

Board of Supervisors Meeting Minutes
January 13, 2015

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, January 13, 2015**. 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 G. Blake Frazier (7)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods; Director Community & Economic Development Lori Hester (5)

[4:06:32 PM](#) Michael Carter, County Administrator called the meeting to order.

[4:06:41 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.5; Industrial/Business Prospects**; discussion concerning a business or industry considering expansion with no previous announcement being made, and **A.7 Legal**; discussion with legal counsel and staff pertaining to actual or probable litigation. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:04:49 PM](#) Michael Carter, County Administrator called meeting back to order from Closed session.

It was moved by North Fork District Supervisor Ron C Blevins, seconded by Saltville District Supervisor Roscoe D. Call 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

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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.

[5:05:29 PM](#) Lori Hester, Director of Community and Economic Development gave the Invocation and Lisa Richardson, Manager of Human Resources led the Pledge of Allegiance.

[5:07:06 PM](#) A motion was made by Royal Oak District Supervisor G. Blake Frazier to adopt the Agenda and Additional Agenda, with the deletion of FOIA Charges and the addition of scheduling a VDOT public hearing for road abandonment. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:08:38 PM](#) Michael Carter, County Administrator opened the floor to discussion and nominations for the Election of Chairman for the calendar year of 2015.

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 Royal Oak District Supervisor G. Blake Frazier. Rye Valley District Supervisor Rick K. Blevins 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter, County Administrator called for a vote on Chilhowie District Supervisor Wade H. Blevins, Jr.'s nomination for Chairman.

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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 G. Blake Frazier

NAYS: None.

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

ABSENT: None.

Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. opened the floor for nominations of Vice Chairman for calendar year 2015.

Saltville District Supervisor Roscoe D. Call nominated Park District Supervisor M. Todd Dishner as Vice Chairman. The motion was seconded by Rye Valley District Supervisor Rick K. Blevins. Royal Oak District Supervisor G. Blake Frazier made a motion to close the nominations for Vice Chairman. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: Park District Supervisor M. Todd Dishner.

ABSENT: None.

Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: Park District Supervisor M. Todd Dishner.

ABSENT: None.

Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. opened the floor for nominations for Clerk for the calendar year 2015. Saltville District Supervisor Roscoe D. Call nominated Michael Carter for Clerk. The motion was seconded by Vice Chair Park District Supervisor M. Todd Dishner. Royal Oak District Supervisor G. Blake Frazier made a motion to close nominations, seconded by North Fork District Supervisor Ron C. Blevins.

After consideration, the motion PASSED by the following vote:

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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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. opened the floor for nominations of Deputy Clerk for the calendar year 2015. Saltville District Supervisor Roscoe D. Call nominated Scott Simpson for Deputy Clerk. The motion was seconded by North Fork District Supervisor Ron C. Blevins. Royal Oak District Supervisor G. Blake Frazier 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: 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

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

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North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:11:37 PM](#) Michael Carter, County Administrator asked the Board their desired meeting schedule for the calendar year 2015 and suggested the meetings stay as scheduled on the 2nd Tuesday of each month, with the exception of November. November's meeting will be held on Thursday, November 19th, due to the Thanksgiving Holiday and the VACO Conference. 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. Royal Oak District Supervisor G. Blake Frazier 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:13:56 PM](#) A motion was made by Saltville District Supervisor Roscoe D. Call to adopt the Board of Supervisors Rules of Procedures as amended below. North Fork District Supervisor Ron C. Blevins seconded the motion.

**A RESOLUTION
INTRODUCED JANUARY 13, 2015
SMYTH COUNTY BOARD OF SUPERVISORS**

To amend the Rules of Procedure adopted September 9, 2003 for the following purposes:

- 1) Amending Rule 4.6 to provide and clarify the mechanism by which a motion may be amended or substituted after it has been seconded. This amendment may be used in cases where a motion was seconded but there needs to be more clarity or a substantive change in the motion on the floor. A member will move for an amendment (or substitution, if more substantive) to the motion at hand and there will be a vote. A member will move to replace the motion at hand and a vote. The vote will be taken on the amended or substituted motion.
- 2) Deleting Rule 4.10(1) because it contradicts Rule 5.2 regarding the addition of agenda items at a meeting. Retaining 4.10(2) because it pertains to requests for funds not budgeted. Rule 5.2 is the current way that the Board handles additions to the minutes by adding items prior to approval of the agenda. Rule 4.10(1) provides additions must be carried over to the next meeting which is too restrictive and unnecessary.

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- 3) Amending Rule 5.2 to remove conflicting language that would permit additions to the agenda after the agenda has been set in the first order of business. The provision contradicts the prior statement which provides that two (2) Members objecting to an addition can have it held over until the next meeting.
- 4) Amending Rule 5.3 relating to "Citizens' Time" to permit citizens to address the Board on items that are on the agenda unless there was a public hearing on the issue prior to the meeting. It is important to note that there is no constitutional requirement to have a time for the public to speak (except for advertised public hearings) and that some counties and cities do not provide this time and, if they do, there are often restrictions to what can be discussed including not permitting items that are on the agenda. This proposed amendment would loosen the rule to permit a citizen to speak to something on the agenda so long as it was not already discussed in an advertised public hearing.
- 5) Amending Rule 5.5 to provide the copies of documents or discs may be purchased under Smyth County's fee schedule pertaining to the Freedom of Information Act requests. (The fee schedule being suggested to the Board will be to permit a limit of \$5 per citizen per year with afterward charges of 10 cents for each black and white copy and 15 cents for each color copy. Please note that FOIA does not permit any charges over actual costs.)
- 6) Amends Rule 8.1 to add that "The failure of the Board to strictly comply with Roberts Rules of Order shall not invalidate any action of the Board." Roberts Rules are used to provide a format for meetings and actions of the Board to make the meeting more efficient and provide structure. Roberts Rules are not meant to provide a mechanism to invalidate clear actions by a local governing body. Already, votes taken without a second have not been viewed by courts as invalidating the action. While continuing to follow Roberts Rules as well as possible is highly desirable, occasional lapses should not put into question clear actions taken by the Board.

BE IT RESOLVED BY THE SMYTH COUNTY BOARD OF SUPERVISORS:

That the Rules of Procedure for the County of Smyth, Virginia, adopted by Resolution on September 9, 2003, be and are hereby amended and adopted as set forth in the attachment to this resolution. These amendments shall be effective immediately.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:23:36 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins to adopt the 2015 state holiday schedule as approved by the Governor and amended throughout the year. The motion was seconded by Rye Valley District Supervisor Rick K. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:24:46 PM](#) It was moved by Royal Oak District Supervisor G. Blake Frazier, seconded by North Fork District Supervisor Ron C. Blevins to approve the minutes of the December 9th and December 18th, 2014 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:27:28 PM](#) Financial Update-Michael Carter, County Administrator presented the Board with information on the current FY14-15 budget and a current month analysis for appropriations.

[5:33:19 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$5,890,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$1,700,000.00
Social Services (January 14-January 31, 2015)	\$310,000.00
Social Services (February 1-February 10, 2015)	\$60,000.00
Schools-Operating Fund	\$3,800,000.00
School Debt and Capital Outlay Fund	\$20,000.00

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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

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ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$786,720.07 for the Courthouse 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,
Atkins District Supervisor J. Howard Burton
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

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 appropriate \$150.00 from the Water/Sewer Deposit Refund 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$2,623.35 from Fund 748.

After consideration, 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 G. Blake Frazier

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 appropriate \$978,433.90 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

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Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:35:37 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr., opened citizen's time. With no one wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizen's time.

[5:36:12 PM](#) Sarah Gillespie, Director of Smyth County Chamber of Commerce presented an update on the Chamber to the Board. Mrs. Gillespie stated the Chamber would be holding a Small Business Boot Camp March 2, 2014 thru April 30, 2014.

[5:45:31 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. called for a recess of 5 minutes.

[6:05:31 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. called the meeting back to order.

[6:05:35 PM](#) Atkins District Supervisor J. Howard Burton made a motion to re-appoint Billy Dungan as the Smyth Wythe Airport Commission member at large. Royal Oak District Supervisor G. Blake Frazier 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:06:39 PM](#) Michael Carter, County Administrator presented a Planning Commission Recommendation as shown below.

Commissioner Wayne Venable made a motion to recommend approval of Charles Melvin Thweatt's request for a Map Amendment to the Official Zoning Map of Smyth County, Virginia from Industrial to Commercial. Commissioner Graham Davidson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Venable, Doyle, Pugh, Wagoner, and Davidson.
NAYS: None.
ABSTAINERS: Sparks.
ABSENT: Harris.

North Fork District Supervisor Ron C. Blevins made a motion to approve the recommendation as presented by the Planning Commission. Atkins District Supervisor J. Howard Burton seconded the motion.

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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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:07:45 PM](#) Michael Carter, County Administrator presented a Resolution from VDOT concerning a Road Abandonment.

RESOLUTION

WHEREAS, the Virginia Department of Transportation has constructed Route 601, Teas Road, on a new alignment under Project 0601-086-153, C501, B616; and

WHEREAS, the project sketch and VDOT Form(s) AM4.3, attached and incorporated herein as a part of this resolution, defines adjustments required in the secondary system of state highways as a result of that construction, and

WHEREAS, the new road serves the same citizens as served by those portions of old road identified in the project sketch to be abandoned, which portions no longer serve a public need, and

NOW, THEREFORE, BE IT RESOLVED, this Board hereby abandons segment(s) A-E, E-G, B-E, and F-D from the secondary system of state highways, pursuant to §33.2-912 of the Code of Virginia, and

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation to add segment(s) A-B, B-C, C-D, and C-F to the secondary system of state highways, pursuant to §33.2-705 of the Code of Virginia, for which sections this Board hereby guarantees the right of way to be clear and unrestricted, including any necessary easements for cuts, fills and drainage, and

BE IT FINALLY RESOLVED, this Board orders that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation

Saltville District Supervisor Roscoe D. Call made a motion to approve the resolution as presented. Royal Oak District Supervisor G. Blake Frazier 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
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NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:11:29 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to schedule a Public Hearing for VDOT Road Abandonment for Route 779 to February 10th, 2015 at 6:00 P.M. Rye Valley 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:15:05 PM](#) Scott Simpson, Assistant County Administrator presented the Board with an update concerning the Courthouse project. Mr. Simpson stated that decking has been placed on the first and second floor and the project is on schedule and making great progress.

[6:16:24 PM](#) Michael Carter, County Administrator brought a recommendation before the Board of Supervisors from the Budget Committee to amend the FY 14-15 Budget as listed below.

Account Number	Title	2014-2015	2014-2015	Difference
		Original	Amended	
4-748-010001-0001	Purchase Equipment	\$0.00	\$60,000.00	\$60,000.00
4-501-085040-0080	Chilhowie Sludge Lab	\$8,000.00	\$19,689.00	\$11,689.00
4-744-010000-1003	Part-time Sal.&Wages	\$180,000.00	\$360,000.00	\$180,000.00
4-744-010000-2001	FICA	\$16,106.00	\$29,876.00	\$13,770.00
3-748-010001-0001	Money collected in Court	\$0.00	\$60,000.00	\$60,000.00
3-015001-0002	Sewer Payments	\$272,780.00	\$292,469.00	\$11,689.00
3-010000-0001	Court Fines	\$780,000.00	\$935,016.00	\$155,016.00
3-014010-0004	County Share Sheriff Radar	\$180,000.00	\$218,754.00	\$38,754.00

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,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

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NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:36:51 PM](#) Nothing was discussed concerning old business.

[6:37:00 PM](#) Supervisor Comment Time-Rye Valley District Supervisor Rick K. Blevins made a motion to reappoint Graham Davidson as the Chilhowie District Representative to the Planning Commission. 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,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Saltville District Supervisor Roscoe D. Call made a motion to reappoint Wayne Veneable as the Saltville District Representative to the Planning Commission. 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,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Rye Valley District Supervisor Rick K. Blevins made a motion to reappoint Cameron Wolfe and Bill Huber to the Local Board of Building Code Appeals. 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,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:42:38 PM](#) Royal Oak District Supervisor G. Blake Frazier made a motion to adjourn the meeting. 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Board of Supervisors Meeting Minutes
February 10, 2015

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, February 10, 2015**. 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 G. Blake Frazier (7)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods; Director Community & Economic Development Lori Hester (5)

[4:03:41 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order.

[4:03:51 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.5; Industrial/Business Prospects**; discussion concerning a business or industry considering expansion with no previous announcement being made, and **A.7 Legal**; discussion with legal counsel and staff pertaining to actual or probable litigation. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:03:14 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order from closed session.

It was moved by North Fork District Supervisor Ron C Blevins, seconded by Rye Valley District Supervisor Rick K. 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 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:03:40 PM](#) Lori Hester, Director of Community and Economic Development gave the Invocation and Kelly Woods, Administrative Assistant led the Pledge of Allegiance.

[5:04:34 PM](#) A motion was made by Royal Oak District Supervisor G. Blake Frazier to adopt the Agenda and Additional Agenda, with the deletion of Nuisance Ordinance Complaint and the addition of a Resolution of Support to be presented by Lori Hester. 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

Board of Supervisors Meeting Minutes
February 10, 2015

Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:05:41 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Royal Oak District Supervisor G. Blake Frazier to approve the minutes of the January 13, 2015 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:06:06 PM](#) Michael Carter, County Administrator presented the Board with information on the current FY14-15 budget and a current month analysis for appropriations

[5:16:24 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$5,670,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$1,400,000.00
Social Services (February 11-February 28, 2015)	\$310,000.00
Social Services (March 1-March 10, 2015)	\$60,000.00
Schools-Operating Fund	\$3,900,000.00

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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Park District Supervisor M. Todd Dishner to appropriate \$332,447.45 for the Courthouse 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,
Atkins District Supervisor J. Howard Burton
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: North Fork District Supervisor Ron C. Blevins

ABSTAINERS: None.

ABSENT: None

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$726,728.79 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:18:10 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr., opened citizen's time.

Cathy Smith, a teacher at Chilhowie Middle School, presented a Resolution as shown below she would like for the Board to support.

WHEREAS, the Commonwealth has no more precious resource than its children;

WHEREAS, public schools represent our best opportunity to lift up this generation of Virginia students to achieve to their full potential and prepare to begin high-skill careers in Virginia's new economy;

WHEREAS, the state of Virginia has allowed funding of preK-12 public education to drop 17 percent, in state aid per pupil, in the last five years;

WHEREAS, some 5,000 jobs in preK-12 education have been cut since 2009;

WHEREAS, two-thirds of Virginia 3- and 4-year-olds in low-income households are not enrolled in a preschool program;

WHEREAS, the Virginia Education Association and the Virginia Parent-Teacher Association have launched a campaign called Put Kids First to mobilize Virginians to rekindle support for children and public schools;

THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors supports the call to action initiated by the Virginia Education Association and the Virginia Parent-Teacher Association through the Put Kids First campaign;

THEREFORE, BE IT FURTHER RESOLVED, the Smyth County Board of Supervisors encourages the attendance of parents and community members, school employees, and any others supporting the worthy goals of the Put Kids First campaign, at the Rally at the Capitol in Richmond on Saturday, April 18, 2015.

[5:27:41 PM](#) Janice Orr, 548 Campbell Drive Saltville VA. Presented information to the Board concerning a Workshop that will be taking place in Saltville concerning Preservation Agencies and invited all to attend.

[5:39:04 PM](#) With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizen's time.

[5:39:13 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to support the resolution, Put Kids First, as presented by Cathy Smith. Royal Oak District Supervisor G. Blake Frazier 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:39:46 PM](#) Richard Linnen, a representative from Brown Edwards, Accounting Firm presented the Audit for the County for Fiscal Year ending June 30, 2014. He went over a few items from the bound information presented to the Board and asked if anyone had any questions.

[5:53:56 PM](#) Harry Dean, member of SWIFA Board, presented the Annual SWIFA Report. Mr. Dean thanked the Board for allowing him the time to present information. Mr. Dean stated the audit was conducted by an independent consultant and if the Board had any questions he would answer them to the best of his abilities.

Board of Supervisors Meeting Minutes
February 10, 2015

[6:01:39 PM](#) Clegg Williams, Building and Zoning Administrator presented the 2014 Planning Commission Report.

[6:04:16 PM](#) Michael Carter, County Administrator presented a lease for the Locust Cove Convenience Station. Mr. Carter stated this was a renewal and the rate would now be \$1,350.00 per year. North Fork District Supervisor Ron C. Blevins made a motion to approve the lease for the Locust Cove Convenience Station and allow Chairman Wade H. Blevins Jr. to sign. Royal Oak District Supervisor G. Blake Frazier 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:08:01 PM](#) Scott Simpson, Assistant County Administrator brought a recommendation before the Board of Supervisors from Smyth County Animal Control requesting a budget transfer as listed below.

Transfer \$8,000.00 from line item 035010-5420 (Animal Control Supplies & Equipment) to line item 035010-5102 (Propane Service) to accommodate the propane services needed for the remainder of the FY2014-2015 budget.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:10:35 PM](#) Michelle Clayton, County Attorney presented a DERA Resolution from Chilhowie Fire and EMS as shown below.

RESOLUTION

WHEREAS, the Code of Virginia § 27-6.1 provides that the governing body of any city, town or county may establish as a department of government a fire/EMS department and may designate it by any name consistent with the names of its other governmental units. The head of such fire department shall be known as "the chief" or "the director." As many other officers and employees may be employed in such fire/EMS department as the governing body may approve;

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 firefighting 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 community;

WHEREAS, the Code of the Town of Chilhowie, Virginia § 2.1 provides that the Town of Chilhowie shall have all powers conferred upon towns under the Constitution of Virginia and all other laws of the Commonwealth. All powers set forth in the Code of Virginia § 15.1-837 through 15.1-907 are hereby specifically conferred upon the Town of Chilhowie;

WHEREAS, the Code of the Town of Chilhowie, Virginia, § 26-26, pursuant to § 27-6.1 of the Code of Virginia, established a fire department known as the "Town of Chilhowie Fire & EMS Department" with the responsibilities of fire suppression, rescue, technical rescue, emergency medical services, hazardous materials response, fire code enforcement, fire investigations and fire prevention activities;

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 12VAC5-31-10, 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 13th day of January, 2015, by the Smyth County Board of Supervisors:

Smyth County hereby recognizes that the Town of Chilhowie Fire & EMS Department is a DERA designated agency and that it is an integral part of the official public safety system of the county.

Adopted this 13th day of January, 2015.

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

Saltville District Supervisor Roscoe D. Call made a motion to support the resolution as presented and allow Chairman, Wade H. Blevins Jr. to sign. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:11:46 PM](#) Michelle Clayton, County Attorney presented two (2) resolutions concerning the Pear Street Revenue Sharing Project.



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 ON PEAR STREET FUNDING ALLOCATION

At a regularly scheduled meeting of the Smyth County Board of Supervisors held on Tuesday, February 10, 2015, the following Resolution was adopted.

WHEREAS, the Smyth County Board of Supervisors voted on October 28, 2013 to allocate funds for the Pear Street Rural Addition Project through the VDOT Revenue Sharing Program:

WHEREAS, the Smyth County Board of Supervisors desires to now pre-pay to VDOT the Landowners one-half of construction expense for an allocation of funds for the Rural Addition Project for Pear Street; and

NOW, THEREFORE, BE IT RESOLVED THAT: the Smyth County Board of Supervisors hereby supports the payment of up to \$12,000 through the Virginia Department of Transportation Revenue Sharing Program.

Recorded Vote
Moved By: Roscoe D. Call
Seconded By: Ron C. Blevins
Yeas: 7
Nays: 0

A Copy Teste:

A handwritten signature in cursive script that reads "Michael L. Carter".

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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

**RESOLUTION
REGARDING SPECIAL ASSESSMENT OF OWNERS OF
PARCELS ABUTTING PEAR STREET
IN THE PARK MAGISTERIAL DISTRICT
FOR THE PURPOSE OF ROAD IMPROVEMENT PURSUANT TO
VIRGINIA CODE SECTION 33.2-335**

WHEREAS, by resolution adopted by this Board of Supervisors on February 10, 2015 this Board resolved to request the Virginia Department of Transportation to improve the street described below to standards sufficient for acceptance into the secondary system of state highways pursuant to Virginia Code Section 33.2-335 to be funded by advance pro rata payment of the holders of speculative interests and by special assessment of the owners of other parcels abutting Pear Street, as more specifically described in paragraph one, below ("Project Street"), and

WHEREAS, based on the Department's cost estimate of \$24,000.00 for improvement of Project Street, this Board has determined, as prescribed by Virginia Code section 33.2-335, that there are no speculative interests in the properties abutting Pear Street; and

WHEREAS, in accordance with the requirements of Virginia Code section 15.2-2409, each owner of property abutting Project Street was provided notice of the proposed special assessment and had an opportunity to comment before the Board on September 9, 2014 meeting, and

WHEREAS, it appears to the Board that the owners of more than seventy-five percent (75%) of the parcels of land abutting Project Street desire to have it improved and brought into the secondary system of state highways by the Department and that to do so would be in the best interests of all owners of the parcels of land abutting Project Street; and

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

1. Pursuant to § 33.2-335 Code of Virginia, improvement for the purpose of rural addition of the street identified below shall be funded, as described in this resolution, by advance pro

rata payment from the holders of speculative interests and by special assessment of the owners of parcels abutting said street:

Name of Street: Pear Street
From: Harris Lane
To: Meyers Street
Guaranteed Right-of-Way Width: 40 feet
Plat Date: July 1961 (Plat Book 6, Page 168).

2. The County shall accept payments made by or on behalf of the holders of speculative interests in amounts proportionate to their ownership interests as required by Virginia Code Section 33.2-335(C)(1), and as listed above. These contributions shall be appropriated for the purpose of the Project Street improvement project. However, if the cost of the road improvement project is less than the amount originally estimated by the Department, the County shall re-calculate the amount required from holders of speculative interests and shall, if necessary, refund appropriate amounts.
3. The amount to be paid by special assessment against the properties abutting Project Street shall be determined upon completion of the road improvement project. After final determination of the assessment, the County Attorney shall cause to be recorded in the deed books and judgment docket of the Circuit Court of Smyth County an amendment of the estimated amount shown herein to show the amount finally assessed or apportioned, if such amount differs from the estimated amount.
4. The County Attorney shall report to the Treasurer of Smyth County the amount assessed against each landowner, or for which the landowner is liable by agreement, as soon as practicable, and the Treasurer shall enter the same as provided for other taxes.
5. The Board agrees to the special assessment of the landowners on Project Street listed below. Each parcel shall be assessed equally in an amount not to exceed \$3,000.00 per parcel, not including applicable interest.


<u>Owner</u>	<u>Parcel</u>
A&J Rentals, LLC	46B-1-48
John and Melissa Graham	46B-2-22
Gary and Charlotte Levitt	46B-2-20
Marvin and Shirley Sutherland	46B-1-50

6. At completion of the road improvement project and receipt of the bill for services from the Department, the County shall remit to the Department the County's share of the costs of road improvements.
7. In accordance with Virginia Code Section 15.2-2413, each owner listed above may pay the amount finally assessed or apportioned or fixed by agreement in ten (10) annual installments, bearing annual interest at the rate of one-year United

8. States Treasury Bills on August 15, 2014 (.10percent). The Treasurer will begin billing each landowner after the work for improvement is completed, and payment shall be due at the time real estate taxes on the property are due and payable. Should the landowner not pay the entire amount finally assessed or apportioned or fixed by agreement when the first payment is due and payable, interest shall begin to accrue on the remaining balance at that time at the above-stated rate.
9. The amount finally assessed against or apportioned to each landowner, or fixed by agreement, as docketed in the judgment docket of the clerk's office shall be a lien enforceable in equity from the time when the work of improvement is completed. Upon payment in full of the amount due, including interest if applicable, the lien shall be released by noting the release in the judgment docket. The Treasurer of Smyth County or his designee is authorized to request the release of the lien upon payment in full of the total amount due pursuant to this resolution. No notation of the release need be made to this document.
10. The County Attorney is directed to have this resolution recorded in the deed books of the Clerk's Office of the Circuit Court of Smyth County and indexed in the grantor's index of said office in the names of the above-referenced property owners. Furthermore, the County Attorney is directed to cause an abstract of this resolution to be recorded in the judgment docket of said office showing the ownership and location of the property to be affected by the proposed improvement and the estimated amount that will be assessed against or apportioned to each landowner or fixed by agreement and the same shall be indexed in the name of the owner of the property.

Recorded Vote
Moved By: Roscoe D. Call
Seconded By: Ron C. Blevins
Yeas: 7
Nays: 0

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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:13:04 PM](#) Scott Simpson, Assistant County Administrator brought forward a recommendation from the Water/Sewer Committee regarding the Term Service Agreements the County has for the following Engineering Firms:

- *Anderson & Associates
- *CHA Consulting, Inc.
- *Draper & Aden Associates, Inc.
- *ECS Mid-Atlantic, LLC
- *The Lane Group, Inc.

Mr. Simpson stated it is a committee recommendation to renew all the above Terms of Service Agreements for One (1) year.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Scott Simpson, Assistant County Administrator brought forward a recommendation from the Water/Sewer Committee regarding budget transfers for the Water/Sewer Department. Mr. Simpson stated this was only a change in line items as shown below, and does not change the adopted budget amount.

Reduction in line item 501-085010-5422 of \$3,830.00 to be disbursed to the following line items accordingly:

Permits	501-085010-3037	\$570.00
Telephone	501-085010-5203	\$3100.00
Equipment Calibration	501-085010-5415	\$160.00

Transfer of \$14,000.00 from line item 501-085030-0001 (Town of Marion) to line item 501-085030-0003 (Town of Saltville).

Transfer in the amount of \$2200.00 from line item 501-085020-0102 (Water Purchases – Atkins) to be disbursed as follows:

Industrial Park Low	501-085020-0105	\$1500.00
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Nick's Creek

501-085020-0107

\$700.00

Transfer of \$1500.00 be made from line item 501-085020-0304 (Midway) to line item 501-085020-0302 (Allison Gap)

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Scott Simpson, Assistant County Administrator brought forward a recommendation from the Water/Sewer Committee regarding the Konnarock Rehabilitation Contract. Mr. Simpson stated the County has been soliciting bids over the past year for this project. The lowest bid received was \$10,400.00, with an additional \$1,930.00 for water quality testing from Boyer Well Drilling located in Rural Retreat. Mr. Simpson stated this was a committee recommendation to award the bid to Boyer Well Drilling.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:22:42 PM](#) North Fork District Supervisor Ron C. Blevins brought forward the Ordinance Committee Recommendations.

The Ordinance Committee recommends to the Board of Supervisors to set a Public Hearing for March 10, 2015 at 6:30 P.M. to discuss Personal Property Tax Exemption on Farm & Household items.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Ordinance Committee also recommends to the Board of Supervisors to set a Public Hearing for March 27, 2015, at 7:00 P.M., joint with the Planning Commission to discuss amending Family Home Daycare guidelines.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:27:27 PM](#) Lori Hester, Director of Community and Economic Development presented a resolution as show below regarding a communication tower to be located in Sugar Grove, Va.



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

The Board of Supervisors of Smyth County, in regular meeting on the 10th day of February, 2015, adopted the following:

RESOLUTION

WHEREAS, the Smyth County Board of Supervisors has expressed interest in establishing a communication tower in the Sugar Grove portion of Smyth County to enhance communication abilities and meet the safety needs of the community, and

WHEREAS, the Honorable Jeffrey L. Campbell, Virginia House of Delegates – Sixth District, has recognized the need and worked diligently to address the desire for such ability by direct communication, involvement and representation, and

WHEREAS, Mid-Atlantic Broadband, a company located in South Boston, Virginia, has expressed the interest and intention to provide a suitable tower for such purpose, and

NOW, THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors hereby is willing to accept one of the 199' self-supporting Rev G communication towers from Mid-Atlantic Broadband to be used for the intent identified above, and

BE IT FINALLY RESOLVED, this Board orders that a certified copy of this resolution be forwarded to Tad Deriso, President and CEO of Mid-Atlantic Broadband with a copy to the Honorable Jeffrey L. Campbell, Virginia House of Delegates – Sixth District, and Mr. Tim Pfohl, Interim Executive Director of the Virginia Tobacco Indemnification and Community Revitalization Commission. .

Recorded Vote:

A Copy Teste:

Moved By: Rick K. Blevins

Signed: *Michael L. Carter*

Seconded By: G. Blake Frazier

Printed Name: Michael L. Carter

Yeas: 7 Nays: 0

Title: County Administrator

[6:30:27 PM](#) Nothing was discussed concerning old business.

[6:30:33 PM](#) Supervisor Comment Time.

Rye Valley District Supervisor Rick K. Blevins made a recommendation to appoint Paul D. Shepherd, 451 Cedar Springs Road, Sugar Grove VA 24375, to the Planning Commission for a four (4) year term starting on January 31, 2015 and ending on January 31, 2019. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

North Fork District Supervisor Ron C. Blevins made a recommendation to re-appoint Norman Sparks to the Planning Commission for a four (4) year term, starting on January 31, 2015 and ending on January 31, 2019. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

North Fork District Supervisor Ron C. Blevins made a recommendation to re-appoint Danny Rose to the Smyth-Bland Regional Library Board for a four (4) year term, starting on December 31, 2014 and ending on December 31, 2015. 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.,

Board of Supervisors Meeting Minutes
February 10, 2015

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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:33:16 PM](#) Royal Oak District Supervisor G. Blake Frazier made a motion to adjourn the meeting. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Board of Supervisors Meeting Minutes
March 10, 2015

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, March 10, 2015**. 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; Atkins District
Supervisor J. Howard Burton; Saltville District Supervisor
Roscoe D Call; Royal Oak District Supervisor G. Blake Frazier (6)

ABSENT: North Fork District Supervisor Ron C Blevins (1)

STAFF: County Administrator Michael Carter; Assistant County
Administrator Scott Simpson; County Attorney Michelle
Clayton; Administrative Assistant Kelly Woods; Director
Community & Economic Development Lori Hester (5)

[4:04:17 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order.

[4:04:21 PM](#) 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, 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.,
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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Ron C. Blevins.

[5:02:11 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order from closed session.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call 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,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: North Fork District Supervisor Ron C. Blevins.

ABSENT: None.

North Fork District Supervisor Ron C. Blevins entered the meeting.

[5:02:46 PM](#) Lori Hester, Director of Community and Economic Development gave the Invocation and Abbey Coe, Maintenance Assistant led the Pledge of Allegiance.

[5:03:47 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins to adopt the Agenda and Additional Agenda. Royal Oak District Supervisor G. Blake Frazier 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:04:03 PM](#) It was moved by Atkins District Supervisor J. Howard Burton, seconded by Rye Valley District Supervisor Rick K. Blevins to approve the minutes of the February 10, 2015 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:04:24 PM](#) Michael Carter, County Administrator presented the Board with information on the current FY14-15 budget and a current month analysis for appropriations.

[5:11:56 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$5,370,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$1,200,000.00
Social Services (March 11-March 31, 2015)	\$310,000.00
Social Services (April 1-April 14, 2015)	\$60,000.00
Schools-Operating Fund	\$3,800,000.00

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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Park District Supervisor M. Todd Dishner to appropriate \$400,955.69 for the Courthouse 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,
Atkins District Supervisor J. Howard Burton
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: North Fork District Supervisor Ron C. Blevins

ABSTAINERS: None.

ABSENT: None

It was moved by Atkins District Supervisor J. Howard Burton seconded by Park District Supervisor M. Todd Dishner to appropriate \$960.36 from Sheriff Fund-748 for outstanding invoices.

After consideration, 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 G. Blake Frazier

NAYS: North Fork District Supervisor Ron C. Blevins

ABSTAINERS: None.

ABSENT: None

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Park District Supervisor M. Todd Dishner to appropriate \$504,838.16 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:14:08 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to schedule a Joint Public Hearing for CPV Substantial Accord Review for March 26, 2015 at 7:15 P.M. or soon thereafter. 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.,

Board of Supervisors Meeting Minutes
March 10, 2015

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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:15:00 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr., opened citizen's time. Tyler Spencer and Leslie Yarber, 614 Norton Lane, Rural Retreat VA spoke regarding their request to use the Courthouse lawn and steps for their wedding ceremony.

Kristen Untiedt-Barnett, Executive Director of The Lincoln Theatre. The Lincoln Theatre would like to apply for a grant, which if awarded; the Board of Supervisors would need to consider a local match of funds in the FY15-16 budget. This is not a commitment to the funds, just allowing the Lincoln Theatre to start the application process only.

Earl McClure Sugar Street, Chilhowie VA 24319, spoke concerning the County's budget and debt limit. Mr. McClure requests the Budget Committee to identify to the citizens what the County's debt is.

[5:35:41 PM](#) With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizen's time.

