent meeting organized by Delegate candidate Jeff Campbell. Mr. Carter has provided an update to citizens through the online petition page.

[6:50:08 PM](#) North Fork District Supervisor Ron C. Blevins stated he is pleased to work with the Board members and he believes things are moving in the right direction. He also feels good about what the County is doing to involve citizens in decision making. He commended the Board and wants to continue keeping the best interest of citizens in mind.

[6:50:44 PM](#) Rye Valley District Supervisor Rick K. Blevins stated he had fun tonight.

[6:50:49 PM](#) Atkins District Supervisor J. Howard Burton passed.

[6:50:53 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner passed.

[6:50:55 PM](#) Saltville District Supervisor Roscoe D. Call commended Mr. Carter on the good work with the negotiations on the solid waste contracts.

[6:51:30 PM](#) Mr. Simpson announced that VDOT will be closing Sugar Street in the Rye Valley District for approximately two weeks beginning August 19, 2013 for repair work. Mr. Carter asked Mrs. Porter-Nichols if she would include this information in the newspaper so citizens would be aware of the closure.

[6:52:59 PM](#) Royal Oak District Supervisor Regina H. Davidson commented the recent ribbon cutting ceremonies held at the new schools and Emory and Henry were great.

[6:53:20 PM](#) A motion was made by Atkins District Supervisor J. Howard Burton, seconded by North Fork District Supervisor Ron C. Blevins, to continue the meeting until August 22, 2013 at 7:00 p.m.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Smyth County Board of Supervisors held a continued meeting at 7:00 p.m., **Thursday, August 22, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT:	Chairman, Chilhowie District Supervisor, Wade Blevins; Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K Blevins; Atkins District Supervisor J. Howard Burton; Chilhowie District Planning Commissioner Graham Davidson Sr.; Royal Oak District Supervisor Regina H. Davidson; Park District Planning Commissioner Joel Pugh; Chairman, North Fork Dist. Planning Commissioner Norman Sparks; Saltville District Planning Commissioner Wayne Venable; Atkins District Planning Commissioner Charles Wassum III; Saltville District Supervisor Roscoe D. Call; and North Fork District Supervisor Ron C Blevins; (12)
ABSENT:	Royal Oak District Planning Commissioner, Blake Frazier and Rye Valley District Planning Commissioner, L. V. Pokey Harris (2)
STAFF:	County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Building and Zoning Administrator Clegg Williams; Administrative Assistant Becca Kirk; Administrative Assistant Christy Bise (6)
OTHERS:	Deputy Sheriff Mike Hounshell; Sheriff David Bradley; Commissioner of Revenue Jeff Richardson; Stephanie Porter-Nichols, Smyth County News and Messenger; approximately 5 citizens

Public Hearing: At 7:00 p.m. Wade Blevins, Chairman of the Board of Supervisors, and Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order.

Mr. Carter read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

**BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND
SMYTH COUNTY PLANNING COMMISSION**

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, August 22, 2013, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley

Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Rebecca Saltz, which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map at 1663 Chestnut Ridge Road in Chilhowie, to rezone approximately 1.011 acres from Residential to Agricultural/Rural. The Smyth County Comprehensive Plan does not identify a density range and the general usage of this property has most recently been residential. The property is identified as Tax Map No. 65-3-3H and can be found in Grid Map No. 125 of the official Zoning Map of Smyth County.

An application from Clark T. Surber Jr. and Donna M. Thomas for a Special Use Permit to establish a Childcare Center. The property is located beside 426 Little Mountain Road in Saltville. It is identified as Tax Map No. 28-A-176B and is zoned Agricultural/Rural.

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

Copies of the application(s) along with their maps/drawings are on file in the Office of the County Administrator of Smyth County. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 227 at least 48 hours prior to the hearing.

Done by order of the Board of Supervisors and the Planning Commission.

Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning Commission

Rebecca L. Saltz – Map Amendment request (R to A/R): Mr. Williams explained Ms. Saltz's request to rezone Lot 8 of Deer Run Development Subdivision on Chestnut Ridge in Chilhowie from Residential to Agricultural/Rural. As required by the Zoning Ordinance, Mr. Gollehon requested the property be rezoned to Residential when he proposed his subdivision. He identified the property as 1663 Chestnut Ridge Road in Chilhowie and being Tax Map No. 65-3-3H. Mr. Williams advertised notice of this public hearing in the Smyth County News on August 10th and 17th. In addition, he sent letters to all of the adjoining property owners for which an affidavit is on file. He received no comments or questions on tonight's applications.

Ms. Saltz stated she home schooled and wanted to have the right to have farm animals, such as chickens, to teach her children about the responsibilities of

farming. She stated she would like to place a RV on her property for her family from Texas while they are searching for a home to purchase. Mr. Williams was questioned about the farm animals. He stated farm animals are not allowed in the Residential District and if approved she intends to apply for a Special Use Permit next month to place the RV on her property for her relatives. No one else spoke on the application.

Clark T. Surber Jr. and Donna M. Thomas – Request for a Special Use Permit to operate a Childcare Center in the Agricultural/Rural District: At approximately 7:10 p.m. Mr. Williams explained the request from Mr. Surber and Ms. Thomas to operate a Childcare Center out of their residence located at 426 Little Mountain Road in Saltville. He identified the property as Tax Map Number 28-A-176B and stated it is zoned Agricultural/Rural. He informed the Members of Section 3-2-2 a) which allows the proposed use by the issuance of a Special Use Permit, Section 10-13 which defines a Childcare Center, Article 6 which contains the provisions for a Special Use Permit, and he pointed out the 2013 Comprehensive Plan identifies this property as Rural/Residential on the Future Land Use map.

Ms. Thomas was present for any questions. Mr. Venable inquired about the number of children she intended to keep and asked if she had any help. She responded that she intended to keep up to 12 children and Mr. Surber would be the only other person helping her with the Childcare Center. Mr. Burton asked if fencing was required or already in place. Ms. Thomas said she would put fencing up if required by Department of Social Services, which she felt would be required during her licensing process. Mr. Davidson inquired about the size of her home. She stated she has a 3 bedroom manufactured home and intends to start with 7 children and work her way up to 12 children. She stated she did not live in a trailer park. Mr. Call asked Mr. Williams if approved, would the approval have any impact on the surrounding farm land. Mr. Williams reminded the Board and Commission this application was for a Special Use Permit, not a Map Amendment and it would not change the zoning for this property or the surrounding properties. Mr. Ron Blevins asked for confirmation that Ms. Thomas would be obtaining the required license from Department of Social Services to operate the Childcare Center. Ms. Thomas confirmed she would be licensed. Mr. Sparks inquired about the maintenance of Little Mountain Road, to which Ms. Thomas stated everyone offered assistance and worked on the maintenance together but there is not a formal agreement. No one else spoke on the application.

Chairman Wade Blevins and Chairman Norman Sparks closed the public hearing at approximately 7:16 p.m.

[7:35:04 PM](#) Chairman Blevins called the Board of Supervisors meeting back to order.

[7:35:16 PM](#) Chairman Blevins opened citizen's time.

[7:35:22 PM](#) With no one wishing to speak, Chairman Blevins closed citizen's time.

[7:35:43 PM](#) North Fork District Supervisor Ron C. Blevins introduced Sheriff Bradley to present information on off-duty employment for deputies.

[7:36:02 PM](#) Sheriff David Bradley and Mrs. Clayton presented information related to off-duty employment by Sheriff's Department deputies. Sheriff Bradley stated that deputies sometimes work for other companies such as the railroad on their days off to assist with safety issues. A question came up recently about department-issued equipment being used by officers during these off-duty assignments. According to the Sheriff, policy states in fact officers can work on their day off at a certain rate of pay and their patrol vehicle is part of the equipment assigned to the officer. If working an off-duty assignment, an officer would need that vehicle as means of communication in case of an emergency situation. Mrs. Clayton explained that if the Sheriff wants to implement off-duty employment for officers it has to be done through an ordinance. Outside companies are willing to pay the cost of the deputy's salary along with vehicle and equipment expenses. This service is already being provided through the Sheriff's Office and an ordinance will allow reimbursement funds from private entities to be used for salaries instead of the County paying these officers. North Fork District Supervisor Ron C. Blevins asked if this would make a difference in liability and Mrs. Clayton answered the benefits outweigh the potential liability. North Fork District Supervisor Ron C. Blevins also stated this matter was discussed by the ordinance committee and it's coming before the Board as a unanimous committee recommendation in favor of changing the ordinance. Mr. Carter asked Mrs. Clayton about the line of duty impact and she answered it would fall more along the line of worker's comp. She also stated the ordinance would be drafted so the Sheriff is in complete control of the off-duty employment. Atkins District Supervisor J. Howard Burton requested clarification on what is being recommended by the ordinance committee. North Fork District Supervisor Ron C. Blevins stated it would be to allow for the Sheriff's Department to charge \$50/hour for outside companies needing safety officers instead of citizens of the County paying for the officers. Smyth County officers are already providing this service and the County is not getting any funds because there is no ordinance in the County Code that allows for it.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:47:14 PM](#) Commissioner of Revenue Jeff Richardson discussed the Personal Property Tax Relief Act (PPTRA). He noted the Board of Supervisors is required to

establish the PPTRA tax relief rate to be applied to qualifying tax tickets each year. This requires an annual adjustment because the amount of vehicles and their values change all the time. Mr. Richardson stated this tax year Smyth County has more vehicles and of greater value than any previous year. \$1,800,000 is received from the Commonwealth of Virginia each year for the PPTRA and the County cannot make money on this tax relief. Based on his office's calculations, Mr. Richardson is recommending the County go with 55% relief this year which would create a \$16,000 cushion. Going with 56% tax relief would create a number in the red. The current rate in the County is 63%. Mr. Richardson also stated the Virginia Code says every year any surplus on PPTRA has to be taken into consideration when establishing the rate for the following year. He informed the Board that citizens will question why their personal property values went down and yet they're paying more taxes and the answer is the State is picking up less of their tax bill. Royal Oak District Supervisor Regina H. Davidson made a motion to go with a 55% PPTRA rate for this tax year. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:56:56 PM](#) Mrs. Clayton clarified that a public hearing would need to be set related to the ordinance committee's recommendation discussed earlier concerning off-duty employment for Sheriff's Department officers. It would mean an ordinance change to the County Code which requires a public hearing. A motion was made by North Fork District Supervisor Ron C. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to set a public hearing for Thursday, September 26, 2013 at 7:30 p.m.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

7:58:37 PM Mr. Simpson provided an update on the County's proposed new phone system. When this year's budget was adopted, funding for a new phone system was included. The RFP was advertised and three bids were received. Each of the bidders was interviewed and negotiations were discussed with two of them. After consideration by staff, the recommendation is being made to the Board to go with BVU as the phone system provider. This would involve installing a voice-over IP phone system running over the internet that would have routers and switches in this building but hosted in the BVU building in Bristol. BVU's bid came in about \$5,000 below budget and BVU will provide all long distance service which will result in a \$355 monthly savings for the County. The agreement with BVU would be for five (5) years and results in long range savings after the initial purchase. Mr. Simpson noted the Department of Social Services has also opted to go with BVU for their new phone system which will also result in a monthly long distance savings of \$177. Supervisor Dishner asked about land lines and Mr. Simpson replied that calls would come out of this building through one hub and run through fiber-optic cable to the main switches in Bristol. Royal Oak District Supervisor Regina H. Davidson made a motion for the County to enter into a contract with BVU for the new phone system and appropriate the money for the project. The motion was seconded by Atkins District Supervisor J. Howard Burton. Mr. Simpson stated the exact amount for the system is \$25,052.95. This figure includes the first year of maintenance, but the next two years of maintenance in the amount of \$1,165 per year have to be pre-paid for a total project cost of \$27,382.95. Atkins District Supervisor J. Howard Burton asked how long before the new phone system is complete and Mr. Simpson answered everything should be in place within the next 90 days.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

8:05:30 PM Mr. Carter presented information on the Health Department's 2013 mobile rabies clinic. Each year, the County pays the advertising cost for the clinic out of the Animal Fund 3 and last year's cost was \$108. The Health Department is requesting the Board's consideration to appropriate the money to cover this year's advertising costs. A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve and appropriate up to \$150 for advertising this year's mobile rabies clinic.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:06:42 PM](#) Mr. Carter read information concerning the road closure on Old Rich Valley Road.



TRAFFIC ALERT

VirginiaDOT.org

RELEASE: IMMEDIATE
CONTACT: Jeff Russell (276) 228-2154
J.Russell@vdot.virginia.gov

Wythe 08
August 21, 2013

Motorists are advised that the bridge, Structure # 6160, on Route 610, Old Rich Valley Road, 1.4 miles from Route 619 in Smyth County, will be closed to through traffic beginning Monday, September 9, 2013 at 9:00 am. This closure will remain in effect until Monday, September 23, 2013 at 9:00 am.

This road closure will allow the Virginia Department of Transportation to replace the bridge structure in this location.

Motorists are advised to use alternate routes and designated detours during this closure and to use caution while traveling in this area.

(END)

[8:07:53 PM](#) There was nothing discussed under "Old Business".

[8:08:13 PM](#) **Closed Session** – It was moved by North Fork District Supervisor Ron C. Blevins to enter into closed session under 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; **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; **Section 15.2-2907(D)** Annexation under the Commission of Local Government; and **A.7 Legal**; discussion with legal counsel and staff pertaining to actual or probable litigation. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[9:02:13 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins, to return to open session and adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION CERTIFICATION OF CLOSED SESSION

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[9:03:14 PM](#) A motion was made by Rye Valley District Supervisor Rick K. Blevins, seconded by Vice Chair, Park District Supervisor M. Todd Dishner, to authorize Mrs. Clayton and Mr. Clegg Williams to pursue the necessary steps related to the complaint as discussed during closed session.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[9:03:47 PM](#) North Fork District Supervisor Ron C. Blevins made a motion, seconded by Saltville District Supervisor Roscoe D. Call, giving Mr. Carter the authority to enter into a 90-day option on an undisclosed property as discussed during closed session for an amount up to \$10,000 to be paid out of the general fund.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[9:04:39 PM](#) A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to adjourn.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, September 10, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.; Rye Valley District Supervisor Rick K. Blevins; North Fork District Supervisor Ron C. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D. Call; Royal Oak District Supervisor Regina H. Davidson (6)

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner (1)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Director of Finance Charlie Atkins; County Attorney Michelle Clayton; Deputy Sheriff Mike Hounshell; Administrative Assistant Christy Bise (6)

[4:04:05 PM](#) Chairman Blevins called the meeting to order.

[4:04:10 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins to enter into closed session under 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; **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. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:03:20 PM](#) Chairman Blevins called the meeting back to order.

[5:03:26 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Atkins District Supervisor J. Howard Burton, to return to open session and adopt the following resolution certifying the business conducted in closed session as follows:

**RESOLUTION
CERTIFICATION OF CLOSED SESSION**

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:04:13 PM](#) Andy Overbay, Extension Office, gave the invocation. Michael Carter, County Administrator, led the Pledge of Allegiance.

[5:05:11 PM](#) A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:05:31 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins, seconded by Atkins District Supervisor J. Howard Burton to approve the minutes of the August 13 and August 22, 2013 meetings.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:05:57 PM](#) Charlie Atkins presented information on the County's financial status. He stated there were appropriate funds in the bank to cover today's General Fund request. The Board will meet again on September 26, 2013 and can appropriate payroll at that time.

[5:06:42 PM](#) A motion was made by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to approve \$1,910,504.70 for the General Fund appropriation. The following is an explanation of the appropriations approved:

(a) General Fund:

General County	\$825,504.70
Social Services	
(Sept. 11 – 30, 2013)	\$325,000.00
(Oct. 1 – 8, 2013)	\$60,000.00
Schools – Operating Fund	\$700,000.00
Total General Fund	\$1,910,504.70

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:07:21 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$50,000.00 for the school textbook fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:07:37 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$500,000.00 for the school construction fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:07:48 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve \$1,362.23 for the animal damage fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:08:05 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$11,000.00 for the IDA Fund 4 appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:08:18 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor Regina H. Davidson, to approve \$69,225.85 for the courthouse project appropriation.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:08:41 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor J. Howard Burton, to approve \$15,706.62 for the Lick Skillet Housing appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:08:59 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$854,022.11 for the accounts payable appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:09:43 PM](#) John Graham, Circuit Court Clerk, introduced Judge Deanis Simmons to the Board. Judge Simmons graduated from Virginia Tech and Wake Forest University and has worked in Abingdon and Tazewell County before coming to Smyth County.