[5:36:11 PM](#) Lennie Gail Dunlop, Executive Director of SVAM presented an update to the Board. Larry Souverielle, President of the SVAM Board of Directors presented an update on the Center of Excellence.

[5:49:56 PM](#) David Matlock, Vice President of VHCC presented information on The Summit Center for Higher Education, which will be a partnership among Wytheville Community College, Virginia Highlands Community College, and the Town of Marion to provide educational opportunities for citizens of Smyth County and the Town of Marion. Discussion continued on this item. Mr. Matlock also solicited an investment from the County for \$150,000.00 to support the Summitt for Higher Education.

[6:00:00 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the Public hearing to order concerning the VDOT Road Abandonment. Michael Carter, County Administrator read the advertisement as placed in the Smyth County News and Messenger.

**NOTICE OF PUBLIC HEARING
REGARDING PROPOSED ROAD ABANDONMENT**

Pursuant to § 33.2-909 of the Code of Virginia, the Smyth County Board of Supervisors will conduct a public hearing on Tuesday, March 10, 2015 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 Secondary Route 779 from 645 to dead end a distance of 0.21 mile. The Virginia Department of Transportation and the Board of Supervisors has determined it serves no public necessity and is no longer necessary as a part of the Secondary System of State Highways.

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 x8315 at least forty eight (48) hours prior to the hearing.

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

No one signed up to speak concerning the Public Hearing.

[6:02:57 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed the Public Hearing.

[6:03:11 PM](#) Michael Carter, County Administrator brought a recommendation before the Board of Supervisors from the Smyth County Building and Zoning Department requesting a budget transfer as listed below.

Transfer \$1,000.00 from line item 034010-5600 (State Storm water Fees) to line item 034010-5408 to accommodate maintenance issues needed for the remainder of the FY2014-2015 budget.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter, County Administrator brought a recommendation before the Board of Supervisors from the Smyth County Maintenance Department requesting a budget transfer as listed below.

Transfer \$2,000.00 from line item 043040-1003 (Part Time Wages) to line item 043030-5405 (Health Dept. Bldg. Janitorial and Housekeeping) to accommodate janitorial needs for the remainder of the FY2014-2015 budget.

Transfer \$2,000.00 from line item 043040-1003 (Part Time Wages) to line item 043040-5405 (County Office Bldg. Janitorial and Housekeeping) to accommodate janitorial needs for the remainder of the FY2014-2015 budget.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:05:55 PM](#) Michael Carter, County Administrator brought a recommendation before the Board of Supervisors from the Budget Committee. It is the committee's recommendation to allow Michael Carter, County Administrator to approve Departmental Line Item Transfers up to \$4,000 cumulative for the fiscal year.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:06:54 PM](#) Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Smyth County Appointment Committee. At the request of the Town of Chilhowie, the committee recommends appointing Cathy Smith to the Mt. Rogers Planning District Commission as the Town of Chilhowie representative for a four (4) year term, beginning June 30, 2014 and ending June 30, 2018.

After consideration, 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Smyth County Appointment Committee. The committee recommends appointing Susan Snead, 173 Gatson Road, Marion V.A. to the Mt. Rogers Community Services Board for a three (3) year term, beginning December 31, 2014 and ending December 31, 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Smyth County Appointment Committee. The committee recommends appointing Suzanne Jennings, 686 Dogwood Lane, Marion, V.A. to the Mt. Rogers Community Services Board for a three (3) year term, beginning December 31, 2014 and ending December 31, 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Smyth County Appointment Committee. The committee recommends appointing Justine

Board of Supervisors Meeting Minutes
March 10, 2015

Bradley, 389 Laurel Springs Road, Marion V.A. to the Smyth-Bland Regional Library Board for a four (4) year term, beginning December 31, 2014 and ending December 31, 2018.

After consideration, 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Smyth County Appointment Committee. The committee recommends appointing Graham Davidson Jr., 1711 Highway 107, Chilhowie, V.A. to the Planning Commission for a four (4) year term, beginning January 31, 2015 and ending January 31, 2019.

After consideration, 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:09:40 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called for a 5 minute recess.

[6:17:57 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting back to order.

[6:18:01 PM](#) Michael Carter brought forward a recommendation from the Budget Committee concerning the use of categorical funding for the Smyth County School Board in the FY2015-2016 budget. It is the committee's recommendation to move forward with categorical funding.

After consideration, 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter brought forward a recommendation from the Budget Committee relating to the purchase of four (4) Dodge Chargers, from Haley Auto Group for the Sheriff's Office. Total for the four (4) chargers is \$112,807.20, with emergency equipment installed and \$2,380.00 to be paid to Jerry's Signs for the marking of the four cars. The funds will be paid out of line item 744-010000-9003.

After consideration, 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter brought forward a recommendation from the Budget Committee relating to the purchase of two (2) walk-thru scanners from Point Security for the Court House in the amount of \$4,750.00 each for a total of \$9,500.00. The scanners will be installed now, and used within the new courthouse.

After consideration, 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:26:09 PM](#) North Fork District Supervisor Ron C. Blevins brought forward a recommendation from the Ordinance Committee to set a public hearing for consideration of an ordinance to provide a one year tax abatement for certain rehabilitated multi-family residential structures. The committee recommends scheduling the Public Hearing for April 14, 2015 at 6:00 PM.

After consideration, 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:28:17 PM](#) Saltville District Supervisor Roscoe D. Call brought forward a recommendation from the Insurance Committee regarding the contract renewal for the Anthem/Local Choice employee health insurance plan for July 1, 2015 through June 30, 2016. Mr. Call stated the highlight of plan was there would be no rate increase for the plan in the coming year. The committee's recommendation is to accept the renewal for the Anthem/Local Choice health insurance plan for the County.

After consideration, 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:30:00 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the Public hearing to order concerning the Personal Property Tax Exemption. Michael Carter, County Administrator read the advertisement as placed in the Smyth County News and Messenger.

Public Hearing
Personal Property Tax Exemption
on Farm and Household Items

Pursuant to §§ 58.1-3504 and 58.1-3505 of the Code of Virginia (1950), as amended, the Smyth County Board of Supervisors proposes to amend the Smyth County Code, Article III, Chapter 23 (Finance and Taxation – Personal Property Taxes on Household Exemption) to codify and continue the exemptions on personal property taxes on farm animals and items and items defined under household goods, effective immediately:

- Sec. 23-44.1 The amendment would provide continued and additional exemptions with regard to certain farm animals and items from personal property taxation such as farm animals (horses, cattle, sheep, goats, hogs, poultry), grain, tobacco, wine from farm wineries and agricultural products in the hands of a producer.
- Sec. 22.43.2. – The amendment would provide continued and additional exemptions for household goods from personal property taxation that include items such as: bicycles, furniture, appliances, household machinery, musical instruments, radios, television, paintings, pictures, art, jewelry, sporting goods, photographic equipment, clothing, all-terrain vehicles, and off-road motorcycles, cell phones, computers and other tangible personal property used by an individual or household incident to maintaining an abode. Mopeds and antique motor vehicles (as defined by Virginia Code § 46.2-100) would be subject to personal property taxes.
- The classification set forth in subsection (a) of this section shall apply only to such property owned and used by an individual or by a family or household incident to maintaining an abode.

A Public Hearing will be conducted by the Smyth County Board of Supervisors on Tuesday, March 10, 2015 beginning at 6:30 p.m. in the Board of Supervisors meeting room, 121 Bagley Circle, Marion, Virginia. A copy of the present and proposed ordinance is on file at the Smyth County Administrators Office, 121 Bagley Circle, Marion, Virginia and can be viewed between the hours of 8:00 am and 5:00 pm, Monday through 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 x 8315 at least forty eight (48) hours prior to the public hearing.

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

North Fork District Supervisor Ron C. Blevins made a motion to waive the reading of the rules seconded by 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

No one signed up to speak concerning the Public Hearing.

[6:33:42 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed the Public Hearing.

[6:34:20 PM](#) Sarah Combs, resident of the Sugar Grove Community presented an update to the Board concerning cellular service in Sugar Grove.

[6:48:56 PM](#) Nothing was discussed concerning old business.

[6:49:53 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called for a 10 minute recess.

[7:01:17 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting back to order.

[7:01:25 PM](#) Stevie Steele with CHA Consulting presented information concerning the Adwolfe Sewer Project.

Scott Simpson, Assistant County Administrator brought a recommendation before the Board from the Water and Sewer Committee. The committee recommends allowing the submittal of an application to Rural Development for the Adwolfe Sewer Project, and to allow Michael Carter to sign any documents needed for this submittal.

After consideration, 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:26:50 PM](#) Scott Simpson, Assistant County Administrator brought a recommendation before the Board from the Water and Sewer Committee. The committee recommends moving forward with the Ebenezer Land Acquisition. Park District Supervisor M. Todd Dishner abstained from discussion and voting on this matter.

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 G. Blake Frazier.

NAYS: None.

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

ABSENT: None.

[7:29:41 PM](#) Supervisor Comment Time-All Supervisors are appreciative of the County employees and citizens.

Saltville District Supervisor Roscoe D. Call made a motion to continue the meeting to March 26, 2015 at 7:00 P.M. Royal Oak District Supervisor G. Blake Frazier 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Board of Supervisor Meeting Minutes
March 26, 2015

The Smyth County Board of Supervisors held its continued meeting at 7:00 p.m., **Thursday, March 26, 2015**. 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; Atkins District Supervisor J. Howard Burton; North Fork District Supervisor Ron C. Blevins (5)
Chilhowie District Planning Commissioner Graham Davidson Jr.; Vice Chair; Rye Valley Dist Planning Commissioner Paul D. Shepherd; Vice- Chair, Park District Planning Commissioner Joel Pugh; Chairman, North Fork Dist. Planning Commissioner Norman Sparks; Saltville District Planning Commissioner Wayne Venable; Atkins District Planning Commissioner Hazel Wagoner (6)

ABSENT: Saltville District Supervisor Roscoe D Call; Royal Oak District Supervisor G. Blake Frazier (2)

STAFF: County Administrator Michael Carter; Administrative Assistant Becca Creasy; Assistant County Administrator Scott Simpson; Building & Zoning Administrator Clegg Williams; County Attorney Michelle Clayton (5)

[7:00:40 PM](#) 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. Michael Carter, County Administrator 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 26, 2015, 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 the Rich Valley Agricultural and Fair Association, Inc. for a Special Use Permit to expand their activities by conducting several individual events throughout the year, including: Bull Riding, Demolition Derby, Donkey Softball Games, Go Cart Racing, Lawnmower Pull, Lawnmower Racing, Mixed Martial Arts, Musical Concerts, Tough Truck Contest, Tractor Pulls, Truck Mud Races, Truck Pulls, Wrestling and Circus. The property is located at 325 & 329 Long Hollow Road, Saltville. The property is identified as Tax Map Nos. 19-A-51, 19-A-36B and 19-A-36C, and is zoned Agricultural.

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 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. 8315 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

[7:07:06 PM](#) Lenny Robbins was present to represent the Rich Valley Fair Association. Discussion continued on this item.

[7:14:09 PM](#) Board of Supervisors Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. and Planning District Commission Chairman Norman Sparks closed the joint public hearing.

[7:15:05 PM](#) 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. Michael Carter, County Administrator read the advertisement as placed in the Smyth County News and Messenger; as well as the rules of procedure during public hearings.

**Joint Public Hearing
Competitive Power Ventures Substantial Accord Review**

Pursuant to Sections 15.2-2232 and 15.2-2204, of the Code of Virginia, 1950, as amended, the Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on March 26, 2015 at 7:15 P.M. to consider the following application:

CPV Smyth Generation Company, LLC seeks to obtain a determination by the Planning Commission that the general location, character and extent of the power generation facility proposed at Mulberry Lane in Atkins (Tax Map 48-A-45), is in substantial accord with the adopted Comprehensive Plan of the County.

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. The adopted Comprehensive Plan is available for inspection in the Smyth County Administrator's Office at the address given above during normal business hours and online at Smyth County's website:

www.smythcounty.org. All are encouraged to view the adopted Comprehensive Plan and to attend the public hearing. At the hearing, persons may make public comments regarding the request, subject to the rules of procedures of the Smyth County Planning Commission. Questions or written comments regarding this request should be directed to Clegg Williams, Zoning Administrator, by telephone at (276) 783-3298, Ext. 8315, 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 Administrator's office at (276) 783-3298 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
And the Smyth County Planning Commission
Norman Sparks, Chairman

[7:20:01 PM](#) Mr. Stevie Steele was present and addressed the room on CPV's progress with the project. Mr. Steele stated that all wind data was collected for a year and a draft air permit should be provided by the end of the year. Discussion continued on the project and the steps left to take to get it complete.

[7:31:11 PM](#) Board of Supervisor Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. and Planning District Commission Chairman Norman Sparks closed the joint public hearing.

[7:45:37 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. called the Board of Supervisors meeting to order.

[7:45:41 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. opened citizen's time. With no one wishing to speak Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. closed citizen's time.

[7:45:55 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to approve the VDOT Road Abandonment as presented at the March 10, 2015 Public Hearing and as shown below. Atkins District Supervisor J. Howard Burton seconded the motion.

The Board of Supervisors of Smyth County, in continued meeting on the 26th day of March, 2015, adopted the following:

RESOLUTION

WHEREAS, a public notice was posted as prescribed under §33.2-909, Code of Virginia, announcing a public hearing to receive comments concerning abandoning the section of road described below from the secondary system of state highways, and

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice of this Board's intent to abandon the subject section of road, and

WHEREAS, after considering all evidence available, this Board is satisfied that no public necessity exists for the continuance of the section of Secondary Route 779 from Route 645 to Dead End, a distance of 0.21 mile, and hereby deems that section of road is no longer necessary as a part of the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED, this Board abandons the above described section of road and removes it from the secondary system of state highways, pursuant to §33.2-909, 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: J.Howard Burton

Yeas: 5

Nays: 0

A Copy Teste:

(Name), (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,

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call and Royal Oak District Supervisor G. Blake Frazier.

[7:47:18 PM](#) Michael Carter, County Administrator presented information to the Board concerning the Lincoln Theater. Kristen Untiedt-Barnett, Executive Director had presented a request to apply for a grant at the March 10, 2015 Board of Supervisors meeting. No action was taken on this item from the Board.

[7:57:01 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to deny the request made by Tyler Spencer and Leslie Yarber to use the Smyth County Courthouse for a wedding ceremony. 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,

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call and Royal Oak District Supervisor G. Blake Frazier.

7:58:18 PM Michelle Clayton, County Attorney presented information on the Personal Property Tax Exemption as heard at the Public Hearing held on March 10, 2015. North Fork District Supervisor Ron C. Blevins made a motion to approve the Personal Property Tax Exemption as shown below. Park District Supervisor M. Todd Dishner seconded the motion.

Presented to the Board of Supervisors of the County of Smyth, Virginia at its Regular Meeting on February 10, 2015 to set a public hearing for the Regular Meeting on March 10, 2015 with consideration of adoption at the Regular Meeting on April 14, 2015. The following proposed ordinance would exempt household items from personal property tax and be effective immediately upon adoption.

ORDINANCE ON EXEMPTION OF FARM AND HOUSEHOLD GOODS FROM PERSONAL PROPERTY TAXATION

WHEREAS, the Board of Supervisors of Smyth County and the Smyth County Commissioner of the Revenue do not and have not in many years collected personal property taxes on regular household items; and,

WHEREAS, §58.1-3504 of the Code of Virginia (1950), as amended, requires localities to adopt an ordinance if the local governing body desires to officially exempt personal property taxes on certain farm and household items except that antique motor vehicles and mopeds shall not be exempt; and,

WHEREAS, the Board of Supervisors and Commissioner of the Revenue of Smyth County do not wish to change its longstanding policy of exempting personal property taxes on household items;

NOW, THEREFORE BE IT ORDAINED, on this _____ day of _____, 2015, that Article III Property Taxes, Sec. 23-44.2 of Chapter 23 of the Smyth County Code of Ordinances is hereby proposed as set forth below:

CHAPTER 23 - FINANCE AND TAXATION.

ARTICLE III. PROPERTY TAXES*

*** State Law References:** Intangible personal property taxes, Code of Virginia, § 58.1-1100 et seq.; real property tax, Code of Virginia, § 58.1-3200 et seq.; tangible personal property, machinery and tools and merchant's capital, Code of Virginia, § 58.1-3500 et seq.

Sec. 23-42. Penalty and interest for failure to file return of tangible personal property, machinery and tools, and merchant's capital.

(a) The annual return of taxable tangible personal property of merchants engaged in a business or

trade shall be filed with the commissioner of revenue for the county on or before the first day of May of each year, except as stated in subsections (d) and (e).

(b) The annual return of taxable merchant's capital, machinery and tools, furniture and fixtures employed in a business or trade for the county shall be filed with the commissioner of revenue for the county on or before the first day of May of each year.

(c) A penalty for failure to file such return as required in herein is assessed at the rate of ten percent of the tax assessable or due on such property or \$10.00, whichever shall be the greater.

(d) The penalty imposed by this section shall attach to the filing of the tax return at any time after May 1 in each calendar year.

(e) The penalty imposed by this section, when assessed, shall become a part of the tax due on such return.

(f) The penalty imposed by this section shall bear interest at the rate of ten percent from the date of assessment thereof.

(g) A taxpayer shall not suffer a penalty or interest if the failure to file a return is not the fault of the taxpayer. The commissioner of the revenue of the county, or his duly appointed representative, shall determine whether or not the failure to file was the fault of the taxpayer.

(Code 1978, § 8-47(a)--(d), (f); Code 1995, § 34-2; Ord. of 2-24-2011; Amend of 10-8-2013)
State Law References: Setting of penalties, interest, etc., Code of Virginia, § 58.1-3916.

Sec. 23-43. Provision for failure to file any return required by law; provisions for the delinquent payment of real or personal property taxes; due dates for payment.

(a) Real and personal property taxes shall be due and payable on December 5 of each calendar year.

(b) The county treasurer may offer options, which may include coupon books and payroll deductions, for the payment of all local taxes, through monthly, bimonthly, quarterly, or semi-annual installments, provided such taxes are paid in full by the final due date fixed in subsection (a) of this section.

(c) For failure by merchants in business or trade to file any return that is required by law to be filed, there is hereby imposed a penalty of ten percent of the tax assessable on such return, or \$10.00, whichever is greater; provided, however, the penalty shall in no case exceed the amount of tax due. Individual taxpayers are no longer required to file tangible personal property tax.

(d) Interest at a rate of ten percent per year shall be payable to the county on any unpaid local taxes and such interest shall accrue beginning January 1 of the year following the day such taxes are due, unless otherwise provided herein.

(e) The penalty for failure to pay a tax or an installment when due shall be ten percent of the tax past due on all real and personal property taxes; provided, however, that the penalty for late payment of real or personal property taxes shall not exceed the amount of tax due. (f) The penalties imposed by this section, when assessed, shall become a part of the tax due on such property.

(g) A taxpayer shall not suffer a penalty or interest if the failure to pay a tax on time is not the fault of the taxpayer. The county treasurer, or his duly appointed representative, shall determine that no such fault exists, the treasurer shall report, in writing, such determination to the Board of Supervisors, outlining the reason no such penalty applies.

(h) In the event a transfer of real property ownership occurs after January 1 of a tax year, and the real estate tax bill has been mailed pursuant to Code of Virginia, §§ 58.1-3281 and 58.1-3912, the county treasurer may invalidate a bill sent to the prior owner and reissue the bill to

the new owner as permitted by Code of Virginia, § 58.1-3912, and no penalty for failure to pay any tax for any such assessment shall be imposed if the tax is paid within two weeks after the notice thereof is mailed.

(i) Penalty and interest for failure to file a return or to pay a tax shall not be imposed if such failure to file a return or to pay a tax is due to the death or a medically determinable physical or mental impairment of the taxpayer on the date that the return or tax is due and shall be presumptive proof of the lack of fault on the taxpayer's part, provided that the return is filed, or the taxes are paid, within 30 days of the due date. However, if there is a committee, legal guardian, conservator or other fiduciary handling the individual's affairs, such return shall be filed or such taxes paid within 120 days after the fiduciary qualifies or begins to act on behalf of the taxpayer. Interest on such taxes shall accrue until paid in full. Any such fiduciary shall, on behalf of the taxpayer, by the due date, file any required returns and pay any taxes that come due after the 120-day period. The treasurer shall make determinations of fault relating exclusively to failure to pay a tax, and the commissioner of the revenue shall make determinations of fault relating exclusively to failure to file a return.

(j) Reasonable extensions of time, not to exceed 90 days, for the payment of real estate and personal property taxes and for filing returns on tangible personal property, machinery and tools, and merchants' capital may be granted whenever good cause exists. The county treasurer may grant extensions for the payment of taxes, and the commissioner of the revenue may grant extensions for the time of filing a return. The treasurer and commissioner of the revenue shall keep a record of every such extension. If any taxpayer who has been granted an extension of time for filing his return fails to file his return within the extended time, the case shall be treated the same as if no extension had been granted.

(k) The county shall be entitled to recover reasonable attorney or collection agency fees, not to exceed 20 percent of the delinquent tax bill. Attorney fees shall be added only if such delinquency is collected by an action at law or suit in equity.

(Ord. of 8-26-1997; Ord. of 10-28-1997; Amend. of 10-8-2013)

State Law References: Date for filing returns, penalties, interest, Code of Virginia, § 58.1-3916.

Sec. 23-44.1 Exemption of certain animals and items from taxation.

In accordance with Code of Virginia, § 58.1-3505(B), the following animals and items are hereby exempted in whole from any taxation within the county: Farm animals and livestock and grains and agricultural products are hereby defined as separate items of taxation and classified as follows

- (1) Horses, mules and other kindred animals.
- (2) Cattle.
- (3) Sheep and goats.
- (4) Hogs.
- (5) Poultry.
- (6) Grains and other feeds used for the nurture of farm animals.
- (7) Tobacco and wine produced by farm wineries as defined in Code of Virginia, § 4.1-100 and other agricultural products in the hands of a producer.

(b) All of the classes of farm animals and livestock and grains, etc. set forth in subsection (a) of this section are hereby exempt from taxation.

(Code 1978, § 8-47.1; Code 1995, § 34-3)

State Law References: Classification of farm animals, etc., which county may exempt, Code of Virginia, § 58.1-3505. Ord. of 4-14-2015.

Sec. 22.43.2. - Exemption of household goods from taxation.

(a) Notwithstanding any provision of §58.1-3503, household goods and personal effects are hereby defined as separate items of taxation and classified as follows:

(1) Bicycles.

(2) Household and kitchen furniture, including gold and silver plates, plated ware, watches and clocks, sewing machines, refrigerators, automatic refrigerating machinery of any type, vacuum cleaners and all other household machinery, books, firearms and weapons of all kinds.

(3) Pianos, organs, phonographs and record players and records to be used therewith and all other musical instruments of whatever kind, radio and television instruments and equipment.

(4) Oil paintings, pictures, statuary, curios, articles of virtue and works of art.

(5) Diamonds, cameos and other precious stones and all precious metals used as ornaments or jewelry.

(6) Sporting and photographic equipment.

(7) Clothing and objects of apparel.

(8) All-terrain vehicles and off-road motorcycles as defined in §46.2-100;

(10) Electronic communications and processing devices and equipment, including but not limited to cell phones and tablet and personal computers, including peripheral equipment such as printers.

(11) All other tangible personal property used by an individual or a family or household incident to maintaining an abode.

(b) The classification set forth in subsection (a) of this section shall apply only to such property owned and used by an individual or by a family or household incident to maintaining an abode.

(c) All of the classes of household goods and personal effects set forth in subsection (a) of this section are exempt from taxation.

State law reference— Authority of county to adopt exemptions from personal property tax, Code of Virginia, § 58.1-3504. Ord. of 4-14-2015.

Sec. 23-45. Assessment of new buildings substantially completed.

All new buildings substantially completed or fit for any use and occupancy prior to November 1 of the year of completion shall be assessed when so completed or fit for use and occupancy, and the commissioner of the revenue shall enter in the books the fair market value of such building. No such partial assessment shall become effective until information as to the date and amount of such assessment is recorded in the office of the

treasurer of the county and made available for public inspection. The total tax on any such new building for that year shall be the sum of:

- (1) The tax upon the assessment of the completed building, computed according to the ratio which the portion of the year such building is substantially completed or fit for use and occupancy bears to the entire year; and
- (2) The tax upon the assessment of such new building as it existed on January 1 of the assessment year, computed according to the ratio which the portion of the year such building was not substantially complete or fit for use and occupancy bears the entire year.

(Code 1995, § 34-4; Ord. of 11-14-1990)

State Law References: Assessment of new buildings, Code of Virginia, § 59.1-3292.

Sec. 23-46. Tax exempt status of Thomas Bridge Water Corporation.

(a) The Board of Supervisors has determined, after a public hearing, that the Thomas Bridge Water Corporation is presently exempt from taxation under section 501(c) of the Internal Revenue Code of 1954, and because of its unique operational procedures, qualifies as a benevolent organization pursuant to the requirement Code of Virginia, § 58.1-3651.

(b) The county hereby designates Thomas Bridge Water Corporation as exempt from taxation by the county on its real and personal property by designation, and not by classification.

(c) Beginning January 1, 2003, the real and personal property of Thomas Bridge Water Corporation, 586 Thomas Bridge Road, Marion, Virginia 24354, shall be exempt from real and personal property taxation by the county.

(d) Unless modified or repealed, the provisions of this section shall be effective upon the adoption of the ordinance from which this section is derived, and shall further exempt the real and personal property of Thomas Bridge Water Corporation from such taxes for subsequent tax years.

(Ord. of 8-13-2003)

Secs. 23-47--23-65. Reserved.

This Ordinance shall be effective immediately.

After consideration, 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,

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call and Royal Oak District Supervisor G. Blake Frazier.

[7:59:43 PM](#) Michael Carter, County Administrator presented a recommendation from the Budget Committee as shown below.

Scott Simpson, Assistant County Administrator informed the Budget Committee that bids had

been solicited for a 2015 4WD Extended Cab Pickup for use by the Animal Control Department. Two (2) bids were received. The Bids received were from Marion Automotive group in the amount of \$25,900.00 and from the State in the amount of \$25,673.19. With the state bid, the County would be responsible for paying \$1.80 per mile for delivery from Richmond. There will need to be a line item transfer of \$900.00 from line item 035010-5420 (Animal Control Supplies and Equipment) to line item 035010-9003 (Motorized Equipment) to cover the purchase of the truck.

After consideration, 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,

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call and Royal Oak District Supervisor G. Blake Frazier.

[8:01:39 PM](#) Nothing was discussed concerning old business.

[8:01:55 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.7 **Legal**; discussion with legal counsel and staff pertaining to actual or probable litigation. 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,

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call and Royal Oak District Supervisor G. Blake Frazier.

It was moved by Park District Supervisor M. Todd Dishner 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,

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call and Royal Oak District Supervisor G. Blake Frazier.

Supervisor Comment Time- Rye Valley District Supervisor Rick K. Blevins made a motion to appoint Mr. Sam Parsons, 221 Horne Hollow Road, Sugar Grove, VA to serve on the Rye Valley Water Authority Board. 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,

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call and Royal Oak District Supervisor G. Blake Frazier.

[8:30:02 PM](#) North Fork District Supervisor Ron C. Blevins made a motion 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,

Board of Supervisor Meeting Minutes
March 26, 2015

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

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call and Royal Oak District Supervisor G. Blake Frazier.

Board of Supervisors Meeting Minutes
April 14, 2015

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, April 14, 2015**. 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 G. Blake Frazier (7)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods; Director Community & Economic Development Lori Hester (4)

[4:08:40 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order.

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.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:53:13 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order from closed session.

It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Royal Oak District Supervisor G. Blake Frazier 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:12:19 PM](#) Lori Hester, Director of Community and Economic Development gave the Invocation and Shannon Williams, 911 Coordinator led the Pledge of Allegiance.

[5:13:05 PM](#) A motion was made by Saltville District Supervisor Roscoe D. Call to adopt the Agenda and Additional Agenda, with the addition of School Resource Officer Grant per the request of Michael Carter, County Administrator. Saltville 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:14:23 PM](#) It was moved by Royal Oak District Supervisor G. Blake Frazier, seconded by North Fork District Supervisor Ron C. Blevins to approve the minutes of the March 10, 2015 and March 26, 2015 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:14:38 PM](#) Michael Carter, County Administrator presented the Board with information on the current FY14-15 budget and a current month analysis for appropriations.

[5:21:12 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor G. Blake Frazer to appropriate \$6,495,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$2,150,000.00
Social Services (April 15-April 30, 2015)	\$310,000.00
Social Services (May 1-May 12, 2015)	\$60,000.00
Schools-Operating Fund	\$3,900,000.00
School Debt and Capital Outlay Fund	\$75,000.00

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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$11,546.14 for the Pioneer/Fox Valley Water 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$5,215.01 from EDA-Fund 4.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Park District Supervisor M. Todd Dishner to appropriate \$675,585.31 for the Courthouse 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,
Atkins District Supervisor J. Howard Burton
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

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 appropriate \$162,201.03 from the Commonwealth Attorney-Fund 760.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$75.00 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Atkins District Supervisor J. Howard Burton seconded by Park District Supervisor M. Todd Dishner to appropriate \$1,221.60 from Sheriff Fund-748 for outstanding invoices.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$986,834.11 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None

[5:24:12 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr., opened citizen's time. Lester Hutton, 195 Dry Run Road, Marion Va. verbalized a complaint about the penalty of 5% applied to your Water bill for late payment. He would like for the Board to waive this for certain situations, such as a death in the family.

[5:29:31 PM](#) Sharon Eure 366 Old Airport Road Chilhowie informed the Board that her backyard is washing out and she has contacted VDOT and the Town of Chilhowie. She would appreciate the Board doing something about spring water running across road and washing out yard.

[5:36:28 PM](#) Lauren Kopp, Smyth County 4-H extension agent introduced herself to the Board as the new extension agent.

[5:37:15 PM](#) Anna DeBord 343 College Street Marion, April 26, 2015 spoke on behalf of the Smyth County Historic Society and would like to invite everyone to join the Society.

[5:39:40 PM](#) With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizen's time.

[5:39:45 PM](#) James Tyler, CEO of Smyth County Community Hospital presented update on the hospital and thanked the Board for the opportunity to speak.

[5:48:42 PM](#) Charlie Harrington, Emergency Management Coordinator presented the Emergency Operations Plan Resolution and Declaration for the County as shown.

Resolution
Emergency Operations Plan

WHEREAS the Board of Supervisors of Smyth County, Virginia recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and

WHEREAS Smyth County has a responsibility to provide for the safety and well being of its citizens and visitors; and

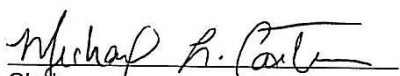
WHEREAS Smyth County has established and appointed a Director and Coordinator of Emergency Management.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Smyth County, Virginia, this Emergency Operations Plan as revised is officially adopted, and

IT IS FUTHER RESOLVED AND ORDERED that the Director of Emergency Management, or his/her designee, are tasked and authorized to maintain and revise as necessary this document over the next four (4) year period or until such time be ordered to come before this board.


Chairman, County Board of Supervisors

ATTEST:


Clerk
County Board of Supervisors

Adopted this 14 day of April 2015

**Declaration of Adoption
National Incident Management System**

BE IT RESOLVED by the Smyth County Department of Emergency Management as follows:

WHEREAS, at the request of the President, the Department of Homeland Security has developed the National Incident Management System (NIMS) for the purpose of unifying and coordinating all emergency responders' efforts during disasters; and

WHEREAS, the Department of Homeland Security has directed all Federal, State, Territorial, Tribal, and local entities involved in emergency response to adopt NIMS; and

WHEREAS, the Governor of the Commonwealth of Virginia has similarly endorsed NIMS by proclaiming it the official basis for management of incident response in Virginia; and

WHEREAS, the NIMS will enable responders at all levels to work together more effectively and efficiently to manage domestic incidents no matter what the cause, size or complexity, including catastrophic acts of terrorism and natural disaster; and

WHEREAS, Smyth County Department of Emergency Management currently uses the Incident Command System (ICS) as referred to in NIMS; and

WHEREAS, Smyth County Department of Emergency Management recognizes the need for a single Incident Management System to be used by all local agencies and disciplines;

BE IT THEREFORE RESOLVED, that Smyth County Department of Emergency Management (DEM) adopts the National Incident Management System. That this system will be used at all incidents and drills, taught in all DEM training courses, and reflected in all DEM emergency mitigation, preparedness, response and recovery plans and programs.

Adopted by the Smyth County Board of Supervisors and effective on the date of adoption.


Chairman, Board of Supervisors

ATTEST:


Clerk, Smyth County Board of Supervisors

Adopted this 14 day of APRIL 2015

Saltville District Supervisor Roscoe D. Call made a motion to approve the EOP as presented.
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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None

[5:55:55 PM](#) Shannon Williams, 911 Coordinator presented information for the FY2015 Aid to Localities payments as presented below:

Agency:	Disbursement Amount 90%
Atkins Fire Dept	\$13,083
Adwolfe FD	\$13,083
Nebo Fire Dept	\$13,083
Sugar Grove Fire Dept	\$13,083
Chilhowie FD	\$4,083
Saltville FD	\$4,083

The disbursements total \$60,498.00.

Rye Valley District Supervisor Rick K. Blevins made a motion to approve the FY2015 Aid to Localities payments as presented. Royal Oak District Supervisor G. Blake Frazier 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:57:48 PM](#) Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Smyth County Appointment Committee. At the request of the Town of Saltville, the committee recommends appointing C. Todd Young to the Mt. Rogers Planning District Commission as the Town of Saltville representative for a four (4) year term, ending June 30, 2018,

After consideration, 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and

Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Smyth County Appointment Committee. The committee recommends Bryan Saunders to the Southwest Virginia Emergency Medical Services Council, Inc., to fill the remainder of the term for Doug Testerman. Mr. Testerman has resigned his position due to medical reasons. The term will expire on December 31, 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:59:24 PM](#) Michael Carter, County Administrator informed the Board the November 19th meeting date was incorrect and suggested that it be changed to November 12. Atkins District Supervisor J. Howard Burton made a motion to change the November meeting date from the 19th to the 12th. 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:00:01 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the Public Hearing to order concerning the Residential Rehabilitation Tax Exemption. Michael Carter, County Administrator read the advertisement as placed in the Smyth County News and Messenger.

Public Hearing
Residential Rehabilitation Tax Exemption

Pursuant to §58.1-3220 of the Code of Virginia, (1950), as amended, the Smyth County Board of Supervisors proposes to amend Chapter 23 (Finance and Taxation) of the Smyth County Code to provide one-year of tax abatement on increased assessed value for certain rehabilitated residential units, effective immediately upon adoption.

A new Smyth County Code, Article IX, Chapter 23, Division 3 (Sections 23-338 through 340) on Residential Rehabilitation Tax Exemption is proposed to permit applications for partial exemption on the increased assessed value for completed rehabilitation of residential multi-family residences of ten units or more with no less than fifteen years of age and located in Smyth County.

A Public Hearing will be continued by the Smyth County Board of Supervisors and conducted on Tuesday, April 14, 2015 beginning at 6:00p.m. or soon thereafter in the Board of Supervisors meeting room, 121 Bagley Circle, Marion, Virginia. A copy of the present and proposed ordinance is on file at the Smyth County Administrators Office, 121 Bagley Circle, Marion, Virginia and can be viewed between the hours of 8:00 am and 5:00 pm, Monday through 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 x 8315 at least forty eight (48) hours prior to the public hearing.

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

Rye Valley District Supervisor Rick K. Blevins made a motion to waive the reading of the rules for public hearings. 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

No one signed up to speak concerning the Public Hearing.

[6:02:26 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed the Public Hearing.

[6:02:32 PM](#) Michael Carter, County Administrator presented information concerning the McArthur Grant, which is a grant the The Southwest Virginia Regional Jail Authority has applied for to receive funding through, to participate in a Safety and Justice Challenge Project. The project focuses on jail population management and includes all

stakeholders. If selected, there will be one year of data collection followed by an intensive study of programs and alternatives. Mr. Carter stated this is a letter of support for the grant as shown below and not a commitment of funds.

MacArthur Foundation
Office of Grants Management
140 S. Dearborn Street
Chicago, IL 60603-5285

Dear MacArthur Foundation:

The Smyth County Board of Supervisors is committed to supporting and participating in the execution of the Safety and Justice Challenge project as applied for by the Southwest Virginia Regional Jail Authority. The Smyth County Board of Supervisors understands that effective jail population management strategies require a system wide scope. No single stakeholder can impact local jail populations without the support and involvement of their counterparts in law enforcement, the criminal defense bar, prosecutors' offices, the judiciary, pretrial service agencies, probation and parole, and other local service providers.

The Smyth County Board of Supervisors will provide data and agency leaders to support the Southwest Virginia Regional Jail Authority in its efforts to complete this project if awarded.

North Fork District Supervisor Ron C. Blevins made a motion to support the MacArthur Grant being submitted by the Southwest Virginia Regional Jail Authority with the understanding there are no commitment of funds from the Board of Supervisors. Royal Oak District Supervisor G. Blake Frazier 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:04:29 PM](#) Michael Carter, County Administrator brought forward recommendations from the Planning Commission as shown below.

Commissioner Joel Pugh made a recommendation to recommend to the Board of Supervisors to approve the Special Use Permit requested by the Rich Valley Agricultural and Fair Association, Inc. to expand their non-conforming use to include the following activities: bull riding, demolition derby,

donkey softball games, go cart racing, lawnmower pulls and races, mixed marital arts, musical concerts, tough truck contest, tractor pulls, truck mud races, truck pulls, wrestling and circus events with the following conditions: Events can only be held on Friday, Saturday, and/or Sunday until Midnight. The property is identified as 325 and 329 Long Hollow Road, Saltville; Tax Map nos. 19-A-51, 19-A-36B, and 19-A-36C; and is zoned Agricultural. Commissioner Wayne Venable seconded the motion.

Vote: Yays: Davidson, Doyle, Pugh, Shepherd, Sparks, Venable, and Wagoner.
Nays: None.
Abstainers: None.
Absent: None.

North Fork District Supervisor Ron C. Blevins made a motion to approve the recommendation as presented by the Planning Commission. Royal Oak District Supervisor G. Blake Frazier 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,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Commissioner Wayne Venable made a motion to recommend to the Board of Supervisors approving the resolution for a Letter of Substantial Accord for CPV as presented. Commissioner Joel Pugh seconded the motion.

Vote: Yays: Davidson, Doyle, Pugh, Shepherd, Sparks, Venable, and Wagoner.
Nays: None.
Abstainers: None.
Absent: None.

Atkins District Supervisor J. Howard Burton made a motion to approve the Planning Commission's recommendation and finding that pursuant to Virginia Code Section 15.2-2232 (A), the general location, character and extent of the electric generating facility approved by the Special Use Permit on November 15, 2012 is substantially in accord with the 2013 Smyth County Comprehensive Plan, as amended. Royal Oak District Supervisor G. Blake Frazier 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,

North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter, County Administrator brought forward a recommendation from the Smyth County Planning Commission. It is the committee's recommendation to appoint Robbie Doyle, 234 Rolling Hills Drive, Marion, Va. to the Mount Rogers Planning District Commission.

After consideration, 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:09:48 PM](#) Saltville District Supervisor Roscoe D. Call brought forward a recommendation from the Building and Grounds Committee. Mr. Call stated that two (2) proposals had been received for HVAC services for the County. The proposals received were from Cook's Mechanical Service and Trane-Tri Cities. It is the committee's recommendation to award the bid to Cook's Mechanical Service and enter into a one year agreement in the amount of \$26,900 which includes regular preventative maintenance service for the Morrison Building, a scaled back service for the Courthouse and full all inclusive preventative maintenance and warranty for both the Sheriff's Office and the Health Department. The agreement shall have the option to renew for up to four (4) additional one (1) year terms.

After consideration, 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:10:53 PM](#) Michelle Clayton, County Attorney presented a recommendation from the Personnel Committee as shown below. These changes are recommended to be effective immediately and to be placed in the current personnel manual.

Use of County Equipment

(a) Telephone Use and Use of the Internet:

- (i) The County provides telephones and computers for employees who need them to conduct County business.
- (ii) Personal use of office telephones for long distance and toll calls is prohibited.
- (iii) Personal calls shall not be made or received on any County office or cell phones, when they are of a nature or extent that interrupt or interfere with the employee's work or ability of others to perform their work, or where such calls either prevent or hinder the use of the phone for County business.
- (iv) Use of County-owned cell phones including smart phones, Email, and internet service shall be limited to hours during which an employee is performing work on behalf of the County or is on-call.
- (v) Reimbursement shall be required if any excess charges arise due to unauthorized personal use.

(b) Postage. The use of County-paid postage for personal correspondence is prohibited.

(c) Other Property and Equipment. Unauthorized removal of County equipment or property from County worksites, and the use of County equipment or property for personal reasons, is prohibited.

(d) **EMPLOYEES ARE HEREBY PLACED ON NOTICE THAT THEY SHALL NOT HAVE AN EXPECTATION OF PRIVACY WHEN USING COUNTY TELEPHONES, COMPUTERS, INTERNET SERVICES, WI-FI, EMAIL, TEXTING AND OTHER ELECTRONIC AND TELECOMMUNICATIONS SYSTEMS AND EQUIPMENT.** All County electronic and telecommunications systems and equipment are owned by the County. Information and records created, sent, received, accessed or stored using such systems and equipment are property of the County. The County reserves the right to monitor all activities without notice and the County may monitor, access and review all such information and records, at any time, as the County deems necessary for the efficient, effective and secure use and operation of such systems. Users must recognize that computer generated documents (e.g., old email) are public records subject to the Freedom of Information Act.

(e) All internet use shall be conducted in compliance with applicable federal and state laws governing electronic and telecommunications.

(f) The use of County electronic and telecommunications systems and equipment for illegal or inappropriate purposes is prohibited. Illegal use means any use in violation of local, state and/or federal laws and regulations. Inappropriate use means any use that would violate the County's policies or procedures, including, without limitation, the following:

Email: creating or forwarding jokes, chain messages, or any other non-work related messages.

- i. Internet: pirating software; stealing passwords; hacking other machines on the Internet or County network; participating in the viewing or exchange of pornography or obscene materials; engaging in other illegal or inappropriate activities using the Internet.
 - ii. Any unauthorized access to any computer system, application or service.
 - iii. Concealing or misrepresentation of an employee's identity when sending or receiving communications using County electronic or telecommunications systems or equipment, including, without limitation, using "identifiers" of other individuals as your own, and using a computer logon ID other than the individual user ID assigned.
 - iv. Any activities for private, commercial purposes, such as business transactions between individuals and/or commercial organizations.
 - v. Any usage that significantly interferes with or disrupts network users, services, or computers. Disruptions include, but are not limited to, distribution of unsolicited advertising and deliberate propagation of computer viruses.
 - vi. Any activities where users engage in acts that are deliberately wasteful of computing resources or which unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, broadcasting unsolicited mailings or other messages, creating unnecessary output or printing, or creating unnecessary network traffic.
- (g) Minimal use of County systems for personal internet accounts while on breaks is permissible. Abuse of this privilege may result in disciplinary action up to and including termination.
- h) Smyth County's Policy on Use of Internet and Electronic Communications provides more detailed guidelines for use of these systems and is available through the Information Systems Department as well as the County's website.

After consideration, 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:11:58 PM](#) Atkins District Supervisor J. Howard Burton made a motion to allow Becca Creasy, Administrative Assistant to sign documents related to the Building and Zoning Department as needed in addition to Bud Owens, Building Official and Clegg Williams, Building and Zoning Administrator. 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,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:13:17 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to approve the Board of Supervisors Rules of Procedures. 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,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:14:19 PM](#) North Fork District Supervisor Ron C. Blevins made a recommendation to approve the following Animal Damage Claims:

	<u>NAME</u>	<u>APPROVED</u>
1)	Mark Burkett, 1 Calf	\$300.00
2.)	Michael Billings, 17 Chickens	\$85.00

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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:18:04 PM](#) Michael Carter, County Administrator brought a recommendation before the Board of

Supervisors from the Budget Committee to amend the FY 14-15 Budget from \$90,036,212 to \$90,278,414 as shown below.

Line Item Number	Title	Expense
502-012010-0238	RD-Adwolfe Sewer PER	\$30,000.00
502-012010-0239	MRPDC-Atkins Source-TA	\$20,000.00
502-012010-0240	MRPDC-Ebenezer Well	\$30,000.00
760-010000-0001	Comm Attorney Federal Drug Asset	\$162,202.00
Line Item Number	Title	Revenue
502-012010-0142(New Line Item #)		\$30,000.00
502-012010-0143 (New Line Item #)		\$20,000.00
502-012010-0144 (New Line Item #)		\$30,000.00
760-010000-0001	Federal Money	\$162,202.00

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,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter, County Administrator brought a recommendation before the Board from the Budget Committee. Two (2) bids have been received for the Ebenezer Well Project, one from Rorrer Well Drilling in the amount of \$42,927.00 and the second one from Boyer Well Drilling in the amount of \$119,020.00. It is the committee's recommendation to award the bid to Rorrer Well Drilling in the amount of \$42,927.00 to be paid from line item #501-085060-0008.

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 G. Blake Frazier.

NAYS: None.

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

ABSENT: None.

Michael Carter, County Administrator brought a recommendation before the Board from the Budget Committee. It is the Committee's recommendation to schedule a Public Hearing for the Smyth County School Board Budget on May 12, 2015 at 6 PM.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter, County Administrator brought a recommendation forward from the Budget Committee. Mr. Carter stated that one (1) bid had been received for the cleanup of properties the Board has declared as a public nuisance. It is the committee's recommendation to reject the bid received for such cleanup and to re-advertise at a later date.

After consideration, 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:26:08 PM](#) Michael Carter, County Administrator presented information on the School Resource Officer Grants, and stated that Arthur Barker with the Smyth County Sheriff's Office needed approval to submit the grants, which will allow Michael Carter to sign the application for consideration. Atkins District Supervisor J. Howard Burton made a motion to allow Michael Carter, County Administrator to sign the grant applications for submittal for the School Resource Officers. 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:27:38 PM](#) Nothing was discussed concerning Old Business.

[6:28:13 PM](#) Supervisor Comment Time-North Fork District Supervisor Ron C. Blevins informed the Board that he had received information concerning 200 miles of trails to be closed by Mt. Rogers and after further investigation he was informed by the Mount Rogers National Recreation Area these trails were user made, therefore they would be closed by Mount Rogers NRA. Royal Oak District Supervisor G. Blake Frazier would like to continue to thank the County employees and those in the County for all they do.

[6:32:02 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to adjourn the meeting. 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Board Of Supervisors Meeting Minutes
May 12, 2015

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, May 12, 2015**. 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 G. Blake Frazier (7)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods; Director Community & Economic Development Lori Hester (5)

[4:03:33 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order.

A motion was made 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.3 Land Acquisition; 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.,
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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

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

[4:04:25 PM](#) Park District Supervisor M. Todd Dishner entered the meeting.

[4:16:08 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order from closed session.

It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Rye Valley District Supervisor Rick K. 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:02:38 PM](#) Lori Hester, Director of Community and Economic Development gave the Invocation and Sandy Elswick, Voter Registrar led the Pledge of Allegiance.

[5:03:35 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins 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: 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:03:58 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor G. Blake Frazier to approve the minutes of the April 14, 2015 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:04:15 PM](#) Michael Carter, County Administrator presented the Board with information on the current FY14-15 budget and a current month analysis for appropriations.

[5:13:27 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor G. Blake Frazer to appropriate \$6,390,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$1,675,000.00
Social Services (May 13-May 31, 2015)	\$290,000.00
Social Services (June 1-June 9, 2015)	\$60,000.00
Schools-Operating Fund	\$4,000,000.00
School Debt and Capital Outlay Fund	\$365,000.00

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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by North Fork District Supervisor to appropriate \$150.00 for the Water/Sewer Refunds.

After consideration, 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 G. Blake Frazier

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 appropriate \$51.30 from EDA-Fund 4 for outstanding invoices.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Park District Supervisor M. Todd Dishner to appropriate \$652,067.96 for the Courthouse 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,
Atkins District Supervisor J. Howard Burton
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

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 appropriate \$60,078.99 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 G. Blake Frazier

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 appropriate \$1,221.60 from Sheriff Fund 748 for outstanding invoices.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$1,013,095.95 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None

[5:15:48 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr., opened citizen's time.

[5:16:18 PM](#) Sharon Eure 366 Old Airport Road Chilhowie informed the Board that her backyard is washing out and she has contacted VDOT and the Town of Chilhowie. She would appreciate the Board doing something about the spring water running across the road and washing out her yard.

Board Of Supervisors Meeting Minutes
May 12, 2015

[5:19:42 PM](#) With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizen's time.

[5:20:06 PM](#) Michael Carter, County Administrator presented information concerning the Four for Life distribution as stated below. Mr. Carter asked for approval and appropriation from the Board.

Agency	Disbursement Amount
Town of Marion Fire & EMS	\$6,715.28
Chilhowie FD/EMS	\$6,715.28
Saltville Rescue Squad	\$6,715.28
Sugar Grove Life Saving	\$6,715.28

These disbursements total \$26,821.12.

North Fork District Supervisor Ron C. Blevins made a motion to approve and appropriate the Four for Life distribution as presented by Mr. Carter. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:21:55 PM](#) Scott Simpson, Assistant County Administrator presented information on two (2) current Water Projects as shown below. Mr. Simpson asked for approval and execution of the documents by the Board of Supervisors.

15-WW-03
AGREEMENT

This AGREEMENT entered into as of this 12th day of MAY 2015,
by and between the Mount Rogers Planning District Commission hereinafter referred to as
"PDC" and the Smyth County hereinafter referred to as "GRANTEE."

WITNESSETH

WHEREAS, PDC staff has been authorized by the Mount Rogers Planning District
Commission's Executive Committee to distribute and administer the Southwest Virginia
Regional Water/Wastewater Construction Fund (SVRWWCF) according to the SVRWWCF
Program Guidelines, and

WHEREAS, the PROJECT as described in the SVRWWCF Application as submitted by the
GRANTEE has achieved a sufficiently high ranking to qualify for construction funding on the
basis of the SVRWWCF Program Guidelines,

Now THEREFORE, the above mentioned parties hereto do mutually agree as follows:

1. PDC agrees to award the GRANTEE a Southwest Virginia Water/Wastewater
Construction Fund grant in an amount of \$30,000 for the construction of the Project.
This amount is subject to availability of funds and may decrease as a result of future
reductions to the budget of the Commonwealth of Virginia as approved by the
Governor's Office.
2. Grantee agrees to provide at least \$30,000. This amount must be matched or exceeded by
the ~~Town~~ COUNTY
3. Grantee shall provide documentation of matching funds at the signing of the IPA.
Documentation of matching funds shall be grant awards, grant contracts, loan
agreements, etc.
4. PDC agrees to provide the GRANTEE with technical assistance in setting up and
carrying out the administration of its Southwest Virginia Regional Water/Wastewater
Construction Fund.
5. The GRANTEE will commence, carry out and complete the following scope of work
(more thoroughly described in the GRANTEE'S SVRWWCF Application).

Project Title: Ebenezer Source Test Well

Location: Smyth County Virginia

Outcome: Drill test well to serve 674 existing users in Ebenezer, Walkers Creek, Cleghorn
and Apple Valley and benefit the 107 corridor.

The aforementioned OUTCOME and all project activities as specified in the SVRWWCF application shall be fully completed by the completion date regardless of the availability of other funds anticipated for use on this PROJECT by the GRANTEE. No budget revision, AMENDMENT or termination of this CONTRACT shall be made which affects the GRANTEE's responsibility to fully complete the SCOPE OF WORK.

6. The aforementioned PROJECT shall be carried out, and grant payments made in strict conformance with the CONTRACT DOCUMENTS.
7. The GRANTEE will use the lesser of (1) the amount specified above, or (2) if, at total project completion, there are cost underruns or project savings, these costs shall revert to the PDC and other funding sources committed to the project in the grant proposal on a proportional basis, unless superceded by other funding source requirements.
8. The GRANTEE will initiate the PRODUCT(S) required by the CONTRACT DOCUMENTS beginning **May 1, 2015** unless grant special conditions require additional action on specified activity(s) before proceeding with that activity(s). In such instances the GRANTEE will initiate action relative to removal of the special conditions beginning with the execution of this agreement.
9. The GRANTEE shall complete the work as described in the CONTRACT DOCUMENTS on or before **June 30, 2016**. If the ACTIVITIES are not completed by that date all SVRWWCF funding shall be terminated and the Grantee shall return all unexpended funds, unless an amendment to the CONTRACT DOCUMENT provides otherwise. Notwithstanding, the GRANTEE shall be obligated to fully complete the SCOPE OF WORK.
10. PDC agrees to make payment to the GRANTEE upon receipt of a properly completed and signed invoice. Request may be made allowing approximately twenty-one days to receive the funds. Funds are to be immediately disbursed by the GRANTEE and should not be deposited in an interest-bearing account.
11. The term CONTRACT DOCUMENTS means the following documents which are a part of this Agreement, and are incorporated by reference herein as if set out in full.
 - (A) GRANTEE'S SVRWWCF Application;
 - (B) AGREEMENT;
 - (C) Special Conditions;
 - (D) AMENDMENTS;
 - (E) SVRWWCF Program Guidelines; and
 - (F) All applicable provisions of the CODE OF VIRGINIA, including but not limited to the Virginia Public Procurement Act.

Board Of Supervisors Meeting Minutes
May 12, 2015

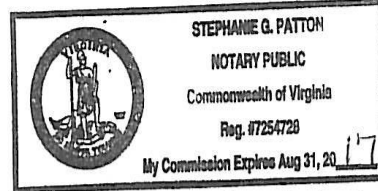
In witness whereof, the parties hereto have executed or caused to be executed by their duly authorized official this Agreement in duplicate, each copy of which will be deemed an original.

Mount Rogers Planning District Commission

BY: [Signature]
Aaron Sizemore, PDC Executive Director

DATE: 4/29/15

County of Smyth
Commonwealth of Virginia



I do certify that Aaron Sizemore personally appeared before me and made oath that he is Executive Director of the Mount Rogers Planning District Commission and that he is duly authorized to execute the foregoing document.

My term of office expires August 31, 2017.

Given under my hand this 30 day of April, 2015

[Signature]
Notary Public

7254728
Registration #

Smyth County

BY: _____
Michael Carter, County Administrator

DATE: 05/12/2015

County of _____
Commonwealth of Virginia

I do certify that Michael Carter personally appeared before me and made oath that he is the Smyth County Administrator and that he is duly authorized to execute the foregoing document.

My term of office expires _____.

Given under my hand this _____ day of _____, 2015

Notary Public

Registration #

SPECIAL CONDITIONS

1. Matching Funds. Non-SVRWWCF monies must be expended on the GRANTEE's projects that will, collectively, equal to or exceed the amount of SVRWWCF monies expended. Documentation on the expenditure of these funds shall be maintained by the GRANTEE and reported to PDC as part of the determination of final project closeout status.
2. Accessing SVRWWCF Obligated Monies. GRANTEE must sign an Individual Project Agreement (IPA) for this project they undertake prior to being able to access SVRWWCF monies for the project.
3. Force Account. Reimbursement of labor costs incurred where force account is utilized shall be based only on current payroll costs in terms of hourly payroll rates of employees directly involved in on-site construction activities. Reimbursement for supervisory and support staff will not be permitted. Reimbursement of fringe benefit costs will not be permitted. Documentation of costs must adhere to Force Account guidelines including use of current VDOT equipment rates.
4. Management Team Meetings. GRANTEE must establish management teams to oversee construction of SVRWWCF projects and meet on at least a monthly basis.
5. Bi-Monthly Status Reports. GRANTEE must submit a status report on the project covered by this contract to PDC not later than the second to last Wednesday of every other month.
6. Eligible Project Costs. Eligible activities for payment with SVRWWCF monies are limited to administrative and construction activities.
7. Retainage. PDC will withhold 5% or \$10,000 of the SVRWWCF funds allocated this project, whichever is greater, until receipt of proof of final completion of construction and submittal of any required PDC documentation related thereto.

Signature: _____
Michael Carter

MEMORANDUM OF AGREEMENT

Regional 15-WW-TA-03

This agreement, entered into this 12th day of MAY, 2015 by and between the Mount Rogers Planning District Commission, hereinafter referred to as the "PDC" and the Smyth County, hereinafter referred to as the "County" be it therefore agreed:

1. That the PDC is providing \$20,000 to the County for the purpose of funding the Cornett Spring PER.
2. That the County will be responsible for securing engineering services in accordance with the procurement laws of Virginia.
3. That the County shall provide a copy of the final report, PER, or design work, invoices and comments from the permitting agencies if applicable.
4. That the County will work with due diligence to insure that the project is completed in a timely manner and shall provide the PDC with regular status reports.



Aaron Sizemore Executive Director
Mount Rogers Planning District Commission

Michael Carter, County Administrator
Smyth County

Saltville District Supervisor Roscoe D. Call made a motion to approve and execute the documents as shown above. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None

[5:24:11 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to schedule a Public Hearing for the VDOT 6 year plan to June 9, 2015 at 5:45 PM. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:25:09 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to schedule a Public Hearing for the Smyth County FY2015-2016 Budget to June 9, 2015 at 6:00 PM. 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:26:12 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to approve the Residential Rehab Rebate as shown below. Saltville District Supervisor Roscoe D. Call seconded the motion.

***AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF SMYTH, VIRGINIA (2009) TO
PROVIDE RESIDENTIAL REHABILITATION PARTIAL EXEMPTION***

WHEREAS, the Board of Supervisors of the County of Smyth, Virginia seeks to encourage the rehabilitation of low-to-moderate income multi-family housing for Smyth County residents;

WHEREAS, Virginia Code §58.1-3220 provides localities the ability to permit partial tax exemption on residential rehabilitation to preserve low- and moderate-income housing in older structures;

WHEREAS, adoption of such an ordinance may assist in achieving federal grant funding for projects to rehabilitate apartment complexes;

WHEREAS, the Smyth County Board of Supervisors Ordinance Committee considered the issue and recommended consideration of an ordinance to provide a partial exemption for one year of increased value after completion of rehabilitation of a multi-family residential dwelling with ten or more units of no less than 15 years of age;

WHEREAS, there is no direct cost to the County and future real and personal property taxes would likely be increased;

WHEREAS, the required notice and public hearing was held by Board of Supervisors of Smyth County on April 14, 2015;

WHEREAS, the amendments, if approved, should be codified in the Smyth County Code Zoning Ordinance Appendix;

NOW, THEREFORE, BE IT ORDAINED, by the Smyth County Board of Supervisors after notice and public hearing, as required by law and on the basis of the foregoing finds it in the best interest of Smyth County:

- 1. That the ordinance shall become effective immediately upon adoption***
- 2. That should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or of the Smyth County Code.***
- 3. That the Code of the County of Smyth shall be amended by the addition of the following text amendments:***

ARTICLE IX. ENTERPRISE ZONE EXEMPTIONS, LOCAL TECHNOLOGY ZONES* AND RESIDENTIAL REHABILITATION PARTIAL EXEMPTION**

- * State Law References: Enterprise zone grant act, Code of Virginia, § 59.1-538 et seq.;
- ** State Law Reference: Partial exemption of certain rehabilitated, renovated or replacement residential structure, Code of Virginia §§ 58.1-3220 et seq.

DIVISION 3. RESIDENTIAL REHABILITATION PARTIAL EXEMPTION*

- **State Law Reference,** Partial exemption for certain rehabilitated, renovated or replacement residential structures, § 58.1-3220, Code of Virginia.

Sec. 23-338. Legislative authority, designation, and purpose of the residential rehabilitation partial exemption. The ordinance from which this article is derived was adopted by the Board of Supervisors by virtue of authority granted by Code of Virginia, §§ 58.1-3220 et seq. The partial exemption is designated by the governing body by virtue of an approved application and completion of the project under certain conditions. The purpose of the partial exemption on residential rehabilitation is to preserve low- and moderate-income housing in older structures. Certain partial tax exemptions are authorized when real estate, by virtue of age and use, have undergone substantial renovation, rehabilitation or replacement.
(Ord. of 05-12-2015)

Sec. 23-339. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Multifamily residential real estate means land containing a structure or other improvement of ten (10) or more units constructed or used for residential purposes in accordance with this Code and other applicable law.

Rehabilitation means the process of restoring or increasing the assessed value over the base value of a qualified structure through (i) renovation and (ii) replacement.
(Ord. of 05-12-2015)

Sec. 23-340. Rehabilitated real estate tax exemption--Eligibility. The commissioner has sole authority to determine, pursuant to the requirements of this article, whether a structure is an eligible structure. In order to qualify for the partial exemption from real property taxation for eligible structures, the applicant for such exemption shall have paid all taxes on the affected property up to and including the most recently concluded taxable year paid in full, both at time of application and at time of completion of rehabilitation, and shall comply with all mandatory administrative requirements as set forth in this article. In addition, the structure for which an application for partial exemption is filed shall meet all of the following criteria: (1) Located within the boundaries of Smyth County; (2) Be a structure of no less than 15 years old; (3) Designed as and suitable for the sole purpose of at least ten (10) multi-family residential units use after completion of rehabilitation; (4) Be rehabilitated after filing an application for tax exemption and after issuance of all appropriate building permits, including a certificate of

occupancy upon completion of the rehabilitation; (5) The rehabilitation of such structure shall result in an increase in assessed value of the structure.

(Ord. of 05-12-2015)

Sec. 23-241. Same--Amount of exemption.

(a) For eligible structures, a one-year rehabilitated residential real estate tax exemption is allowed in the amount of 100% of increased value during the first year of newly assessed value upon completion of the rehabilitation.

(b) The exemption from county taxation for real estate awarded by this section shall terminate at the end of the first tax year.

(Ord. of 05-12-2015)

Sec. 23-242. Same--Application.

(a) Applications shall be filed and processed in accordance with the following procedures: (1) To qualify, the owner shall file a written application for a rehabilitated real estate tax exemption. The owner carries the burden of proof to show that the property for which an application has been filed complies with all eligibility criteria established in 34-340. The commissioner may require documentary proof of eligibility, and, in such cases, the owner shall present documentation satisfactory to the commissioner. (2) The owner shall file a written application with the office of the commissioner prior to initiation of the rehabilitation and no later than 30 days after obtaining the building permit for the rehabilitation. (3) The owner shall include with each application a nonrefundable processing fee of \$250.00. (4) Within a reasonable amount of time after receipt of an application, the commissioner shall determine if the structure described by the application meets the age, location, and use criteria of an eligible structure and shall determine the assessed base value of the structure, if it is an eligible structure. If the structure does not meet the age, location, or use criteria of an eligible structure, then the commissioner shall, in a timely manner, provide to the owner written notice of such determination. The owner shall have ten days after receipt of such notice to provide documentation to the commissioner to show that such criteria are satisfied by the structure, and the commissioner shall make a final determination on the basis of such additional information in a timely manner after submission of such additional information. (5) An appeal of the commissioner of revenue's determination may be made in writing to the Board of Supervisors within 30 days of the commissioner's final determination. (6) The application shall be effective for a period of two years from the date of filing. No extensions of this time period will be granted. (7) The rehabilitation must be completed (and evidenced by the date of the certificate of occupancy issued by the county building official) within two years after the date of the filing of the application. (8) Within 60 days of the issue date of the certificate of occupancy, the owner shall notify the commissioner in writing that the rehabilitation is complete, and the commissioner shall, within a reasonable time period, inspect the property to determine whether the subject of the application is an eligible structure and to determine the amount of the rehabilitated real estate tax exemption. (9) Upon determination of the partial tax exemption, the commissioner shall provide timely notice to the county administrator and county treasurer. Following this notification, the Board of Supervisors may authorize the commissioner of the revenue to exonerate the appropriate value in order to carry out the tax exemption.

(b) The commissioner, with advice of the county administrator and county treasurer, may adopt and promulgate rules and regulations not inconsistent with the provisions of this section as are deemed necessary for the effective administration of this article.

(c) The exemption resulting from the rehabilitation of an eligible structure shall commence on January 1 of the next tax year following completion of the rehabilitation, as defined by the date of issuance of the certificate of occupancy, and the commissioner's determination that the structure is eligible for the rehabilitated real estate tax exemption.

(e) Only one partial exemption under this section may be applicable to any eligible structure during the life of the eligible structure.

(f) Nothing in this article shall be construed as to permit the commissioner to list upon the land book any reduced value due to the exemption provided in this section.

(g) The making of any false statement in any application, affidavit or other information supplied for the purpose of determination of eligible structure and the amount of the rehabilitated real estate tax exemption shall constitute a Class 2 misdemeanor.
(Ord. of 05-12-2015)

On motion by Supervisor Ron C. Blevins, seconded by Supervisor Roscoe D. Call and carried by the following vote:

<u>Supervisors</u>	<u>Vote</u>
Chairman, Chilhowie District Supervisor, Wade H Blevins, Jr.	AYE
Vice Chair, Park District Supervisor, M. Todd Dishner	AYE
Rye Valley District Supervisor, Rick K Blevins	AYE
North Fork District Supervisor, Ron C Blevins	AYE
Atkins District Supervisor, J. Howard Burton	AYE
Saltville District Supervisor, Roscoe D Call	AYE
Royal Oak District Supervisor, Blake Frazier	AYE

After consideration, the motion PASSED by the following vote:

AYES: 7

NAYS: 0

ABSTAINERS: 0

ABSENT:0

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
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:30:02 PM](#) Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Smyth County Appointment Committee. At the request of Mt. Cap, the committee recommends appointing Wade H. Blevins Jr., or his designee to the Mountain Community Action Program, Inc.