[5:10:35 PM](#) Judge Simmons thanked the Board for their time and the opportunity to introduce herself. She believes it's important to know each other and work together and she is delighted to be in Smyth County. Judge Simmons commended the courthouse staff and said the Board should be pleased and proud of Smyth County. She said her door is always open and invited the Board members to stop by her office at the courthouse anytime.

[5:12:34 PM](#) Chairman Blevins opened citizen's time.

[5:12:39 PM](#) Earl McClure, Chilhowie, informed the Board he goes to a lot of citizen meetings and people are asking questions he can't answer. He wants the Board to know the concerns of citizens, especially about activity at the old American Furniture site. He also talked about providing food for the less fortunate in the County and problems with the school lunch program.

[5:18:20 PM](#) Keith Hungate spoke in reference to Sally Morgan and commended her for the work she did with Hungate Business Services while in her position as Economic Development Coordinator with the County.

[5:22:16 PM](#) With no one else wishing to speak, Chairman Blevins closed citizen's time.

[5:22:23 PM](#) Mr. Carter presented a resolution supporting an initiative by the Governor asking localities to support a "day to serve" for citizens between September 15–29, 2013. Mr. Carter read the resolution for the record:



Smyth County Board of Supervisors

121 Bagley Circle, Suite 100, Marion, VA 24354
Phone (276) 783-3298 Fax (276) 783-9314
www.smythcounty.org

Michael L. Carter
County Administrator

Scott R. Simpson, P.E.
Assistant County Administrator

RESOLUTION OF SUPPORT DAY TO SERVE

WHEREAS, the governors of Virginia, Maryland and West Virginia and the mayor of Washington, D.C., have come together to support "Day to Serve"; and

WHEREAS, "Day to Serve" is a unique event that has inspired a diverse group of people of our larger region to set aside their political, religious, and cultural differences to strengthen our collective communities by coming together to "feed the hungry, protect and enhance the environment, as well as strengthening our communities"; and

WHEREAS, the governor of Virginia has issued a proclamation encouraging all citizens of Virginia to participate in a "Day of Service", between September 15-29, 2013; and

WHEREAS, during the inaugural "Day to Serve" in 2012, this remarkable and unprecedented event swept from the state capital to local churches, schools, neighborhoods and families and resulted in over 750 community events with more than 14,000 volunteers, culminating in 26,000 hours of service rendered, resulting in over 600,000 pounds of food being donated to local food banks; and

WHEREAS, these events also helped to improve the environment through planting trees, cleaning up parks and streams, and "adopt a road" campaigns; and

WHEREAS, the governor of Virginia has requested Virginians redouble our efforts for 2013;

THEREFORE BE IT RESOLVED, the Smyth County Board of Supervisors supports the governor on this observance to call upon all faith based organizations, community organizations, and Southwest Virginia residents to participate in a "Day to Serve" in their communities.

Date: September 10, 2013

Wade H. Blevins, Jr. - Chairman

A motion was made by Royal Oak District Supervisor Regina H. Davidson, seconded by Atkins District Supervisor J. Howard Burton, to support the resolution.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,

North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:25:13 PM](#) Arthur Barker, grant writer for the Sheriff's Department, presented information on two highway safety grants received this year from DMV. One is for selective enforcement – alcohol and one for selective enforcement – speeding. The speed grant is for \$16,000 with an \$8,000 in-kind local match and the alcohol grant is for \$7,000 with a \$3,700 in-kind local match. Mr. Barker noted the in-kind matches are covered through items such as vehicle maintenance, officer court appearances and fuel costs. Royal Oak District Supervisor Regina H. Davidson made a motion to accept both grants. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:27:28 PM](#) Mrs. Clayton and Mr. Simpson presented information on American Wood Fibers' interest in applying for the Governor's Agriculture and Forestry Industries Development Fund grant. Applying for the grant would require approval from the Board of Supervisors along with potential matching funds. John Patterson, General Manager of American Wood Fibers, informed the Board the Seven Mile Ford facility is looking to expand early next year and add a fourth pellet mill with an estimate \$1.5 million to \$3 million dollar investment with a minimum of 3-5 jobs added. Mr. Patterson noted Seven Mile Ford is in competition with the Ohio plant for this potential expansion. Mr. Simpson noted funds would be grant based on the same rules as the Governor's opportunity fund. The investment would require a 1:1 ratio of about \$35,000 from the County as grant support. This money could come from different strategies and doesn't have to be decided today. There is an eight step process involved and the first step is to make contact with the state and the next is to gain support of the Board for the application. Different matching opportunities would be looked at if the pre-application for the grant is approved. American Wood Fiber is in the enterprise zone and could get qualifying grant match funds. They are looking for support today from the Board to apply for the grant and provide the required local match which goes into the preliminary letter submitted

along with the application. Mr. Simpson added that, assuming the grant is awarded, one of the last steps is entering into a performance agreement with the business entity. The matching funds have stipulations that require performance to fulfill the agreement. The matching funds can be paid over three years and do not have to be a lump sum. A motion was made by Atkins District Supervisor J. Howard Burton to support the pre-application by American Wood Fibers for this potential project. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:36:12 PM](#) Royal Oak District Supervisor Regina H. Davidson, chair of the water and sewer committee, presented recommendations from the committee's meeting on August 26, 2013. The committee made a unanimous recommendation to the Board to award the private residence sewer hook-ups on Friendly Circle (near the new Oak Point Elementary School) to Jack Owens Plumbing in the amount of \$21,750.00. The money for this project will come out of leftover grant funds.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:38:21 PM](#) Supervisor Davidson presented a unanimous recommendation from the water and sewer committee for the Board of Supervisors to assume ownership and responsibility for the operation of the sewer system and pump station on Brown Subdivision Road. This is the sewer system that serves the new Oak Point Elementary School and surrounding residential area. It was noted the contractor who installed the sewer system is responsible for any warranty problems during the first year.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,

Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

5:39:18 PM Supervisor Davidson discussed the committee's consideration of charging water and sewer deposits. She noted water and sewer accounts are currently placed in the landowner's name not the renter as is the case in surrounding localities. Mrs. Clayton noted there has been a change in the Virginia Code with regards to putting water and sewer accounts in tenant's names and not the landowner. She further discussed tenants paying deposits which would cover the bill if a tenant leaves the property without having to try to recover those funds. If the Board decides tenants should pay a deposit, the deposit amount will be based on a three-month average. Rye Valley District Supervisor Rick K. Blevins stated he owns rental property in the Town of Marion and in Smyth County and the County is losing money in the current situation. He stated that all utilities in the Towns and surrounding Counties charge a utility deposit to cover charges until a disconnect occurs so that money isn't lost. The water and sewer committee has discussed this over the past year and wanted to bring it before the Board for discussion. Details on the deposit amount to be charged have not been determined and there would be separate deposits charged for water and for sewer. Rye Valley District Supervisor Rick K. Blevins further stated this policy change would also help with economic development and be a positive step for the housing market in the County as well. Mrs. Clayton noted that the Virginia Municipal League pushed for this legislation in July 2012 to create a system for deposits to protect landowners from liens on their property for the nonpayment of others. Mrs. Clayton further stated charging water and sewer deposits would only affect new accounts going forward; current accounts already in place would be grandfathered in. This change would require putting together policy language and updating the County policies. There can't be a vote on the matter because there is no current policy in place, but the Board unanimously agreed for staff to work on making this policy change.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[5:53:48 PM](#) Mr. Carter reminded the Board of their approval of \$187,500 in revenue sharing funds for the Green Acres Drive and Evergreen Court project. This was part of VDOT's FY14 revenue sharing program that required matching funds from the County. This money has already been approved by the Board and is included in today's accounts payable listing. The project will now move forward with proper funding.

[5:55:01 PM](#) Mr. Carter also noted initial requests for the FY15 VDOT revenue sharing program are now being accepted with a November 1, 2013 deadline. He asked the Board to let his office know of any projects they would like considered so work can be done to submit that information to VDOT prior to the deadline.

[5:55:56 PM](#) Mr. Carter stated that, as an attempt to bring two bodies together, the IDA would like to meet jointly with the Board of Supervisors to discuss and talk about different topics and catch up on some things. He asked the Board to consider meeting with the IDA as part of their November or December regularly scheduled Board meeting. Royal Oak District Supervisor Regina H. Davidson made a motion to set the joint meeting for Wednesday, November 13, 2013. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

Mr. Carter will relay the joint meeting date to the IDA at their next meeting and will take care of what needs to happen to facilitate the meeting.

[5:58:37 PM](#) Mr. Carter reviewed information about the upcoming VaCo conference in November and asked that anyone interested in attending contact his office so proper reservations and registrations can be made.

[6:01:00 PM](#) **Public hearing - Industrial Development Authority (IDA) to Economic Development Authority (EDA) name change** - Chairman Blevins opened the public hearing. Mr. Carter read the ad as it appeared in the Smyth County News and Messenger:

**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:

Board of Supervisors Meeting Minutes
Tuesday, September 10, 2013

- 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

[6:02:26 PM](#) Mr. Carter read the rules for public hearings.

[6:03:34 PM](#) Earl McClure, Chilhowie, spoke in opposition to the name change. He stated there would be no impact in making the group more efficient or on their ability to bring in more business. He further stated the cost of advertising for the public hearing was a careless use of County funds.

[6:05:30 PM](#) With no one else wishing to speak, Chairman Blevins closed the public hearing.

[6:05:50 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to set a joint public hearing between the Board of Supervisor and the Marion Town Council on the boundary line adjustment between the County and the Town of Marion for Thursday, October 17, 2013 at 6:00 p.m. at the Lincoln Theatre. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[6:07:02 PM](#) Mr. Carter reviewed the Planning Commission's recommendation on the map amendment presented at the August 22, 2013 public hearing:

- **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

North Fork District Supervisor Ron C. Blevins questioned if all eight standards were discussed during the Planning Commission meeting when considering this matter. Mrs. Clayton answered she could not state with 100% certainty that every standard was read during the meeting but she believes the Planning Commission members are aware of their standards and duties. Per Mrs. Clayton, it is not a requirement they be read aloud at each meeting. Royal Oak District Supervisor Regina H. Davidson made a motion to approve the Planning Commission recommendation on the map amendment. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: North Fork District Supervisor Ron C. Blevins.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

North Fork District Supervisor Ron C. Blevins stated his abstention has nothing to do with the application but concern about possible legalities in the future.

[6:09:49 PM](#) Mr. Carter reviewed the Planning Commission's recommendation on the special use permit presented at the August 22, 2013 public hearing:

- **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

A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor Regina H. Davidson, to approve the Planning Commission recommendation on the special use permit. Atkins District Supervisor

J. Howard Burton questioned the placement of fencing at the proposed daycare location and Mrs. Clayton answered it would be up to the state to determine the steps for licensing the daycare.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: North Fork District Supervisor Ron C. Blevins.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

North Fork District Supervisor Ron C. Blevins stated his abstention has nothing to do with the application but concern about possible legalities in the future.

[6:12:16 PM](#) Atkins District Supervisor J. Howard Burton made a recommendation to reappoint Karen Gillespie for another four-year term on the Department of Social Services Board. Her current term expires October 13, 2013 and the reappointment term will expire October 13, 2017. Rye Valley District Supervisor Rick K. Blevins made a motion to accept the nomination. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[6:13:35 PM](#) Mr. Carter reviewed a list of upcoming meetings. He also noted additional appropriations will be presented at the continued Board meeting on September 26, 2013 to get the County through the end of the month.

[6:15:06 PM](#) **Public Hearing – Senior Citizen Tax Relief** – Chairman Blevins opened the public hearing. Mr. Carter read the ad as it appeared in the Smyth County News and Messenger:

**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:

Board of Supervisors Meeting Minutes
Tuesday, September 10, 2013

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

[6:16:52 PM](#) North Fork District Supervisor Ron C. Blevins made a motion, seconded by Saltville District Supervisor Roscoe D. Call, to waive the reading of the rules of procedure for public hearings.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[6:17:23 PM](#) Jeff Richardson, Commissioner of Revenue, presented information on income and asset guidelines for seniors. He noted that, based on the reassessment this year, a senior's income or assets might not change but, because of what they own, they might no longer qualify for tax relief based on the assessment values.

[6:19:33 PM](#) With no one else wishing to speak, Chairman Blevins closed the public hearing.

[6:20:02 PM](#) Chairman Blevins called a 10 minute recess.

[6:32:52 PM](#) Chairman Blevins called the meeting back to order.

[6:32:57 PM](#) **Public Hearing – Personal Property tax filing** – Chairman Blevins opened the public hearing. Mr. Carter read the ad as it appeared in the Smyth County News and Messenger:

**PUBLIC HEARING
BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS**

Board of Supervisors Meeting Minutes
Tuesday, September 10, 2013

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

[6:34:27 PM](#) North Fork District Supervisor Ron C. Blevins made a motion, seconded by Saltville District Supervisor Roscoe D. Call, to waive the reading of the rules of procedure for public hearings.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[6:34:41 PM](#) Jeff Richardson, Commissioner of Revenue, stated his office could more efficiently and effectively gather personal property data from DMV computer systems than using the standard paper filing method. This would create less of a burden on citizens by not having to file the paperwork as it has been historically done.

[6:36:49 PM](#) With no one else wishing to speak, Chairman Blevins closed the public hearing.

[6:36:55 PM](#) Mr. Carter provided an update on the Smyth Crossings CDA committee meeting. The group consisting of three Board of Supervisors members, the County Administrator, three representatives from the Town of Marion and three citizens at-

large met on September 4, 2013 for an introductory meeting. Mrs. Clayton provided each member with a notebook of information related to the CDA that was reviewed at that meeting. The articles of incorporation, by-laws and revenue sharing agreement were discussed at the meeting. The articles of incorporation and by-laws will be signed by all parties this week and properly filed. Also, a letter of response from the two entities will be submitted to the developer. The Board of Supervisors will need to officially vote on the seven member CDA committee. Members will consist of one Smyth County Board of Supervisors elected representative, the Smyth County Administrator, one Marion Town Council elected representative, the Marion Town Manager and three citizens at-large.

[6:41:55 PM](#) Royal Oak District Supervisor Regina H. Davidson made a motion to appoint Rye Valley District Supervisor Rick K. Blevins to the CDA committee as the elected official from the Board of Supervisors. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: Rye Valley District Supervisor Rick K. Blevins.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[6:42:40 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to appoint County Administrator Michael Carter to the CDA committee. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[6:42:59 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to appoint Jim Gates to the CDA committee as the elected official from the Marion Town Council. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,

Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[6:43:19 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to appoint Marion Town Manager Bill Rush to the CDA committee. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[6:43:36 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to appoint Hal Campbell as a citizen at-large representative on the CDA committee. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[6:43:56 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to appoint Charlie Doane as a citizen at-large representative on the CDA committee. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[6:44:13 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to appoint Mike Albano as a citizen at-large representative on the CDA committee. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

[6:44:31 PM](#) Mr. Carter confirmed that the seven member Smyth Crossings CDA committee is now officially approved by Smyth County.

[6:45:18 PM](#) There was nothing discussed under old business.

[6:45:22 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to continue the meeting until September 26, 2013 at 7:00 p.m.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Park District Supervisor M. Todd Dishner.

The Smyth County Board of Supervisors held a continued meeting at 7:00 p.m., **Thursday, September 26, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

Members Present: Chairman, Chilhowie District Supervisor, Wade H. Blevins, Jr.; Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K. Blevins; North Fork District Supervisor Ron C. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D. Call; Chilhowie District Planning Commissioner Graham Davidson Sr.; Park District Planning Commissioner Joel Pugh; Chairman, North Fork Dist. Planning Commissioner Norman Sparks; Saltville District Planning Commissioner Wayne Venable; Atkins District Planning Commissioner Charles Wassum III

Members Absent: Royal Oak District Supervisor Regina H. Davidson; Royal Oak District Planning Commissioner, Blake Frazier; Rye Valley District Planning Commissioner, L. V. Pokey Harris

Staff: County Administrator, Michael Carter; Assistant County Administrator, Scott Simpson; County Attorney, Michelle Clayton; Building and Zoning Administrator, Clegg Williams; Administrative Assistant, Becca Kirk; Administrative Assistant, Christy Bise

Others Present: Approximately 2 citizens, Stephanie Porter-Nichols of the Smyth County News & Messenger and Michael Hounshell of the Smyth County Sheriff's Department were present.