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,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

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

ABSENT: None.

[5:30:39 PM](#) Michael Carter, County Administrator brought a recommendation before the Board of Supervisors from the Budget Committee. It is the committee's recommendation to allow a line transfer for the Animal Shelter in the amount of \$850.00 as shown below.

Transfer \$850.00 from line item 035010-5420 (Animal Control Supplies & Equipment) to line item 035010-5102 (Propane Service) for \$700.00 and line item 035010-5103 (Water & Sewer) for \$150.00.

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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:33:18 PM](#) Royal Oak District Supervisor G. Blake Frazier brought forward a recommendation from the Insurance Committee. Chris Austin, Director of Social Services has requested for the Department of Social Services to go to a 90/10 employer-employee split contribution on Health Insurance. It is the committee's recommendation to not support this change.

After consideration, 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:34:40 PM](#) Royal Oak District Supervisor G. Blake Frazier brought a recommendation before the Board of Supervisors from the Courthouse Committee. Mr. Frazier stated the committee met on May 7, 2015 concerning a change order on the Courthouse Project from BurWil Construction in the amount of \$42,979.67. It is the committee's recommendation to accept this change order from BurWil Construction.

After consideration, 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,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Royal Oak District Supervisor G. Blake Frazier brought a second recommendation before the Board of Supervisors from the Courthouse Committee. Mr. Frazier stated the committee met on May 7, 2015 concerning a change order on the Courthouse Project from Moseley Architects in the amount of \$10,990.00. It is the committee's recommendation to accept this change order from Moseley Architects.

After consideration, 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,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:41:54 PM](#) Nothing discussed concerning old business.

[5:42:01 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. called for a recess.

[6:01:09 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. called the meeting back to order.

[6:01:13 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the Public Hearing to order concerning the Smyth County School FY15-16 Budget. Michael Carter, County Administrator read the advertisement as placed in the Smyth County News and Messenger.

**NOTICE OF PUBLIC HEARING
ON THE SMYTH COUNTY SCHOOL BUDGET
FOR FISCAL YEAR COMMENCING
July 1, 2015– June 30, 2016
On May 12, 2015 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, 2015. The public hearing will be held in the **Board of Supervisors meeting room, 121 Bagley Circle, Smyth County Office Building on May 12, 2015 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.

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, 2016			
Revenue Summary for Operations Budget			
	2014-2015	2015-2016	Difference
State Revenue	\$ 26,164,239	\$ 25,307,660	\$ (856,579)
Local Revenue	\$ 8,011,575	\$ 8,557,087	\$ 545,512
Federal Revenue	\$ 4,875,798	\$ 4,788,520	\$ (87,278)
State Sales Tax	\$ 4,614,471	\$ 4,773,990	\$ 159,519
Other Revenue	\$ 2,227,195	\$ 2,670,195	\$ 443,000
TOTAL OPERATIONS	\$ 45,893,278	\$ 46,097,452	\$ 204,174
Expenditure Summary for Operations Budget			
	2014-2015	2015-2016	Difference
Instruction	\$ 33,498,237	\$ 33,728,880	\$ 230,643
Administration	\$ 1,563,831	\$ 1,496,268	\$ (67,563)
Transportation	\$ 2,259,133	\$ 2,432,626	\$ 173,493
Facilities	\$ 4,204,486	\$ 4,223,882	\$ 19,396
Food Service	\$ 3,029,480	\$ 2,877,609	\$ (151,871)
Technology	\$ 1,338,111	\$ 1,338,187	\$ 76
TOTAL OPERATIONS	\$ 45,893,278	\$ 46,097,452	\$ 204,174

Smyth County School Board
Capital Outlay and Debt Service Budget For the Year Ending June 30, 2016

Revenue Summary for Capital Outlay and Debt Service Budget			
	2014-2015	2015-2016	Difference
Local Funds - Capital Outlay	\$ 185,138	\$ 185,138	\$ -
Local Funds - Debt Service	\$ 1,905,321	\$ 1,759,443	\$ (145,878)
Other Funds – Interest Rebate	\$ 487,113	\$ 487,113	\$ -
TOTAL CAPITAL OUTLAY	\$ 2,577,572	\$ 2,431,694	\$ (145,878)

Expenditure Summary for Capital Outlay and Debt Service Budget			
	2014-2015	2015-2016	Difference
Capital Outlay – Facilities	\$ 185,138	\$ 185,138	\$ -
Capital Outlay - Debt Service	\$ 2,392,434	\$ 2,246,556	\$ (145,878)
TOTAL CAPITAL OUTLAY	\$ 2,577,572	\$ 2,431,694	\$ (145,878)

Rye Valley District Supervisor Rick K. Blevins made a motion to waive the reading of the rules for public hearings. 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

No one signed up to speak concerning the Public Hearing.

[6:09:06 PM](#) Dr. Michael Robinson, School Superintendent presented information on the proposed budget.

[6:13:06 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed the Public Hearing.

[6:13:39 PM](#) Supervisor Comment Time-All Board members expressed their appreciation for the teachers and those that work for Smyth County.

[6:17:10 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to continue the meeting to May 28, 2015 at 4:00 P.M. 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Board of Supervisors Meeting Minutes
May 28, 2015

The Smyth County Board of Supervisors held its continued meeting at 4:00 p.m., **Thursday, May 28, 2015**. 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; Royal Oak District Supervisor G. Blake Frazier (5)

ABSENT: Atkins District Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D Call (2)

STAFF: Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods; Director Community & Economic Development Lori Hester (4)

[4:04:33 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. called the Board of Supervisors meeting to order.

[4:04:38 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. opened citizen's time.

[4:05:34 PM](#) Mac Buchanan, member of the Smyth County School Board who resides in Saltville, V. A., expressed his concern with the proposed FY2015-2016 School Budget.

[4:09:53 PM](#) With no one else wishing to speak Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. closed citizen's time.

[4:10:16 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to remove item #4, Resolution on Categorical Funding from the agenda. 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 and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call and Atkins District Supervisor J. Howard Burton.

[4:10:50 PM](#) Scott Simpson, Assistant County Administrator presented a recommendation as shown below from the Budget Committee.

Board of Supervisors Meeting Minutes
May 28, 2015

The Budget Committee recommendation for Fiscal 2015-16 is for a total School Budget is recommended at \$ 47,848,496. Local operations revenue is proposed at \$ 8,061,575, which is an increase of \$ 50,000 over last year's amount.

Pursuant to Sections 22.1-94 and 22.1-115 of the Code of Virginia, the following categorical appropriations are recommended for the Smyth County School Board ("School Board") for the fiscal year beginning July 1, 2015, and ending June 30, 2016:

Educational Category	2014-2015
Instruction	\$ 33,728,880
Administration, Attendance and Health	1,415,268
Pupil Transportation	2,170,364
Operation and Maintenance	4,192,744
School Food Serv./Other Non-Instr.	
Operations	2,800,609
Debt and Fund Transfers	2,246,556
Technology	1,294,075
Total Funds Budget	\$ 47,848,496

[4:13:44 PM](#) Rye Valley District Supervisor Rick K. Blevins made a disclosure of interest pursuant to section 2.2-3112 of the Code of Virginia, 1950, as amended and stated below.

I, Rick K. Blevins intend to participate in discussion concerning the budget for Smyth County for the fiscal year beginning July 1, 2015. The budget will determine how much money is appropriated to the Smyth County School Board. I am employed by the Smyth County School Board. The budget may affect all School Board employees in the County, and I am able to participate in the transaction fairly, objectively, and in the public interest.

Park District Supervisor M. Todd Dishner made a disclosure of interest pursuant to section 2.2-3112 of the Code of Virginia, 1950, as amended and stated below.

I, M. Todd Dishner intend to participate in discussion concerning the budget for Smyth County for the fiscal year beginning July 1, 2015. The budget will determine how much money is appropriated to the Smyth County School Board. My wife is employed by the Smyth County School Board. The budget may affect all School Board employees in the County, and I am able to participate in the transaction fairly, objectively, and in the public interest.

Royal Oak District Supervisor G. Blake Frazier made a disclosure of interest pursuant to section 2.2-3112 of the Code of Virginia, 1950, as amended and stated below.

I, G. Blake Frazier intend to participate in discussion concerning the budget for Smyth County for the fiscal year beginning July 1, 2015. The budget will determine how much money is

appropriated to the Smyth County School Board. My wife is employed by the Smyth County School Board. The budget may affect all School Board employees in the County, and I am able to participate in the transaction fairly, objectively, and in the public interest.

[4:14:44 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to approve the proposed budget as presented by the Budget Committee for the Smyth County School Board for FY2015-2016. Royal Oak District Supervisor G. Blake Frazier 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 and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call and Atkins District Supervisor J. Howard Burton.

[4:16:09 PM](#) North Fork District Supervisor made a motion to appoint Royal Oak District Supervisor G. Blake Frazier to the Chamber of Commerce Board for a three (3) year term ending January 31, 2018. 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 and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call and Atkins District Supervisor J. Howard Burton.

[4:17:20 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to appoint Barbara Moser, 1046 Lee Highway, Marion V.A. to the Smyth-Bland Regional Library Board for a four (4) year term ending December 31, 2019. 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 and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

Board of Supervisors Meeting Minutes
May 28, 2015

ABSENT: Saltville District Supervisor Roscoe D. Call and Atkins District Supervisor J. Howard Burton.

[4:18:06 PM](#) Nothing was discussed concerning old business.

[4:18:15 PM](#) Supervisor Comment Time-Rye Valley District Supervisor Rick K. Blevins stated that it is a difficult process with Budgets and if we funded every department at their requested budget amount we would have to raise taxes .16 cents per hundred. Mr. Blevins appreciates all the work that was done to complete the proposed FY15-16 budget.

[4:22:20 PM](#) North Fork District Supervisor Ron C. Blevins made a motion 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 and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call and Atkins District Supervisor J. Howard Burton.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, June 9, 2015**. 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;; Rye Valley 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 G. Blake Frazier (6)
ABSENT: Park District Supervisor M. Todd Dishner (1)
STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods; Director of Community & Economic Development Lori Hester (5)

[4:03:33 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order.

A motion was made 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.3 Land Acquisition; 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.,
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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

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

[4:30:33 PM](#) Park District Supervisor M. Todd Dishner entered the meeting.

[4:59:31 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order from closed session.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: Rye Valley District Supervisor Rick K. Blevins.

ABSENT: None.

[5:00:17 PM](#) Sandy Elswick, Voter Registrar gave the Invocation and Jennifer Little, Water and Sewer Clerk led the Pledge of Allegiance.

[5:01:27 PM](#) A motion was made by Royal Oak District Supervisor G. Blake Frazier 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: 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:02:59 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 May 12th and May 28th, 2015 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:03:13 PM](#) Michael Carter, County Administrator presented the Board with information on the current FY14-15 budget and a current month analysis for appropriations.

[5:11:27 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$6,253,855.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$1,200,000.00
Social Services (June 10-June 30, 2015)	\$265,000.00
Schools-Operating Fund	\$4,628,979.00
School-Textbook Fund	\$50,000.00
School Debt and Capital Outlay Fund	\$109,876.00

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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$3,767.31 from the Onsite Wastewater Fund 4 for outstanding invoices.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$1,605.63 from the Community Development Block Grant Fund for outstanding invoices.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Atkins District Supervisor J. Howard Burton seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$147,396.73 from EDA-Fund 4 for outstanding invoices.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Park District Supervisor M. Todd Dishner to appropriate \$1,027,143.62 for the Courthouse 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,
Atkins District Supervisor J. Howard Burton
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: North Fork District Supervisor Ron C. Blevins

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$2,100.00 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Royal Oak District Supervisor G. Blake Frazier seconded by Park District Supervisor M. Todd Dishner to appropriate \$12,876.03 from Sheriff Fund 748 for outstanding invoices.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$520,355.93 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:14:44 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr., opened citizen's time.

Emily Edmiston, a representative for RAM, which is a Remote Area Medical Clinic, spoke and informed the Board they were planning to hold a clinic in April or May of 2016 and are requesting a donation of \$10,000.00 from the Board of Supervisors for support of the clinic.

Linda Myer, 1118 Dry Road, Speedwell VA spoke concerning the trail closures that are being discussed by Mt. Rogers. Mrs. Myer asked for the Board to consider issuing a resolution opposing the closure of the trails.

[5:27:35 PM](#) With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizen's time.

[5:27:48 PM](#) Beth Merz, Ranger U.S. Forest Service presented a slide show concerning the trail closures from the Forest Service that are being discussed. Mrs. Merz informed the Board the trails being considered for closure are man-made and not serviced by the Forest Service, and it has become increasingly difficult to maintain them.

[5:46:05 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the Public Hearing to order concerning the VDOT 6 Year Plan. Michael Carter, County Administrator read the advertisement as placed 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 **5:45 p.m. on June 9, 2015**. The purpose of this public hearing is to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2015/16 through 2020/21 in Smyth County and on the Secondary System Construction Budget for Fiscal Year 2015/16. 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) 228-2154. Persons wishing to speak at this public hearing should contact the Smyth County Board of Supervisors at (276) 783-3298.

Rye Valley District Supervisor Rick K. Blevins made a motion to waive the reading of 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

David Harless, Wytheville residency of VDOT presented information concerning the 6 year plan that is being proposed as shown below.

SECONDARY SYSTEM CONSTRUCTION PROGRAM (in dollars)

District Bristol
County, Smyth County
Board Approval Date:

2015-16 through 2020-21

Route	Road Name	Estimated Cost	Previous Funding	Additional Funding Required	PROJECTED FISCAL YEAR ALLOCATIONS						Traffic Count
PPMS ID	Project #				2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	Scops of Work FHWA # Comments
Type of Funds	FROM		SSYP Funding								
Type of Project	TO		Other Funding								
Priority #	Length		Total								
RL0658	SCRATCH GRAVEL	PE \$562,032									1360
15022	0658086246	RW \$821,929	\$3,875,600		\$0	\$0	\$0	\$0	\$0	\$0	Reconstruction w/o Added Capacity
SAAP CONTRACT		CON \$4,180,000	\$1,912,211		\$0	\$0	\$0	\$0	\$0	\$0	14004
STP	0.917 MILES SOUTH SCL	Total \$5,463,961	\$5,788,811	(\$224,850)	\$0	\$0	\$0	\$0	\$0	\$0	
SECONDARY - ONE	SOUTH CORPORATE LIMITS										
HEARING DESIGN	MARION										
1.01											
RL0705	WHITE ROCK FURNACE RD.	PE \$0									
103388	0705086753	RW \$0	\$75,000		\$0	\$0	\$0	\$0	\$0	\$0	Reconstruction w/o Added Capacity
SAAP CONTRACT		CON \$75,000	\$0		\$0	\$0	\$0	\$0	\$0	\$0	16004
3.01	Dead end	Total \$75,000	\$75,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
	Rte 614										
	0.3										
RL0675	WORLEY RICH ROAD.	PE \$0									
105041	0675086769	RW \$0	\$165,000		\$0	\$0	\$0	\$0	\$0	\$0	Reconstruction w/o Added Capacity
STATE		CON \$165,000	\$0		\$0	\$0	\$0	\$0	\$0	\$0	16004
-----	RTE. 16	Total \$165,000	\$165,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
No Plan	RTE. 695										
3.02	0.3										
RL0680	SHAW ROAD	PE \$0									
104940	0680086770	RW \$0	\$126,245		\$120,550	\$18,987	\$0	\$0	\$0	\$0	253
STATE		CON \$255,882	\$0		\$0	\$0	\$0	\$0	\$0	\$0	Reconstruction w/o Added Capacity
-----	RTE. 679	Total \$255,882	\$126,245	\$138,637	\$120,550	\$18,987	\$0	\$0	\$0	\$0	16004
No Plan	DEAD END										
3.03	0.5										
RL0648	GRINSTEAD HILL RD.	PE \$0									
104939	0648086971	RW \$0	\$0		\$0	\$111,695	\$57,791	\$0	\$0	\$0	323
STATE		CON \$169,466	\$0		\$0	\$0	\$0	\$0	\$0	\$0	Reconstruction w/o Added Capacity
-----	RTE. 1050	Total \$169,466	\$0	\$165,486	\$0	\$111,695	\$57,791	\$0	\$0	\$0	16004
No Plan	RTE. 647										
3.04	0.2										
RL0651	BACKMEADOWS LANE	PE \$0									
104938	0651086972	RW \$0	\$0		\$0	\$0	\$80,828	\$88,658	\$0	\$0	258
STATE		CON \$169,466	\$0		\$0	\$0	\$0	\$0	\$0	\$0	Reconstruction w/o Added Capacity
-----	DEAD END MM 0.00	Total \$169,466	\$0	\$165,486	\$0	\$0	\$80,828	\$88,658	\$0	\$0	16004
No Plan	MM. 30										
3.05	0.3										

5:56:09 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed the Public Hearing.

[5:56:21 PM](#) Arthur Barker, Grants Administrator for Smyth County Sheriff's Office presented information on the Byrne Justice Assistance Grant. This grant will require a local match of \$188.00 and will be used to purchase equipment. The Sheriff's Office is asking the Board to approve the grant and the local proposed match.

Saltville District Supervisor Roscoe D. Call made a motion to approve the grant and local match as presented by Mr. Barker. 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,
Saltville District Supervisor Roscoe D. Call,
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 G Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:58:20 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to schedule a Public Hearing for the Rich Valley Fair Festival Permit for July 14 at 5:30 P.M. Royal Oak District Supervisor G. Blake Frazier 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,
Saltville District Supervisor Roscoe D. Call,
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 G Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:58:47 PM](#) Scott Simpson, Assistant County Administrator brought forward a recommendation from the Planning Commission as shown below.

Mr. Sparks advised the Planning Commission recommended to the Board of Supervisors to consider a text amendment to the Zoning Ordinance, to mirror the state code definition for "family day home" and adding an administrative process for the approval of family day homes. Mr. Venable made a motion to recommend the Board of Supervisors set a public hearing to consider this proposed text amendment. Mr. Pugh seconded the motion and the following vote was recorded.

Vote: Yays: Davidson, Doyle, Pugh, Sparks, Venable, and Wagoner.
Nays: None.
Abstainers: None.
Absent: Shepherd.

North Fork District Supervisor Ron C. Blevins made a motion to schedule a Public Hearing to consider the text amendment to the Zoning Ordinance to Tuesday, July 14, 2015 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:00:24 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the Public Hearing to order concerning the Smyth County FY15-16 Budget. Michael Carter, County Administrator read the advertisement as placed in the Smyth County News and Messenger.

**NOTICE OF PUBLIC HEARING ON THE PROPOSED SMYTH COUNTY BUDGET FOR FISCAL
YEAR JULY 1, 2015- JUNE 30,
2016**

Pursuant to § 15.2-2506 of the Code of Virginia (1950), as amended, a Public 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, June 09, 2015, at 6:00 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, June 09, 2015.

This budget synopsis is prepared and published for informative and fiscal planning purposes only. The inclusion in the budget of 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 Virginia Code § 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 are 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 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.

SMYTH COUNTY PROPOSED BUDGET

<u>Revenue</u>	<u>FY/2015 Budget</u>	<u>Proposed FY/2016</u>	<u>Inc./Dec.</u>
	\$	\$	\$
Real Property Taxes	10,200,000	10,180,000	(20,000)
Public Services	940,000	973,001	33,001
Personal Property	2,807,000	2,853,700	46,700
PPTRA	1,804,310	1,804,310	-
Machinery & Tools	2,045,350	1,760,250	(285,100)
Merchants Capital	219,500	234,000	14,500
Lodging Tax	50,000	45,000	(5,000)
Penalties & Interest	225,000	266,000	41,000
Franchise Fees TV Cable	4,500	-	(4,500)
Motor Vehicle License	416,500	431,500	15,000
Rolling Stock Tax	41,000	37,561	(3,439)
Utility Licenses Tax	94,000	99,600	5,600
Consumer's Utility Tax	1,179,000	1,199,000	20,000
Permits & Other Licenses	120,465	130,500	10,035
Fines & Forfeitures	184,500	248,200	63,700

Board of Supervisors Meeting Minutes
June 9, 2015

Interest on Investments	46,000	37,500	(8,500)
Use of Property	156,074	164,074	8,000
Court Cost	9,076	9,076	-
Charges for Commonwealth Attorney	3,500	4,200	700
Charges Correction & Detention	-	-	-
Charges Sanitation & Waste	921,000	911,000	(10,000)
Expenditure Refunds	401,749	454,309	52,560
Miscellaneous Revenue	89,200	82,200	(7,000)
Grant Money	1,325,000	615,000	(710,000)
Revenue from the Commonwealth	221,257	234,600	13,343
Comprehensive Service Act	625,579	592,579	(33,000)
Commonwealth Attorney	505,878	529,546	23,668
Sheriff	1,647,633	1,694,525	46,892
Commissioner of the Revenue	105,959	108,722	2,763
Treasurer	104,508	106,489	1,981
Registrar/Electoral Board	57,694	83,724	26,030
Clerk's Office	297,073	303,049	5,976
Local Sales Tax	2,000,000	2,000,000	-
Court Fines to Towns	42,000	42,000	-
Categorical Aid - Other	180,978	154,000	(26,978)
Payment in Lieu of Taxes	80,000	85,000	5,000
Special Assessments	-	10,000	10,000
Local Funds Transfers	(10,905,862)	(10,681,025)	224,837
Animal Licenses	12,500	14,000	1,500
EDA Funds	708,175	525,000	(183,175)
State/Federal School Funds	38,432,587	38,027,478	(405,109)

Board of Supervisors Meeting Minutes
June 9, 2015

Local Funds Transfer General Fund	10,102,034	9,821,018	(281,016)
Board of Welfare -Social Serv	3,881,470	3,939,056	57,586
Local Share from General Fund	910,979	819,021	(91,958)
Proceeds from 2012 bonds	-	-	-
Interst	13,500	-	(13,500)
BOM School Construction	1,100,000	-	(1,100,000)
School Textbook Revenue	445,959	439,259	(6,700)
On-Site Wastewater Revenue	8,000	-	(8,000)
911 Wireless Grants	41,017	41,017	-
Interest/Tranf Courthouse Sav	6,820,000	7,715,000	895,000
Courthouse Construction	85,000	60,000	(25,000)
Pioneer Greenwood Project	11,547	-	(11,547)
Miscellaneous	(105,151)	(142,602)	(37,451)
Lick Skillet Project	267,341	-	(267,341)
Water-Sewer Revenue	2,193,228	2,191,000	(2,228)
Special Projects	213,000	205,000	(8,000)
Special Welfare	165,220	161,220	(4,000)
Drug Asset Revenue	6,150	6,800	650
Sheriff Dare Revenue	8,000	8,500	500
Courthouse Security Revenue	152,000	167,000	15,000
Asset Forfeiture	6,000	6,000	-
Revenue from Radar Fines Fund	812,500	1,037,000	224,500
Money Collected in Court	-	60,000	60,000
Federal Money	234,276	300,000	65,724
Revenue from Local Sources (Fund Balance)	-	-	-
Sub-total	<hr/> 84,770,753 <hr/>		

Board of Supervisors Meeting Minutes
June 9, 2015

83,203,957 (1,566,796)

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	\$89,770,753	\$ 88,203,957	\$ (1,566,796)
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<u>Expenditures</u>	<u>FY/2015 Budget</u>	<u>Proposed FY/2016</u>	<u>Inc./Dec.</u>
Board of Supervisors	\$ 501,351	\$ 704,470	\$ 203,119
County Administration	431,674	467,165	35,491
Legal Department	115,229	114,703	(526)
Accounting	134,991	-	(134,991)
Commissioner of the Revenue	290,400	295,858	5,458
Assessor	4,500	-	(4,500)
Treasurer	362,116	377,429	15,313
Information Systems	335,182	335,857	675
Registrar	182,361	186,462	4,101
Circuit Court	75,457	76,810	1,353
General District Court	6,450	6,230	(220)
Juvenile & Domestic Courts	256,112	276,120	20,008
Clerk of the Circuit Court	545,758	550,653	4,895

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Sheriff	2,780,294	2,832,533	52,239
Law Library	1,000	1,000	-
School Resource Officers	77,837	77,837	-
Commonwealth Attorney	585,849	663,285	77,436
Victim Witness Asst. Program	57,737	58,004	267
Central Dispatch	2,800	2,800	-
Smyth County Basic 911	506,100	490,121	(15,979)
Volunteer Fire Department	237,250	237,250	-
Ambulance & Rescue Service	136,450	133,450	(3,000)
Forrestry	9,000	9,000	-
Sheriff - Jail	1,830,043	1,911,006	80,963
Building Inspection & Zoning	386,708	400,368	13,660
Animal Control - Dog Warden	431,997	398,490	(33,507)
Medical Examiner - Coroner	500	500	-
Emergency Services - Civil Defense	20,117	21,367	1,250
Refuse Collection & Disposal	1,323,523	1,317,414	(6,109)
Convenience Stations	331,157	312,607	(18,550)
Rye Valley Water Co.	26,041	26,041	-
Smyth County Tourism	35,558	35,558	-
Building & Facility Maintenance	569,766	559,620	(10,146)
Local Health Department	441,023	441,023	-
Mental Health	166,022	166,022	-
Welfare & Social Services	4,200	4,200	-
Other Community expenses	235,821	233,121	(2,700)
Community Colleges	55,260	55,806	546
Recreation			-

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June 9, 2015

	29,000	29,000	
Library Administration	947,479	850,000	(97,479)
Planning Commission	6,900	6,900	-
Community & Economic Development	192,187	189,890	(2,297)
County Engineer	5,000	3,600	(1,400)
Economic Development Authority	1,485,457	819,407	(666,050)
Soil & Water Conservation	28,250	28,250	-
Cooperative Extension Program	86,210	86,167	(43)
Comprehensive Service Act	838,941	819,699	(19,242)
Animal Control	40,475	38,638	(1,837)
EDA General Expenses	605,000	525,000	(80,000)
Court Fines transferred to Towns.	42,000	42,000	-
County School Operations & Capital Outlay(Non-Local)	38,617,725	38,027,478	(590,247)
County School Operations & Capital Outlay (Local)	8,011,575	8,061,575	50,000
County School Debt Service Local Funds	1,905,321	1,759,443	(145,878)
Welfare & Social Service Cost	4,792,449	4,747,077	# (45,372)
Project Expenses	1,100,000	-	(1,100,000)
School Textbook Fund Expense	250,000	250,000	-
Special Dispatch Funds	47,420	47,420	-
Courthouse Project	6,820,000	7,715,000	895,000
Pioneer Greenwood Project	11,547	-	(11,547)
On Site Waste Water Expense	8,000	-	(8,000)
Lick Skillet Project	267,341	-	(267,341)
Water-Sewer Department Operations	1,266,957	1,165,589	(101,368)
Water-Sewer Department Debt Service	871,120	882,809	11,689
Funded Projects	213,000	205,000	(8,000)

Special Welfare Funds	184,000	180,000	(4,000)
Drug Asset Expense	241,276	307,000	65,724
Sheriff Dare Program	6,000	6,000	-
Courthouse Security	135,500	120,437	(15,063)
Asset Forfeiture	6,000	6,000	-
Purchase Equipment	-	60,000	60,000
Radar Fund Expense	416,989	646,398	229,409
Sub-total	82,972,753	81,405,957	(1,566,796)
DEBT SERVICE			
Payment on Line of Credit	5,000,000	5,000,000	-
Courthouse Debt Service	1,798,000	1,798,000	-
Sub-total	6,798,000	6,798,000	-
			-
	\$	\$	\$
Total County Budget Expenditures	89,770,753	88,203,957	(1,566,796)

TAX RATES FOR 2015

In preparation of the above budget the Smyth County Board of Supervisors proposed no changes in the current tax levies as follows:

Pursuant to Virginia Code §58.1-3001 et seq., the Board proposes to re-adopt, 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; and airplane tax \$1.40 per \$100.00 of assessed valuation.

There are no proposed tax, fee, or Water/Sewer rate increases in the FY2015-2016 budget.

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

[6:07:50 PM](#) Lynn Pease, 752 Skyview Drive, Chilhowie VA, spoke showing his support for the Smyth Bland Regional Library and presented petitions that have been signed in support of funding the Library at their requested amount.

[6:11:23 PM](#) Dick Ryan, 315 Green Hill Circle, Chilhowie, VA spoke showing his support for the Chilhowie Branch Library.

[6:16:12 PM](#) Ron Thomason, Director of Tourism for Smyth County, spoke and would like to thank the Board for the continued support for the Tourism Center.

[6:23:02 PM](#) Timothy Havens, Chair Smyth Bland Regional Library Board presented information concerning the structure of the Library, and would like for the Board to review the proposed budget for Smyth Bland Regional Library.

[6:28:18 PM](#) Pat Hatfield, 22296 Whitney Lane Abingdon V.A., Director of Smyth Bland Regional Library spoke concerning the budget of Smyth Bland Regional Library and the proposed decrease of funding for the library.

[6:31:27 PM](#) Cathy Smith, 149 Crestwood Drive Chilhowie VA, spoke on behalf of the School Board Budget.

[6:39:37 PM](#) James Bonham 1027 Old Stage Road Chilhowie VA, spoke in support of the Smyth Bland Regional Library.

[6:41:33 PM](#) Charles Buchanan 5722 Valley Road Saltville VA, spoke and stated that he was very disappointed in the County and the decreases proposed in several department budgets.

[6:48:43 PM](#) Sherry Plowman, 1010 Tattle Branch Road, Chilhowie V. A., spoke in support of the Smyth Bland Regional Library.

[6:49:36 PM](#) Becca Smith, 711 Chilhowie Street Chilhowie VA, spoke in support of the Smyth Bland Regional Library.

[6:50:59 PM](#) John Clark, Interim Town Manager of Chilhowie, read the letter sent to Wade Blevins, Chairman of the Board of Supervisors, in support of keeping the Chilhowie Branch Library open.

[6:57:06 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed the Public Hearing.

[6:57:14 PM](#) Supervisor Comment Time-Royal Oak District Supervisor G. Blake Frazier stated that he appreciates all the comments from the public. North Fork District Supervisor Ron C. Blevins appreciates everyone who showed support during the meeting. Rye Valley District Supervisor Rick K. Blevins spoke concerning the budget and gave information on a tax increase if the Board of Supervisors were to fully fund all requests. Atkins District Supervisor J. Howard Burton stated that he understands all of the support for the Library. Park District Supervisor M. Todd Dishner stated that he appreciates all the support from the citizens. Saltville District Supervisor Roscoe D. Call stated that he too appreciates

the citizen's support of the Library. Chilhowie District Supervisor Wade H. Blevins Jr. appreciates all the citizens expressing their support and stated it was not the intention of the Board of Supervisors to close any branch of the Smyth Bland Regional Library.

[7:11:19 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called for a recess of 10 minutes.

[7:39:49 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order from recess.

[7:40:01 PM](#) Royal Oak District Supervisor G. Blake Frazier made a motion to allow use of the Courthouse steps and lawn as requested by the Town of Marion on Saturday, July 4, 2015. The Town may also use the Courthouse steps and lawn on Friday, July 17, 2015 starting at 5:15 P.M. There will be no access to any restrooms due to the construction of the Courthouse. 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,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:43:51 PM](#) Scott Simpson, Assistant County Administrator gave an update on the Adwolfe Sewer Project and stated the County had received a funding offer from Rural Development for \$2,486,000.00 in grant funding and \$2,044,000.00 in a 2.125%, 38 year loan. North Fork District Supervisor Ron C. Blevins made a motion to refer this matter to the Water/Sewer Committee of the Board of Supervisors for further discussion. 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:48:30 PM](#) Nothing discussed concerning old business.

[7:48:42 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to continue the meeting to June 18, 2015 at 4:00 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,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Board of Supervisors Meeting Minutes
June 18, 2015

The Smyth County Board of Supervisors held its continued meeting at 4:00 p.m., **Thursday, June 18, 2015**. 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 G. Blake Frazier (6)

ABSENT: Rye Valley District Supervisor Rick K Blevins (1)

STAFF: County Administrator Michael Carter; Assistant County
Administrator Scott Simpson; County Attorney Michelle
Clayton; Administrative Assistant Kelly Woods; Director of
Community & Economic Development Lori Hester (5)

[4:05:38 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. called the Board of Supervisors meeting to order.

[4:05:46 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. opened citizen's time.

[4:06:01 PM](#) With no one wishing to speak Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. closed citizen's time.

[4:06:06 PM](#) Michael Carter, County Administrator presented the Board with information on the current FY14-15 budget and a current month analysis for appropriations.