Public Hearing: At 7:00 p.m. Wade Blevins, Chairman of the Board of Supervisors, and Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order.

Mr. Carter read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND SMYTH COUNTY PLANNING COMMISSION

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, September 26, 2013, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Rebecca Saltz for a Special Use Permit to establish a Campground or Recreational Vehicle Park. The property is located at

1663 Chestnut Ridge Road in Chilhowie. It is identified as Tax Map No. 65-3-3H and zoned Agricultural/Rural.

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

Copies of the application(s) along with their maps/drawings are on file in the Office of the County Administrator of Smyth County. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 227 at least 48 hours prior to the hearing.

Done by order of the Board of Supervisors and the Planning Commission.

Michael L. Carter, County Administrator
Norman K. Sparks, Chairman of the Planning Commission

Rebecca L. Saltz - Request for a Special Use Permit to operate a Campground/Recreational Vehicle Park: Mr. Williams explained Ms. Saltz's request to operate a Campground/Recreational Vehicle Park on Lot 8 of Deer Run Development Subdivision on Chestnut Ridge in Chilhowie. He identified the property as 1663 Chestnut Ridge Road in Chilhowie and being Tax Map No. 65-3-3H. Mr. Williams advertised notice of this public hearing in the Smyth County News on September 14 and 21. In addition, he sent letters to all of the adjoining property owners for which an affidavit is on file. He received no comments or questions on tonight's applications. He informed the members of Section 3-2-2 j) which allows the proposed use by the issuance of a Special Use Permit, Section 10-12 & 10-61 which defines a Campground and Recreational Vehicle Park, Article 6 which contains the provisions for a Special Use Permit, and he pointed out the 2013 Comprehensive Plan identifies this property as Rural/Residential on the Future Land Use map.

Ms. Saltz was not present and no citizens signed up to speak on the application.

Ron Blevins asked Mr. Williams how many RV's are proposed. He stated one was established for temporary use by her parents. Shortly thereafter Ms. Saltz decided she would like to place a second RV for an out of state family member. Mr. Blevins inquired about the health department requirements. Ms. Kirk informed the Board and Planning Commission that Ms. Saltz was approved and has already installed a

septic system for the first RV and has been approved by the Health Department to hook the second RV up to her dwelling's septic system.

Chairman Wade Blevins and Chairman Norman Sparks closed the public hearing at approximately 7:13 p.m.

[7:37:49 PM](#) Chairman Blevins called the Board of Supervisors meeting back to order.

[7:38:00 PM](#) **Public Hearing – Law enforcement outside employment** – Chairman Blevins opened the public hearing.

[7:38:06 PM](#) Mr. Carter read the ad as it appeared in the Smyth County News and Messenger:

**PUBLIC HEARING
BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS**

The Smyth County Board of Supervisors will conduct a public hearing on Thursday, September 26, 2013 at 7:30 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 County Code § 35, Law Enforcement, to permit a new section relating to off-duty employment pursuant to Virginia Code Section §15.2-1712 which permits the Sheriff to charge an hourly rate from private organizations requesting private police services in circumstances involving the protection and safety of county citizens and property. The Sheriff will approve any sponsoring organizations and promulgate reasonable rules and regulations for off-duty employment of officers to ensure the efficient operation of the office.

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 amendment is 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

[7:39:41 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins to waive the reading of the rules for public hearings. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson.

[7:39:59 PM](#) Earl McClure, Chilhowie, questioned whether the County or the person hiring for services would be liable in the event an officer is injured while on the special assignment. Mrs. Clayton answered that, generally, an issue with an officer will be covered by line of duty if the sponsoring organization paying the fee does not. North Fork District Supervisor Ron C. Blevins questioned how payment would be handled and Major Hounshell explained that payment would be made directly to the Smyth County Treasurer and no money would change hands between the officer and paying group. Mr. Carter also noted this proposal would allow the County to recoup money for the usage of the vehicle resulting in additional revenue.

[7:47:00 PM](#) With no one else wishing to speak, Chairman Blevins closed the public hearing.

[7:47:03 PM](#) Chairman Blevins opened citizen's time.

[7:47:08 PM](#) With no one wishing to speak, Chairman Blevins closed citizen's time.

[7:47:40 PM](#) **Payroll appropriations** – Mr. Carter informed the Board there are sufficient funds in the bank to cover the requested appropriations. Saltville District Supervisor Roscoe D. Call made a motion to approve the payroll appropriations. North Fork District Supervisor Ron C. Blevins seconded the motion.

School Board	\$ 3,200,000.00
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General County	\$ 671,583.45
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After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson.

7:48:11 PM Mr. Simpson presented a resolution for the Board's consideration in support of the VDH planning grants. Part of applying for the 100% no-match grants requires the Board of Supervisors to adopt a resolution identifying the grants being applied for. Projects include Konnarock community well and service evaluation, Ebenezer test well construction, Atkins area spring source evaluation and Rice Road/Bales Lane water main design. North Fork District Supervisor Ron C. Blevins made a motion to adopt the resolution. Saltville District Supervisor Roscoe D. Call seconded the motion.


Smyth County Board of Supervisors
121 Bagley Circle, Suite 100, Merion, VA 24354
Phone (276) 783-3290 Fax (276) 783-9314
www.smythcounty.org

Michael L. Carter
County Administrator

Scott R. Simpson, P.E.
Assistant County Administrator

**SMYTH COUNTY VDH PLANNING GRANT
RESOLUTION - 2013**

WHEREAS, Smyth County has the specific need to work to establish water service to additional County residents, and also the intention to develop additional drinking water sources;

WHEREAS, the Virginia Department of Health-Office of Drinking Water Planning Grant Funding Program fits the needs of these types of projects, and

WHEREAS, the County wishes to design a water main extension in the Hutton Branch area; evaluate a spring for use as a potable water source; correct a surface water influenced well source; and drill a test well at a location identified in the Preliminary Engineering Report for well site evaluation,

THEREFORE, BE IT RESOLVED, that the Smyth County Board of Supervisors hereby agree to seek grant funding from the Office of Drinking Water for the following projects in the following amounts:

Konnarock Community Well and Service Evaluation	\$ 48,000
Ebenezer Test Well Construction	\$ 50,000
Atkins Area Spring Source Evaluation	\$ 50,000
Rice Road / Bales Lane water main design	\$ 32,000

THEREFORE, BE IT FURTHER RESOLVED that the Smyth County Administration shall immediately begin to process a funding application for these projects and be authorized to sign any and all documents to accept such funding contingent upon review and concurrence by the County Attorney.

Motion by: Ron C. Blevins Seconded by: Roscoe D. Call

Aye 6 Nay 0 Absent 1

This 26th day of September, 2013.


Michael L. Carter, Clerk of Board


Wade H. Blevins, Jr., BOS Chairman

Saltville District
Roscoe D. Call

North Fork District
Ron C. Blevins

Chilhowie District
Wade H. Blevins Jr.

Park District
M. Todd Drake

Atkins District
J. Howard Burton

Royal Oak District
Regina H. Davidson

Rye Valley District
Rick K. Blevins

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson.

[7:51:17 PM](#) Chairman Blevins reported the Courthouse Committee met recently with Moseley Architects to discuss the next phase of the Courthouse project. Mr. Simpson reported the jail has been torn down and the first phase of construction and site preparation is wrapping up and will soon be ready to bid on the second phase. Mr. Simpson reviewed the budget and provided an overview of the next phases of construction for the project. There was also discussion in the committee meeting about the frequency of site visits by Moseley during the construction process. The committee is unanimously recommending the Board approve the construction schedule changes discussed and to authorize signature on the required documents for the project to go out for bid. The Board discussed safety issues at the Courthouse and how the new design will provide for better security at the entrance points. North Fork District Supervisor Ron C. Blevins questioned the condition of the original Courthouse building and how it could be used as part of the new design when it was declared to be in a state of disrepair. Mr. Simpson stated that language was taken from the Virginia Code and the County had to consent the original Courthouse building was in disrepair in order to move forward with the project. The Courthouse committee unanimously recommends the construction schedule changes as discussed with Moseley Architects.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson.

[8:07:11 PM](#) The Courthouse Committee also made a unanimous recommendation authorizing signature on the required documents allowing the next phase of the project to go out for bid.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,

Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson.

[8:07:39 PM](#) Mr. Simpson added he has a spreadsheet of all the project expenses thus far that he can provide to any Board member who would like a copy.

[8:08:13 PM](#) Atkins District Supervisor J. Howard Burton presented the Emergency Communication Committee's unanimous recommendation to the Board to approve District Three's request to install equipment at the Whitetop tower with the stipulations agreed on by both the Committee and District Three.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson.

[8:09:16 PM](#) There was nothing discussed under Old Business.

[8:09:22 PM](#) Mr. Carter presented information provided by Atkins District Supervisor J. Howard Burton regarding Smyth County and the Town of Marion's designation as an Appalachian Trail Community. Supervisor Burton stated the Trail is a valuable asset and he would like for the County to adopt a resolution supporting the Appalachian Trail designation. Mr. Carter said with the Board's unanimous agreement, a resolution will be presented at the October meeting for consideration.

[8:11:12 PM](#) Mr. Simpson provided an update on the megasite project. This was a project appointed by the Board of Supervisor to be undertaken by the Industrial Development Authority. Some questions have come up concerning the project, how it's been facilitated and where it stands. Mr. Simpson stated the building has been demolished and the concrete crushing has been completed. The project went out for bid and thirteen sealed bids were received. The bid process required the company to purchase the salvage rights and then the IDA would pay them to demolish the site. Berry's came in with the best bid with a low net number of \$139,321 meaning the IDA paid them \$839,321 to demolish the site and Berry's paid the IDA \$700,000 for the salvage rights. The benefit to the County and the IDA is the building demolition, concrete crushing, asbestos removal and any grading and associated engineering fees with the bridge design are grant eligible on a 90/10 basis. The total cost including site purchase, demolition, site work, engineering and potential

bridge construction total around \$7,000,000 and the IDA would match with \$700,000. There is no County taxpayer money in the project; all the required match has been paid out of the IDA funds which were covered by the \$700,000 salvage value that Berry's bought when they were awarded the bid. Funding provided by the Tobacco Commission for the project is not taxpayer money, it comes from tobacco settlement funds. The finished result will mean a 70 acre site worth a couple million dollars that would allow a large industry to locate here. There is 40,000 tons of stone worth between \$500,000 and \$700,000 crushed from the site that was paid for with grant funds. This stone can be used to help with the bridge design and the retaining walls necessary to construct that bridge. This site will be a very valuable asset to the County when it's finished. This information will be provided to the Smyth County News so it can be included in the paper to help clear up confusion surrounding the project. Mr. Simpson noted that this project has been discussed at length during the IDA meetings and those meetings are open to the public. Vice Chair, Park District Supervisor M. Todd Dishner thanked the staff for putting this package together and Saltville District Supervisor Roscoe D. Call stated it's good to ask questions and get the information out to the public.

[8:23:48 PM](#) **Closed Session** – It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to enter into closed session under 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; and **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.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson.

[8:42:07 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Vice Chair, Park District Supervisor M. Todd Dishner, to return to open session and adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION CERTIFICATION OF CLOSED SESSION

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson.

[8:42:23 PM](#) Mr. Simpson reported the County was awarded \$83,000 from the Tobacco Commission for sewer infrastructure at Exit 39. The original application was submitted for \$180,000 and, if progress is shown with the project, the County can reapply for the balance of the funds.

[8:46:02 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to adjourn the meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, October 8, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.; Vice Chair, Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K. Blevins; North Fork District Supervisor Ron C. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D. Call; Royal Oak District Supervisor Regina H. Davidson (7)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Director of Finance Charlie Atkins; County Attorney Michelle Clayton; Deputy Sheriff Derek Breedlove; Administrative Assistant Christy Bise (6)

OTHERS: Stephanie Porter-Nichols, Smyth County News and Messenger, approximately 10 citizens

[4:02:55 PM](#) Chairman Blevins called the meeting to order.

[4:03:02 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins to enter into closed session under 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; and **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. Mr. Carter asked that **A.1 Personnel** be added to closed session. Rye Valley District Supervisor Rick K. Blevins amended his motion to include **A.1 Personnel**. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:02:41 PM](#) Chairman Blevins called the meeting back to order.

[5:02:45 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins, to return to open session and adopt the following resolution certifying the business conducted in closed session as follows:

**RESOLUTION
CERTIFICATION OF CLOSED SESSION**

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:04:19 PM](#) Christy Bise, Administrative Assistant, gave the invocation and Manuel Street, GIS Coordinator, led the Pledge of Allegiance.

[5:04:23 PM](#) A motion was made by Royal Oak District Supervisor Regina H. Davidson, seconded by North Fork District Supervisor Ron C. Blevins, to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:04:37 PM](#) A motion was made by Atkins District Supervisor J. Howard Burton, seconded by Saltville District Supervisor Roscoe D. Call, to approve the minutes from the September 10 and 26, 2013 meetings.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:04:58 PM](#) **Financial Status** – Charlie Atkins stated there was enough money in the bank to cover this evening's general fund appropriation request.

[5:05:19 PM](#) [5:06:42 PM](#) A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve \$2,256,150 for the General Fund appropriation. The following is an explanation of the appropriations approved:

General County	\$410,000.00
Courthouse Debt Service	\$1,346,150.00
Schools – Operating Fund	\$300,000.00
School Debt and Capital Outlay Fund	\$200,000.00
Total General Fund	\$2,256,150.00

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,

Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: None.

[5:06:13 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve \$40,000.00 for the school textbook fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:06:21 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins, to approve \$500,000.00 for the school construction fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:06:39 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$809.84 for the animal damage fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,

Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:06:49 PM](#) It was moved by Atkins District Supervisor J. Howard Burton, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$5,465.00 for the IDA fund 4 appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:07:04 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor Regina H. Davidson, to approve \$4,485.60 for the courthouse project appropriation.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: None.

[5:07:27 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$478.98 for the Lick Skillet housing fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,

North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:07:46 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor J. Howard Burton, to approve \$437,992.41 for the accounts payable listing.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:08:27 PM](#) Mr. Simpson presented a resolution of support from Ron Thomason and the Smyth County Tourism Association concerning the scenic overlook for the Back of the Dragon. Saltville District Supervisor Roscoe D. Call made a motion to approve the resolution. Royal Oak District Supervisor Regina H. Davidson seconded the motion. Supervisor Davidson also asked about working with the state on the overlook and whether the state would be responsible for maintenance of the location. Mr. Carter answered there are plans to widen the overlook area and the tourism association is looking for assistance to do that.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:11:02 PM](#) Mr. Carter reminded the Board about the VDOT FY15 revenue sharing program. The deadline for submission to VDOT is November 1st so any projects the

Board would like to be considered for this program need to be submitted to him before the end of the week.

[5:11:56 PM](#) Chairman Blevins opened citizen's time.

[5:12:26 PM](#) With no one wishing to speak, Chairman Blevins closed citizen's time.

[5:13:05 PM](#) Michael Armbrister, Executive Director at Mount Rogers Planning District Commission, presented information about the PDC to the Board. He discussed staffing changes and reviewed some of the projects currently underway. Those projects include Allison Gap and Lick Skillet housing, the Mount Rogers regional initiative for Smyth and Grayson Counties, Town of Chilhowie planning grant for downtown revitalization, Town of Saltville grant funding for a new playground and a healthy kids initiative program through the United Way, small business loans and a regional indoor plumbing program. Since 1988, the revolving loan fund program has created or supported over 2,000 jobs. Mr. Armbrister also mentioned that for every \$1 of local assessment of operations by the PDC, there is a return on investment of \$35. MRPDC is the most active PDC in the state and they want that to continue. He stated their office is always open if there's any questions or concerns. Saltville District Supervisor Roscoe D. Call commented he sits on the MRPDC board and Mr. Armbrister and his staff are doing an excellent job. Atkins District Supervisor J. Howard Burton asked if there was any way the PDC could help with getting cell service in the Sugar Grove area. Mr. Armbrister stated he has spoken with Mr. Carter along with representatives from Senator Warner's office about the issue. He's not sure the PDC can do anything specifically, but they will be happy to assist however they can because they want to encourage more visitors and tourists to that area. Supervisor Burton also asked about the façade of the old flower shop on Main Street and how it is an eye-sore when first coming into town. Mr. Armbrister stated the gateway project, which is in the planning phase, would provide grant funding for building improvements in that area.

[5:28:40 PM](#) The Board considered the name change from the Industrial Development Authority to the Economic Development Authority as presented at the September 10, 2013 public hearing. North Fork District Supervisor Ron C. Blevins questioned whether the name change would have any impact on what the group does. Mrs. Clayton answered no, but it would reflect a better image for with that Authority does. Supervisor Blevins further questioned the cost of this name change. Mr. Carter stated the only cost would be for the advertising of the public hearing; the County pays a lump sum for code changes each year. Supervisor Blevins also questioned paperwork done before the name change would have to be redone and Mrs. Clayton answered no, it would be grandfathered in. Atkins District Supervisor J. Howard Burton stated he understood that other Counties have made the name change and Mrs. Clayton affirmed they have. Royal Oak District Supervisor Regina H. Davidson motioned to allow for the name change from Industrial Development Authority to Economic Development Authority. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,

Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:31:19 PM](#) The Board considered the senior citizen tax relief as presented at the September 10, 2013 public hearing. North Fork District Supervisor Ron C. Blevins made a motion to accept the tax relief changes. Saltville District Supervisor Roscoe D. Call seconded the motion. Jeff Richardson, Commissioner of Revenue, stated the changes would be advertised in the Smyth County News and on the County website and would also be presented to community groups to get the word out.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:32:20 PM](#) The Board considered the changes to personal property filing requirements as presented at the September 10, 2013 public hearing. It was noted this change will apply to private citizens only; commercial/business establishments will still be required to complete the filing each year. North Fork District Supervisor Ron C. Blevins made a motion to accept the filing changes. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:33:58 PM](#) The Board considered the Sheriff's Department off-duty employment request as presented at the September 26, 2013 public hearing. Saltville District Supervisor Roscoe D. Call made a motion to approve the request for the County to be reimbursed for officer and vehicle expenses by private companies hiring officers for special security events. Mr. Carter added he had spoken with Major Hounshell and there is an opportunity to benefit from this request over the coming weekend so Supervisor Call amended his motion to make the change effective immediately. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:35:24 PM](#) Mrs. Clayton and Jeff Richardson presented information on a real estate tax refund to the Town of Saltville in the amount of \$8,078.58 plus interest. This refund pertains to GCS' vacation of the Town of Saltville owned building in October 2011. While GCS was in business the building was taxable but, once the building was vacated by GCS, the taxes should have been abated. The Commissioner of Revenue's Office was not notified of the change and sent a 2012 tax bill to the Town of Saltville. The Town paid the 2012 tax bill and later realized the error so now that payment needs to be refunded. Saltville District Supervisor Roscoe D. Call made a motion to approve the refund. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: None.

[5:38:43 PM](#) Royal Oak District Supervisor Regina H. Davidson, chair of the water and sewer committee, presented a unanimous recommendation for five firms to be placed on retainer for professional services. The firms include Anderson and Associates, CHA, Draper Aden, ECS Mid-Atlantic and The Lane Group. Mr. Simpson

noted these would be one year agreements with four renewal options and there is no commitment to give them any work; it is a retainer which costs nothing.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:41:05 PM](#) Royal Oak District Supervisor Regina H. Davidson presented additional information from the water and sewer committee related to a road problem. A roadway leading to water towers is in need of repair and the people living there have asked the County to fix the problem so two quotes for repair were obtained. There was a deed signed in 2002 with the property owners and the County is responsible for 1/3 of the road maintenance and repair. The committee unanimously recommended appropriation of up to \$2,600 for the repair based on the quotes received. There has been additional information received this morning relating to this matter that will need to be considered by the committee so the matter will be discussed at the continued Board meeting.

[5:42:50 PM](#) Mr. Carter presented information discussed by the personnel committee related to the Virginia Local Disability Program. A decision has to be made by November 1, 2013 to participate in VRS's program or opt out and look at other providers. The committee unanimously recommends opting out of the VRS program as most other localities are doing. Mr. Carter read the resolution for the record:

RESOLUTION

Irrevocable Election Not to Participate in Virginia Local Disability Program

WHEREAS, by enacting Chapter 11.1 of Title 51.1 of the *Code of Virginia*, the Virginia General Assembly has established the Virginia Local Disability Program ("VLDP") for the payment of short-term and long-term disability benefits for certain participants in the hybrid retirement program described in Virginia Code § 51.1-169; and

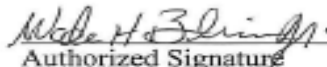
WHEREAS, for purposes of VLDP administration, an employer with VLDP-eligible employees may make an irrevocable election on or before November 1, 2013, requesting that its eligible employees not participate in VLDP as of the VLDP effective date of January 1, 2014, because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees that meets or exceeds the coverage set out in Chapter 11.1 of Title 51.1 of the *Code of Virginia*, with the exception of long term care coverage, by January 1, 2014; and

WHEREAS, it is the intent of Smyth County Board of Supervisors
55186, to make this irrevocable election to request that its eligible employees not participate in VLDP;

NOW, THEREFORE, IT IS HEREBY RESOLVED that
Smyth County Board of Supervisors irrevocably elects not to participate in VLDP because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees; and it is further

RESOLVED that, as an integral part of making this irrevocable election,
Smyth County Board of Supervisors certifies that it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees.

Adopted in Marion / Smyth County, Virginia this 8th day of October, 2013.

 Chairman
Authorized Signature Title

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

5:47:09 PM By opting out of the VRS disability program, the County looked at two other providers of comparable services, VaCO and VML. After consideration, the personnel committee unanimously recommends going with VaCo's program which will be effective January 14, 2014.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:48:23 PM](#) North Fork District Supervisor Ron C. Blevins, chairman of the ordinance committee, reported there was a joint meeting with the Planning Commission's ordinance committee. Discussions continue between the two groups concerning updating the subdivision and zoning ordinances, but there is no formal recommendation at this time.

[5:49:07 PM](#) Mr. Carter presented information pertaining to the lease of the Cornerstone Building by the Mount Rogers Community Services Board. The current lease expires December 31, 2013 and the CSB has asked for a lease extension through June 30, 2014. Since there is no immediate need for space related to the courthouse renovations, this would not create a problem for the County to extend the lease through June of next year. Royal Oak District Supervisor Regina H. Davidson made a motion to extend the lease as requested by the CSB. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:50:47 PM](#) Mr. Carter presented the Planning Commission recommendation on Rebecca Saltz's application for a special use permit.

- **Recommendation on Rebecca Saltz application for a Special Use Permit to operate a Campground/Recreational Vehicle Park:** After a discussion about the requirements for a Special Use Permit for a Campground, at approximately 7:23 Mr.

Wassum made a motion to recommend approval of Ms. Saltz's request for a Special Use Permit with no restrictions. His motion was not seconded; therefore, the motion died. Mr. Sparks made a motion to recommend approval with two restrictions (1) she validates health departments approval for both RV sites; and (2) the Special Use Permit expires in one year. He stated these restrictions were based on the statements she made at last month's meeting that it was for family only. Mr. Venable seconded the motion with restrictions and the following vote was recorded.

<i>Ayes:</i>	<i>4</i>	<i>Venable, Davidson, Sparks, and Pugh</i>
<i>Absent:</i>	<i>2</i>	<i>Frazier and Harris</i>
<i>Oppose:</i>	<i>1</i>	<i>Wassum</i>

North Fork District Supervisor Ron C. Blevins questioned the one-year restriction on the permit. Ms. Saltz addressed the Board and stated she was hoping to have more than a year on the permit in order to give her family adequate time to secure permanent housing. North Fork District Supervisor Ron C. Blevins also questioned if Ms. Saltz was paying the regular permit fee why should there be limitations on her permit when other citizen who pay the fee has no restrictions. Mrs. Clayton answered the Planning Commission has the authority to place restrictions as they see fit and they see this as a temporary situation for Ms. Saltz and don't want it to be a permanent thing. North Fork District Supervisor Ron C. Blevins asked if Ms. Saltz would have to pay the permit fee again if she opts to extend the permit after her one year is up and Mr. Carter answered yes, she would. Ms. Saltz stated to the Board she is willing to provide whatever proof is necessary to show that her family are the only two RV's occupying her property. She further states she only has room for what the Health Department approved her for. An additional septic system has been put in and Ms. Saltz has changed her deed accordingly. North Fork District Supervisor Ron C. Blevins noted he believes the Planning Commission is putting a rush on Ms. Saltz and this is problematic for citizens that the County because the County is imposing limits. He further stated the RV's on the site should be limited, not the amount of time. Royal Oak District Supervisor Regina H. Davidson stated she understand the Health Department restrictions but not the one year limit imposed by the Planning Commission. North Fork District Supervisor Ron C. Blevins recommends changing the restriction so that only two RV's can park there but not limit the time. Saltville District Supervisor Roscoe D. Call agrees, but he doesn't like stepping on toes of the other committee. North Fork District Supervisor Ron C. Blevins made a motion to approve Ms. Saltz's with no restrictions. Royal Oak District Supervisor Regina H. Davidson seconded the motion. Rye Valley District Supervisor Rick K. Blevins stated the recommendation with no restrictions is based on approval already given by the Health Department.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,

Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:00:36 PM](#) Sarah Beamer, Director of Finance and Administrative Services, presented a request from Mount Rogers Community Services Board seeking authority from the Board to apply for a \$2,000,000 construction loan for renovation projects. Ms. Beamer reviewed budget information for the CSB along with their current outstanding loans. She noted the CSB has always made on-time payments for their loans and anticipates making on-time payments for the requested \$2,000,000 loan. North Fork District Supervisor Ron C. Blevins asked about the interest rate for the loan and Ms. Beamer stated it would be 3.79% with a 10 year amortization, which they hope to pay off early. It was noted this request has no effect on the County budget. Atkins District Supervisor J. Howard Burton stated he serves on the Mount Rogers CSB board and he praised their decision to use the Culbert Drive location as administrative offices versus a counseling center. He has visited the IDC's and seen firsthand the services being provided. He does, however, have questions about acquiring new debt when federal and state funding seems to be drying up which puts more pressure on local support. Royal Oak District Supervisor Regina H. Davidson made a motion to allow the CSB to acquire the new debt. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:08:58 PM](#) Under Old Business, Mr. Carter discussed the recommendation from Atkins District Supervisor J. Howard Burton to adopt a resolution supporting the Town of Marion and Smyth County's designation as an Appalachian Trail Community. Research of previous meeting minutes showed a resolution of support was adopted in February 2013 supporting the designation. Supervisor Burton stated he wanted to make sure the County is supporting the designation. Mr. Carter read the resolution for the record:

RESOLUTION OF SUPPORT

Application for Designation as an Appalachian Trail Community
SMYTH COUNTY

WHEREAS, the mission of the Appalachian Trail Conservancy is to “preserve and manage the Appalachian Trail, ensuring that its vast natural beauty and priceless cultural heritage can be shared and enjoyed today, tomorrow, and for centuries to come”; and

WHEREAS, the Appalachian Trail Conservancy annually accepts applications from communities along the Trail for consideration for inclusion in their “Appalachian Trail Community Program”; and

WHEREAS, Smyth County contains 78 miles of the Appalachian Trail and includes the Town of Marion which is just six miles from the Partnership Shelter at the US Forest Service Welcome Center near Sugar Grove; and

WHEREAS, the Town of Marion has formed an Advisory Committee of stakeholders interested in working to grow our stewardship and our economic base with the AT and has included representatives of Smyth County government on the committee; and

WHEREAS, Smyth County, VA recognizes the value of asset-based economic development, and desires to join the other designated communities along the 2,180 miles of the Appalachian Trail.

NOW, THEREFORE BE IT RESOLVED, this 12th day of February, 2013, the Board of Supervisors of Smyth County in regular session approved joining with the Town of Marion to submit the application for the Smyth County and Marion to be considered as an Appalachian Trail Community.

SIGNED:

ATTEST:

Wade Blevins, Chairman

Michael Carter, Clerk

[6:13:59 PM](#) Saltville Mayor Joel Frye addressed the Board. He thanked the Board for what they’re doing for the County along with their support of the Town of Saltville.

[6:17:57 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins to remove the Appalachian Trail resolution from old business. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:18:22 PM](#) A continued meeting will need to be set for later in October to appropriate payroll. Mr. Carter recommended scheduling the meeting for Monday, October 28th at 4:00 p.m. in order to meet payroll deadlines. Saltville District Supervisor Roscoe D. Call made a motion to schedule the continued meeting for the recommended date and time. North Fork District Supervisor Ron C. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:19:45 PM](#) **Supervisor Comment Time** – Saltville District Supervisor Roscoe D. Call thanked Saltville Mayor Frye for coming to the meeting and he commended the job he's doing as mayor. Atkins District Supervisor J. Howard Burton reported he attended the 911 celebration and the Town of Marion talked about placing lights on the metal structure from the Trade Towers. Supervisor Burton suggested the County consider funding this endeavor and the issue will be discussed at the next budget committee meeting. North Fork District Supervisor Ron C. Blevins stated the Board works well together and sometimes heated discussions are necessary to work things out and move the County forward. Royal Oak District Supervisor Regina H. Davidson presented a report from the VaCO Health and Human Resources Steering Committee. The group met in August and reviewed priorities that will be presented at the VaCO annual conference in November.

[6:25:28 PM](#) A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor J. Howard Burton, to continue the meeting until October 17, 2013 at 6:00 p.m. at The Lincoln Theatre for a joint public hearing with the Town of Marion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.
NAYS: None.
ABSTAINERS: None.
ABSENT: None.

The Smyth County Board of Supervisors held a continued meeting at 4:00 p.m., **Monday, October 28, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

Members Present: Chairman, Chilhowie District Supervisor, Wade H. Blevins, Jr.; Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K. Blevins; North Fork District Supervisor Ron C. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D. Call; Royal Oak District Supervisor Regina H. Davidson

Members Absent: None.

Staff: County Administrator, Michael Carter; Assistant County Administrator, Scott Simpson; County Attorney, Michelle Clayton; Building and Zoning Administrator, Clegg Williams;

Others Present: Approximately 4 citizens, Stephanie Porter-Nichols of the Smyth County News & Messenger and Michael Hounshell of the Smyth County Sheriff's Department were present.

[4:07:00 PM](#) Chairman Blevins called the Board of Supervisors meeting to order.

[4:07:30 PM](#) **Appropriations:** Saltville District Supervisor Roscoe D. Call made a motion to approve the following appropriations. North Fork District Supervisor Ron C. Blevins seconded the motion.

School Board	\$ 3,100,000.00
General County	\$ 683,000.00
Social Services	
October 9 - 31, 2013	\$ 258,000.00
November 1 - 12, 2013	\$ 50,000.00
Total General Fund	\$ 4,091,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton
Saltville District Supervisor Roscoe D. Call. and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:10:00 PM](#) Mr. Carter explained to the Board the Federal Asset Forfeiture money has been received by the Bank, and reiterated the only eligible expenses for these funds are Law Enforcement related. A separate account has been established to track the funds. The approval of the Commonwealth's Attorney is required to disperse any funds from the account.

North Fork District Supervisor Ron C. Blevins made a motion to approve the following appropriation. Saltville District Supervisor Roscoe D. Call seconded the motion.

Fund 760 – Federal Asset Forfeiture \$ 216,963.48

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton
Saltville District Supervisor Roscoe D. Call. and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:14:00 PM](#) Chairman Blevins opened citizen's time, there was no one that signed up, or wished to speak. Chairman Blevins closed citizen's time.