[4:15:54 PM](#) Scott Simpson, Assistant County Administrator presented a recommendation from the Water/Sewer Committee as shown below.

Saltville District Supervisor Roscoe D. Call made a motion to recommend to the Board of Supervisors to allow the project to move forward and to accept the funding offer of \$2,486,000.00 in grant funding and \$2,044,000.00 in a 2.125%, 38 year loan from Rural Development for the Adwolfe Sewer Project, allowing Michael Carter, County Administrator to sign any documents needed for this. Rye Valley District Supervisor Rick K. Blevins seconded the motion and all agreed unanimously.

After consideration, the motion PASSED 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,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins

[4:29:08 PM](#) Rye Valley District Supervisor Rick K. Blevins entered the meeting.

[4:33:12 PM](#) Rye Valley District Supervisor made a recommendation to appoint Mr. Danny Counts the SWVA Health Authority. 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Appointment Committee. It is the committee's recommendation to re-appoint Kimberly Clark to the Virginia Highlands Community College Board for a four (4) year term, beginning July 1, 2015 and ending June 30, 2019.

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:34:54 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to accept the VDOT 6 year plan as presented at the June 9, 2015 meeting and to allow Michael Carter, County Administrator to sign the resolution and plan. 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and

Board of Supervisors Meeting Minutes
June 18, 2015

Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:36:26 PM](#) Michelle Clayton, County Attorney presented two (2) MOU's for Ambulance Services as shown below.

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF SMYTH, VIRGINIA,
AND
RICHARDSON AMBULANCE SERVICE**

THIS MEMORANDUM OF UNDERSTANDING dated the 1st day of May, 2015, by and between the SMYTH COUNTY BOARD OF SUPERVISORS ("County"), a political subdivision of the Commonwealth of Virginia, and RICHARDSON AMBULANCE SERVICE ("Richardson"), a private corporation licensed to do business in Smyth County by authority of Smyth County and the Virginia Department of Emergency Medical Services.

I. BACKGROUND

Smyth County has recognized Richardson Ambulance Service as an agency that may provide emergency services in Smyth County pursuant to Virginia Code § 15.2-955. Richardson, a private, for-profit organization is required to comply with 12 VAC 31-610 of the Virginia Emergency Medical Service ("EMS") Regulations. Recent changes to emergency medical service providers within the County highlight the need to enter into an agreement with Richardson to clarify procedures and qualifications for private ambulance services and provide some oversight on performance. Although it is not designated an "integral part of the official safety program" of the County, Richardson will be required to comply with Designated Emergency Response Agency ("DERA") standards to participate in the new rotation schedule. Richardson shall also develop or participate in a written local EMS response plan and shall document compliance with EMS standards provided and appropriate insurance coverage for its employees. If Richardson is unable to respond within its established unit mobilization interval standard, a dispatch call shall be referred to the closest available EMS agency. This Memorandum of Understanding ("MOU") is important to achieve the most effective rotation schedule for emergency calls made to the Smyth County Dispatch Center.

II. PURPOSE

The purpose of this Agreement is to establish specific requirements to permit for-profit ambulance services recognized by Smyth County to continue to participate in the rotation schedule for emergency calls made to the Smyth County Dispatch Center.

III. RESPONSIBILITIES UNDER THIS MOU

As an agency recognized to provide emergency medical services in Smyth County, Richardson Ambulance Service hereby agrees to the following as a condition of being included in the Smyth County 911 Ambulance Rotation Plan:

1. Richardson will provide 24 hour emergency response to 911 calls received by the Smyth County 911 center.
2. Richardson shall comply with Section 12VAC5-31-610 of the Virginia Emergency Medical Service Regulations "Designated emergency response agency standards" even though they are not defined as an integral part of the official public safety program of the County.
 - A. Richardson shall develop or participate in a written local EMS response plan that addresses the following items:
 - i. Richardson shall develop and maintain, in coordination with their locality, a written plan to provide 24-hour coverage of the agency's primary service area with the available personnel to achieve the approved responding interval standard.
 - ii. Richardson shall conform to the local responding interval, or in the absence of a local standard, the EMS agency shall develop a standard in conjunction with its Operational Medical Director ("OMD") and local government in the best interests of the patient and the community. The EMS agency shall use the response time standard to establish a time frame the EMS agency complies with on a 90% basis within its primary service area (i.e., a time frame in which the EMS agency can arrive at the scene of a medical emergency in 90% or greater of all calls).
 - a. If Richardson finds it is unable to respond within the established unit mobilization interval standard, the call shall be referred to the closest available mutual aid EMS agency or DERA agency.
 - b. If the primary designated emergency response agency DERA finds it is able to respond to the patient location sooner than the mutual aid EMS agency, the primary EMS agency shall notify the Public Safety Answering Point ("PSAP") of its availability to respond.
 - c. If Richardson is unable to respond (e.g., lack of operational response vehicle or available personnel), the EMS agency shall notify the PSAP.

- d. If Richardson determines in advance that it will be unable to respond for emergency service for a specified period of time, it shall notify its PSAP.
- B. Richardson shall have available for review a copy of the local EMS response plan that shall include the established EMS Responding Interval Standards.
- C. Richardson shall document its compliance with the established EMS response capability, unit mobilization interval, and responding interval standards.
- D. Richardson shall document an annual review of exceptions to established EMS response capability and time interval standards. The results of this review shall be provided to the agency's OMD and local governing body.
3. Richardson shall provide for an adequate number of trained or certified EMS personnel to perform all essential tasks necessary for provision of timely and appropriate patient care on all calls to which Richardson responds.
4. Richardson shall adhere to Section 12VAC5-31-1230 "Ground ambulance staffing requirements"; 12VAC5-31-1240 "Basic life support vehicle transport"; and 12VAC5-31-1250 "Advanced life support vehicle transport" of the Virginia Administrative Code, as amended.

IV. EMERGENCY MANAGEMENT COORDINATOR OVERSIGHT

The Smyth County Emergency Management Coordinator shall have the authority to monitor the performance of Richardson Ambulance Service as it applies to this MOU and to verify appropriate private insurance coverage for its activities and its employees. He shall make recommendations to the County Administrator of any corrective actions that may be needed for fulfillment of its obligations should performance become an issue.

V. RIGHT TO CANCEL MOU AT ANY TIME FOR CAUSE OR CONVENIENCE

Smyth County reserves the right to cancel this MOU at any time for convenience or for material non-compliance and to remove Richardson Ambulance Service from the rotation schedule. If an agency is removed for non-compliance, it will not be returned to rotation until successfully appealing to the Board of Supervisors for re-instatement.

VI. SEVERABILITY OF PARTS OF THE AGREEMENT

It is hereby declared to be the intention that the sections, paragraphs, sentences, and clauses of this MOU are severable. If any section, paragraph, sentence or clause shall be found to be invalid for any reason, such invalidity shall not affect any of the remaining portions of the Agreement and any new regulations or laws will supersede those referenced herein.

VII. DURATION

The term of this MOU shall be for five years ending on May1, 2020 unless extended by agreement of the parties. This MOU shall become effective when signed by both parties.

VIII. SIGNATURES OF AUTHORIZED AGENTS

COUNTY OF SMYTH, VIRGINIA

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

By: Michael L. Carter
Michael L. Carter, County Clerk

RICHARDSON AMBULANCE SERVICE

By: Kelly Richardson

Charles P. Thompson
Attest

Approved as to Form: Michelle Clayton
Michelle Clayton, County Attorney

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF SMYTH, VIRGINIA,
AND
SMYTH COUNTY AMBULANCE SERVICE**

THIS MEMORANDUM OF UNDERSTANDING dated the 1st day of May, 2015, by and between the SMYTH COUNTY BOARD OF SUPERVISORS ("County"), a political subdivision of the Commonwealth of Virginia, and SMYTH COUNTY AMBULANCE SERVICE ("SCAS"), a private corporation licensed to do business in Smyth County by authority of Smyth County and the Virginia Department of Emergency Medical Services.

I. BACKGROUND

Smyth County has recognized SCAS Ambulance Service as an agency that may provide emergency services in Smyth County pursuant to Virginia Code § 15.2-955. SCAS, a private, for-profit organization is required to comply with 12 VAC 31-610 of the Virginia Emergency Medical Service ("EMS") Regulations. Recent changes to emergency medical service providers within the County highlight the need to enter into an agreement with SCAS to clarify procedures and qualifications for private ambulance services and provide some oversight on performance. Although it is not designated an "integral part of the official safety program" of the County, SCAS will be required to comply with Designated Emergency Response Agency ("DERA") standards to participate in the new rotation schedule. SCAS shall also develop or participate in a written local EMS response plan and shall document compliance with EMS standards provided and appropriate insurance coverage for its employees. If SCAS is unable to respond within its established unit mobilization interval standard, a dispatch call shall be referred to the closest available EMS agency. This Memorandum of Understanding ("MOU") is important to achieve the most effective rotation schedule for emergency calls made to the Smyth County Dispatch Center.

II. PURPOSE

The purpose of this Agreement is to establish specific requirements to permit for-profit ambulance services recognized by Smyth County to continue to participate in the rotation schedule for emergency calls made to the Smyth County Dispatch Center.

III. RESPONSIBILITIES UNDER THIS MOU

As an agency recognized to provide emergency medical services in Smyth County, SCAS Ambulance Service hereby agrees to the following as a condition of being included in the Smyth County 911 Ambulance Rotation Plan:

1. SCAS will provide 24 hour emergency response to 911 calls received by the Smyth County 911 center.
2. SCAS shall comply with Section 12VAC5-31-610 of the Virginia Emergency Medical Service Regulations “Designated emergency response agency standards” even though they are not defined as an integral part of the official public safety program of the County.
 - A. SCAS shall develop or participate in a written local EMS response plan that addresses the following items:
 - i. SCAS shall develop and maintain, in coordination with their locality, a written plan to provide 24-hour coverage of the agency’s primary service area with the available personnel to achieve the approved responding interval standard.
 - ii. SCAS shall conform to the local responding interval, or in the absence of a local standard, the EMS agency shall develop a standard in conjunction with its Operational Medical Director (“OMD”) and local government in the best interests of the patient and the community. The EMS agency shall use the response time standard to establish a time frame the EMS agency complies with on a 90% basis within its primary service area (i.e., a time frame in which the EMS agency can arrive at the scene of a medical emergency in 90% or greater of all calls).
 - a. If SCAS finds it is unable to respond within the established unit mobilization interval standard, the call shall be referred to the closest available mutual aid EMS agency or DERA agency.
 - b. If the primary designated emergency response agency DERA finds it is able to respond to the patient location sooner than the mutual aid EMS agency, the primary EMS agency shall notify the Public Safety Answering Point (“PSAP”) of its availability to respond.
 - c. If SCAS is unable to respond (e.g., lack of operational response vehicle or available personnel), the EMS agency shall notify the PSAP.

- d. If SCAS determines in advance that it will be unable to respond for emergency service for a specified period of time, it shall notify its PSAP.
 - B. SCAS shall have available for review a copy of the local EMS response plan that shall include the established EMS Responding Interval Standards.
 - C. SCAS shall document its compliance with the established EMS response capability, unit mobilization interval, and responding interval standards.
 - D. SCAS shall document an annual review of exceptions to established EMS response capability and time interval standards. The results of this review shall be provided to the agency's OMD and local governing body.
- 3. SCAS shall provide for an adequate number of trained or certified EMS personnel to perform all essential tasks necessary for provision of timely and appropriate patient care on all calls to which SCAS responds.
 - 4. SCAS shall adhere to Section 12VAC5-31-1230 "Ground ambulance staffing requirements"; 12VAC5-31-1240 "Basic life support vehicle transport"; and 12VAC5-31-1250 "Advanced life support vehicle transport" of the Virginia Administrative Code, as amended.

IV. EMERGENCY MANAGEMENT COORDINATOR OVERSIGHT

The Smyth County Emergency Management Coordinator shall have the authority to monitor the performance of SCAS Ambulance Service as it applies to this MOU and to verify appropriate private insurance coverage for its activities and its employees. He shall make recommendations to the County Administrator of any corrective actions that may be needed for fulfillment of its obligations should performance become an issue.

V. RIGHT TO CANCEL MOU AT ANY TIME FOR CAUSE OR CONVENIENCE

Smyth County reserves the right to cancel this MOU at any time for convenience or for material non-compliance and to remove SCAS Ambulance Service from the rotation schedule. If an agency is removed for non-compliance, it will not be returned to rotation until successfully appealing to the Board of Supervisors for re-instatement.

VI. SEVERABILITY OF PARTS OF THE AGREEMENT

It is hereby declared to be the intention that the sections, paragraphs, sentences, and clauses of this MOU are severable. If any section, paragraph, sentence or clause shall be found to be invalid for any reason, such invalidity shall not affect any of the remaining portions of the Agreement and any new regulations or laws will supersede those referenced herein.

VII. DURATION

The term of this MOU shall be for five years ending on May1, 2020 unless extended by agreement of the parties. This MOU shall become effective when signed by both parties.

VIII. SIGNATURES OF AUTHORIZED AGENTS

COUNTY OF SMYTH, VIRGINIA

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

By: Michael L. Carter
Michael L. Carter, County Clerk

SMYTH COUNTY AMBULANCE SERVICE

By: [Signature] [Signature]
Attest

Approved as to Form: Michelle Clayton
Michelle Clayton, County Attorney

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:38:29 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to adopt the resolution shown below for the budget fiscal year 2015-2016 in the amount of \$88,496,526.00. Royal Oak District Supervisor G. Blake Frazier seconded the motion.

With the Budget Committee's recommendation to adopt the 2015-2016 County Budget, the adoption passed as recorded below.

RESOLUTION
SMYTH COUNTY BUDGET FISCAL YEAR 2015-2016

WHEREAS, the Smyth County Board of Supervisors has properly prepared a budget plan for County operations, maintenance, capital outlay, debts service for Fiscal Year 2015-2015 and has advertised and held the required public hearings required by the Code of Virginia Section 15.2-2503, as amended; and

WHEREAS, the Smyth County Board of Supervisors pursuant to said authority now proposes to adopt the attached budget with fund amounts totaling \$88,496,526.00 for fiscal year 2015-2016.

NOW, THEREFORE, BE IT RESOLVED, that the Smyth County Board of Supervisors sets forth and approved the Smyth County Budget for the fiscal year 2015-2016.

BE IT FURTHER RESOLVED, that the approval of this budget shall not constitute an appropriation of funds.

Adopted this the 18th day of June 2015.

ATTEST:


Michael L. Carter, County Clerk

SMYTH COUNTY BOARD OF SUPERVISORS


Wade H. Blevins, Jr., Chairman

After consideration, the motion PASSED by the following roll call vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:43:39 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to approve the Resolution on the Smyth County School Budget Fy15-16 as shown below. Royal Oak District Supervisor G. Blake Frazier seconded the motion.

RESOLUTION
APPROVING THE SMYTH COUNTY SCHOOL BOARD
FISCAL YEAR 2015-2016 BUDGET
BY EXPENDITURE CLASSIFICATION/CATEGORY

WHEREAS, the Smyth County School Board has approved and presented to the Board of Supervisors a budget for FY 2015-16 totaling \$47,848,496; and

WHEREAS, §22.1-1-115 of the Code of Virginia establishes expenditure classifications or categories; and

WHEREAS, the Smyth County School Board presented the budget in eight (8) categories; and

WHEREAS, the Board of Supervisors has the legal authority and ability to approve the Smyth County School Board budget by category (§§ 22.1-94 and 95); and

WHEREAS, given the magnitude of the County (Local Funds) contribution to the Schools budget and to provide increased accountability for the expenditure of such funds, it is appropriate to approve the overall spending plan for the Smyth County School Board on a categorical basis.


NOW, THEREFORE, BE IT RESOLVED by the Smyth County Board of Supervisors duly assembled this 18th of June, 2015 that the Smyth County School Board FY 2015-16 budget is hereby approved as follows:


<u>Expenditures/Educational Category</u>	<u>2015-2016</u>
Instruction	\$ 33,728,880
Administration, Attendance & Health	\$ 1,415,268
Pupil Transportation	\$ 2,170,364
Operations/Maintenance	\$ 4,192,744
School Food Serv./ Other Non-Instr.	\$
Operations	\$ 2,800,609
Debt and Fund Transfers	\$ 2,246,556
Technology	\$ 1,294,075
Total Funds Budget	\$ 47,848,496

Adopted this the 18th of June, 2015.

ATTEST:

SMYTH COUNTY BOARD OF SUPERVISORS


Michael L. Carter, County Clerk


Wade H. Blevins, Jr., Chairman

After consideration, the motion PASSED by the following roll call vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:44:40 PM](#) Michelle Clayton, County Attorney presented Petitions she would like considered for the Inmate Work Program. This would allow the Smyth County Animal Shelter to receive volunteer workers from the Regional Jail. Saltville District Supervisor Roscoe D. Call made a motion to accept the petitions as presented below. North Fork District Supervisor Ron C. Blevins seconded the motion.

VIRGINIA: IN THE CIRCUIT COURT OF SMYTH COUNTY

In Re: Order permitting prisoners to work on state, county, certain private property or nonprofit organizations; bond of person in charge of prisoners.

PETITION

COMES NOW the County of Smyth, Virginia, by counsel, and respectfully requests this Honorable Court to enter an order pursuant to §53.1-129 of the Code of Virginia, 1950, as amended, allowing the prisoners confined in the Southwest Virginia Regional Jail Authority to volunteer to work on public property as part of improvement projects provided by the Smyth County. In support of its petition, the County respectfully represents unto the Court as follows:

1. That the County of Smyth (hereinafter referred to as the "County") is a political subdivision of the Commonwealth of Virginia and as such is entitled to exercise the rights and privileges granted to it by the Commonwealth.
2. That the Southwest Virginia Regional Jail Authority (hereinafter referred to as the "Authority") was created by the County of Smyth and other participating jurisdictions for the purpose of developing and operating a regional jail system.
3. That the Authority owns and operates certain jail facilities within the County of Washington.
4. That the jail facilities owned and operated by the Authority currently house and will continue to house persons awaiting disposition of, or serving sentences imposed for, misdemeanors or felonies.
5. That §53.1-129 of the Code of Virginia, 1950, as amended, authorizes this Court to enter an order allowing persons confined in the local jail facilities who are awaiting disposition of, or serving sentences imposed for, misdemeanors or felonies to work on a voluntary basis on (i) State or County property, (ii) any property owned by a nonprofit organization that is exempt from taxation under 26 U.S.C. § 501(c)(3) and that is organized and operated exclusively for charitable or social welfare purposes, (iii) private property that is part of a community improvement project sponsored by the County or that has structures that are found to be public nuisances pursuant to §§ 15.2-900 and 15.2-906 of the Code of Virginia provided that the Court

Board of Supervisors Meeting Minutes
June 18, 2015

has reviewed and approved the project for the purposes herein and permits the prisoners to work on such project, (iv) any private property utilized by a nonprofit organization that is exempt from taxation under 26 U.S.C. § 501(c)(3), or (v) private property within the County that meets the criteria under an ordinance adopted by the County pursuant to § 15.2-908 of the Code of Virginia.

6. The County desires to continue to use voluntary prisoner labor for continued assistance with general maintenance and to now assist the Smyth County Animal Control shelter as well as use of voluntary prisoners to work to abate unsafe conditions and nuisances that have a detrimental effect on the community. For example, the County plans to use prisoner labor to secure abandoned buildings, to clean up illegal dump sites, and to cut overgrown weeds.

7. That on June 18, 2015, the Smyth County Board of Supervisors adopted a resolution continuing the voluntary prisoner work program and requested that the Smyth County Circuit Court enter an order allowing the establishment of such a program specifically for the Animal Control Office's shelter.

8. That the order authorizing the continued use of a voluntary prisoner work program needs to be updated in order that the language in the order will include amendments to § 53.1-129 of the Code of Virginia.

9. That only low risk prisoners will be allowed to participate in the voluntary work program; that only Court ordered designees petitioned by Smyth County be responsible for taking charge of and supervising the prisoners while working; that the prisoners may be granted credit on their respective sentences as allowed by §§ 53.1-116 and 53.1-202.3 of the Code of Virginia for their participation in the work program; and, that the Southwest Virginia Regional Jail Authority is desirous of participating in the voluntary prisoner work program proposed by the County.

10. That a bond in the amount of \$1000 is provided through the County's insurance for County employees supervising voluntary prisoners working in the program.

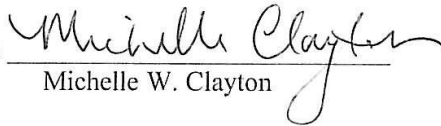
WHEREFORE, the County respectfully prays that as authorized by § 53.1-129 of the Code of Virginia, 1950, as amended, this Honorable Court will enter an order authorizing the County to establish a voluntary work program allowing prisoners being housed in the Southwest Virginia

Board of Supervisors Meeting Minutes
June 18, 2015

Regional Jail Authority's facilities to work on (i) State or County property, (ii) any property owned by a nonprofit organization that is exempt from taxation under 26 U.S.C. § 501(c)(3) and that is organized and operated exclusively for charitable or social welfare purposes, (iii) private property that is part of a community improvement project sponsored by the County or that has structures that are found to be public nuisances pursuant to §§ 15.2-900 and 15.2-906 of the Code of Virginia provided that the Court has reviewed and approved the project for the purposes herein and permits the prisoners to work on such project, (iv) any private property utilized by a nonprofit organization that is exempt from taxation under 26 U.S.C. § 501(c)(3), or (v) private property in the County that meets the criteria under an ordinance adopted by the County pursuant to § 15.2-908 of the Code of Virginia.

Respectfully submitted:

COUNTY OF SMYTH

By: 
Michelle W. Clayton

Michelle W. Clayton (VSB 81365)
Smyth County Attorney
121 Bagley Circle, Room 100
Marion, Virginia 24354
T 276 706-8311
F 276 783- 9314
mclayton@smythcounty.org

The clerk shall provide a copy of this order to the Regional Jail Supervisors and Attorney for the County of Smyth, Virginia.

VIRGINIA: IN THE CIRCUIT COURT OF SMYTH COUNTY

**In Re: Permitting Prisoners to Work on State or County, Nonprofit or Private
Property as Part of a Community Improvement Program**

ORDER

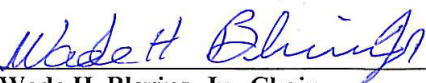
The Smyth County Circuit Court, may, pursuant to §53.1-129 of the Code of Virginia, 1950, as amended, by order entered of record, allow persons confined in the local jail facilities who are awaiting disposition of, or are serving sentences imposed for, misdemeanors or felonies to work on State or County property and certain nonprofit or private property as part of community improvement projects sponsored by the County.

Whereas, the County of Smyth filed a Petition with the Court requesting entry of an appropriate Order by the Circuit Court for Smyth County consenting to the continued voluntary prisoner work program.

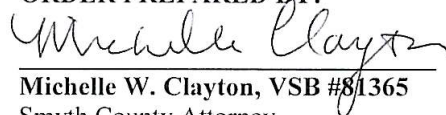
Upon consideration whereof and it appearing compatible with the public interest, the Court does ORDER that persons confined in the Southwest Virginia Regional Jail Authority's facilities who are awaiting disposition of, or serving sentences imposed for, misdemeanors or felonies, be allowed to work on a voluntary basis on (i) State or County property, (ii) any property owned by a nonprofit organization that is exempt from taxation under 26 U.S.C. § 501(c)(3) and that is organized and operated exclusively for charitable or social welfare purposes, (iii) private property that is part of a community improvement project sponsored by the County or that has structures that are found to be public nuisances pursuant to §§ 15.2-900 and 15.2-906 of the Code of Virginia provided that the Court has reviewed and approved the project for the purposes herein and permits the prisoners to work on such project, (iv) any private

Board of Supervisors Meeting Minutes
June 18, 2015

REQUESTED:


Wade H. Blevins, Jr., Chair
Smyth County Board of Supervisors

ORDER PREPARED BY:


Michelle W. Clayton, VSB #81365
Smyth County Attorney
121 Bagley Circle, Room 100
Marion, Virginia 24354

property utilized by a nonprofit organization that is exempt from taxation under 26 U.S.C. § 501(c)(3), or (v) private property in the County that meets the criteria under an ordinance adopted by the County pursuant to § 15.2-908 of the Code of Virginia.

It is ORDERED that only members of the Smyth County Sheriff's Office or special police officers that have been properly designated will be responsible for taking charge of and supervising the prisoners that work under voluntary prisoner work program. In the event a person that is not a member of the Smyth County Sheriff's Office but who has been designated by the court as a supervisor upon the petition of Smyth County takes charge of and supervises the prisoners that work under the voluntary prisoner work program, the Court does hereby require a bond in the amount of \$_____, conditioned upon the faithful discharge of their duties; however no surety shall be required for such bond.

It is further ORDERED, that any prisoners participating in the voluntarily work program may be granted credit on their respective sentences as allowed by §§ 53.1-116 and 53.1-202.3 of the Code of Virginia for their participation.

The clerk shall provide a copy of this order to the Commonwealth's Attorney, the Sheriff, Regional Jail Supervisors and Attorney for the County of Smyth, Virginia.

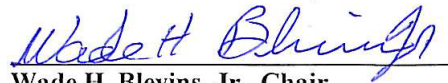
ENTERED THIS THE _____ DAY OF JUNE, 2015.

Deanis L. Simmons, Judge

[Signatures on following page.]

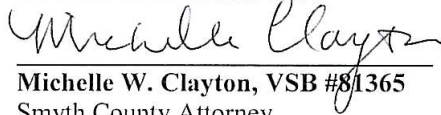
Board of Supervisors Meeting Minutes
June 18, 2015

REQUESTED:



Wade H. Blevins, Jr., Chair
Smyth County Board of Supervisors

ORDER PREPARED BY:



Michelle W. Clayton, VSB #81365
Smyth County Attorney
121 Bagley Circle, Room 100
Marion, Virginia 24354

After consideration, 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 G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:49:10 PM](#) Nothing discussed concerning old business.

[4:49:47 PM](#) Supervisor Comment Time-All Supervisors thanked the staff and the Budget Committee for all of the hard work that was completed on the FY15-16 budget and appreciates all the citizens and community members that have shown support.

[4:59:06 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to continue the meeting to June 30, 2015 at 4:00 P.M. Royal Oak District Supervisor G. Blake Frazier 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,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Board of Supervisors Meeting Minutes
June 30, 2015

The Smyth County Board of Supervisors held its continued meeting at 4:00 p.m., **Thursday, June 30, 2015**. 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: 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 (5)

ABSENT: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.; Royal Oak District Supervisor G. Blake Frazier (2)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods; Director Community & Economic Development Lori Hester (5)

[4:02:17 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner called the Board of Supervisors meeting to order.

[4:02:28 PM](#) Vice Chairman, Park District Supervisor M. Todd Dishner opened citizen's time. With no one wishing to speak Vice Chairman, Park District Supervisor M. Todd Dishner closed citizen's time.

[4:02:40 PM](#) Royal Oak District Supervisor G. Blake Frazier entered the meeting.

[4:02:47 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$3,917,720.17 from the General Fund for FY14-15. The following is an explanation of the appropriations approved:

General County:	\$203,421.17
Schools-Operating Fund:	\$3,714,299.00

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,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

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

Board of Supervisors Meeting Minutes
June 30, 2015

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$72,000.00 from the General Fund for FY15-16. The following is an explanation of the appropriations approved:

General County:	\$12,000.00
Social Services (July 1-July 14, 2015)	\$60,000.00

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,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

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

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$203,421.17 for the Accounts Payable listing.

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,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

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

[4:07:15 PM](#) Nothing discussed concerning old business.

[4:08:24 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to adjourn the meeting. North Fork District Supervisor Ron C. Blevins 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,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

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

Board of Supervisors Meeting Minutes
July 14, 2015

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, July 14, 2015**. 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:	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; Royal Oak District Supervisor G. Blake Frazier (5)
ABSENT:	Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.; Saltville District Supervisor Roscoe D Call (2)
STAFF:	County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods; Director Community & Economic Development Lori Hester (5)

[4:04:24 PM](#) Vice Chair, Park District Supervisor M. Todd Dishner called the meeting to order.

A motion was made by Rye Valley District Supervisor Rick K. Blevins, seconded 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.

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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[5:05:47 PM](#) Vice Chairman, Park District Supervisor M. Todd Dishner called the meeting 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: 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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[5:06:22 PM](#) Lori Hester, Director of Community and Economic Development gave the Invocation and Michelle Clayton, County Attorney led the Pledge of Allegiance.

[5:07:15 PM](#) A motion was made by Royal Oak District Supervisor G. Blake Frazier 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: 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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[5:07:33 PM](#) It was moved by North Fork District Supervisor Ron C. Blevins, seconded by Royal Oak District Supervisor G. Blake Frazier to approve the minutes of the June 9th, June 18th and June 30th, 2015 meetings.

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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[5:07:57 PM](#) Michael Carter, County Administrator presented the Board with information on the current FY15-16 budget and a current month analysis for appropriations. A FY15 yearend report will be provided next month after the computer system closes the books.

[5:18:28 PM](#) Vice Chairman, Park District Supervisor M. Todd Dishner opened citizen's time. Sharon Eure, 366 Old Airport Road Chilhowie, VA 24319 very upset the issue with her property regarding water runoff has not been taken care of. Ms. Eure informed the Board that she will take further action if the problem is not corrected.

[5:26:35 PM](#) Vice Chairman M. Todd Dishner recommended that a committee be formed to look into the issue. The committee will include Mrs. Clayton and Mr. Clegg Williams, Chilhowie District Supervisor Wade H. Blevins Jr., Park District Supervisor M. Todd Dishner and North Fork District Supervisor Ron C. Blevins.

[5:28:25 PM](#) With no one else wishing to speak, Vice Chairman, Park District Supervisor M. Todd Dishner closed citizen's time.

[5:28:36 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$2,928,158.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$735,000.00
Social Services (July 15-July 30, 2015)	\$315,000.00
Schools-Operating Fund	
Instruction	\$271,543.00
Administration, Attendance & Health	\$16,604.00
Transportation	\$119,151.00
School Food Service	\$56,061.00
Technology	\$24,434.00
School Debt Service	\$1,000,000.00
School Textbook Fund	\$150,000.00

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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

It was moved by Atkins District Supervisor J. Howard Burton seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$826,568.20 for the Courthouse Project.

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,
Royal Oak District Supervisor G. Blake Frazier

NAYS: North Fork District Supervisor Ron C. Blevins

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

It was moved by Rye Valley District Supervisor Rick K. Blevins seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$8,431.11 from the Commonwealth Attorney Fund 760 for outstanding invoices.

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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

It was moved by Atkins District Supervisor J. Howard Burton seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$2,418.89 from Sheriff Fund 748 for outstanding invoices.

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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$662,379.39 for the Accounts Payable listing.

[5:33:14 PM](#) Vice Chairman, Park District Supervisor M. Todd Dishner opened the Public Hearing for an Annual Musical or Entertainment Festival Permit from the Rich Valley Fair Association. Michael Carter, County Administrator read the following advertisement as published in the Smyth County News & Messenger.

PUBLIC HEARING NOTICE

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, July 14, 2015, at 5:30 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 Rich Valley Fair Association has submitted a festival application for a nine (9) day event to be held July 24, 2015 thru August 1, 2015. 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 24, 2015 – 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 25, 2015 – 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 26, 2015 – 6:00 p.m. to 9:00 p.m.

Monday, July 27, 2015 – 7:00 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

Tuesday, July 28, 2015 – 7:00 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

Wednesday, July 29, 2015 – 7:00 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

Thursday, July 30, 2015 – 7:00 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

Friday, July 31, 2015 – 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, August 1, 2015 – 1:00 p.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 x8315 at least forty eight (48) hours prior to the public hearing.

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

North Fork District Supervisor Ron C. Blevins made a motion to waive the reading of the rules.
Rye Valley District Supervisor Rick K. Blevins 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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[5:36:46 PM](#) With no one wishing to speak, Vice Chairman, Park District Supervisor M. Todd Dishner closed the Public Hearing.

North Fork District Supervisor Ron C. Blevins made a motion to waive the rules, and allow for the vote on the Rich Valley Fair Festival Permit to be made. Royal Oak District Supervisor G. Blake Frazier 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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

North Fork District Supervisor Ron C. Blevins made a motion to approve the Rich Valley Fair festival permit application. Atkins District Supervisor J. Howard Burton seconded the motion. Rye Valley District Supervisor Rick asked that it be noted to the Rich Valley Fair Association if the permit application process for 2016 has not been received in the time frame as noted in the Smyth County Code, the application will not be approved by the Board of Supervisors. Royal Oak District Supervisor G. Blake Frazier 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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[5:43:29 PM](#) Arthur Barker, Grant Administrator for Smyth County Sheriff's Office presented information to the Board concerning two (2) grants that were approved for School Resource Officers. The approved amounts for each position are \$39,454.00. The local match for each position will be \$8,884.00. The match as well as the salary will come from the Sheriff's Office main budget under line item number 021090. North Fork District Supervisor Ron C. Blevins made a motion to approve the grant and local match as presented by Mr. Barker. 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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[5:48:01 PM](#) Shannon Williams, 911 Coordinator presented information for the 2015FY Aid to Localities payments as presented below:

Agency	Disbursement Amount
Atkins Fire Department	\$2,068.50
Adwolfe Fire Department	\$2,068.50
Nebo Fire Department	\$2,068.50
Sugar Grove Fire Department	\$2,068.50
Chilhowie Fire Department	\$1,068.50
Saltville Fire Department	\$1,068.50

These disbursements total \$10,411.00.