[4:14:30 PM](#) Economic Development Committee Chairman, Howard Burton deferred the Committee update to Mr. Simpson. Mr. Simpson advised the Board of the Committee's meeting held earlier in the day to perform interviews of firms that were selected from the responses to the recent Request for Proposal for Infrastructure Engineering services for the Seven Mile Ford Area. Overall, the Committee interviewed 3 firms, but due to time constraints we were unable to discuss the results and make a recommendation. The Committee will meet over the next week to make that recommendation. The Committee had also planned to review the Tobacco Commission Grant Agreement for the Seven Mile Ford Area project in the amount of \$ 83,000, but due to time was unable to do so. Mr. Simpson explained the Grant was for a portion of the Engineering efforts related to the project, and was the first phase of an anticipated 2 phase effort.

North Fork District Supervisor Ron C. Blevins made a motion to approve the Grant Agreement and authorize the proper signatures. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton
Saltville District Supervisor Roscoe D. Call. and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

4:20:00 PM Mr. Carter advised the Board of a recent request from the School Board, through the Division Superintendent, Dr. Michael Robinson, for VDOT to perform a Traffic / Speed Study on Brown's Subdivision Road since the opening of Oak Point Elementary has increased the traffic on that road. Mr. Carter identified these requests to VDOT typically come from the Board of Supervisors and recommends taking the appropriate steps to have the study performed.

North Fork District Supervisor Ron C. Blevins made a motion to authorize the County Administrator to initiate the Study with VDOT. Vice Chair, Park District Supervisor M. Todd Dishner seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton
Saltville District Supervisor Roscoe D. Call. and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

4:25:00 PM Mr. Carter reminded the Board that any VDOT Revenue Sharing funds requests are due by this Friday, November 1st. As of October 28, 2013 there has been one request received from a combination of landowners and a Board of Supervisors member; staff has identified an additional project which will meet the criteria for eligibility for this funding as well. The Revenue Sharing program divides a project's cost equally between the Locality and VDOT. The first project, Pear Street is approximately 380 feet long of existing

roadway. The total estimated project cost is \$ 24,000, of which the County, and in turn the landowners are responsible for \$ 12,000. Rye Valley District Supervisor Rick K. Blevins asked to clarify if the four (4) affected property owners are in favor of the project; Vice Chair, Park District Supervisor M. Todd Dishner indicated that yes they were.

The second project is the Exit 47 Traffic Improvement Modifications of the existing roadways. The total estimated project cost is \$ 3,490,000, of which the County is responsible for \$ 1,745,000. The Revenue Share funds will pay for improvements to any existing roadways affected in the area of exit 47, but not any new roadways or connector streets. It is anticipated that if the revenue share is awarded by VDOT, the matching funds would be allocated from the Community Development Authority, which at that point would be overseeing the public infrastructure portion of the project.

North Fork District Supervisor Ron C. Blevins made a motion to adopt the following resolution and authorize the County Administrator to initiate the applications with VDOT. Vice Chair, Park District Supervisor M. Todd Dishner seconded the motion.



Smyth County Board of Supervisors

Michael Carter
County Administrator

121 Bagley Circle, Suite 100, Marion, VA 24354
Phone (276) 783-3298 Fax (276) 783-9314
www.smythcounty.org

Scott Simpson
Assistant County Administrator

Smyth County Board of Supervisors

At a regularly scheduled meeting of the Smyth County Board of Supervisors held on Monday, October 28th, 2013 on a motion by Northfork District Supervisor, Ron C. Blevins, seconded by Park District Supervisor, M. Todd Dishner, the following resolution was adopted by a vote of 7 to 0:

WHEREAS, the Smyth County Board of Supervisors desires to submit an application for an allocation of funds of up to \$1,757,000 through the Virginia Department of Transportation Fiscal Year 2014 - 2015, Revenue Sharing Program; and,

WHEREAS, \$ 12,000 of these funds are requested to fund a Rural Addition of Pear Street and,

WHEREAS, \$ 1,745,000 of these funds are requested to fund Improvement Modifications to the area surrounding Exit 47, and,

NOW, THEREFORE, BE IT RESOLVED THAT: The Smyth County Board of Supervisors hereby supports this application for an allocation of up to \$ 1,757,000 through the Virginia Department of Transportation Revenue Sharing Program.

BE IT FURTHER RESOLVED THAT the Smyth County Board of Supervisors hereby grants authority for the County Administrator to execute project administration agreements for any approved revenue sharing projects.

ADOPTED this 28th day of October, 2013.

Chairman

Clerk

Salville District Roscoe Call	North Fork District Ron C. Blevins	Chilhowie District Wade H. Blevins, Jr.	Park District M. Todd Dishner	Atkins District J. Howard Burton	Royal Oak District Regina Davidson	Rye Valley District Rick Blevins
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After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton
Saltville District Supervisor Roscoe D. Call. and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:31:00 PM](#) Ordinance Committee Chairman, North Fork District Supervisor Ron C. Blevins, reported to the Board that they have been meeting jointly with the Planning Commission Ordinance Committee for several months regarding changes to the Subdivision Ordinance. Since the Committee Meeting last week, several changes have been made to the Proposed Ordinance that has not been reviewed by the joint Committees. A motion was made by North Fork District Supervisor Ron C. Blevins to send the proposed changes back to the Joint Committee for a final approval of the Committee.

Clegg Williams gave an overview of the changes to the document, he indicated that all were minor grammatical and State Code references; the major change was a Planning Commission recommendation to add a 3 foot shoulder to each side of any proposed private road. Since she missed the last committee meeting, Mrs. Davidson wanted more time to review the document; Mr. Ron Blevins stated that he believes the Public Hearing should be held related to the document that was last approved by the Joint Committee.

Chairman Blevins declared Mr. Ron Blevins motion dead for lack of a second.

Mrs. Clayton explained that the additional changes are not substantive, just grammatical and clarifications of references. Mr. Burton, after hearing all of the discussion, identified his intent to agree with Mr. Ron Blevins' position and agrees in saying the joint Committee needs to see the changed document. Mr. Ron Blevins also indicated that he came here today fully prepared to move the originally recommended document forward to a Public Hearing.

Saltville District Supervisor Roscoe D. Call made a motion to present for a Public Hearing the Subdivision Ordinance document that came out of Committee plus the Planning Commission's 3 foot shoulder recommendation, and for staff to schedule a Joint Public Hearing for Thursday, November 21, 2013 at 7:00 pm with the Planning Commission. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call. and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,

ABSTAINERS: None.

ABSENT: None.

Supervisor Comment time: Vice Chair, Park District Supervisor M. Todd Dishner indicated that he appreciates the work done by the Joint Committee and Staff on the Subdivision Ordinance modifications.

[4:48:30 PM](#) A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to adjourn the meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call. and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

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The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Wednesday, November 13, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.; Vice Chair, Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K. Blevins; North Fork District Supervisor Ron C. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D. Call; Royal Oak District Supervisor Regina H. Davidson (7)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Director of Finance Charlie Atkins; County Attorney Michelle Clayton; Deputy Sheriff Michael Lowe (5)

OTHERS: Linda Burchette, Smyth County News and Messenger, approximately 2 citizens

4:02:00 PM Chairman Blevins called the meeting to order.

4:03:00 PM A motion was made by Rye Valley District Supervisor Rick K. Blevins to invite Mr. Patrick MacNeil to attend the upcoming closed session. Park District Supervisor M. Todd Dishner seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

A motion was made by Rye Valley District Supervisor Rick K. Blevins to enter into closed session under 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.

Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:55:00 PM](#) Chairman Blevins called the meeting back to order from closed session, and declared a 10 minute recess.

[5:10:00 PM](#) Chairman Blevins called the meeting back to order

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins, to adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION CERTIFICATION OF CLOSED SESSION

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,

Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Atkins District Supervisor J. Howard Burton gave the invocation and County Administrator Michael Carter led the Pledge of Allegiance.

A motion was made by North Fork District Supervisor Ron C. Blevins, and seconded by Royal Oak District Supervisor Regina H. Davidson, to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

A motion was made by North Fork District Supervisor Ron C. Blevins, seconded by Atkins District Supervisor J. Howard Burton, to approve the minutes from the October 8 and 28, 2013 meetings.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Financial Status – Charlie Atkins stated there were sufficient funds available to allow for this evening's general fund appropriation request.

A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$ 3,762,000 for the General Fund appropriation. The following is an explanation of the appropriations approved:

General County	\$ 1,877,000.00
Social Services	
(November 13 – 30, 2013)	\$ 325,000.00
(December 1 – 10, 2013)	\$ 60,000.00
Schools – Operating Fund	\$ 900,000.00
School Debt and Capital Outlay Fund	\$ 600,000.00
Total General Fund	\$ 3,762,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$ 20,000.00 for the school textbook fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$ 208.00 for the Animal Damage Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$ 5,478.50 for the IDA Fund 4 appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:07:04 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Park District Supervisor M. Todd Dishner, to approve \$ 41,661.35 for the courthouse project appropriation.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$ 9,646.28 for the Lick Skillet housing fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$ 14,649.00 for the On-Site Wastewater fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$ 1,786,928.70 for the accounts payable listing.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Chairman Blevins opened citizen's time, no one present wished to speak, Chairman Blevins closed citizen's time.

Chairman Blevins recognized Jeff Richardson, Commissioner of Revenue. Mr. Richardson explained that VFS Leasing was assessed the personal property rate of \$ 2.30 on their vehicles in Smyth County for tax year 2013. This was in error, and they should have been charged the Machinery and Tools rate of \$ 1.55 as they qualify under Interstate Commerce, there also should not have been a decal fee associated with these vehicles either. Since the refund is over \$ 1,000 this must come before the Board of Supervisors for approval.

It was moved by Atkins District Supervisor J. Howard Burton, seconded by North Fork District Supervisor Ron C. Blevins, to approve the recommended refund of \$ 1,456.50 for VFS Leasing.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mr. Richardson next explained the need for establishment of a Land Use Application Fee. In the past, the fee was \$20 for up to 50 acres, then 10 cents per acre above 50. This year this office plans to utilize mailings and attempt to transact the applications by mail, which is expected to save his staff time; as well as, the landowners. In order to use this process and to simplify any calculations, he recommends setting the Application Fee at \$ 25 per parcel no matter the size. This amount still provides the budgeted revenues for the year. Park District Supervisor M. Todd Dishner voiced his concerns over the landowners need to re-apply if their land use status has not changed. Mr. Richardson explained that upon reassessment a new application process is conducted. Mrs. Clayton wishes for more time to review the Code to be sure the fees are acceptable and that re-application for the status is necessary.

It was moved by Park District Supervisor M. Todd Dishner, seconded by North Fork District Supervisor Ron C. Blevins, to continue this item until the December 10, 2013 regular meeting to allow time for the concerns in question to be looked into.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,

North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Mr. Richardson next explained a request to allow for an extension from 30 to 90 days for the land use process to occur, this extension would move the date from March 1 to June 1, 2013.

Saltville District Supervisor Roscoe D. Call made a motion to approve the extension; Park District Supervisor M. Todd Dishner seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mr. Richardson advised the Board of the need to establish the Board of Equalization. This includes 5 property owners in Smyth County, some which must meet certain criteria. These people are normally recommended by Board of Supervisor members and ultimately appointed by the Circuit Court Judge. They will potentially begin meeting in May, 2014. Rye Valley District Supervisor Rick K. Blevins asked for the names of the members from the last 2 Boards, Mr. Carter advised the Board of Supervisors that staff would like the Board's nominations at the January, 2014 meeting to begin the process.

Park District Supervisor M. Todd Dishner made a motion to continue this item until the January, 2014 meeting; Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mr. Richardson advised the Board of the need to establish an appeals hearing location, telephone, and secretary. This is for planning purposes moving into January of 2014. At some point after January 1, 2014, the Board will need to designate a location, provide for a telephone and a secretary to accommodate the Board of Equalization. It was suggested the same 2nd floor location as last time, as the Courthouse renovations will not affect that location until after the process is completed.

Due to not having a quorum of the Economic Development Authority, the joint meeting with that entity was not held, Mrs. McVey was in attendance. Mr. Carter explained the CPV project was continuing to progress and they were on schedule for their air permit application within the next 3 months. They have been conducting the air monitoring since June, 2013, and expect to conclude in August, 2014. The permit takes a year of review and upon award it has a 2-6 year expiration depending on the project. There is expected to be a local public hearing at some point on the air permitting. The current schedule calls for an approximate 30 month construction process with plans for the power generation facility to be operational in mid-late 2017.

Mr. Simpson explained the status of the Megasite Project. The EDA awarded a construction contract for the utility demolition and grading activities last month. Branch Highways, located in Roanoke was the low bidder at \$ 783,350; this number is right on budget for the project. Discussion occurred related to the site being renamed to Pathway Park, and that signage along the Interstate is being procured and will be installed in the near future. Also, the EDA Megasite Committee selected Mattern & Craig to begin negotiations on the bridge design scope of work and fee structure.

A motion was made by Rye Valley District Supervisor Rick K. Blevins to enter into closed session under 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 to include Mrs. Amy McVey into the session; Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Chairman Blevins called the meeting back to order from closed session,

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins, to adopt the following resolution certifying the business conducted in closed session as follows:

**RESOLUTION
CERTIFICATION OF CLOSED SESSION**

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Chairman Blevins declared a 30 minute recess.

Chairman Blevins called the meeting back to order at 6:26 pm.

Sarah Combs addressed the Board regarding the efforts for the Sugar Grove Community to receive cellular phone service. Effective November 1st, cellular telephone service began in the Troutdale area; however it does not provide coverage in Sugar Grove. According to Ms. Combs, the Sugar Grove Rescue Squad has missed opportunities to receive grant funding for certain activities due to the lack of service. Additionally, there has been a list made of properties meeting the criteria for tower construction. Ms. Combs encourages the Board to continue to work on this issue.

Mr. Shannon Williams informed the Board of an oversight in the original resolution adopted in February, 2013 regarding DERA Agencies. The Nebo Volunteer Fire Department was not included in that resolution however they do fit the criteria and should have been included. He asked for consideration to correct this oversight.

It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to adopt the following resolution which includes the NEBO VFD as a DERA Agency.

RESOLUTION

WHEREAS, the Code of Virginia § 15.2-955 provides that no volunteer rescue squad, emergency medical service organization or other organization providing similar type services, or volunteer fire-fighting organization shall be established in any locality on or after July 1, 1984, without the prior approval by resolution of the governing body, i.e. the Smyth County Board of Supervisors;

WHEREAS, the Code of Virginia § 15.2-955 also provides that each locality shall seek to ensure that emergency medical services are maintained throughout the entire locality.

WHEREAS, Emergency Medical Services Agency or "EMS Agency" means a person licensed by the Office of EMS to engage in the business, service, or regular activity, whether or not for profit, of transporting immediate medical care to persons who are sick, injured, or otherwise incapacitate.

WHEREAS, the Virginia Administrative Code 12VA5-31-10, defines "Designated Emergency Response Agency" ("DERA") as an EMS agency recognized by an ordinance or a resolution of the governing body of any county, city or town as an integral part of the official public safety program of the county, city or town with a responsibility for providing emergency medical response.


WHEREAS, the County may from time-to-time review the status of already recognized and approved EMS agencies operating within its boundaries.

NOW, THEREFORE, BE IT RESOLVED, on this the 13th Day of November, 2013, by the Smyth County Board of Supervisors:

Smyth County hereby recognizes that the following volunteer rescue squads as DERA designated because they are an integral part of the official safety system of the county:

- Chilhowie Fire/EMS Department
- Marion Life Saving Crew
- Nebo Volunteer Fire Department
- Saltville Rescue Squad
- Sugar Grove Life Saving Crew

Adopted this 13th day of November, 2013.

By: 
Wade Blevins, Chair for the Smyth County
Board of Supervisors

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

VDOT Wytheville Residency Administrator Jeff Russell addressed the Board to update on the status of VDOT attendance at the meetings. In 2009/2010 when VDOT reduced staff and merged the local Residencies, they were forced to stop attending the Board of Supervisors meeting due to availability of staff and time. He indicated that now is the right time to begin attending the Board meetings on a quarterly basis, he introduced James Schwartz from his office. Mr. Russell gave an update on the Revenue Sharing projects, both recently applied for and from last year's applications. He indicated we should know more in the next 2-3 weeks regarding the Green Acres roadway design and planning including a more accurate cost estimate. The intersection improvements on Brown's Subdivision Road are in the planning and evaluation stage. The two applications from this year are in the review process and it will be in the Spring of 2014 when we should hear something on them. The 4 bridges in the Saltville area which were requested to be named were approved by the Commonwealth Transportation Board; VDOT is following up on the request for a speed study at the end of Brown's Subdivision Road at the School; 5 roadway improvement projects are beginning very soon; Scratch Gravel Road; Little Walker Way; Walker Creek Bridge; Shortly Stone Road; and the Route 11 bridge over the railroad in the Seven Mile Ford area. Several Supervisors voiced their pleasure that VDOT will be attending meetings again and that it has been beneficial in the past.

Mr. Carter explained the need to adopt a resolution to ask VDOT to accept the new roadways at Oak Point Elementary School into the secondary system of state highways. It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Royal Oak District Supervisor Regina H. Davidson, to adopt the following resolution:



Smyth County Board of Supervisors

Michael L. Carter
County Administrator

121 Bagley Circle, Suite 100, Marion, VA 24354
Phone (276) 783-3298 Fax (276) 783-9314
www.smythcounty.org

Scott Simpson
Assistant County Administrator

The Board of Supervisors of Smyth County, in regular meeting on the 13th day of November, 2013, adopted the following:

RESOLUTION

WHEREAS, the road described below provides access for school traffic from State Route F005 (Browns Subdivision Rd.) to Oak Point Elementary School, a public school,

WHEREAS, construction of the road is complete and meets standards, deemed by the Virginia Department of Transportation, appropriate for the traffic anticipated,

WHEREAS, construction was financed by sources other than those administered by the Virginia Department of Transportation,

WHEREAS, the Smyth County School Board and this Board hereby guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the road(s) described on the attached VDOT Form AM4.3 to the secondary system of state highways, pursuant to §33.1-68, Code of Virginia,

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Administrator of the Virginia Department of Transportation.

Recorded Vote
Moved by Ron C. Blevins
Seconded by Regina H. Davidson

A Copy Teste:

A handwritten signature of Michael L. Carter in black ink.

Yeas: 7 Nays: 0

Michael L. Carter
County Administrator

Salville District
Roscoe Call

North Fork District
Ron C. Blevins

Chilhowie District
Wade H. Blevins, Jr.

Park District
M. Todd Dishner

Atlans District
J. Howard Burton

Royal Oak District
Regina Davidson

Rye Valley District
Rick Blevins

In the County of Smyth

By resolution of the governing body adopted November 13, 2013

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee

Signed (County Official): _____

Report of Changes in the Secondary System of State Highways

Project/Subdivision Route 9005: Oak Point Elementary School

Type Change to the Secondary System of State Highways: Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: Schoolbus access

Pursuant to Code of Virginia Statute: §33.1-68

Street Name and/or Route Number

+ Oak Point Elem Bus Loop, State Route Number 9005

Old Route Number: 0

From: F005

To: End loop, a distance of: 0.20 miles.

Recordation Reference: DB 818, Pg 653; Slide 347, Pg 6

Right of Way width (feet) = 60

Street Name and/or Route Number

+ Oak Point Elem Passenger Car Loop, State Route Number 9005

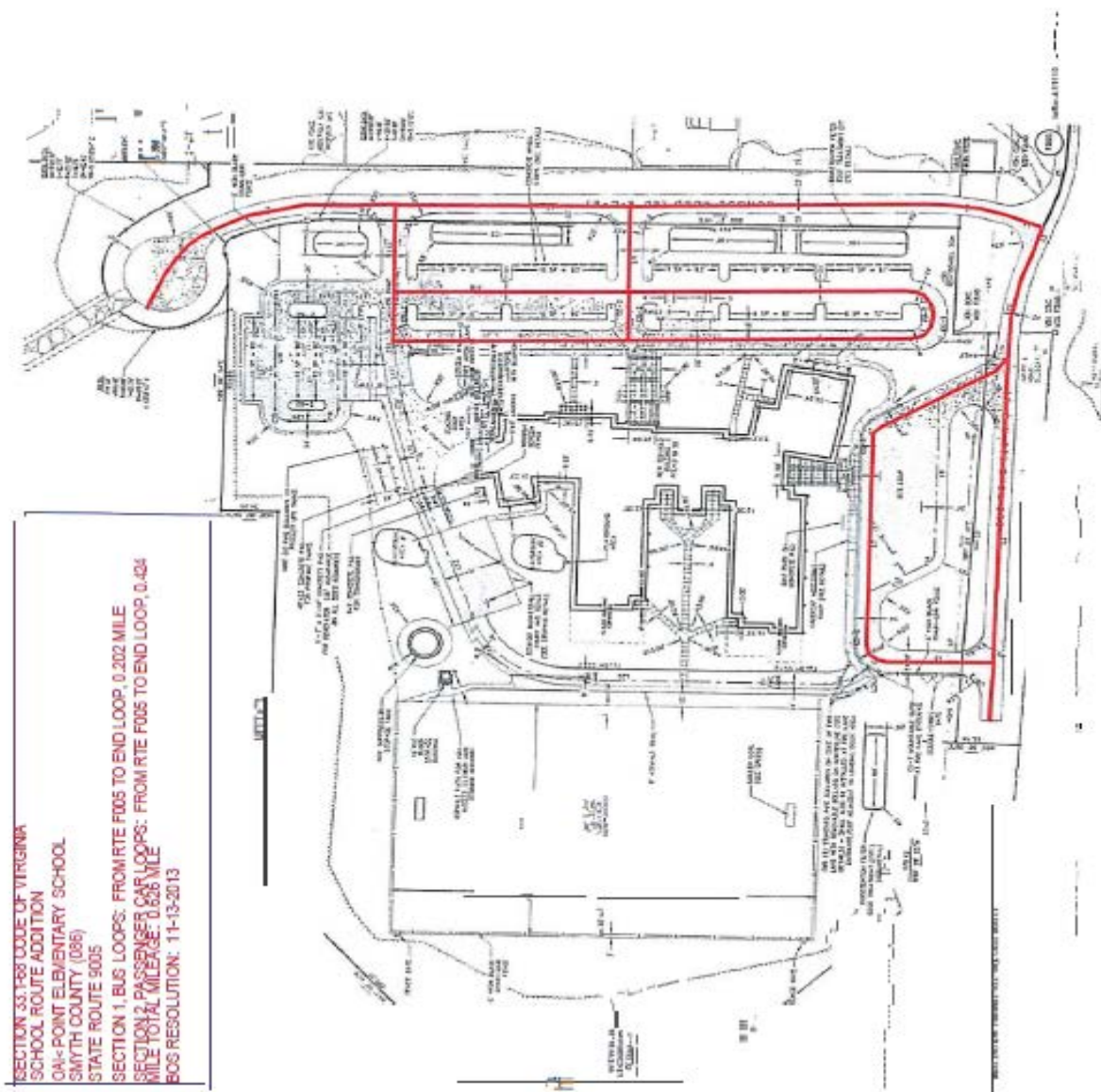
Old Route Number: 0

- From: F005

To: End loop, a distance of: 0.42 miles.

Recordation Reference: DB 818, Pg 653; Slide 347, Pg 6

Right of Way width (feet) = 60



After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

County Attorney Mrs. Clayton advised the Board of the completion of two more special assessment obligations related to the Clarkcrest Subdivision project. She requests authorization for the Chairman's signature on the Certificates of Satisfaction and to subsequently record the Documents with the Clerk of the Circuit Court. The subject locations are the Sturgill and Aldrich properties.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to authorize the release of the special assessment liens and record the Certificates of Satisfaction.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mrs. Clayton next advised the Board the Smyth County Fire and Rescue Association has for some time ceased to exist and operate. The Association was funded for several fiscal years by the Board of Supervisors, currently there is approximately \$ 4,300 remaining in the Association checking account; as well as, several pieces of equipment and trailers purchased by the Association for shared use throughout the County. The Emergency Management Department has use for this equipment; however, proper titling of the trailers is necessary. The Board of Supervisors has the authority to dissolve this association if it wishes and to claim the funds remaining in the bank account, if the long idle funds are not claimed, they will escheat to the State.

It was moved by Saltville District Supervisor Roscoe D. Call, to dissolve the Smyth County Fire and Rescue Association and to allow for the proper Staff to claim the available funds for the Board of Supervisors; as well as, transfer the title of any equipment to the proper Departments. The motion was seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mr. Carter presented a Resolution to support the Beaches to Bluegrass Trail; North Fork District Supervisor Ron C. Blevins had several questions and items that concerned him about this Trail. Supervisor Blevins identified there are 56 Board members involved in the associated organizations and only 1 of the members is from the Saltville area. He also had concerns over the funding of the trail, affects upon private property rights, and easements. He just feels there is not enough research done to allow for consideration at this time.

It was moved by Rye Valley District Supervisor Rick K. Blevins, and seconded by Atkins District Supervisor J. Howard Burton to postpone discussion until the December 10, 2013 Regular Board meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Royal Oak District Supervisor Regina H. Davidson, Chair of the Water and Sewer Committee reviewed the Committees recommendation from their meeting on November 6, 2013. The first is an agreement between the County and Mr. Walter Sprinkle related to the water tank road repairs. This agreement reiterates the County's 1/3 participation in the work and the County will make direct payment to

the selected contractor at the completion of the work. Upon approval of the Board, the agreement will be sent to Mr. Sprinkle for execution. The Committee unanimously recommended the Agreement.

After consideration, the recommendation PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mrs. Davidson next introduced an overview of the Set Off Debt Program with the State; should the Water and Sewer Department participate in the program, it is expected to increase the ability to collect delinquent debts owed to the Department. The Department would be on a tier with other local taxes. The Treasurer's Office currently uses this program for Real Estate and Personal Property, but does not collect for the Water and Sewer Department.

The Committee unanimously recommended participation in the Virginia Department of Taxation Set Off Program.

After consideration, the recommendation PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Committee also reviewed the Code of Virginia 15.2-2118 which allows liens to be automatically placed upon land owners with outstanding delinquent water or sewer bills. This would reduce cost to the County by elimination of filing fees for Warrants and the time for going to Court to obtain a judgment. The Committee unanimously recommended to the Board to seek the inclusion of Smyth County by legislation under Code Section 15.2-2118.

After consideration, the recommendation PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,

North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Committee discussed the water meter resetting fee policy language modifications. In general the language clarifies: where a meter was originally set as a full price connection, the \$ 225 fee will apply for re-establishment. In the instance where it was originally a discounted connection, full price would then apply for re-establishment of the meter if it were never used. In addition to this fee, the standard Application Fee also applies. The Committee unanimously recommended to the Board to adopt the meter resetting fee amendments to the Policy & Regulations Handbook effective immediately.

After consideration, the recommendation PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Atkins District Supervisor J. Howard Burton, Chairman of the Economic Development Committee reported on their latest meeting held on November 6, 2013 which involved the selection of the Professional Services firm for the Seven Mile Ford Infrastructure project. The Committee recommends unanimously the order of negotiation be: Anderson & Associates, Thompson & Litton, Draper Aden.

After consideration, the recommendation PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Chilhowie District Supervisor Wade H. Blevins, Jr., Chairman of the Budget Committee asked Mr. Carter to explain the Committees recommendation from their November 6, 2013 meeting. Mr. Carter explained the lighting of the 9-11 Memorial Steel at the Marion Volunteer Fire Department and that Mr. Burton had inquired about the County's participation in the Memorial and contact was made with the Town regarding their status of donations for this additional lighting. The Town has received pledges of \$1,500 so far towards the total estimated cost of approximately \$ 6,000. Discussion was made between Mr. Carter and Town Manager Mr. Rush regarding the possibility of the Town and County splitting the remaining \$4,000 of needed funding. Mr. Carter advised the funds could come from the Board's Supplemental Appropriations line item 001-011010-8888. The Committee unanimously recommended a contribution of \$ 2,000 towards the permanent lighting of the 9-11 Memorial Steel at the Marion Volunteer Fire Department.

After consideration, the recommendation PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Mr. Carter next spoke about the current status of the budget and finances of the County. Through the first 4 months ending October 31st, the County appeared on track to be holding to the adopted budget. This is not an exact indicator of the finances as some revenues and expenses are one time larger items, which do not occur evenly throughout the year, but it is a good basis to work from. From this point forward, an effort will be made to provide this information on a continual basis to the budget committee and the Board.

Mr. Carter next explained the Community Development Authority met on October 10, 2013 and elected officers, adopted the bylaws, adopted Robert's Rules of Order, and discussed the project status. There is nothing specific to report to the Board of Supervisors for action.

Supervisor Comment Time – Royal Oak District Supervisor Regina H. Davidson asked for time on the December agenda for a report from the 3 Board members who attended the VACO meeting. Rye Valley District Supervisor Rick K. Blevins would like to compare the monthly financial update to the same period of the previous fiscal year. Atkins District Supervisor J. Howard Burton enjoyed the VACO Conference and looks forward to reporting to the Board. Vice Chair, Park District Supervisor M. Todd Dishner congratulated the re-elected members and stated he

was excited to continue working together and seeing their past efforts pay off for the County and its citizens.

At 7:27 pm, a motion was made by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to continue the meeting until November 21, 2013 at 7:00 p.m.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Smyth County Board of Supervisors held a continued meeting at 7:00 p.m., **Thursday, November 21, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia, and also the 4th Floor Board Room.

Members Present: Chairman, Chilhowie District Supervisor, Wade H. Blevins, Jr.; Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K. Blevins; North Fork District Supervisor Ron C. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D. Call.

Members Absent: Royal Oak District Supervisor Regina H. Davidson.

Staff: County Administrator, Michael Carter; Assistant County Administrator, Scott Simpson; County Attorney, Michelle Clayton; Building and Zoning Administrator, Clegg Williams; Administrative Assistant Becca Marean.

Others Present: Approximately 3 citizens, and Stephanie Porter-Nichols of the Smyth County News & Messenger

Public Hearing: At 7:02 p.m. Wade Blevins, Chairman of the Board of Supervisors, and Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order.

Mr. Carter read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND SMYTH COUNTY PLANNING COMMISSION

The Smyth County Board of Supervisors and Planning Commission will conduct a public hearing on Thursday, November 21, 2013 at 7:00 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 revision of the Smyth County Subdivision Ordinance:

- Complete Re-structuring. Organized in seven articles: 1) General Provisions; 2) Subdivisions; 3) Administration; 4) Submission of Subdivision Plats for Approval; 5) Required Improvements and Development Standards; 6) Dedication of Land for Public Use; and 7) Definitions.
- Mandatory Requirements. from Virginia Code §15.2-2241 added, including: Construction cost estimate requirements lowered to 10%; Six (6) month time limit to file final subdivision plat- possible one year extension; Periodic and partial releases of bonds required when work completed.
- Family subdivisions. Expanded to include step-children, aunts, uncles, nieces, and nephews in the definition of immediate family member.

- Plats. Private right-of-ways to be shown by a certified surveyor; plats to be approved by signature of water/ sewer purveyors and 911 Coordinator.
- Private Roads. Deeds to clearly provide that private roads/ right-of-ways are not state or county maintained. Mail delivery and school bus transport not provided.
- Five (5) acre lots. May be exempted from the Subdivision Ordinance so long as the developer meets minimum street, deed transfer and plat requirements.
- Townhouses. To be moved to the Zoning Ordinance.
- Recreational Developments. (Section 4.3.23(5)) to be stricken.
- Boundary surveys. To be on four (4) corners of a tract if the subdivision is within 1000' feet of two (2) known coordinates.
- Monuments. To be marked with a steel rod not less than one-half (1/2") inch in diameter and eighteen (18") inches long and driven to be flush with finished grade.

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 amendment is 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 and at www.smythcounty.org.

Done by order of the Board of Supervisors and the Planning Commission of Smyth County
Michael L. Carter, County Administrator, and
Norman Sparks, Planning Commission Chairman

Mr. Carter read the Rules of Procedure of the Board of Supervisors in relation to Public Hearings.

Proposed Subdivision Ordinance: At approximately 7:05 p.m. Mr. Williams summarized the proposed revisions to the Subdivision Ordinance as stated in the legal advertisement.

Charles Wassum signed up to speak as a citizen. He stated his concerns regarding a number of changes made between drafts of the proposed revisions approved by the Joint Ordinance Committee. He stated he was especially concerned about the revisions made by staff without the approval of the Committee and he felt the process was not conducted properly. He pointed out a few of the changes he noticed between the drafts. There was a long discussion among staff and members of the Joint Committee.