North Fork District Supervisor Ron C. Blevins made a motion to approve the FY2015 Aid to Localities payments as presented. Royal Oak District Supervisor G. Blake Frazier 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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[5:49:56 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. After discussion of the information presented by Mr. Richardson, North Fork District Supervisor Ron C. Blevins made a motion to set the PPTRA rate at 54% for 2015-2016 tax year as recommended by the Commissioner of Revenue. Royal Oak District Supervisor G. Blake Frazier 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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[5:55:52 PM](#) Scott Simpson, Assistant County Administrator presented a Resolution regarding the Adwolfe Sewer Project as shown below.

RESOLUTION OF GOVERNING BODY OF

SMYTH COUNTY

The governing body of the Smyth County, consisting of 7 members, in a duly called meeting held on the 14th day of July, 2015, at which a quorum was present **RESOLVED** as follows:

BE IT HEREBY RESOLVED that, in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development (the Government) for the Adwolfe Sewer Project, the governing body does hereby adopt and abide by the covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED that the County Administrator or N/A be authorized to execute on behalf of the Board of Supervisors, the above-referenced agreements and to execute such other documents including, but not limited to, debt instruments and security instruments as may be required in obtaining the said financial assistance.

This Resolution, along with a copy of the required documents, is hereby entered into the permanent minutes of the meeting of this Board of Supervisors.

SMYTH COUNTY BOARD OF SUPERVISORS

Attest:

Michael L. Carter, Clerk

By _____
Wade H. Blevins, Jr., Chairman BOS

C E R T I F I C A T I O N

I hereby certify that the above resolution was duly adopted by the Board of Supervisors of Smyth County, at a duly assembled meeting on the 14th day of July, 2015.

Michael L. Carter, Clerk

Royal Oak District Supervisor G. Blake Frazier made a motion to adopt the resolution as presented. North Fork District Supervisor Ron C. Blevins 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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[5:57:36 PM](#) Scott Simpson, Assistant County Administrator presented a Loan Resolution regarding the Adwolfe Sewer Project as shown below.

RUS BULLETIN 1780-27

Position 5

APPROVED
OMB No. 0572-0121

LOAN RESOLUTION
(Public Bodies)

A RESOLUTION OF THE Board of Supervisors

OF THE SMYTH COUNTY

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

ADWOLFE SEWER PROJECT

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Smyth County

(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

Two Million Forty-Four Thousand & 00/100

pursuant to the provisions of Public Finance Act of Virginia

; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Board of Supervisors Meeting Minutes
July 14, 2015

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11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
17. To accept a grant in an amount not to exceed \$ 2,486,000.00

under the terms offered by the Government; that the Michael Carter

and Scott Simpson of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was:

Yeas 5

Nays 0

Absent 2

IN WITNESS WHEREOF, the Board of Supervisors of the

Smyth County has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this 14th day of July, 2015

(SEAL)

By

Michael Carter

Attest:

Title

County Administrator

Scott Simpson

Title Assistant County Administrator

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CERTIFICATION TO BE EXECUTED AT LOAN CLOSING

I, the undersigned, as Assistant County Administrator of the Smyth County
hereby certify that the Board of Supervisors of such Association is composed of
_____ members, of whom, _____ constituting a quorum, were present at a meeting thereof duly called and
held on the _____ day of _____; and that the foregoing resolution was adopted at such meeting
by the vote shown above, I further certify that as of _____
the date of closing of the loan from the United States Department of Agriculture, said resolution remains in effect and has not been
rescinded or amended in any way.

Dated, this _____ day of _____

Scott Simpson

Title Assistant County Administrator

Royal Oak District Supervisor G. Blake Frazier made a motion to adopt the resolution as presented. North Fork District Supervisor Ron C. Blevins 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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[5:59:35 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to schedule a Public Hearing for the Konnarock Festival Permit for August 11, 2015 at 5:45 P.M. Royal Oak District Supervisor G. Blake Frazier 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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[5:59:58 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to schedule a Public Hearing for the Green Hill Circle Road Project for August 11, 2015 at 6:00 P.M. Royal Oak District Supervisor G. Blake Frazier 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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[6:00:35 PM](#) Vice Chairman, Park District Supervisor M. Todd Dishner and Mr. Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order. Mr. Michael Carter, County Administrator read the advertisement as placed in the Smyth County News and Messenger.

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

Pursuant to Virginia Code §15.2-2292 of the Code of Virginia, (1950), as amended, the Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Tuesday, July 14, 2015, beginning at 6:00 P.M. in the Smyth County Office Building, Board of Supervisors Meeting Room, 121 Bagley Circle, Marion, Virginia, to consider the following amendments to the Zoning Ordinance of Smyth County, Virginia:

The proposed amendment will repeal the current definition of “Childcare center” and a portion of the definition of “Home Occupation” referring to “family day care establishment” and will be effective immediately upon adoption.

New or amended definitions provide as follows:

Family day home. Means a child day program offered in the residence of the provider or the home of any of the children in care for one through 12 children under the age of 13, exclusive of the provider’s own children and any children who reside in the home, when at least one child receives care for compensation. The provider of a licensed or registered family day home shall disclose to the parents or guardians of children in their care the percentage of time per week that persons other than the provider will care for the children. Family day homes serving six through 12 children, exclusive of the provider’s own children and any children who reside in the home, shall be licensed. However, no family day home shall care for more than four children under the age of two, including the provider’s own children and any children who reside in the home, unless the family day home is licensed or voluntarily registered. However, a family day home where the children in care are all grandchildren of the provider shall not be required to be licensed.

Child day center. Means a child day program offered to (i) two or more children under the age of 13 in a facility that is not the residence of the provider or of any of the children in care or (ii) 13 or more children at any location.

Home Occupation. Replace the term “family day care establishment” with “family day home in accordance with Section 4-14 and as defined in Article X”.

Add to Article IV: General Provisions: Regulations of Family Day Homes

4-14.1 The care of five or fewer children for portions of a day shall be considered a "home occupation" and no conditions more restrictive than either Smyth County Zoning Ordinance Section 10-35 or those imposed on residences occupied by persons related by blood, marriage or adoption shall be imposed, in accordance with Va. Code §15.2-2292. Please note this requirement will be changed to "four or fewer children" by Virginia Code provisions mandated and effective July 1, 2016.

4-14.2 The care of six through twelve children shall require notification by certified mail to the last known address of each adjacent property owner for an opportunity to object to the issuance of a Zoning permit. The Applicant is required to pay for the cost of the certified mailing which shall be handled by the Zoning Administrator's Office. If the Zoning Administrator received no written objection from a person so notified within 30 days of the date of sending the letter of notification and determines that the Family Day Home otherwise complies with the provisions of the ordinance, the Zoning Administrator may issue a Zoning permit. If denied, the applicant may file an application for a Special Use Permit with the Zoning Administrator as provided in Article VI.

Additional sections of the Zoning Ordinance where the term "childcare center" will be replaced with "Child Day Center" are as follows: 3-2.2 a; 3-3.2 a; 3-4.2 j; and 3-5.2 k.

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 amendments 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 between the hours of 8:00 a.m. and 5:00 p.m., 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. 8315 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

North Fork District Supervisor Ron C. Blevins made a motion to waive the reading of the rules.
Rye Valley District Supervisor Rick K. Blevins 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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[6:07:06 PM](#) Clegg Williams, Building and Zoning Administrator explained the purpose of the Public hearing and noted that we were trying to copy the state code guidelines for Family Day Homes.

[6:10:22 PM](#) No one signed up to wishing to speak.

[6:10:28 PM](#) Vice Chairman M. Todd Dishner and Chairman Sparks closed the joint public hearing.

[6:10:54 PM](#) Vice Chairman, Park District Supervisor M. Todd Dishner called for a 5 minute recess.

[6:20:34 PM](#) Vice Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from recess.

[6:21:42 PM](#) Bill Turman, Chief Animal Control Officer gave an update to the Board concerning the Animal Shelter. Mr. Turman informed the Board that as of July 7th, 2015 the County had been awarded ownership of cats that were being held in an ongoing hoarding investigation. 54 cats have been moved to Animal Rescue Agencies, and more are planned to be moved in the coming days. The use of work release inmates has been a very valuable resource and all staff has worked hard over the past month to care for the animals. This case has also placed a hardship on the supplies budget for the Animal Control Department. Mr. Carter reminded the Board that we will work to stay in budget, but later in the year if a transfer is needed, to please remember this incident.

[6:28:06 PM](#) Michael Carter, County Administrator presented information concerning a Resolution on Short Term Borrowing as presented below.

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SMYTH, VIRGINIA**

**AUTHORIZING THE ISSUANCE AND SALE OF
THE COUNTY'S REVENUE ANTICIPATION NOTE**

WHEREAS, the Board of Supervisors (the "Board") of the County of Smyth, Virginia (the "County") proposes to authorize the issuance of a line-of-credit or revenue anticipation note in anticipation of the collection of the taxes and revenues of the County pursuant to Section 15.2-2629 of the Code of Virginia of 1950, as amended (the "Virginia Code"); and

WHEREAS, the County has elected, pursuant to Virginia Code Section 15.2-2639, to be treated as a city for purposes of incurring debt and issuing bonds;

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

Authorization of Note. The Board of Supervisors hereby authorizes the issuance and sale of the County's line-of-credit or revenue anticipation note (the "Note") in the maximum principal amount of \$5,000,000.00 in anticipation of the collection of the taxes and revenues of the County for the fiscal year ending June 30, 2016, pursuant to Section 15.2-2629 of the Virginia Code.

Details and Sale of Note. The Note shall be issued upon the terms established pursuant to this Resolution and upon such other terms as may be determined in the manner set forth in this Resolution. The Note shall be issued in fully registered form, shall be dated the date of its issuance and delivery, shall be in the form of a single registered note. The County Administrator and the County Treasurer, or either of them, is authorized and directed to accept a proposal for the purchase of the Note and to approve the terms of the Note, provided that the principal amount of the Note shall not exceed the amount set forth in paragraph 1, the Note shall mature not later than June 30, 2016 subject to such prepayment terms as may be approved by the County Administrator and the County Treasurer or either of them and the interest rate on the Note shall not exceed 5.0%, or if a variable rate or taxable rate is approved, the variable rate or taxable rate will be subject to a cap of 6.00%.

Pledge of Tax Revenues. The Note shall be payable from the collection of the taxes and revenues of the County for the fiscal year ending June 30, 2016.

Execution of Note. The Treasurer is authorized and directed to execute an appropriate negotiable Note and the Clerk of the Board of Supervisors is authorized and directed to affix the seal of the County thereto and such officers are authorized and directed to deliver the Note to the purchaser thereof.

Non-Arbitrage Certificate and Tax Covenants. The County Administrator and the Treasurer, or either of them, and such officers and agents of the County as either such officer

may designate are authorized and directed to execute a Non-Arbitrage Certificate and Tax Covenants setting forth the expected use and investment of the proceeds of the Note and containing such covenants as may be necessary in order to comply with the provisions of the Internal Revenue Code of 1986, as amended ("Code"), including the provisions of Section 148 of the Code and applicable regulations relating to "arbitrage bonds."

Bank Qualification. The County Administrator and the Treasurer, either of whom may act, is authorized to designate the Note as a "qualified tax-exempt obligation" eligible for the exception from the disallowance of the deduction of interest by financial institutions allocable to the cost of carrying tax-exempt obligations in accordance with the provisions of Section 265(b)(3) of the Code if, upon the advice of the County's bond counsel, the Note qualifies for such designation.

Further Actions. The County Administrator, the Treasurer, and such officers and agents of the County as either of them may designate are authorized and directed to take such further action as they deem necessary regarding the issuance and sale of the Note and all actions taken by such officers and agents in connection with the issuance and sale of the Note are ratified and confirmed.

On motion by _____, seconded by _____, the foregoing Resolution was adopted by a majority of the members of the Board of Supervisors present at a meeting of the Board of Supervisors duly called and held on July 14, 2015, by a recorded vote, the votes being recorded as follows:

MEMBER

VOTE

It was moved by North Fork District Supervisor Ron C Blevins, seconded by Royal Oak District Supervisor G. Blake Frazier to adopt the Resolution authorizing the issuance and sale of the County's Revenue Anticipation Note.

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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[6:33:40 PM](#) Michelle Clayton, County Attorney brought forward a request to extend the lease for the Mt. Rogers Community Services Board at the Cornerstone Building on Church Street. It is a one (1) year lease with month to month renewals afterwards.

Tax Map Id. No: 190-88-61C.

THIS LEASE IS EXEMPT FROM RECORDATION TAXES PURSUANT TO SECTION 58.1-811 OF THE CODE OF VIRGINIA (1950, AS AMENDED).

LEASE AGREEMENT

THIS LEASE, dated as of the 14th day of July, 2015, by and between Smyth County, Virginia, a political subdivision of the Commonwealth of Virginia, whose address is 121 Bagley Circle, Suite 100, Marion, Virginia 24354, (hereinafter referred to as "Landlord"), and Mount Rogers Community Services Board, whose address is 770 West Ridge Road, Wytheville, Virginia 24382, (hereinafter referred to as "Tenant").

W I T N E S S E T H :

THAT for and in consideration of the mutual agreements and covenants herein set forth, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Leased Premises. The Landlord hereby lets, demises, and leases unto the Tenant, and the Tenant hereby leases and takes from the Landlord, for the term and upon the conditions hereinafter set forth, the structure located on the Landlord's property, which address is 115 North Church Street, Marion, Virginia 24354, such structure measuring approximately 4,000 usable square feet, and identifiable on the Smyth County Virginia Tax Map ID. No. 190-88-61C, being the same property that the Tenant conveyed to the Landlord by deed on June 23, 2011, and of record in the Office of the Clerk in the Smyth County Circuit Court, in Instrument No. 110001356, Deed Book 814, at Page 621. (hereinafter referred to as "the Leased Premises"). The Tenant shall have no rights, use, enjoyment, or right of way to the unimproved portion of the real property, including for parking purposes for the Tenant, Tenant's agents, servants, employees, visitors, or licensees, without prior written agreement by the parties in the form of a lease modification pursuant to the terms and conditions of this Lease.

2. Term. The term of this Lease commenced on June 23, 2011, expired on December 31, 2013, was extended to June 30, 2014, expired on June 30, 2015 and is hereby renewed until June 30, 2016 at which time the lease shall become a month-to-month lease. The

Tenant or the Landlord may, at the either party's option, extend this Lease upon written notice to the other party of not less than thirty (30) days prior to expiration of the original lease term and mutual agreement of both parties. The parties have elected by mutual agreement to extend the original term of the lease from an annual to a month-to-month basis such rate being a monthly rate of SIX HUNDRED SIXTY SIX DOLLARS AND 67 CENTS (\$666.67).

3. Rent. The Tenant shall pay to the Landlord a month-to-month rental amount of SIX HUNDRED AND SIXTY SIX DOLLARS AND 67 CENTS (\$666.67) PER MONTH for the period commencing with the date of this Lease and expiring June 30, 2016. The rental amount of SIX HUNDRED AND SIXTY SIX DOLLARS AND 67 CENTS (\$666.67) shall be due and payable by the first day of each month for the duration of the term of this Lease Agreement.

4. Use of Leased Premises. The Tenant, its agents, agencies, boards, commissions, and employees, shall use the Leased Premises only for its intended use as it may now or reasonably hereinafter be used, and shall not use for residential, industrial, or other non-intended commercial purposes.

5. No Quiet Possession. Because the Tenant has conveyed title to the Leased Premises to the Landlord, the Landlord makes no covenant that the Tenant shall have the quiet possession and enjoyment of the Leased Premises; nor does the Landlord make any other warranty regarding title.

6. Inspection and Condition of the Leased Premises. The Tenant acknowledges that as the former owner and current occupant of the Leased Premises, the Tenant is more familiar with the Leased Premises than the Landlord and, therefore, waives any claim the Tenant may have against Landlord arising from the condition of the Leased Premises. The Tenant hereby accepts the Leased Premises in an "as is" condition without the Landlord's representation or warranty with respect to condition or suitability for use.

7. Utilities. The Tenant covenants to pay when due and without demand all expenses incurred for telephone, electricity, gas, oil, cable television, and other utility services provided to the Leased Premises and all hazard and liability insurance premiums for insurance policies maintained by the Landlord or required by the Tenant hereunder.

8. Real Estate Taxes. The Tenant covenants to pay all real estate taxes assessed against the Leased Premises allocable to the term of this Lease upon demand by the Landlord.

9. Landlord Access to the Leased Premises. The Tenant agrees that the Landlord may, at reasonable times and upon reasonable notice, enter the Leased Premises (a) to inspect, survey and run tests with regard to the Leased Premises; (b) to exhibit the Leased Premises to prospective or actual purchasers, joint venturers, mortgagees, workmen or contractors; and (c) to place signs on the Leased Premises.

10. Injury to Persons or Property and Insurance by the Tenant. During the term of the Lease, the Tenant shall maintain and keep in force at Tenant's own expense public liability insurance on the Leased Premises in such amounts as the Landlord deems adequate and suitable. The Tenant shall indemnify the Landlord against and hold the Landlord harmless from any and all suits, actions, damages, liability, cost, and expense, including reasonable attorney fees, arising from or out of any act or failure to act of the Tenant, Tenant's agents, servants, employees, visitors, or licensees in or on the Leased Premises.

12. Assignment; Subordination. The Tenant agrees that the Tenant will not transfer or assign this Lease, or let or sublet the whole or any part of the Leased Premises, without the prior written consent of the Landlord, which consent may be withheld, delayed, or conditioned in the absolute discretion of the Landlord for any reason or no reason. The Landlord may assign any or all of the Landlord's rights under this Lease at any time and without the necessity of obtaining any prior consent of the Tenant.

13. Destruction by Casualty. The Landlord shall maintain hazard insurance with respect to the Leased Premises at the expense of the Tenant naming the Landlord as insured. In the event the Leased Premises are damaged by fire or other casualty but remains tenantable, the Tenant shall promptly repair the same. If the Leased Premises, or any part thereof, are damaged by fire or other casualty to such an extent as to be rendered untenable, this Lease shall terminate as of the date of such damage at the option of either the Landlord or the Tenant.

14. No Holdover. Unless the lease term is extended as provided in Section 2 above, upon termination of this Lease, the Tenant shall deliver possession of the Leased Premises to the Landlord together with a written instrument evidencing the termination and delivery of possession. In the event the Tenant holds over, the Landlord may seek to summarily evict the Tenant and recover damages, including without limitation, an amount equal to two (2) times the fair market rental value for the Leased Premises.

15. Cost of Enforcement and Waiver of Exemptions. The Tenant hereby agrees to pay all costs, expenses, fees, and charges incurred by the Landlord in enforcing, by legal action or otherwise, any of the provisions, covenants, or conditions of this Lease, including but not limited to reasonable attorney fees, and the Tenant hereby waives the benefit of any homestead or other exemption provided by law for the benefit of tenants or debtors with respect to the obligations of this Lease.

16. The Tenant's Covenants. The Tenant covenants and agrees: (a) to pay all charges payable hereunder; (b) not to use the Leased Premises for any purpose other than the use specified above; (c) to repair and maintain the Leased Premises (including, without limitation, structural components, the plumbing, heating and electrical systems) at the expense of the Tenant for any amount up to FIVE THOUSAND DOLLARS (\$5000.00) and to consult with

Landlord should a repair exceed that amount; (d) not to permit any lien to be filed against the Leased Premises on account of nonpayment of amounts payable with respect to labor or materials furnished in connection with any repairs, modifications or additions to the Leased Premises, or otherwise arising out of any action taken with respect to the Leased Premises, and, should any lien of any nature be filed against the Leased Premises as a result of the actions or inactions of the Tenant, to cause the lien to be released and removed by substitution of collateral, posting of bond or other appropriate action within thirty (30) days of its filing; (e) to comply with all laws, ordinances, rules and regulations applicable to the occupancy and use of the Leased Premises, including those related to environmental protection; (f) to surrender all keys to door locks upon termination of this Lease; (g) to maintain the Leased Premises in at least as good condition as the Leased Premises was when the Tenant took possession thereof; (h) not to deliberately or negligently alter, destroy, deface, damage or impair any part of the Leased Premises nor permit any other person to do so; (i) to give to the Landlord prompt written notice of any such damage to the Leased Premises; (j) not to allow any pets, other than service dogs or service animals, to occupy the Leased Premises at any time; and (k) not cause, permit or allow any underground storage tanks, hazardous materials or similar materials, as those or similar terms are defined under any current or future federal, state or local law, rule, regulation or ordinance, to be discharged, brought onto or permitted to remain on the Leased Premises.

17. Rights of the Landlord upon Default. The Tenant agrees that any of the following shall be deemed a default by the Tenant and a breach of this Lease: (a) a default in the payment of any payment due from Tenant; (b) a default by the Tenant in the performance of any other provision, covenant or condition of this Lease; and (c) any abandonment, desertion, or vacation of the Leased Premises by the Tenant. In the event of any such default by the Tenant and the failure of the Tenant to cure such default within ten (10) calendar days after written notice thereof, the Landlord and the Landlord's agents shall have the right to reenter and resume possession of the Leased Premises and terminate this Lease. No such entry or reletting shall deprive the Landlord of any other right, action or proceeding for possession or damage by statute or otherwise provided at law or in equity.

18. Option to Terminate Lease. Upon sixty (60) days written notice provided to the other party, either party may elect at its option to terminate the lease agreement. Such termination shall not be effective until mutual agreement of both parties is reached and executed by written agreement.

19. Entire Agreement. This Lease constitutes the entire agreement between the parties and may not be modified except by a written instrument executed by all of the parties hereto.

20. Applicable Laws and Notice. This Lease shall be construed, interpreted and applied according to the laws of the Commonwealth of Virginia, and shall be binding upon and inure to the benefit of the heirs, representatives, successors, permitted sublessees and assigns

of the parties. Any notice provided for or permitted by this Lease may be given in writing by registered or certified United States mail, postage prepaid, return receipt requested, addressed to the party to be notified at that party's address last designated by that party in writing to the other, or delivered personally to the Landlord or the Tenant, as the case may be, and shall be deemed conclusively to have been given on the date of mailing or personal delivery.

WITNESS the following signatures:

LANDLORD, Smyth County, Virginia:

By: _____
Wade H. Blevins, Jr., Chairman, Board of Supervisors

Attest:

Michael L. Carter, Clerk

COMMONWEALTH OF VIRGINIA
COUNTY OF SMYTH, to-wit:

This is to certify that Wade Blevins, Chairman to the Board of Supervisors, being first duly sworn, appeared before me this ____ day of _____, _____, in Smyth County, Virginia, and acknowledged his signature to the foregoing Lease Agreement dated July 14, 2015, with due authority from the Board of Supervisors of Smyth County, Virginia.

Notary Public

My Commission Expires: _____.
Registration Number: _____.

TENANT, Mount Rogers Community Service Board:

By: _____
**Chairperson, Mount Rogers Community
Services Board**

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to-wit:

This is to certify that _____, Chairperson to the Mount Rogers Community Services Board, being first duly sworn, appeared before me this ____ day of _____, 2015, in _____ City/County, Virginia, and acknowledged his signature to the foregoing Lease Agreement dated July 14, 2015, with due authority from the Mount Rogers Community Services Board of Directors.

My Commission Expires: _____.
Registration Number: _____.

Notary Public

TENANT, Mount Rogers Community Service Board:

This Lease Agreement is hereby approved by me, _____, as the designated and appointed Chief Contracting Officer for Mount Rogers Community Services Board by my employment contract.

By: _____
**Chief Contracting Officer, Mount Rogers
Community Services Board**

COMMONWEALTH OF VIRGINIA
COUNTY OF SMYTH, to-wit:

This is to certify that _____, Chief Contracting Officer, being first duly sworn, appeared before me this ____ day of _____, 2015, in Smyth County, Virginia, and acknowledged her signature to the foregoing Lease Agreement dated July 14, 2015, with due authority as Chief Contracting Officer from the Mount Rogers Community Services Board of Directors.

My Commission Expires: _____.
Registration Number: _____.

Notary Public

Pursuant to §15.2-1803 of the Code of Virginia, approved as to form:

By: _____
Michelle Clayton, County Attorney

Royal Oak District Supervisor G. Blake Frazier made a motion to extend the lease to Mt. Rogers CSB as presented below. Rye Valley District Supervisor Rick K. Blevins 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 and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[6:40:32 PM](#) North Fork District Supervisor Ron C. Blevins updated the Board concerning the Trail Closures and stated that at this time no action is needed to be taken by the Board of Supervisors.

[6:43:39 PM](#) Michael Carter, County Administrator brought forward a recommendation from the Budget Committee. It is the Committee's recommendation to allow Michael Carter to sign the engagement letter from Hicok, Fern & Company for the compiling of information for the County's audit. This will be for year ending June 30, 2015 at a fee of \$20,000 for Smyth County and \$3,500 for the Smyth County EDA.

After consideration, the recommendation PASSED by the following vote:

AYES: 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

Michael Carter brought forward a recommendation from the Budget Committee relating to the lease of a copier to be used in the Circuit Court Judge's office. Two proposals were received. It is the committee's recommendation to award the bid to Hungate Business Services in the amount of \$57.81 monthly, for a 60 month lease.

After consideration, the recommendation PASSED by the following vote:

AYES: 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

Michael Carter brought forward a recommendation from the Budget Committee relating to the lease of a copier to be used in the County Administrator's Office. Two proposals were received. It is the committee's recommendation to award the bid to Tri Cities Business Machines in the amount of \$209.57 monthly, for a 60 month lease.

After consideration, the recommendation PASSED by the following vote:

AYES: 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call.

[6:48:12 PM](#) Michael Carter, County Administrator brought forward a recommendation from the Solid Waste Committee. Mr. Carter stated the Committee had met on June 18, 2015 to discuss changing the procedure for the Landfill Charge Accounts. It is the Committee's recommendation to make changes as listed below:

- A request to generate past due letters beginning at 30 days past due:
 - 30 days past due clients will receive a letter stating the amount due and will inform them of the possibility of loss of privileges at the Landfill if payment is not made within 15 days from the date of the letter.

- A request to move the date of loss of privileges from 60 days to 45 days:
 - 45 days past due clients will receive a letter stating the amount due and their privileges have been placed on a temporary hold until their account is made current. They will be given 15 days from the date of the letter to satisfy their account.
 - A list of all clients who have been place on this temporary hold will be sent to the staff at the landfill to prohibit their entry.
- A request to generate a 60 day past due letter from Smyth County Attorney, Michelle Clayton:
 - This letter will state the client has 30 days from the date of the letter to resolve their account in full or we will continue with legal action.
 - A request to send a Notice of Change letter to all landfill clients once changes have been approved:
 - This letter will state the above changes, include an effective date and to inform clients the Smyth County Board of Supervisors has voted on and approved these measures.

After consideration, the recommendation PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call

6:57:49 PM Royal Oak District Supervisor G. Blake Frazier brought a recommendation before the Board of Supervisors from the Courthouse Committee. Mr. Frazier stated the committee met on July 9, 2015 concerning the furnishings to be placed at the Courthouse. Five (5) proposals were received and after discussion it is the committee's recommendation to award up to \$175,000.00 for the refurnishing of the Courthouse. Included in this amount is the bid from Harris Office

Furniture in the amount of \$163,625.72, along with \$737.16 to increase the Circuit Court panels from 4-8 and to allow for minor adjustments to be made during the transition.

After consideration, the recommendation PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call

Royal Oak District Supervisor G. Blake Frazier brought a recommendation before the Board of Supervisors from the Courthouse Committee. Mr. Frazier stated the committee met on July 9, 2015 concerning the new phone system to be implemented at the Courthouse. Three (3) proposals were received and after discussion it is the committee's recommendation to award the service to BVU-Optinet in the amount of \$52,619.84.

After consideration, the recommendation PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Ron C. Blevins,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call

[7:02:51 PM](#) Nothing concerning Old Business was discussed.

[7:03:14 PM](#) Michael Carter, County Administrator expressed his appreciation to the staff for all of their hard work.

[7:06:03 PM](#) Supervisor Comment Time-All Board members expressed their appreciation for the staff of Smyth County.

[7:12:21 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to continue the meeting to July 23, 2015 at 4:00 P.M. 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,
North Fork District Supervisor Ron C. Blevins,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Saltville District Supervisor Roscoe D. Call

Board of Supervisors Meeting Minutes
July 23, 2015

The Smyth County Board of Supervisors held its continued meeting at 4:00 p.m., **Thursday, July 23, 2015**. 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; Saltville
District Supervisor Roscoe D Call; Royal Oak District Supervisor
G. Blake Frazier (4)

ABSENT: Rye Valley District Supervisor Rick K Blevins; North Fork District
Supervisor Ron C Blevins; Atkins District Supervisor J. Howard
Burton (3)

STAFF: Assistant County Administrator Scott Simpson; Administrative
Assistant Kelly Woods; Director Community & Economic
Development Lori Hester (3)

[4:01:55 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. called the Board of Supervisors meeting to order.

[4:02:08 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. opened citizen's time.

[4:02:18 PM](#) With no one wishing to speak Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. closed citizen's time.

[4:02:22 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$1,331,986.87 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$670,054.87
Social Services (August 1-August 11, 2015)	\$60,000.00
Schools-Operating Fund	
Instruction	\$328,547.00
Administration, Attendance & Health	\$83,396.00
Transportation	\$10,849.00
Facilities	\$134,635.00
School Food Service	\$8,939.00
Technology	\$35,566.00

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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins,

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

[4:03:47 PM](#) Royal Oak District Supervisor G. Blake Frazier brought forward a recommendation from the Insurance Committee regarding liability insurance for Trustees that perform work activities for the County. Mr. Frazier stated that liability insurance is available to the County through VACORP at a rate of \$2,500.00 yearly for up to 50 trustees. The committee's recommendation is to provide the liability insurance through VACORP at a rate of \$2,500.00 yearly.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins and
Atkins District Supervisor J. Howard Burton.

[4:05:57 PM](#) Scott Simpson, Assistant County Administrator brought forward a recommendation from the Ordinance Committee. It is the committee's recommendation to adopt a resolution to from a Joint Ordinance Committee with the Planning Commission as shown below.

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SMYTH, VIRGINIA
AUTHORIZING A JOINT BOARD OF SUPERVISORS AND PLANNING COMMISSION ORDINANCE
COMMITTEE**

WHEREAS, the Board of Supervisors (the "Board") of the County of Smyth, Virginia (the "County") proposes to authorize the formation of a Joint Board of Supervisors and Planning Commission Ordinance Committee to review and recommend changes to the Zoning Ordinance or any other matters deemed appropriate by the Board; and

WHEREAS, the County has the authority to appoint a Planning Commission and to form committees to promote the development and serve the best interest of Smyth County; and

WHEREAS, the Planning Commission agrees that a Joint Ordinance Committee enhances the ability of both ordinance committees to draft changes to land use ordinances that will be most beneficial to the County.

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

Authorization Joint Ordinance Committee. The Board of Supervisors hereby authorizes the creation of a Joint Board of Supervisors and Planning Commission Ordinance Committee to review proposed amendments to the Smyth County Zoning Ordinance and other land use ordinances as requested.

Appointees to the Committee. The Joint Ordinance Committee shall consist of the members of the Board of Supervisors Ordinance Committee and the Planning Commission Ordinance Committee.

Leadership of the Committee. The Chair of the Joint Ordinance Committee shall be the Chair of the Board of Supervisors Ordinance Committee and the Vice-Chair shall be the Chair of the Planning Commission Ordinance Committee.

Quorum. A quorum of any scheduled meeting of the Joint Ordinance Committee shall consist of any four members of the Joint Ordinance Committee.

Votes. A majority vote of the members that are in attendance at any Joint Ordinance Committee meeting shall constitute approval or disapproval of a matter.

Recommendation to the Planning Commission. The Joint Ordinance Committee shall first make a recommendation to the Planning Commission to consider the proposed amendments and recommend a joint public hearing. A recommendation to hold a joint public hearing shall require the approval of a majority of the Planning Commission.

Joint Ordinance Committee Public Hearing. Upon the recommendation of the Planning Commission, the Board of Supervisors shall consider scheduling a Joint Public Hearing of the Planning Commission and the Board of Supervisors to consider the proposed amendments to the Smyth County Zoning Ordinance.