Earl McClure spoke on the revisions and essentially reiterated most of Charles Wassum's comments. He added that he felt staff plagiarized other jurisdictions subdivision ordinances and he found numerous errors, direct violations of the state code, language poorly stated, and language contradictions. He felt the proposed revisions simply needed to go back to the Joint Committee for further review. No one else spoke on the proposed revisions.

Chairman Wade Blevins and Chairman Norman Sparks closed the public hearing at approximately 7:47 p.m.

The Board of Supervisors recessed their meeting and will reconvene on the 4th Floor in the Department of Social Services' Board Room.

[7:53:00 PM](#) Chairman Blevins called the Board of Supervisors meeting back to order.

Chairman Blevins opened citizen's time.

With no one wishing to speak, Chairman Blevins closed citizen's time.

Saltville District Supervisor Roscoe D. Call made a motion to approve the payroll appropriations. North Fork District Supervisor Ron C. Blevins seconded the motion.

School Board	\$ 3,100,000.00
General County	\$ 683,000.00
Total General Fund	\$ 3,783,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson.

Mr. Carter gave a brief update about the status of the Boundary Line Adjustment with the Town of Marion. Ongoing dialogue with the Town is occurring and the expectation is to have further information at the next Board of Supervisors meeting.

[8:01:00 PM](#) **Closed Session** – It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins, to enter into closed session

under 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.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson.

[8:31:00 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to return to open session and adopt the following resolution certifying the business conducted in closed session as follows:

**RESOLUTION
CERTIFICATION OF CLOSED SESSION**

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and

Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson.

Supervisor Comment Time

Vice Chair, Park District Supervisor M. Todd Dishner inquired about the 2 current position vacancies, Mr. Carter indicated that on Friday we would be conducting interviews for the Administrative opening, and the Economic Development position would be receiving applications through December 6th.

North Fork District Supervisor Ron C. Blevins stated he was pleased with the Board's ability to work together towards a common goal.

Atkins District Supervisor J. Howard Burton indicated that he thinks we are headed in the right direction as a County and hopes that things continue to progress.

Saltville District Supervisor Roscoe D. Call informed the Board that United Salt will be drilling 2 more wells, both are planned to be on the Smyth County side of the Plant. He also indicated there are several citizens upset over the Back of the Dragon and the behavior of the participants. North Fork District Supervisor Ron C. Blevins stated he would bring this up at the next Tourism Association meeting.

[8:38:00 PM](#) A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to adjourn the meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H. Davidson

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, December 10, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.; Vice Chair, Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K. Blevins; North Fork District Supervisor Ron C. Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D. Call; Royal Oak District Supervisor Regina H. Davidson (7)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Director of Finance Charlie Atkins; County Attorney Michelle Clayton; Sheriff Major Michael Hounshell (5)

OTHERS: Linda Burchette, Smyth County News and Messenger, approximately 15 citizens

[4:00:00 PM](#) Chairman Blevins called the meeting to order.

A motion was made by Royal Oak District Supervisor Regina H. Davidson to invite incoming Royal Oak District Supervisor Blake Frasier and Mr. Patrick MacNeil to attend the upcoming closed session. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

A motion was made by Royal Oak District Supervisor Regina H. Davidson to enter into closed session under 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; 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. Atkins District Supervisor J. Howard Burton seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,

Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:05:00 PM](#) Chairman Blevins called the meeting back to order from closed session.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins, to adopt the following resolution certifying the business conducted in closed session as follows:

**RESOLUTION
CERTIFICATION OF CLOSED SESSION**

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED the Smyth 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Information Systems Employee Heather Street gave the invocation and Assistant County Administrator Scott Simpson led the Pledge of Allegiance.

A motion was made by Saltville District Supervisor Roscoe D. Call, and seconded by North Fork District Supervisor Ron C. Blevins, to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

A motion was made by North Fork District Supervisor Ron C. Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to approve the minutes from the November 13 and 21, 2013 meetings.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Circuit Court Clerk John Graham performed the swearing in of the three recently elected Board Members, Chilhowie District Supervisor Wade H. Blevins, Jr., Saltville District Supervisor Roscoe D. Call, and Royal Oak District Supervisor Blake Frasier.
This is done in advance of the January, 2014 meeting.

County Administrator Michael Carter reminded the Board of the current Holiday Calendar. In January, the Board adopted the state employees' Holiday schedule and any

amendments made by the Governor. The County offices will be closed on December 23, 24, and 25, 2013 as well as January 1, 2014.

Financial Status – Charlie Atkins stated there were sufficient funds available to allow for this evening's general fund appropriation request. There is currently \$ 13,490,000 available.

A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$ 5,410,000 for the General Fund appropriation. The following is an explanation of the appropriations approved:

General County	\$ 1,325,000.00
Social Services	
(December 11 – 31, 2013)	\$ 325,000.00
(January 1 – 14, 2014)	\$ 60,000.00
Schools – Operating Fund	\$ 3,700,000.00
School Debt and Capital Outlay Fund	\$ 0.00
Total General Fund	\$ 5,410,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$ 108.00 for the Animal Damage Fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$ 1,360.00 for the IDA Fund 4 appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:07:04 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Park District Supervisor M. Todd Dishner, to approve \$ 62,365.12 for the courthouse project appropriation.

After consideration, the motion PREVAILED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$ 10,272.90 for the Lick Skillet housing fund appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$ 300,000.00 from line item 001-081030-8888-4 for the New Ridge, LLC incentive commitment appropriation.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins, to approve \$ 428,151.90 for the accounts payable listing.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Chairman Blevins opened citizen's time; the following citizens addressed the Board:

Sara Combs – wanted to re-emphasize to the Board the importance of cellular telephone service in the Sugar Grove area and update on what she has done and inquired as to what the Board has done towards this effort. Mr. Carter explained the contacts which he has made over the last few weeks and that he is awaiting responses for the providers.

Earl McClure – Wants the Board to address the filth and such at the convenience stations, the citizens should not have to deal with that when dropping off their waste.

Chris Stone – Echoed the cellular service request for the Sugar Grove community.

Carl Keyes – Also wanted to support the cellular service request for the Sugar Grove community.

No one else wished to speak; Chairman Blevins closed citizen's time.

Chairman Blevins recognized newly elected Delegate Jeff Campbell. Delegate Campbell reviewed with the Board his pre-filed Bills: an Economic Development bill which leaves 1% of the sales tax with the Locality to be used specifically for Economic Development efforts. A second bill which will adjust the per diem rate at the regional jails so that County rates and State rates are more equal; and thirdly, a minor District line adjustment which would place approximately 80 people into the 5th District from the 6th District, this should correct a large voting problem which is occurring in this area. Delegate Campbell looks forward to working with the County leaders in the upcoming term of office.

Chairman Blevins recognized Jeff Richardson, Commissioner of Revenue. Mr. Richardson addressed the continued item related to the need to establish a Land Use Application Fee. He now proposes an application fee of between \$ 15 and \$ 25. A \$ 15 fee will generate the approximate budgeted amount of revenues for the program this year. Mrs. Clayton reminded the Board that this program is governed by Ordinance, and any changes to it will need to be adopted as a change in the ordinance. The previous approval for the 90 day extension was also a change in the ordinance. In order to accomplish this properly, an Emergency Ordinance will need to be considered, and be followed up by the permanent Ordinance changes and adoption.

It was moved by Royal Oak District Supervisor Regina H. Davidson, seconded by North Fork District Supervisor Ron C. Blevins, to continue this item until the December 19, 2013 regular meeting to allow time for review of the proposed Emergency Ordinance.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

5:57 pm Chairman Blevins declared a 20 minute recess.

Chairman Blevins called the meeting back to order at 6:25 pm.

Mr. Simpson explained the Virginia Department of Health grant offer of \$ 40,000 related to the Konnarock Community Center well rehabilitation due to surface water influence.

The anticipated project will be to perform a video camera inspection of the existing well to note any deficiencies. After this inspection a packer and grout will likely be installed to seal off any unsuitable streams of water infiltrating the well; and a new drawdown test and water quality testing will be performed. If this procedure does not solve the issues, a new well which would hopefully pass all requirements, is budgeted within the grant.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins, to accept the grant and authorize execution of the documents.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Appointment Committee Chair, Rye Valley District Supervisor Rick K. Blevins reviewed the recommendations of the committee. The following recommendations were considered by the Board:

District Specific

Area Beautification – 1 year term

Rye Valley District	Phyllis Griffith
Saltville District	Carol Nutter
Park District	Sherian Medley
Royal Oak District	Tina Henderson
Atkins District	Karen Gillespie
Chilhowie District	Rachel Rush Beverly
North Fork District	Nellie Harmon

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Board of Zoning Appeals – 5 year term

Rye Valley District Daniel Sturgill

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Department of Social Services

Royal Oak District Blake Frasier – filling remainder of term expiring on 02-06-2016

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Smyth Bland Regional Library – 4 year term

Saltville District Vicki Montgomery

Park District Pete Mowbray

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Non-District Specific

Appalachian Juvenile Commission – 4 year term

Michael Carter

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Chamber of Commerce Board – 3 year term

Blake Frasier – filling remainder of term expiring on 01-31-2015

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

District Three Governmental Cooperative Board – 1 year term

J. Howard Burton

Todd Dishner – Alternate

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,

North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Mount Rogers ASAP – 4 year term

Blake Frasier

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Mount Rogers Planning District Commission – 4 year term

Roscoe D. Call

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Mountain Community Action Program

Blake Frasier

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,

North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

New River RC&D Council- 1 year term

Jay Hubble

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Ninth District Development Financing Incorporated- 2 year term

Ron Thomason

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Smyth-Washington Regional Industrial Facilities Authority - 4 year term

Mack Blevins

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,

North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Southwest Virginia Emergency Medical Services Council, Inc. – 3 year term

Doug Testerman

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Transportation Rural Technical Committee – 2 year term

David Richardson

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

County Administrator Michael Carter updated the Board on the Green Acres revenue sharing project. At inception, VDOT had generated a cost estimate of \$ 375,000 for the project; this estimate was used as a basis for the residents and the County to make a decision on the feasibility of the project and their intentions to move forward with it. On November 22nd, County staff was forwarded from VDOT an updated cost estimate which now identified a \$ 1,033,000 anticipated project cost. Based upon this new number, the approved revenue sharing funds are exceeded and the cost to the residents has about tripled to approximately \$ 17,000 per parcel. This appears to no longer be a feasible project based upon the feedback from the property owners.

It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Rye Valley District Supervisor Rick K. Blevins, to terminate the project activities based upon this information and for the County Administrator to work with VDOT for a return of the County funds which were advanced for the project.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mrs. Clayton reviewed the enterprise zone incentive which is available to TRW for its new machinery and tools investment for Tax Year 2012. This incentive is capped at \$ 50,000. TRW is eligible for the capped amount of \$ 50,000. The Economic Development Authority has approved this amount and recommended payment by the Board of Supervisors.

It was moved by Royal Oak District Supervisor Regina H. Davidson, to approve and appropriate the incentive payment to TRW. The motion was seconded by Atkins District Supervisor J. Howard Burton.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mrs. Clayton gave the Board an update on the status of Nuisance Complaints. Over the past months, the County has received several nuisance complaints and in order to begin working through them, notifications will need to be made; as well as the hearings scheduled with the Board. She felt it was prudent to divide the nuisance complaints into two halves and address one half in January, 2014 and the remaining ones in February, 2014. Discussion was had over the notification process, and staff indicated the necessary parties would be notified.

It was moved by North Fork District Supervisor Ron C. Blevins, and seconded by Saltville District Supervisor Roscoe D. Call to schedule the hearing for the first half of the complaints at the January 14, 2014 Board meeting at 6:00pm..

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Royal Oak District Supervisor Regina H. Davidson updated the Board regarding her attendance of the VACO Conference. She highlighted the Draft Legislative program and distributed a copy of the document generated by VACO. The other main item presented was regarding conflicts of interest. Overall it was a positive experience and she appreciated the opportunity to attend.

Atkins District Supervisor J. Howard Burton distributed a narrative which was a recap of his time at the Conference. The major points were the 3 concurrent sessions he attended: Managing Performance for a Lean Government, The General Assembly Forum, and Maximizing Economic Development and Job Creation Opportunities. His conclusion is that it was a good experience to see that most Counties in Southwest Virginia are facing the same problems and challenges that we are here in Smyth County.

Rye Valley District Supervisor Rick K. Blevins mentioned that he took away a lot from the Conference, the highlights were: unfunded mandates and the effects on the local governments' budgets. There is also a program to become a Certified County Supervisor, which he encouraged the other Board members to look into.

Royal Oak District Supervisor Regina H. Davidson also informed the Board of a vacancy on the Region 12 VACO Board of Directors, and it would be great if someone from Smyth County was interested in serving on that Board. After some discussion, Rye Valley

District Supervisor Rick K. Blevins showed interest in serving on that Board and the County Administrator was asked to inform the Region 12 VACO Board of Directors Chair, David Hutchins of this.

It was moved by Vice Chair, Park District Supervisor M. Todd Dishner, and seconded by Atkins District Supervisor J. Howard Burton to remove Item 7 – Beaches to Bluegrass Trail Resolution from Old Business.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Supervisor Comment Time – Royal Oak District Supervisor Regina H. Davidson gave thanks to the Board and during her 4 years here she felt they had gotten a lot accomplished. She was appreciative of the fact they all are on the Board with one common goal and they do not let partisan politics get in the way of undertaking things for the overall good of the County. Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. appreciated the confidence the other Board members have placed in him this past year as Chairman, and it is good to see everyone working together.

At 7:24 pm, a motion was made by North Fork District Supervisor Ron C. Blevins, seconded by Atkins District Supervisor J. Howard Burton, to continue the meeting until December 19, 2013 at 7:00 p.m.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor Regina H. Davidson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Wade H. Blevins, Jr., Chairman

Board of Supervisors Continued Meeting Minutes
Thursday, December 19, 2013

The Smyth County Board of Supervisors held a continued meeting at 7:00 p.m., **Thursday, December 19, 2013**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.; Vice Chair, Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K Blevins; North Fork District Supervisor Ron C Blevins; Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D Call (6)

ABSENT: Royal Oak District Supervisor Regina H Davidson (1)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Director of Finance Charlie Atkins; County Attorney Michelle Clayton; Kelly Woods Administrative Assistant (5)

Public Hearing: At 7:00 p.m. Wade Blevins, Chairman of the Board of Supervisors, and Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order.

Members Present: Chairman, Chilhowie District Supervisor, Wade Blevins; Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K Blevins; Atkins District Supervisor J. Howard Burton; Chilhowie District Planning Commissioner Graham Davidson Sr.; Park District Planning Commissioner Joel Pugh; Chairman, North Fork Dist. Planning Commissioner Norman Sparks; Atkins District Planning Commissioner Charles Wassum III; Saltville District Supervisor Roscoe D. Call; North Fork District Supervisor Ron C Blevins; and Royal Oak District Planning Commissioner, Blake Frazier

Members Absent: Rye Valley District Planning Commissioner, L. V. Pokey Harris Saltville District Planning Commissioner Wayne Venable; and Royal Oak District Supervisor, Regina H. Davidson

Staff: County Administrator, Michael Carter; Assistant County Administrator, Scott Simpson; Administrative Assistant, Becca Marean; Administrative Assistant, Kelly Woods; County Attorney, Michelle Clayton; and Building and Zoning Department Administrator, Clegg Williams

Others Present: Approximately 15 citizens, Stephanie Porter-Nichols of the Smyth County News & Messenger and Michael Hounshell of the Smyth County Sheriff's Department were present.

Mr. Carter read the advertisement as placed in the Smyth County News and Messenger as well as the rules of procedure during public hearings.

**BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND
SMYTH COUNTY PLANNING COMMISSION**

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, December 19, 2013, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Seth and Brandi Heath for a Special Use Permit to operate a Service Business. The properties are located at 1087 Porter Valley Road (Tax Map Nos. 44-A-78, 44-A-78D, & 44-A-85A) and 1217 Fox Valley Road (Tax Map No. 55-A-49) in Marion, and are zoned Agricultural/Rural.

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

Copies of the application(s) along with their maps/drawings are on file in the Office of the County Administrator of Smyth County. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 227 at least 48 hours prior to the hearing.