After the Joint Public Hearing. Upon completion of a properly advertised joint public hearing, the Planning Commission shall vote on whether to recommend the proposed amendments and forward them to the Board of Supervisors for consideration.

Board of Supervisors. The Board of Supervisors shall consider any recommendation from the Planning Commission to adopt the Zoning Amendments at the next regular Board meeting.

On a recommendation from the Ordinance Committee, the foregoing Resolution was adopted by a majority of the members of the Board of Supervisors present at a meeting of the Board of Supervisors duly called and held on July 23, 2015, by a recorded vote, the votes being recorded as follows:

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins and
Atkins District Supervisor J. Howard Burton.

[4:09:37 PM](#) Scott Simpson, Assistant County Administrator brought forward a Letter of Support for SWIFA as shown below.

July 23, 2015

Ms. Sara G. Williams
Grants Program Administrator - Southwest
Virginia Tobacco Indemnification and Community Revitalization Commission
One Partnership Circle
P. O. Box 1987
Abingdon, VA 24212

RE: SWIFA Application for Funding

Dear Ms. Williams:

It is our understanding the Smyth-Washington Regional Industrial Facilities Authority (SWIFA) is filing an application with the Tobacco Commission to improve water service to the Highlands Business Park. This letter is to express our strong support of this application. As you are aware, SWIFA's Highlands Business Park is located between Abingdon and Chilhowie in the Northeastern Part of Washington County. Although the park is located in Washington County, Smyth County is an equal partner and receives revenues and other economic gains from the park.

WCSA is completing a significant infrastructure improvement project which includes an additional raw water intake on the South Fork of the Holston River, a newly expanded water treatment plant with a capacity of 12 million gallon per day (MGD) and a new 4 million gallon storage facility. These improvements, totaling over \$25 million in construction costs, provide the foundation for a system capable of meeting the industrial, commercial and residential water needs of Washington County properties for years to come.

The improvements proposed in the pending SWIFA application include the storage and distribution system upgrades to allow WCSA to provide needed additional water capacity to Highlands Park, therefore making it a more attractive location for industries looking to locate in Southwest Virginia.

In summary, Smyth County is very appreciative of the assistance given us by The Tobacco Commission and we are hopeful that the application being prepared by SWIFA will receive your favorable consideration.

Sincerely,

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

Saltville District Supervisor Roscoe D. Call made a motion to approve the letter as presented by Mr. Simpson. Royal Oak District Supervisor G. Blake Frazier 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins and
Atkins District Supervisor J. Howard Burton.

[4:12:00 PM](#) Scott Simpson, Assistant County Administrator presented a Resolution for a Tobacco Commission Grant Application to be submitted for The Back of the Dragon Overlook project as shown below.

RESOLUTION

WHEREAS, the Virginia Tobacco Indemnification and Community Revitalization Commission is soliciting applications for 2015 Economic Development Projects, including funding for Tourism: Outdoor Recreation, and

WHEREAS, the Smyth County Board of Supervisors has determined tourism plays a key role in economic development and

WHEREAS, the Smyth County Board of Supervisors has determined there is a need to attract additional tourists to the Back of the Dragon (Route 16 in Smyth County) to support the local economy by enhancing the experience of the tourists to generate word-of-mouth marketing, and

NOW, THEREFORE BE IT RESOLVED the Smyth County Board of Supervisors authorizes a grant application for \$184,000 in funding from the Tobacco Commission for the engineering design, environmental assessment, permitting, and construction of the proposed Back of the Dragon Smyth County Overlook, and

BE IT FURTHER RESOLVED the Smyth County Board of Supervisors recognizes 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, however; this Back of the Dragon Smyth County Overlook project is requested at twenty (20) percent of the total cost from the Tobacco Commission and the remaining eighty (80) percent will come from VDOT MAP-21 funding.

BE IT FURTHER RESOLVED the Smyth County Board of Supervisors authorizes the Assistant County Administrator to sign and submit all grant-related documents for the Tobacco Commission Economic Development grant funding application.

Adopted by the Smyth County Board of Supervisors
July 23, 2015

Wade H. Blevins Jr.
Chairman, Smyth County Board of Supervisors

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

Saltville District Supervisor Roscoe D. Call made a motion to adopt the Resolution as presented by Mr. Simpson. Royal Oak District Supervisor G. Blake Frazier 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins and
Atkins District Supervisor J. Howard Burton.

[4:14:10 PM](#) Nothing was discussed concerning old business.

[4:15:14 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to adjourn the meeting. 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins and
Atkins District Supervisor J. Howard Burton.

Board of Supervisors Meeting Minutes
August 11, 2015

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., Tuesday, August 11, 2015. 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 Supervisor J. Howard Burton; Saltville District Supervisor Roscoe D Call (6)

ABSENT: Royal Oak District Supervisor G. Blake Frazier (1)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods; Director Community & Economic Development Lori Hester (5)

[4:01:44 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order.

A motion was made by 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.1 Personnel; A.3 Land Acquisition; A.5; Industrial/Business Prospects; discussion concerning a business or industry considering expansion with no previous announcement being made; and A.7 Legal; discussion with legal counsel and staff pertaining to actual or probable litigation.

After consideration, 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 and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

[5:03:22 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting 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;

Board of Supervisors Meeting Minutes
August 11, 2015

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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

[5:03:45 PM](#) Lori Hester, Director of Community and Economic Development gave the Invocation and Clegg Williams, Building and Zoning Administrator led the Pledge of Allegiance.

[5:04:40 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to appropriate \$12,500 for the purchase of a Convenience Station site the County currently leases. 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

[5:05:15 PM](#) A motion was made by Saltville District Supervisor Roscoe D. Call 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: 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 and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

[5:05:34 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins to approve the minutes of the July 14th and July 23rd, 2015 meetings.

Board of Supervisors Meeting Minutes
August 11, 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

5:05:56 PM Michael Carter, County Administrator presented the Board with information on the current FY15-16 budget and a current month analysis for appropriations.

5:13:48 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$2,952,964.78 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$1,300,000.00
Aid to the Commonwealth:	\$12,964.78
Social Services (August 12-August 31, 2015)	\$315,000.00
(September 1-September 8, 2015)	\$60,000.00
Schools-Operating Fund	
Instruction	\$600,000.00
Administration, Attendance & Health	\$120,000.00
Transportation	\$75,000.00
Facilities	\$325,000.00
School Food Service	\$15,000.00
Technology	\$130,000.00
Total General Fund:	\$2,952,964.78

After consideration, 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 and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$1,682.13 from the EDA-Fund 4 for outstanding invoices.

After consideration, the motion PASSED by the following vote:

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

Board of Supervisors Meeting Minutes
August 11, 2015

Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

It was moved by Atkins District Supervisor J. Howard Burton seconded by Park District Supervisor M. Todd Dishner to appropriate \$506,707.86 for the Courthouse 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$1,770.64 from Sheriff Fund 748 for outstanding invoices.

After consideration, 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 and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$545,954.42 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

[5:21:55 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened Citizen's time.

Board of Supervisors Meeting Minutes
August 11, 2015

Vickie Montgomery, 120 Developer's Lane, Saltville VA spoke as a representative of the Saltville Library Board. Ms. Montgomery stated that she is very upset with the direction the Smyth Bland Regional Library Board is taking and mentioned other concerns during her presentation. She appreciated Mr. Call for appointing her to the Board for the Library and wishes to continue to serve in that capacity.

[5:27:48 PM](#) With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizen's time.

[5:29:04 PM](#) Lisa Moore, Executive Director for Mt. Rogers Community Services Board and Sarah Beamer, Director of Finance and Administrative Services for Mt. Rogers Community Services Board presented information on their FY2016 Performance Agreement.

[5:43:30 PM](#) Michael Carter, County Administrator presented the 2017 Revenue Sharing Program through VDOT and asked members to present recommendations to him for VDOT to consider prior to mid October.

[5:45:00 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened the Public Hearing for a Festival Permit from the Konnarock, Green Cove, Laurel Valley Community Association. Michael Carter, County Administrator read the following advertisement as published in the Smyth County News & Messenger.

PUBLIC HEARING NOTICE

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, August 11th, 2015 at 5:45 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 Konnarock, Green Cove, Laurel Valley Community Association has submitted a festival application for an event to be held on Sunday, September 20, 2015. This event will be held at the Konnarock Community Center, 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 x8315 at least forty eight (48) hours prior to the public hearing.

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

Rye Valley District Supervisor Rick K. Blevins made a motion to waive the reading of the rules. 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.

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor G. Blake Frazier.

[5:48:20 PM](#) With no one wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed the Public Hearing.

[5:48:53 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to appoint David Spence as the Saltville Representative to the Planning Commission. 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.

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor G. Blake Frazier.

[5:49:51 PM](#) Michael Carter, County Administrator presented a request for a letter of support from the City of Bristol for Passenger Rail Service. North Fork District Supervisor Ron C. Blevins made a motion to allow Michael Carter, County Administrator to write the letter of support and submit it to the City of Bristol. 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.

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor G. Blake Frazier.

[5:51:11 PM](#) Michelle Clayton, County Attorney presented a recommendation from the Personnel Committee as shown below. These changes are effective immediately and to be placed in the current personnel manual.

PROPOSED SMYTH COUNTY PERSONNEL MANUAL POLICY – HOLIDAY TIME

6.9 Types of Leave

(a) Annual Leave: Each full-time employee shall accrue paid annual leave for each completed year of service as follows:

<u>Years of Service</u>	<u>Yearly Earned</u>
1 – 5 years	96 hours earned (12 days)
6 – 15 years	120 hours earned (15 days)
16+ years	144 years earned (18 days)

An employee shall be credited with the earned annual leave, as of the date of each anniversary of the commencement date of employment, and this accrued leave shall be available for use over the succeeding 12-month period ("employment year"). Any unused balance of annual leave remaining at the end of the employment year shall expire, except as follows: the employee may carry up to five (5) annual leave days (40 hours) into the next employment year. Upon separation, an employee shall be paid for the unused portion of his or her accrued annual leave.

(b) Holidays: The Board of Supervisors at the beginning of each calendar year shall approve designated paid holidays to be observed. These generally are those holidays recognized by the state and federal government and any additional days as may be approved as holidays by action of the Board of Supervisors. If a holiday falls on Sunday, the following Monday will be observed as a holiday. Holidays that fall on a Saturday will be observed on the preceding Friday. A holiday falling during a paid leave period shall not be counted in computing leave charged to any regular employee. If a regular employee is absent on a holiday for which he or she is schedule to work, time shall be deducted accordingly from either sick or annual leave or leave without pay. An employee on leave without pay shall receive no holiday pay.

(c) Holiday Time: ~~When a full-time non-exempt employee is required to work on a holiday, holiday time in the form of time off will be credited to the employee on an hour-for-hour basis for hours worked at the regular rate of pay. If the hours worked exceed 40 hours, compensatory time will be credited at the rate of one and one-half (1 ½) hours for each hour worked over 40. Accrued holiday time shall be used by the employee within 30 days from the holiday worked with approval or an extension, if necessary, granted by the County Administrator. Holiday time must be used before any accrued annual leave is taken.~~

Upon separation, under no circumstances may accrued annual leave, compensatory time or holiday time be used to extend the departure date of an employee. Pay for appropriate leave balances to eligible employees shall be made on a lump sum basis. When the effective date immediately precedes a holiday, the employee shall not be paid for the holiday. In all cases, the Director of Human Resources shall determine the official separation date.

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.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

[5:52:11 PM](#) Michael Carter, County Administrator brought forward a recommendation from the Planning Commission as shown below.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS
OF SMYTH COUNTY, VIRGINIA, HELD AT THE SMYTH COUNTY ADMINISTRATION BUILDING ON TUESDAY, AUGUST
11, 2015

ORDINANCE TO AMEND THE SMYTH COUNTY ZONING ORDINANCE - APPENDIX A - OF THE CODE OF SMYTH COUNTY, VIRGINIA, BY REPEALING THE CURRENT DEFINITION OF CHILDCARE CENTER AND AMENDING PART OF THE HOME OCCUPATION DEFINITION; BY PROVIDING NEW DEFINITIONS FOR FAMILY DAY HOME AND CHILD DAY CENTER; BY ADDING A NEW ARTICLE IV – SECTIONS 4-14.1 AND 4-14.2 REGARDING REGULATION OF FAMILY DAY HOMES BY THE ZONING ADMINISTRATOR

WHEREAS, § 15.2-2200 et seq of the Code of Virginia (1950), as amended, permits localities by ordinance to adopt and amend a zoning ordinance; and,

WHEREAS, the purpose of the Zoning Ordinance is to establish standards for zoning of unincorporated territory of Smyth County for the promotion of the health, safety and general welfare of the public;

WHEREAS, the Board of Supervisors in conjunction with the Smyth County Planning Commission has amended the Smyth County Zoning Ordinance from time to time; and

WHEREAS, Smyth County's Zoning Ordinance contains zoning requirements relating to family day care homes that have proven to be confusing to citizens of Smyth County; and

WHEREAS, the amendments to the Smyth County Zoning Ordinance are recommended by the Smyth County Planning Commission and closely track the Virginia Code §15.2-2292 provisions providing much more clarity for citizens wanting to establish these facilities; and

WHEREAS, the notice was properly published as per § 15.2-2204 of the Code of Virginia, (1950), as amended, and a joint public hearing was held on July 14, 2015; and

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

1. That Smyth County Zoning Ordinance, Appendix A of the Smyth County Code, be amended to read and provide as follows:

Definitions:

Family day home. A single-family dwelling in which children under the age of 13 are received for care, protection and guidance during only part of a twenty-four hour day. Individuals related by blood, legal adoption or marriage to the person who maintains the home shall not be counted towards this total.

- The care of five or fewer children for portions of a day shall be considered a "home occupation" and no conditions more restrictive than either Smyth County Zoning Ordinance Section 10-35 or those imposed on residences occupied by persons related by blood, marriage or adoption shall be imposed. Please note this requirement will be change to "four or fewer children" by Virginia Code provisions mandated and effective July 1, 2016.
- The care of six through twelve children shall require notification by registered mail to adjacent property owners for an opportunity to object to the issuing of a permit. The Applicant is required to pay for the cost of the certified mailing which shall be handled by the Zoning Administrator's Office. If no objections are made within 30 days, the Zoning Administrator may issue a permit. If a permit is denied, a public hearing may be requested and the local governing body may, in its discretion, approve or deny the permit.

Child day center. A facility for the provision of temporary custodial oversight and care of six or more minor children and/or adults licensed by an agency of the state government to provide such care, the daily operation of which shall be less than 24 continuous hours but which may provide such care seven days per week unless otherwise restricted. Where permitted pursuant to this chapter, child day centers may be undertaken as a permitted main use, as an accessory to a permitted main use or as a home occupation where permitted pursuant to the provisions of this chapter. No child day center shall be contained within a manufactured home as defined in this section.

Add to Article IV: General Provisions: Regulation of Family Day Homes

4-14.1 The care of five or fewer children for portions of a day shall be considered a "home occupation" and no conditions more restrictive than either Smyth County Zoning Ordinance Section 10-35 or those imposed on residences occupied by persons related by blood, marriage or adoption shall be imposed, in accordance with Va. Code §15.2-2292. (Please note this requirement will be changed to "four or fewer children" by Virginia Code provisions mandated and effective July 1, 2016.)

4-14.2 The care of six through twelve children shall require notification by certified mail to the last known address of each adjacent property owner for an opportunity to object to the issuance of a Zoning permit. The Applicant is required to pay for the cost of the certified mailing which shall be handled by the Zoning Administrator's Office. If the Zoning Administrator received no written objection from a person so notified within 30 days of the date of sending the letter of notification and determines that the Family Day Home otherwise complies with the provisions of the ordinance, the Zoning Administrator may issue a Zoning permit. If denied, the applicant may file an application for a Special Use Permit with the Zoning Administrator as provided in Article VI.

(Additional sections of the Zoning Ordinance where the term "childcare center" will be replaced with "Child Day Center" are as follows: 3-2.2 a; 3-3.2 a; 3-4.2 j; and 3-5.2 k.) (Amend. of 8-11-2015)

2. That should any section or provision of this ordinance be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or the Smyth County Code.

3. That this ordinance shall be effective from the date of its adoption.

On motion of Supervisor Ron C. Blevins, seconded by J. Howard Burton to adopt the ordinance, and carried by the following roll call and recorded vote:

Board of Supervisors Meeting Minutes
August 11, 2015

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.

NAYS: None

ABSENT: Royal Oak District Supervisor G. Blake Frazier

[5:55:55 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to schedule a Public Hearing for the VDOT/Green Hill Circle Project to September 8th at 6:00 P.M. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

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.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

[5:56:53 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to schedule a Public Hearing for the Solid Waste Tipping/Hauling Fee proposed increase to September 8th at 6:15 P.M. Park District Supervisor M. Todd Dishner seconded the vote.

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.

NAYS: None.

ABSTAINERS: None.

[6:03:03 PM](#) Lori Hester, Director of Community and Economic Development presented the Economic Development Strategic Plan to the Board of Supervisors.

[7:09:31 PM](#) Saltville District Supervisor Roscoe D. Call brought forward a recommendation from the Water/Sewer Committee regarding an account that needs to be written off as uncollectable. It is the committee's recommendation to write the account off for Minnie Stamper in the amount of \$527.16.

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.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

Saltville District Supervisor Roscoe D. Call brought forward a recommendation from the Water/Sewer Committee. It is the committee's recommendation to allow Michael Carter and Chairman of the Board Wade H. Blevins to sign the Resolution shown below for the Adwolfe Sewer Project.



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 Smyth County Board of Supervisors over the past year has been working with a Consultant under its Term Services Agreement to develop the Adwolfe Sewer Project, and

WHEREAS, the Term Services Agreements have a maximum single project contractual value of \$ 100,000, and

WHEREAS, the Adwolfe Sewer Project contractual value for Engineering and Construction Phase Services is estimated to be approximately \$ 500,000, and

WHEREAS, the Smyth County Board of Supervisors advertised on June 20, 2015 in the Smyth County News a Request for Proposals for the continued Engineering Services for the Design and Construction phases of this project and these Proposals were due on July 02, 2015, and

WHEREAS, the Smyth County Board of Supervisors received only 2 Proposals from Qualified Firms, and 2 letters declining submission, and

THEREFORE BE IT RESOLVED the Smyth County Board of Supervisors has determined that both Firms are qualified to perform the services, however; only one, CHA Consulting, Inc., is clearly more suitable than the others under consideration due to their previous involvement in, and inherent knowledge of the project, and

BE IT FURTHER RESOLVED the Smyth County Board of Supervisors authorizes award and negotiation of a Contract with CHA Consulting, Inc. within the guidelines of the Rural Development fee structure.

Adopted by the Smyth County Board of Supervisors
August 11, 2015

Wade H. Blevins Jr.
Chairman, Smyth County Board of Supervisors

Michael L. Carter
County Administrator

Salville District
Roscoe D 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
G. Blake Frasier

Rye Valley District
Rick K Blevins

7:15:17 PM Nothing was discussed concerning old business.

Board of Supervisors Meeting Minutes
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[7:15:23 PM](#) Supervisor Comment Time-All supervisors stated that they feel like the County is moving forward and they are appreciative of the Staff for all of the hard work.

[7:16:55 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to adjourn the meeting.
North Fork District Supervisor Ron C. Blevins seconded the motion.

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.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

Board of Supervisors Meeting Minutes
August 26, 2015

The Smyth County Board of Supervisors held a Special Called meeting at 3:15 p.m., **Wednesday, August 26, 2015**. 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,
Saltville District Supervisor Roscoe D Call and
Royal Oak District Supervisor G. Blake Frazier.

ABSENT: Rye Valley District Supervisor Rick K Blevins and
Atkins District Supervisor J. Howard Burton.

STAFF: County Administrator Michael Carter,
Assistant County Administrator Scott Simpson,
Administrative Assistant Kelly Woods and
County Attorney Michelle Clayton.

3:24 PM Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. called the meeting to order and thanked everyone for coming to the meeting.

3:26 PM Michelle Clayton, County Attorney advised the Board the meeting being held was in regards to temporarily moving the West Park Voting Precinct 402 from the Smyth County Courthouse, 109 West Main Street, Marion, Virginia to the Wayne C. Henderson School of Arts, 203 North Church Street, Marion, Virginia, due to the Courthouse construction. The Board of Elections requested the relocation and it will be done as an Emergency Ordinance.

3:29:10 PM Vice Chair, Park District Supervisor M. Todd Dishner made a motion to authorize advertising for the request to move the precinct in the Smyth County News and Messenger and to set a Special Called meeting for Thursday, September 3, 2015 at 3:45. Royal Oak District Supervisor G. Blake Frazier 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
Royal Oak District Supervisor G. Blake Frazier
North Fork District Supervisor Ron C. Blevins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton.

3:35:13 PM Royal Oak District Supervisor G. Blake Frazier made a motion to adjourn the meeting. Vice Chair, Park District Supervisor M. Todd Dishner seconded the motion.

Board of Supervisors Meeting Minutes
August 26, 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
Royal Oak District Supervisor G. Blake Frazier
North Fork District Supervisor Ron C. Blevins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor J. Howard Burton.

Board of Supervisors Meeting Minutes
September 3, 2015

The Smyth County Board of Supervisors held a Special Called meeting at 3:45 p.m., **Thursday, September 3, 2015**. 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 (5)

ABSENT: Rye Valley District Supervisor Rick K Blevins; Royal Oak District Supervisor G. Blake Frazier (2)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods (4)

[3:48:14 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. called the meeting to order.

[3:48:18 PM](#) Michelle Clayton, County Attorney advised the Board the meeting being held was in regards to temporarily moving the West Park Voting Precinct 402 from the Smyth County Courthouse, 109 West Main Street, Marion, Virginia to the Wayne C. Henderson School of Arts, 203 North Church Street, Marion, Virginia, due to the Courthouse construction. The proposed relocation will be done as an Emergency Ordinance as shown below.

EMERGENCY ORDINANCE

AN EMERGENCY ORDINANCE TO AMEND AND REORDAIN CHAPTER 17, ELECTIONS, OF THE CODE OF THE COUNTY OF SMYTH COUNTY, VIRGINIA, BY AMENDING ARTICLE IV, PRECINCTS, SECTIONS 17-67 (4)(b), POLLING PLACES; PRECINCT BOUNDARIES FOR A PERIOD OF SIXTY (60) DAYS

WHEREAS, the Board of Supervisors (the "Board") of the County of Smyth, Virginia (the "County") upon the request of the Smyth County Board of Elections has been asked to approve moving a polling precinct for the November 3, 2015 election; and

WHEREAS, §15,2-1427(F) Code of Virginia, (1950), as amended, provides that counties may adopt an emergency ordinance without prior notice; however, no such ordinance shall be enforced for more than sixty (60) days; and

WHEREAS, pursuant to Virginia Code §24.2-306, the Virginia State Board of Elections may approve relocation of polling places within 60 days of a general election; and

WHEREAS, the Voter Registrar has determined that due to ongoing construction the current accessibility to the voting machines at the Smyth County Courthouse will be inadequate for voters on the Election Day of November 3, 2015; and

Board of Supervisors Meeting Minutes
September 3, 2015

WHEREAS, a more suitable temporary location at a school has been located that is one block away from the Courthouse and has sufficient parking available; and

WHEREAS, the Voter Registrar will provide, as required by Section 24.2-306 of the Code of Virginia, (1950), as amended, notice of the relocation by mail to registered voters in the West Park Precinct at least fifteen (15) days prior to the next general election; and

WHEREAS, there are more than sixty (60) days before the next general election and pursuant to §24.2-306 of the Code of Virginia, notice of the proposed change of location was published two successive weeks prior to adoption; and

WHEREAS, the Voter Registrar agrees to provide additional signage at the Courthouse to direct voters to the new temporary location at the Wayne Henderson School of Appalachian Arts.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of Smyth County, Virginia:

1. THAT Chapter 17, Elections, is hereby amended and reordained for 60 days by inserting the language shown underlined at Section 17-67(4)(b), Polling Places; Precinct Boundaries as follows:

CHAPTER 17 - ELECTIONS
ARTICLE IV. Precincts

Sec. 17-67. Polling places; precinct boundaries.

The precincts for each county election district and the polling place for each precinct be as follows:

(4) *Election District 4-01.*

b. West Park Precinct: At the ~~Smyth County Courthouse~~ Wayne Henderson School of Appalachian Arts at Marion, Virginia located at 203 North Church Street, Marion, Virginia.

2. THAT this Emergency Ordinance shall become effective for 60 days on September 8, 2015.

On motion by _____, seconded by _____, the foregoing Resolution was adopted by a majority of the members of the Board of Supervisors present at a special meeting of the Board of Supervisors duly called and held on September 4, 2015.

Adopted this 3th day of September, 2015.

Board of Supervisors Meeting Minutes
September 3, 2015

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

Saltville District Supervisor Roscoe D. Call made a motion to approve the Emergency Ordinance as presented. 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
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins and
Royal Oak District Supervisor G. Blake Frazier.

[3:49:06 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to adjourn the meeting. 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
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins and
Royal Oak District Supervisor G. Blake Frazier.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., Tuesday, September 8, 2015. 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 G. Blake Frazier (1)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods; Director Community & Economic Development Lori Hester (5)

[4:05:20 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order.

A motion was made by Ron C. Blevins, seconded by Park District Supervisor M. Todd Dishner to enter into closed session under Code of Virginia, Section 2.2-3711-A.1 Personnel; A.3 Land Acquisition; A.5; Industrial/Business Prospects; discussion concerning a business or industry considering expansion with no previous announcement being made; and A.7 Legal; discussion with legal counsel and staff pertaining to actual or probable litigation.

After consideration, 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 and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

[4:09:00 PM](#) Royal Oak District Supervisor G. Blake Frazier entered the meeting.

[5:01:04 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:01:41 PM](#) Lori Hester, Director of Community and Economic Development gave the Invocation and Michael Carter, County Administrator led the Pledge of Allegiance.

[5:02:32 PM](#) A motion was made by Rye Valley District Supervisor Rick K. Blevins 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: 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:03:04 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins to approve the minutes of the August 11th and August 26th 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:03:27 PM](#) Michael Carter, County Administrator presented the Board with information on the current FY15-16 budget and a current month analysis for appropriations.

[5:09:45 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$1,861,017.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$675,000.00
Aid to the Commonwealth:	\$12,964.78
Social Services (September 9-September 30, 2015)	\$315,000.00
(October 1-October 13, 2015)	\$60,000.00
Schools-Operating Fund	
Instruction	\$468,591.00
Administration, Attendance & Health	\$0.00
Transportation	\$29,368.00
Facilities	\$113,515.00
School Food Service	\$128,923.00
Technology	\$60,620.00
School Debt and Capital Outlay	
Debt Service	\$10,000.00
Total General Fund:	\$1,861,017.00

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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Park District Supervisor M. Todd Dishner to appropriate \$615,566.84 for the Courthouse 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,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

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 appropriate \$154,803.99 from Commonwealth Attorney Fund 760 for outstanding invoices.

After consideration, 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 G. Blake Frazier.

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 appropriate \$5,481.03 from Sheriff Fund 748 for outstanding invoices.

After consideration, 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 G. Blake Frazier.

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 appropriate \$630,700.27 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:12:28 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to approve the Konnarock-Green Cove Community festival permit application. North Fork District Supervisor Ron C. Blevins 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
Rye Valley District Supervisor Rick K. Blevins and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:13:27 PM](#) Michael Carter, County Administrator presented a letter of support for the EMS Council as Shown below.

Southwest Virginia EMS Council
Attn: Gregory Woods
306 Piedmont Avenue
Bristol, VA 24201

Dear Mr. Woods:

The Board of Supervisors of Smyth County has been informed that the Southwest Virginia EMS Council is applying to renew its designation as a regional emergency medical Services council pursuant to sections §32.1, 32.1-111.4, and 32.1-111.11 of the Code of Virginia, and Chapter 31, sections 2300-2380 of the *Virginia Emergency Medical Services Regulations*. I understand that the goal of this process is to obtain continued authorization to

operate and provide the services of a designated regional EMS council

Smyth County supports the Southwest Virginia EMS Council's mission to reduce death and disability resulting from medical and traumatic emergencies in Southwest Virginia and to support the various components of the regional EMS system. We would like to offer our support of their designation application.

The Southwest Virginia EMS Council has served as a regional emergency medical services council since its inception in 1979. The organization has been instrumental in planning, coordinating, and improving the regional EMS delivery system. The organization provides valuable services to EMS stakeholders in our region (including EMS system planning, coordination, and training), and the Council Board of Directors includes representation from all sixteen jurisdictions in their proposed service area in Southwest Virginia.

We look forward to continuing our work with the Southwest Virginia EMS Council, as well as our other community partners, to ensure health and safety for our jurisdiction. If you have any questions, I can be reached at 276-783-3298 ext. 8301 or mcarter@smythcounty.org.

Sincerely,

Michael Carter,
County Administrator

Saltville District Supervisor Roscoe D. Call made a motion to approve the letter as presented and to allow Michael Carter to sign. 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
Rye Valley District Supervisor Rick K. Blevins and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:14:37 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened Citizen's time.

[5:14:54 PM](#) With no one wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizen's time.

[5:15:14 PM](#) Dr. Dean Sprinkle, Wytheville Community College President introduced himself to the Board and stated the he along with WCC staff looked forward to working with the County and appreciates their continued support.

[5:20:10 PM](#) Lori Hester, Director of Community and Economic Development presented a Performance Agreement for Qore Systems as shown below.

Commonwealth's Development Opportunity Fund
Qore Systems, LLC Performance Agreement
COMMONWEALTH'S DEVELOPMENT OPPORTUNITY FUND
PERFORMANCE AGREEMENT

This PERFORMANCE AGREEMENT is made and entered this ____ day of July, 2015, ("Effective Date") by and among the SMYTH-WASHINGTON INDUSTRIAL FACILITIES AUTHORITY (the "Authority"), a political subdivision of the Commonwealth of Virginia (the Commonwealth"), QORE SYSTEMS, LLC (the "Company"), an Arizona limited liability company authorized to transact business in the Commonwealth, the COUNTY OF WASHINGTON, VIRGINIA ("Washington County"), a political subdivision of the Commonwealth, and the COUNTY OF SMYTH, VIRGINIA ("Smyth County"), a political subdivision of the Commonwealth.

WITNESSETH:

WHEREAS, Washington County has been awarded a grant of and expects to receive \$500,000 from the Commonwealth's Development Opportunity Fund (a "COF Grant") through the Virginia Economic Development Partnership Authority ("VEDP") for the purpose of inducing the Company to construct, equip, and operate a manufacturing, distribution, and office facility (the "Facility") in the Authority's industrial park, Highlands Business Park, which is located in Washington County, thereby making a significant Capital Investment, and creating and Maintaining a significant number of New Jobs, as such capitalized terms are hereinafter defined;

WHEREAS, Washington County and Smyth County are the member jurisdictions of the Authority ("Member Jurisdictions"), and their governing bodies support the provision of economic incentives to the Company, provided that the Company promises to meet certain criteria relating to Capital Investment and New Jobs; WHEREAS, the Authority, in the interest of enhancing the economic base for its Member Jurisdictions by supporting location of the Company in Highlands Business Park, is willing to administer, for the benefit of the Company, the COF Grant funds that Washington County anticipates receiving;

WHEREAS, the Member Jurisdictions, the Authority, and the Company desire to set forth their understanding and agreement as to the payout of the COF Grant, the use of the COF Grant proceeds, the obligations of the Company regarding Capital Investment and New Job creation, and the repayment by the Company of all or part of the COF Grant under certain circumstances;

WHEREAS, the construction, equipping, and operation of the Facility will entail a capital expenditure of approximately \$12,800,000, of which approximately \$10,200,000 will be invested in machinery and equipment, and approximately \$2,600,000 will be invested in the construction of a new building;

WHEREAS, the construction, equipping, and operation of the Facility will further entail the creation and Maintenance of 140 New Jobs at the Facility; and

WHEREAS, the stimulation of the additional tax revenue and economic activity to be generated by the Capital Investment and New Jobs constitutes a valid public purpose for the expenditure of public funds and is the animating purpose for the COF Grant:

NOW, THEREFORE, in consideration of the foregoing, the mutual benefits, promises and undertakings of the parties to this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties covenant and agree as follows.

Section 1. Definitions.