Done by order of the Board of Supervisors and the Planning Commission.

Michael L. Carter, County Administrator
Normal K. Sparks, Chairman of the Planning Commission

Seth and Brandi Heath – Special Use Permit for Service Business in the Agricultural/Rural District: At approximately 7:03 p.m. Mr. Williams explained an application for a Service Business for parking snow removal trucks on properties owned by Seth and Brandi Heath surrounding 1087 Porter Valley Road and 1217 Fox Valley Road in Marion. He stated the properties are zoned Agricultural/Rural. He directed the members to Section 3-2.2 v) which allows the proposed use by the issuance of a Special Use Permit, Section 10-65 which defines a Service Business, Article 6 which contains the provisions for a Special Use Permit. He stated he advertised notice of this public hearing in the Smyth County News on December 7 and 14. In addition, he sent letters to all of the adjoining property owners for which an affidavit is on file. He received one letter which he read for the record from Alice and Isaac Freeman, attached hereto. He pointed out the letter received from Seth and Brandi Heath explaining their request for the service business which was included in the packets each member received prior to the meeting.

Seth and Brandi Heath were present to address any questions regarding their request. Mrs. Heath stated their business has grown and they have been awarded a snow removal contract by VDOT from exit 17 to exit 54. Describing her business, Mrs. Heath said the proposed sites would simply be used as parking lots. When the equipment isn't needed, it will be parked on the property. In the event it is needed, employees' vehicles will replace the equipment while it is being used. Other than minor maintenance, (i.e.

Board of Supervisors Continued Meeting Minutes
Thursday, December 19, 2013

windshield wipers, tire inflation, etc.), Mrs. Heath stated all maintenance of their equipment would be done by offsite repair garages.

Regarding the brine and salt used, she stated it was stored at VDOT centers in Glade Spring and Atkins and would not be stored on either property. They clarified they are not currently removing snow on local roads, such as Fox Valley Road. They are strictly on I-81. Realizing there may be a concern about the speed their trucks travel, Mrs. Heath stated their trucks are not allowed to go over 25 mph on secondary roads and 45 mph on primary roads. They have 26 trucks and they clean their trucks at the Glade salt storage site. Their contract is good for three (3) years and VDOT can renew the contract on a yearly basis; otherwise, the job is open for bids.

Mr. Wassum and Mr. Williams discussed the differences in uses allowed by right in the A/R zoning district. Mr. Williams suggested any changes Mr. Wassum would like to see made needed to be presented to the Ordinance Committee for discussion. Mr. Wade Blevins concurred with Mr. Williams

Supervisor Ron Blevins stated he went to the property and noted only farm equipment was stored in the buildings located on the properties. Supervisor Todd Dishner commented on how well the property is maintained.

With no one signing up to speak, Chairman Wade Blevins opened the floor for public comments. Several members of the audience expressed a desire to address the Planning Commission and Board of Supervisors. Ms. Rhoten and Ms. Fox stated their concerns of the property going from an agricultural use to a commercial use.

Mr. Williams and Mr. Dishner both explained that the request does not affect any surrounding or adjoining properties. This was not a rezoning request, just a Special Use Permit request. Mr. Williams reminded the neighbors that Mr. and Mrs. Heath were required to get a Special Use Permit for a Rodeo several years ago and that request did not open the door for other businesses. He confirmed the Special Use Permit process is required for almost every business unless it is permitted by right in the Zoning Ordinance.

Kathleen Nicholson spoke in favor of the application and as a adjoining neighbor stated she could verify the equipment was being parked on the property. She added the increase in noise and traffic was insignificant.

No one else spoke on the application.

Chairman Wade Blevins and Chairman Norman Sparks closed the public hearing at approximately 7:26 p.m.

At approximately 7:09 p.m. Chairman Norman Sparks reconvened the Planning Commission meeting to consider tonight's application.

Recommendation on Seth and Brandi Heath's application for a Special Use Permit to operate an Service Business: At approximately 7:29 p.m. Mr. Frazier made a motion, then amended it, to approve the Heath's application for a Special use Permit to operate a Service Business with the restriction that the Special Use Permit expire when

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VDOT's contract runs out for Tax Map Nos. 44-A-78, 44-A-78D, and 44-A-85A. Mr. Davidson seconded the motion and the following vote was recorded.

Ayes:	4	Davidson, Wassum, Sparks, Pugh, and Frazier
Absent:	2	Venable and Harris

Adjournment: Mr. Sparks closed the meeting at approximately 7:34 p.m.

[7:41:58 PM](#) Chairman Blevins called the meeting to order.

[7:43:07 PM](#) Chairman Blevins opened floor for citizen's time. No one wished to speak.

[7:43:24 PM](#) Marion Town Manager, Bill Rush spoke about the proposed boundary line adjustment between the Town and County. He feels that by expanding the boundary into the proposed areas, we can grow the community as a whole. The proposed adjustment will help stimulate growth by attracting businesses to the area. His request today is for consideration by the Board of Supervisors to adopt the proposed adjustment and allow for both the County Administrator and County Attorney to work with himself and the Town Attorney on preparing the final version of the proposal. Additionally, he identified that he and members of his Council are here to answer any questions regarding the proposal.

[7:47:47 PM](#) North Fork District Supervisor Ron C. Blevins questioned the potential of businesses that may want to come in at or near the golf course, which the Town currently owns. Mr. Rush responded by stating that, as he knew of right now, there were no businesses interested.

[7:49:54 PM](#) Mr. Carter discussed the property where the Coffman Stairs facility is located. He has made several attempts at contacting the owner through email and phone without any success. Originally the owner had some concerns with tax rates but is yet to contact Mr. Carter in regards to such.

[7:50:56 PM](#) North Fork District Supervisor Ron C. Blevins made the statement that he believes the County and Towns need to work together. He wants to see us move ahead and be more attractive in bringing businesses to the County.

[7:52:36 PM](#) Atkins District Supervisor J. Howard Burton had a few questions for Mr. Rush. He stated the reality is that Smyth County does compete for businesses, and people to reside here. He also believes the County has made some strides in the last 6 months as it relates to development. Discussion continued about how the Town and County could work together citing an example such as the Golf Course the Town currently owns. Everyone agreed that by working together with surrounding localities, additional jobs can be brought in to the area.

[7:56:41 PM](#) Mr. Carter clarified that in order for this item to be considered during the January sitting of the Commission on Local Government, consideration by the Board of Supervisors is being requested by the Town at the meeting tonight.

[7:56:57 PM](#)

It was moved by North Fork District Supervisor Ron C Blevins, seconded by Saltville District Supervisor Roscoe D. Call to support the proposed Boundary Line Adjustment locations for the Town of Marion and to adopt the proposed resolution.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K Blevins,

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North Fork District Supervisor Ron C Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H Davidson.

[7:58:38 PM](#) Atkins District Supervisor J. Howard Burton questioned a spring being transferred from the Town to the County.

[7:59:04 PM](#) Mr. Rush read an excerpt from the Agreement confirming the spring will belong to the County upon execution of the Agreement. Discussion continued about the value of the spring. Mr. Carter noted the County would investigate the spring and its value moving forward.

[8:02:50 PM](#) Mr. Rush concluded by thanking the Board of Supervisors for their time and consideration. He further indicated that updates will be given as the Agreement moves forward.

[8:04:20 PM](#) Mr. Carter requested the Board to refer the Subdivision Ordinance back to the Joint Ordinance committee comprised of members from the Board of Supervisors and Planning Commission for additional discussion.

[8:05:09 PM](#)

It was moved by North Fork District Supervisor Ron C Blevins, seconded by Atkins District Supervisor J. Howard Burton, to move the Subdivision Ordinance back to the Joint Ordinance Committee.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K Blevins,
North Fork District Supervisor Ron C Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H Davidson.

[8:05:24 PM](#) Chairman Blevins presented the Budget Committee Minutes. Mr. Carter suggested allowing Major Hounshell from the Sheriff's Department to comment on the proposed vehicle purchases by his department.

[8:05:56 PM](#) Major Hounshell presented the information to the Board of Supervisors requesting the approval to purchase the following vehicles. Five (5) Dodge Chargers and the appropriate marking of the vehicles and one (1) full size SUV, with a sum of \$171,491.10. He clarified the SUV is not currently identified on the State bid listing. Major Hounshell explained the need for the full size SUV. He identified the need for evacuation of families as a top priority in emergency situations. He also noted the bids received were under the adopted budget for such purchase. He further request Mr. Carter to have the authorization to sign the checks when the vehicles are delivered.

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[8:10:29 PM](#)

It was moved by North Fork District Supervisor Ron C Blevins, seconded by Vice Chair, Park District Supervisor M. Todd Dishner, to approve the purchase of the vehicles presented by Major Hounshell.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K Blevins,
North Fork District Supervisor Ron C Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H Davidson.

[8:10:49 PM](#) Chairman Blevins presented the Animal Control Minutes. The first claim was from Earl Lowe for two (2) Lambs. The Animal Control Department conducted an investigation and found no damage done by dogs. With this in mind, the claim was denied by the committee unanimously. The next claim was from Jeff Davidson for five (5) calves. It was determined by the Animal Control Department the animals were killed by dogs. The Committee recommends paying the claim in the amount of \$1,750.

[8:12:43 PM](#) Atkins District Supervisor J. Howard Burton questioned if it is legal to shoot animals if they are pestering the livestock and asked why is the county responsible for this? Chairman Blevins stated that State Code required the Locality to pay the claim if the Locality collected the license fees and proper determination was made as a result of the investigation.

[8:14:17 PM](#)

It was moved by Atkins District Supervisor J. Howard Burton, seconded by Rye Valley District Supervisor Rick K Blevins, to approve the claim to Jeff Davidson in the amount of \$1,750 for five (5) calves destroyed by dogs.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K Blevins,
North Fork District Supervisor Ron C Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H Davidson.

[8:14:33 PM](#) Mr. Jeff Richardson discussed the topic of land use carried over from the meeting on December 10th 2013, concerning the proposed rate of 15, 20, or 25 dollars. He would like to know the direction the Board of Supervisors wants to set for the fee

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structure moving forward. Once established, he intends to inform the public after the first of the year about the rate, structure and process for the coming calendar year.

8:17:54 PM North Fork District Supervisor Ron C. Blevins questioned the numbers, stating that he has done the math and stated the County could drop the rate to seventeen (17) dollars and still fall within the adopted revenue projections. Mr. Richardson confirmed and stated his whole objective is to meet the budget projections and make his office more efficient to assist the citizens.

8:21:16 PM Rye Valley District Supervisor Rick K. Blevins asked Mr. Richardson if he could meet his numbers with the \$15 rate. Mr. Richardson stated feels like the math will work at the fifteen (15) dollar rate.

8:22:22 PM It was moved by Rye Valley District Supervisor Rick K Blevins, seconded by Atkins District Supervisor J. Howard Burton, to set the Land Use Rate at \$15.00 per parcel.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K Blevins,
North Fork District Supervisor Ron C Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H Davidson.

8:23:16 PM Mrs. Clayton reminded the Board, this gives people an extra thirty (30) days to file.

8:29:30 PM Park District Supervisor M. Todd Dishner stated he appreciated Mr. Richardson and the work he was doing for the citizens of the County.

8:30:17 PM Mr. Carter stated that he and Mr. Richardson had discussed the need for a location for the Board of Assessment to meet. The two agreed to continue having the room adjacent to the Commissioner of Revenues Office as the location for such. Additionally, a phone line needs to also be established which is already taken care of. The County is also tasked with supplying a temporary employee for this position in which Mr. Carter has already made arrangements for as well. Mr. Carter requested the Board of Supervisors to designate the location and approve moving forward with the phone line and the hiring of the temporary employee.

8:33:06 PM It was moved by North Fork District Supervisor Ron C Blevins, seconded by Saltville District Supervisor Roscoe D Call, to designate the Court House as the location for the Board of Assessment and to move forward with the phone line installation and hiring of the temporary employee.

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After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K Blevins,
North Fork District Supervisor Ron C Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H Davidson.

8:34:30 PM Mr. Carter asked for consideration by the Board of Supervisors to adopt a resolution supporting the CPV project in the Atkins area of the County. Mr. Carter read the resolution below for the minutes. Mrs. Clayton asked for consideration of the Performance Agreement between New Ridge, LLC and Smyth County. The agreement has been reviewed and signed by the Economic Development Authority.

WHEREAS, CPV Smyth Energy Center will bring up to 400 construction jobs during the estimated 30 month construction period and up to an additional 30 full time, well-paying permanent positions upon startup,

WHEREAS, CPV's Smyth Energy Center will generate an estimated annual average of \$96 million in economic impact for Smyth County, supporting an estimated average of 286 jobs per year during construction,

WHEREAS, CPV Smyth Energy Center will produce an estimated total of \$50 million in annual economic impact in Smyth County, supporting an estimated total of 68 jobs annually during operations,

WHEREAS, CPV Smyth Energy Center will generate an estimated \$4.9 million in property taxes for Smyth County in 2017,

WHEREAS, CPV Smyth Energy Center will provide over half a billion dollars in private infrastructure investment,

WHEREAS, CPV Smyth Energy Center will substantially contribute to obtaining balance of investment and economics within the utility service territory,

WHEREAS, CPV Smyth Energy Center will provide needed electricity to the region using state-of-the-art generation technologies, substantial revenues for the regional, and many much-needed professional, well-paying jobs,

WHEREAS, CPV Smyth Energy Center will be located in an ideal location, on property purchased by the Smyth County Industrial Development Authority for industrial use, with

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proximity to multiple high voltage transmission lines, natural gas line, and all the amenities necessary to support power generation,

NOW THEREFORE BE IT RESOLVED, this 19th day OF December 2013, the Smyth County Board of Supervisors hereby urges full support of the construction and commercialization of CPV Smyth Energy Center, and further encourages our citizens, our region, and our elected representatives to join us in support of this regionally imperative energy project.

[8:37:38 PM](#) It was moved by Vice Chair, Park District Supervisor M. Todd Dishner, seconded by North Fork District Supervisor Ron C Blevins, to adopt the CPV Resolution as presented by Mr. Carter.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K Blevins,
North Fork District Supervisor Ron C Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H Davidson.

[8:43:33 PM](#) Mr. Simpson presented information regarding the Rural Schools Act to the Board of Supervisors. This Act allows the County to designate certain revenues to be distributed between Title 1 and Title II projects within the County. He is asking for direction from the Board on how they would like the monies dispersed. Mr. Carter recommended 15 % of the funds be allocated to the Forest Service for various projects, similar to what has been done in the previous year.

[8:48:26 PM](#) It was moved by North Fork District Supervisor Ron C Blevins, seconded by Rye Valley District Supervisor Rick K Blevins, for the recommended 15% of funds be allocated to the Forest Service and the remaining funds be allocated to the Title 1 program.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K Blevins,
North Fork District Supervisor Ron C Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H Davidson.

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[8:48:53 PM](#) Discussion of Old Business.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C Blevins, to remove item #6, Land Use Application Fee from the agenda.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K Blevins,
North Fork District Supervisor Ron C Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H Davidson.

[8:49:13 PM](#) It was moved by Rye Valley District Supervisor Rick K Blevins, seconded by Vice Chair, Park District Supervisor M. Todd Dishner, to remove item #4 from the agenda, Town of Marion's Boundary Line Adjustment request.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K Blevins,
North Fork District Supervisor Ron C Blevins,
Atkins District Supervisor J. Howard Burton and
Saltville District Supervisor Roscoe D Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Regina H Davidson.

[8:49:39 PM](#) No closed session.

[8:49:51 PM](#) Board Member Comment Time.

Several of the Board Members wished everyone a Merry Christmas.

[8:51:36 PM](#) It was moved by Vice Chair, Park District Supervisor M. Todd Dishner, seconded by Rye Valley District Supervisor Rick K Blevins, to adjourn the meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr., Vice Chair, Park District Supervisor M. Todd Dishner, Rye Valley District Supervisor Rick K Blevins, North Fork District Supervisor Ron C Blevins, Atkins District Supervisor J. Howard Burton and Saltville District Supervisor Roscoe D Call.

NAYS: None.

ABSTAINERS: None. **ABSENT:** Royal Oak District Supervisor Regina H Davidson.

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[8:51:59 PM](#) Meeting adjourned.