For the purposes of this Agreement, the following terms shall have the following definitions:

“Capital Investment” means a capital expenditure by or on behalf of the Company in taxable real property, taxable tangible personal property, or both, at the Facility, excluding existing real property improvements. The Capital Investment must be in addition to the capital improvements at the Facility as of May 1, 2015. A capital expenditure related to a leasehold interest in real property will be considered to be made “on behalf of the Company” if a lease between a developer and the Company is a capital lease, or is an operating lease having a term of at least ten years, and the real property would not have been constructed or improved but for the Company’s interest in leasing some or all of the real property. Only the capital expenditures allocated to the portion of the real property to be leased by the Company will count as “Capital Investment.” The purchase or lease of furniture, fixtures, machinery, and equipment, including under an operating lease, by or on behalf of the Company will qualify as Capital Investment.

“Maintain” means that the New Jobs created pursuant to the COF Grant will continue without interruption from the date of creation through the Performance Date. Positions for the New Jobs will be treated as Maintained during periods in which such positions are not filled due to (i) temporary reductions in the Company’s employment levels (so long as there is active recruitment for open positions), (ii) strikes and (iii) other temporary work stoppages.

“New Job” means new permanent full-time employment of an indefinite duration at the Facility for which the standard fringe benefits are paid by the Company for the employee, and for which the Company pays an average annual wage of at least \$45,000. Each New Job must require a minimum of either (i) 35 hours of an employee’s time per week for the entire normal year of the Company’s operations, which “normal year” must consist of at least 48 weeks, or (ii) 1,680 hours per year. Seasonal or temporary positions, positions created when a job function is shifted from an existing location in the Commonwealth, and positions with Commonwealth’s Development Opportunity Fund construction contractors, vendors, suppliers, and similar multiplier or spin-off jobs shall not qualify as New Jobs. Net new jobs in the Commonwealth for contractors or employees of contractors who provide dedicated full-time service to the Company may count as New Jobs, even though the Company is not directly paying the wages or providing the fringe benefits, if the other conditions set forth in this paragraph have been satisfied.

“Performance Date” means December 31, 2018. If the Authority, after consultation with the Member Jurisdictions and VEDP, deems that good faith and reasonable efforts have been made and are being made by the Company to achieve the Targets, the Authority may agree to extend the Performance Date by up to 15 months. If the Performance Date is extended, the Authority shall send written notice of the extension to the Member Jurisdictions, the Company and VEDP and the date to which the Performance Date has been extended shall be the Performance Date for the purposes of this Agreement.

“Targets” means the Company’s obligations to make Capital Investments at the Facility of at least \$12,800,000 and to create and maintain at least 140 New Jobs at the Facility, all as of the Performance Date.

“Virginia Code” means the Code of Virginia of 1950, as amended.

Section 2. Targets; Statutory Criteria.

The Company will construct, equip, and operate the Facility, make a Capital Investment of at least \$12,800,000, and create and maintain at least 140 New Jobs at the Facility, all as of the Performance Date. The Company shall make best efforts to ensure that at least 30% of the New Jobs are offered to “Residents” of the Commonwealth, as defined in Virginia Code Section 58.1-302. In pertinent part, that definition includes natural persons domiciled in Virginia or natural persons who, for an aggregate of more than 183 days of the year, maintained a place of abode within the Commonwealth, whether domiciled in the Commonwealth or not.

The average annual wage of the New Jobs of at least \$45,000 is more than the prevailing average annual wage in Washington County of \$36,113. Washington County is a high-unemployment locality, with an unemployment rate for 2014, which is the last year for which such data is available, of 5.7% as compared to the 2014 statewide unemployment rate of 5.2%. Washington County is a high-poverty locality, with a poverty rate for 2013, which is the last year for which such data is available, of 14.9% as compared to the 2013 statewide poverty rate of 11.7%.

Section 3. Disbursement of COF Grant.

By no later than October 31, 2015, Washington County will request disbursement of the COF Grant to Washington County. If not so requested by Washington County by October 31, 2015, this Agreement will terminate. Washington County and the Company will be entitled to reapply for a COF Grant thereafter, based upon the terms, conditions and availability of funds at that time.

The COF Grant in the amount of \$500,000 will be paid upon request to Washington County. Within 30 days of its receipt of COF Grant proceeds, Washington County will disburse the COF Grant proceeds to the Authority. Within 30 days of its receipt of the COF Grant proceeds, the Authority will disburse the COF Grant proceeds to the Company as an inducement to the Company to achieve the Targets at the Facility. The Company will use the COF Grant proceeds for site acquisition, grading, drainage, paving and any other activity required to prepare a site for construction, as permitted by Section 2.2-115(D) of the Virginia Code.

Section 4. Break-Even Point; State and Local Incentives.

VEDP has estimated that the Commonwealth will reach its “break-even point” by the Performance Date. The break-even point compares new revenues realized as a result of Capital Investment and New Jobs at the Facility with the Commonwealth’s expenditures on incentives, including but not limited to the COF Grant. With regard to the Facility, the Commonwealth expects to provide incentives in the following amounts:

Category of Incentive:

Total Amounts

COF Grant

\$500,000

Virginia Jobs Investment Program (“VJIP”) (Estimated)

112,000

Tobacco Region Opportunity Fund Grant (“TROF Grant”) (Estimated)

420,000

Port of Virginia Economic and Infrastructure Development Zone Grant (“Port Grant”) (Estimated)

420,000

Enterprise Zone Job Creation Grant (“E. Z. Job Creation Grant”) (Estimated)

500,000

Enterprise Zone Real Property Improvement Grant ("E. Z. Real Property Improvement Grant") (Estimated)
100,000

Commonwealth's Development Opportunity Fund

Qore Systems, LLC Performance Agreement Page 5 of 9

The Authority expects to provide the following incentive, as a matching grant or otherwise, for the Facility:

Category of Incentive:

Total Amount

Authority Grant

\$400,000

Allocation of TROF Grant

100,000

The proceeds of the COF Grant shall be used for the purposes described in Section 3. The VJIP proceeds shall be used by the Company to pay or reimburse itself for recruitment and training costs. The proceeds from the TROF Grant shall be used for purpose(s) as designated in the Performance Agreement for TROF Grant funding. The Port Grant, the E. Z. Job Creation Grant, and the E.Z. Real Property Improvement Grant proceeds may be used by the Company for any lawful purpose. The proceeds of the Authority Grant may be used by the Company for any lawful purpose.

Section 5. Repayment Obligation.

(a) If Statutory Minimum Eligibility Requirements are Not Met: Section 2.2-115 of the Virginia Code requires that the Company make a Capital Investment of at least \$1,500,000 in the Facility and create and Maintain at least 15 New Jobs at the Facility in order to be eligible for the COF Grant. Failure by the Company to meet either of these statutory minimum eligibility requirements by the Performance Date shall constitute a breach of this Agreement and the entire COF Grant must be repaid by the Company to the Authority.

(b) If Statutory Minimum Eligibility Requirements are Met: The provisions of this subsection (b) shall become applicable only if the Company has met the statutory minimum eligibility requirements set forth in subsection (a). For purposes of repayment, the COF Grant is to be allocated as \$250,000 (50%) for the Company's Capital Investment Target and \$250,000 for its New Jobs Target. Except as noted in subsection c below, if the Company has met at least 90% of both of the Targets at the Performance Date, then and thereafter the Company is no longer obligated to repay any portion of the COF Grant. If the Company has not met at least 90% of either or both its Targets at the Performance Date, the Company shall repay the Authority that part of the COF Grant that is proportional to the Target or Targets for which there is a shortfall. For example, if at the Performance Date, the Capital Investment is only \$10,240,000 (reflecting achievement of 80% of the Capital Investment Target) and only 112 New Jobs have been created and Maintained (reflecting achievement of only 80% of the New Jobs Target), the Company shall repay the Authority 20% of the moneys allocated to the Capital Investment Target (\$50,000) and 20% of the moneys allocated to the New Jobs Target (\$50,000).

(c) Determination of Inability to Comply: If the Authority, after consultation with the Member Jurisdictions, or VEDP shall determine at any time prior to the Performance Date (a Commonwealth's Development Opportunity Fund "Determination Date") that the Company is unable or unwilling to meet and Maintain its Targets by and through the Performance Date, and if the Authority or VEDP shall have notified the Company of such determination, the Company must repay the entire COF Grant to the Authority. Such a determination will be based on such circumstances as a filing by or on behalf of the Company under Chapter 7 of the U.S. Bankruptcy Code, the liquidation of the Company, an abandonment of

the Facility by the Company or other similar significant event that demonstrates the Company will be unable or is unwilling to satisfy the Targets for the COF Grant.

(d) Repayment Dates: Such repayment shall be due from the Company to the Authority within ninety days of the Performance Date or the Determination Date, as applicable. Any moneys repaid by the Company to the Authority hereunder shall be repaid by the Authority to Washington County and shall be repaid by Washington County promptly to VEDP for redeposit into the Commonwealth's Development Opportunity Fund. The Authority and the Member Jurisdictions shall use their best efforts to recover such funds, including legal action for breach of this Agreement. Neither the Authority nor either Member Jurisdiction shall have any responsibility for the repayment of any sums hereunder unless said sums have been received by the Authority from the Company.

Section 6. Company Reporting.

The Company shall provide, at the Company's expense, detailed verification reasonably satisfactory to the Authority, the Member Jurisdictions, and VEDP of the Company's progress on the Targets. Such process reports shall be provided annually, starting on October 31, 2016 and covering the period through the prior 12-month period. Further, the Company shall provide such progress reports at such other times as the Authority, the Member Jurisdictions, or VEDP may reasonably require. If the Company wishes to include in its accounting of New Jobs the employees of contractors, to the extent permitted in the definition of New Jobs in Section 1, the Company is responsible to provide to the Authority such documentation as required by VEDP to verify such New Jobs, including whether such jobs are New Jobs in the Commonwealth. If the Company wishes to count as Capital Investments the capital expenditures made on its behalf by a lessor or a developer of the Facility, the Company is responsible to provide to the Authority the documentation required by VEDP to verify the capital expenditures made on behalf of the Company.

With each such progress report, the Company shall report to VEDP the amount paid by the Company in the prior calendar year in Virginia corporate income tax. VEDP has notified the Company that it considers such information to be confidential proprietary information that is exempt from public disclosure under the Virginia Freedom of Information Act and that such information will be used by VEDP solely in calculating aggregate return on invested capital analyses for purposes of gauging the overall effectiveness of economic development incentives.

The Company hereby authorizes the Office of the Commissioner of the Revenue for Washington County to release to VEDP the Company's real estate tax, business personal property tax and machinery and tools tax information. Such information shall be marked and considered confidential and proprietary and shall be used by VEDP solely for verifying satisfaction of the Capital Investment Target.

Section 7. Notices.

Formal notices and communications between the parties to this Agreement shall be given either by (i) personal service, (ii) delivery by a reputable document delivery service that provides a receipt showing date and time of delivery, (iii) mailing by a certified or first class mail postage prepaid service of the United States Postal Service that provides a receipt showing date and time of delivery, or (iv) delivery by facsimile or electronic mail (email) with transmittal confirmation and confirmation of delivery, addressed as noted below. Notices and communications personally delivered or delivered by document delivery service shall be deemed effective upon receipt. Notices and communications mailed shall be deemed effective on the second business day following deposit in the United States mail. Notices and communications delivered by facsimile or email shall be deemed effective the next business day, not less than 24 hours, following the date of transmittal and confirmation of delivery to the intended recipient. Such written notices and communications shall be addressed to:

If to the Company, to: with a copy to:

Qore Systems, LLC Qore Systems, LLC

60 East Rio Salado Parkway, Suite 900 60 East Rio Salado Parkway, Suite 900

Tempe, Arizona 85281 Tempe, Arizona 85281

Facsimile: Facsimile:

Email: bob@ntsinc.net Email: kyle.blackwell@qore24.com

Attention: Bob Newberry, Managing Member Attention: Kyle Blackwell, V.P. of Sales

If to Washington County, to: with a copy to:

Washington County Washington County

1 Government Center Place, Suite A 1 Government Center Place, Suite A

Abingdon, Virginia 24210 Abingdon, VA 24210

Facsimile: 276-525-1309 Facsimile: 276-525-1309

Email: jberry@washcova.com Email: wbonham@washcova.com

Attention: County Administrator Attention: Economic Development Director

If to the Authority, to: with a copy to:

Smyth-Washington Ind. Facilities Authority Smyth-Washington Ind. Facilities Authority

1021 Terrace Drive 1021 Terrace Drive

Marion, Virginia 24354 Marion, VA 24354

Facsimile: 276.783.6949 Facsimile: 276.783.6949

Email: asizemore@mrpdc.org Email: hldean45@comcast.net

Attention: SWIFA-Coordinator Attention: SWIFA- Chair

If to VEDP, to: with a copy to:

Virginia Economic Development Partnership Virginia Economic Development Partnership

901 East Byrd Street, 19th Floor 901 East Byrd Street, 19th Floor

Post Office Box 798 (zip: 23218-0798) Post Office Box 798 (zip: 23218-0798)

Richmond, VA 23219 Richmond, VA 23219

Facsimile: 804.545.5611 Facsimile: 804.545.5611

Email: mbriley@yesvirginia.org Email: smcninch@yesvirginia.org

Attention: President & CEO Attention: General Counsel

If to Smyth County, to:

Smyth County Virginia

121 Bagley Circle, Suite 100

Marion, VA 24354

Facsimile: 276.783.9314

Email: lhester@smythcounty.org

Attention: Economic Development Director

Section 8. Miscellaneous.

(a) Entire Agreement; Amendments: This Agreement constitutes the entire agreement between the parties hereto as to the COF Grant and may not be amended or modified, except in writing, signed by each of the parties hereto. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. The Company may not assign its rights and obligations under this Agreement without the prior written consent of the Authority, the Member Jurisdictions, and VEDP.

(b) Governing Law; Venue: This Agreement is made, and is intended to be performed, in the Commonwealth and shall be construed and enforced by the laws of the Commonwealth. Jurisdiction and venue for any litigation arising out of or involving this Agreement shall lie in the Circuit Court of the County of Washington, and such litigation shall be brought only in such court.

(c) Counterparts: This Agreement may be executed in one or more counterparts, each of which shall be an original, and all of which together shall be one and the same instrument.

(d) Severability: If any provision of this Agreement is determined to be unenforceable, invalid, or illegal, then the enforceability, validity, and legality of the remaining provisions will not in any way be affected or impaired, and such provision will be deemed to be restated to reflect the original intentions of the parties as nearly as possible in accordance with applicable law.

(e) Attorney's Fees: Attorney's fees shall be paid by the party incurring such fees.

IN WITNESS WHEREOF, the parties hereto have executed this Performance Agreement as of the Effective Date written above.

SMYTH-WASHINGTON REGIONAL
INDUSTRIAL FACILITIES AUTHORITY

By, Harry Dean
Its Chairman
COUNTY OF WASHINGTON, VIRGINIA

By, Phil McCall
Its Chairman of Board of Supervisors
QORE SYSTEMS, LLC

By, Bob Newberry
Its Managing Member
COUNTY OF SMYTH, VIRGINIA

By, Wade H. Blevins, Jr.
Its Chairman of Board of Supervisors

North Fork District Supervisor Ron C. Blevins made a motion to approve the Performance Agreement as presented and to allow Chairman of the Board, Wade H. Blevins Jr. to sign. Royal Oak District Supervisor G. Blake Frazier 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,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.
ABSTAINERS: None.
ABSENT: None.

[5:21:49 PM](#) Michelle Clayton, County Attorney presented a Contract with BVU for services to be used at the Courthouse as shown below.

**SMYTH COUNTY, VIRGINIA
ADMINISTRATIVE TELEPHONE SYSTEMS
CONTRACT FOR SERVICES AND EQUIPMENT**

This Contract for Services ("Contract") is entered into this 8th day of September, 2015, between the **COUNTY OF SMYTH, VIRGINIA** ("County"), a political subdivision of the Commonwealth of Virginia, and **BVU AUTHORITY**, ("Contractor") a political subdivision of the Commonwealth of Virginia ("Contractor").

RECITALS

WHEREAS, Smyth County advertised Requests for Proposals for Administrative Telephone Systems on March 15, 2015 and March 22, 2015;

WHEREAS, proposals were submitted to the Smyth County Administrator's Office by 5:00 p.m. on Friday, April 10, 2015;

WHEREAS, BVU Authority submitted a proposal on April 10, 2015 that was among three proposals presented to the Smyth County Courthouse Committee on May 21, 2015;

WHEREAS, BVU Authority and Smyth County, after competitive negotiation, agreed to a price on the purchase and provisioning of an administrative telephone system for Smyth County;

WHEREAS, the County Courthouse Committee voted on July 14, 2015 to recommend the bid of BVU Authority to the Board of Supervisors:

WHEREAS, the Smyth County Board of Supervisors approved an award of the contract to BVU Authority for the administrative telephone system at its regular meeting on July 14, 2015.

GENERAL TERMS AND CONDITIONS

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual promises, covenants, and conditions herein contained, the County and Contractor hereby enter into this Contract subject to the terms and conditions stated herein.

1. CONTRACT DOCUMENTS:

a. Contractor agrees to provide services in full and complete accordance with the shown, noted, described and reasonable implied requirements of the attached exhibits, which are hereby incorporated and made a part of this Contract as if fully set out herein:

- | | |
|--|--------------|
| i.) Contract for Services dated September 8, 2015 | (Appendix A) |
| ii.) BVU Services Agreement dated August 14, 2015 and Amendments | (Appendix B) |

iii.) Bid from BVU Authority dated April 10, 2015

(Appendix C)

iv.) RFP- Administrative Telephone System dated March 15, 2015

(Appendix D)

- b. These General Terms and Conditions in this document shall apply in all instances. In the event there is a conflict between any of the General Terms and Conditions and other provisions in the documents above, this Contract for Services shall apply. All time limits stated in the Contract Documents, including but not limited to the time for completion of the work, are of the essence of the contract.
- c. Anything called for by one of the Contract Documents and not called for by the others shall be of like effect as if required or called for by all, except that a provision clearly designed to negate or alter a provision contained in one or more of the other Contract Documents shall have the intended effect.
- d. The Contract Documents represent the entire understanding between County and Contractor in respect to the project and may only be modified in writing signed by both County and Contractor.
- e. The undersigned, hereby declares that the only person or persons interested in this proposal as principal or principals is or are named herein and that no other person or firm herein mentioned has any interest in this contract; that this is made without connection with any other person or company or parties making a contract; and that it is in all respects fair and in good faith without collusion or fraud.
- f. The undersigned further declares that they have examined the specifications of the services, and informed themselves fully in regard to all the conditions pertaining to the services; that they have examined the specifications relative thereto, and have read all special provisions furnished prior to the signing of this contract; that they have satisfied themselves relative to the service to be provided.
- g. The undersigned agrees to furnish all necessary services necessary to complete this Contract to the full and entire satisfaction of Smyth County, with the definite understanding that no money will be allowed for extra work except as set forth in the attached fee proposal for the sum reflected below:

2. INSURANCE:

Contractor shall maintain insurance coverage during the entire term of the contract and all insurance coverage will be provided by insurance companies authorized to sell insurance in Virginia by the Virginia State Corporation Commission. The Contractor shall provide proof of insurance to the County.

3. MINIMUM INSURANCE COVERAGES AND LIMITS:

- a. Workers' Compensation –
 - i. Statutory requirements and benefits.
 - ii. Employers Liability
 - 1. Bodily Injury by Accident - \$100,000 each accident
 - 2. Bodily Injury by Disease - \$500,000 policy limit
 - 3. Bodily Injury by Disease - \$100,000 for each employee
- b. General Liability - \$1,000,000 per occurrence. If the liability insurance purchased by the Contractor has been issued on a "claims made" basis, the Contractor must comply with the following

additional conditions. The limits of liability and the extensions to be included as described previously in these provisions, remain the same.

- c. Auto Liability - \$1,000,000 per occurrence.
- d. The Contractor must either:
 - i. Agree to provide certificates of insurance evidencing the above coverage for a period of two (2) years after final payment for the Agreement for General Liability policies. This certificate shall evidence a "retroactive date" no later than the beginning of the Offeror's work under this Agreement, or
 - ii. Purchase the extended reporting period endorsement for the policy or policies in force during the term of this Agreement and evidence the purchase of this extended reporting period endorsement by means of a certificate of insurance or a copy of the endorsement itself.
- e. The County shall be named as an additional insured on all the policies (by endorsement and as evidenced by a certificate of insurance).
- f. The Contractor shall hold harmless and indemnify the County and its officers, officials, employees and agents against any and all injury, loss or damage arising out of the Contractor's negligent or intentionally wrongful acts or omissions.

4. WARRANTY:

All materials and equipment shall be fully guaranteed against defects in material and workmanship for a minimum period of one year following date of delivery and installation. The Contractor may specify alternative warranty periods with longer terms in their response to this solicitation.

Should any defect be noted by the County, the County will notify the Contractor of such defect or non-conformance. Notification will state either (1) that the Contractor shall replace or correct, or (2) the owner does not require replacement or correction, but an equitable adjustment to the contract price will be negotiated. If the Contractor is required to correct or replace, it shall be at no cost to Smyth County and shall be subject to all provisions of this clause to the same extent as materials initially delivered. If the Contractor fails or refuses to replace or correct the deficiency, the County may have the materials corrected or replaced with similar items and charge the Contractor the costs occasioned thereby or obtain an equitable adjustment in the contract price. Contractor does not waive the right to contest the existence of defective materials or workmanship.

5. SUCCESSORS AND ASSIGNS:

County and Contractor each binds itself and its partners, successors, executors, administrators, and assigns to the other party of the Contract and to the partners, successors, executors, administrators, and assigns of such other party. In respect to all covenants of the Contract, neither County nor Contractor shall assign sublet, or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any office or agent of any public body, which may be a party hereto, nor shall it be construed as giving any rights or benefits hereunder to anyone other than County and Contractor.

6. MODIFICATION OF THE CONTRACT:

Changes can be made to the Contract in any one of the following ways:

- a. The County may order changes within the general scope of the contract at any time by written notice to the Contractor. Changes within the scope of the contract include, but are not limited to, things such as the method of packing or shipment and the place of delivery or installation. The Contractor shall comply with the notice upon receipt. The Contractor shall be compensated for any additional costs incurred as the result of such change order and shall give the County a credit for any savings.
- b. The parties may agree in writing to modify the scope of the contract. An increase or decrease in the price of the contract resulting from such modification shall be agreed to by the parties as a part of their written agreement to modify the scope of the contract.
- c. The contract shall not be amended, modified, or otherwise changed except by the written consent of the Contractor and the County given in the same manner and form as the original signing of the contract.

7. CANCELLATION OF CONTRACT:

The County reserves the right to cancel and terminate any resulting contract, in part or in whole, without penalty, upon 60 days written notice to the Contractor. In the event the initial contract period is for more than 12 months, the resulting contract may be terminated by either party, without penalty, after the initial 12 months of the contract period upon 60 days written notice to the other party. Any contract cancellation notice shall not relieve the Contractor of the obligation to perform on all outstanding orders issued prior to the effective date of cancellation.

8. DEFAULT:

In case of failure to deliver services in accordance with the contract terms and conditions, the County, after due oral or written notice, should the Contractor fail to remedy the default within 48 hours, may procure them from other sources and hold the Contractor responsible for any additional costs. This remedy shall be in addition to any other remedies which the county may have.

9. NOTICES

All notices shall be sufficient if delivered in person or sent by certified mail to the parties at the following addresses:

For the County

Michael Carter
Smyth County Administrator
121 Bagley Circle, Suite 100
Marion, Virginia 24354

For the Contractor:

George Pickard, Business Sales
BVU Authority
15022 Lee Highway
Bristol, Virginia 24202

10. GOVERNING LAW:

Any legal proceedings arising out of or related to this agreement shall be filed by the parties in the Smyth General District Court or the Smyth County Circuit Court. The Contract shall be governed in all respects by the laws of the Commonwealth of Virginia.

11. LAWS AND REGULATIONS:

The Contractor shall comply with all laws, ordinances, rules, regulations, and lawful orders of any public authority bearing on the performance of the work and shall give all notices required thereby.

This Contract and all other contracts and subcontracts are subject to the provisions of Articles 3 and 5, Chapter 4, Title 40.1, Code of Virginia, relating to labor unions and the "right to work." The Contractor and its subcontractors, whether residents or nonresidents of the Commonwealth, who perform any work related to the project shall comply with all of the said provisions.

The provisions of all rules and regulations governing safety as adopted by the Safety Codes Commission of the Commonwealth of Virginia and as issued by the Department of Labor and Industry under Title 40.1 of the Code of Virginia shall apply to all work under this contract. Inspectors from the Department of Labor and Industry shall be granted access to the work for inspection without first obtaining a search warrant from the court.

12. SEVERABILITY:

If any term or provision of this Contract shall be held invalid or unenforceable to any extent, the remainder of this Contract shall not be affected thereby, and each term and provision of this Contract shall be enforced to the fullest extent permitted by law.

13. PAYMENT:

a. Invoices for items ordered, delivered and accepted shall be submitted by the Contractor directly to the payment address shown on the purchase order/contract. All invoices shall show the County purchase order number and the Contractor's federal employer identification number.

b. All payment terms are to be considered net forty five (45) days after the invoice or delivery, whichever occurs last.

c. If the Contractor performs all of the obligations of the contract to the satisfaction of the County, the County shall pay the Contractor for the performance of the work in the manner and within the time specified in the contract documents, which shall be consistent with the provisions in § 2.2-4352 and § 2.2-4354 of the *Code of Virginia*.

14. TAXES:

The County is exempt from payment of Federal Excise Tax and State and Local Sales and Use Tax on all tangible personal property purchased or leased by Smyth County for its use or consumption. Tax exemption certification will be furnished upon request.

15. AUDIT:

The Contractor agrees to retain all books, records, and other documents relative to this contract for five (5) years after final payment, or until audited by the County, whichever is sooner. The County, its authorized agents, and/or County auditors shall have full access to and the right to examine said materials during this period.

16. ETHICS IN PUBLIC CONTRACTING:

Contractor hereby certifies that it has familiarized itself with Article 6 of the Virginia Public Procurement Act, Sections 2.2-4367 through 2.2-4377 of the Code of Virginia (1950) as amended, and that all amounts received or disbursed by it, pursuant to this procurement, are proper and in accordance therewith.

17. EMPLOYMENT DISCRIMINATION:

a. Contractor shall conform to the provisions of the Federal Civil Rights Act of 1964, as amended, as well as the Virginia Fair Employment Contracting Act of 1975, as amended, where applicable, the Virginians With Disabilities Act, the Americans With Disabilities Act and § 2.2-4311 of the Virginia Public Procurement Act (VPPA). In any contract between the County and a faith-based organization, the organization shall not discriminate against any recipient of goods, services, or disbursements made pursuant to the contract on the basis of the recipient's religion, religious belief, refusal to participate in a religious practice, or on the basis of race, age, color, gender or national origin and shall be subject to the same rules as other organizations that contract with public bodies to account for the use of the funds provided; however, if the faith-based organization segregates public funds into separate accounts, only the accounts and programs funded with public funds shall be subject to audit by the public body.

In every contract over \$10,000, the provisions in i and ii below apply:

b. During the performance of this contract, the contractor agrees as follows:

i. The contractor shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.

ii. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.

iii. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting these requirements.

c. The contractor will include the provisions of i. above in every subcontract or purchase order over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

18. IMMIGRATION:

The Contractor agrees that he does not and shall not during the performance of this contract employ illegal alien workers or otherwise violate the provisions of the federal Immigration Reform and Control Act of 1986.

19. DRUG-FREE WORKPLACE:

During the performance of this contract, the contractor agrees to (i) provide a drug-free workplace for the contractor's employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the contractor that the contractor maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

For purposes of this section, "drug-free workplace" means a site for the performance of work done in connection with a specific contract awarded to a Contractor in accordance with this chapter, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

20. COMMITMENT TO DIVERSITY:

The County is committed to increasing the opportunities for participation of minority-owned business, women-owned business to ensure diversity in its procurement and contract activities. These businesses are encouraged to respond to all solicitations and the County strongly encourages each Contractor and/or supplier with which the County contracts to actively solicit minority-owned businesses, women-owned business, and businesses located in the County as subcontractors and suppliers for their projects.

21. FAITH-BASED ORGANIZATIONS:

Smyth County does not discriminate against faith-based organizations.

22. MISCELLANEOUS

- a. The Contractor agrees to comply with all provisions of this Contract, including without limitation all insurance requirements.
- b. The Contractor shall be responsible for complying with any applicable Federal, state and municipal laws, codes and regulations that may be required under this Contract.
- c. The Contractor and all Subcontractors and Sub-Subcontractors are to comply with the Occupational Safety and Health Act of 1970, Public Law 91-956, as it may apply to the Contract.
- d. No portion of the work associated with this Contract may be subcontracted without the prior written approval by County or duly authorized agent of the County. The County recognizes that it may be in the best interest of the Contractor to subcontract some or all parts of the work of the Contract described herein; however, the Contractor shall be held responsible by the County for the quality, delivery, and all terms and conditions of the Contract
- e. The titles used in this Contract are for general references only and are not a part of the Contract.
- f. The continuation of the terms, conditions, and provisions of a resulting contract beyond June 30 of any year, the end of the County's fiscal year, are subject to approval and ratification by the Smyth County Board of Supervisors and appropriation by them of the necessary money to fund and contract for each succeeding year. In the event of non-appropriation of funds, the contract shall be automatically terminated with no recourse for the Contractor.

IN TESTIMONY WHEREOF, the Smyth County Board of Supervisors has caused its name to be hereunto subscribed by Wade H. Blevins, Jr., Chair of the Smyth County Board of Supervisors and attested by Michael Carter, Smyth County Clerk, pursuant to authority heretofore duly granted by the Smyth County Board of Supervisors; and George Pickard of BVU Authority has caused its name to be hereunto subscribed by George Pickard and hereunto duly affixed and attested.

SEEN AND AGREED,

SMYTH COUNTY, VIRGINIA

CONTRACTOR

Wade H. Blevins, Jr., Chair
Smyth County Board of Supervisors

George Pickard
BVU Authority

ATTEST:

ATTEST:

Michael Carter, County Clerk

Witness

**BVU AUTHORITY SERVICES AGREEMENT
EXHIBIT A**

Smyth County Board of Supervisors – Amendments to BVU Terms and Conditions

3. The Customer/County shall have the right to cancel with 60 days' notice with no penalty as provided in the Contract for Services – see Paragraph 8.
4. The Customer/County is responsible for payment of invoices and shall pay within net forty-five (45) days of receipt of the invoice or equipment.
7. All modifications or amendments to the contract shall be in writing and in accordance with Paragraph 6 (a) and (b) in the Contract for Services.
8. Understood. However, see Paragraph 8 on Default in Contract for Services.

Customer/County Signature _____

BVU Salesperson Signature _____

Board of Supervisors Meeting Minutes
September 8, 2015

Saltville District Supervisor Roscoe D. Call made a motion to approve the contract as presented and allow Chairman of the Board, Wade H. Blevins to sign. Royal Oak District Supervisor G. Blake Frazier 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
Rye Valley District Supervisor Rick K. Blevins and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:23:59 PM](#) Michelle Clayton, County Attorney informed the Board the purchase of the Hungry Mother Convenience Station will close on Friday, September 11, 2015. Park District Supervisor M. Todd Dishner reminded the Board the County had been in search of an additional site for the station to be located on should the need arise. Additionally Mr. Dishner requested a letter to be sent to a nearby property owner whom the County had been discussing possibly acquiring for a new site location in the area.

[5:25:55 PM](#) Michelle Clayton, County Attorney presented a Memorandum of Understanding between the Board and the Smyth County Sheriff's Office as shown below.

Memorandum of Understanding
Between
Smyth County Board of Supervisors
and
Smyth County Sheriff's Office

This Memorandum of Understanding (MOU) sets forth the terms and understanding between Smyth County Board of Supervisors and the Smyth County Sheriff's Office to assure the cleanliness of roadsides in the vicinity of Smyth County's convenience stations.

Background and Purpose

This agreement is designed to assure that throughout the year those areas that provide trash drop-off for Smyth County residents do not become an eyesore when certain circumstances arise such as weather, spilled garbage and general litter problems. This MOU will help to assure the regular clean-up of roadsides and timely pick-up when there is an unusual amount of trash spilled near the convenience stations. In partnership with the Southwest Virginia Regional Jail, the Sheriff's Office has kept Smyth County's roads clean from trash and debris, and this MOU will make that success even greater by concentrating some of that effort on the convenience stations where trash is deposited and sometimes causes roadside litter problems. The MOU is effective to the extent that regional jail trustees are available to work for the Sheriff's Office roadside clean-up projects.

Responsibilities Under This MOU

This MOU will be accomplished by the following activities:

- **Regularly Scheduled Trash Pick-ups**

This MOU creates the understanding between the parties that all Smyth County convenience stations will be scheduled for a trash pick-up on a twice monthly basis as needed.

- **Reporting of Roadside Trash Problems**

This MOU requires Smyth County's convenience station workers to help alert the Sheriff's Office if unusual amount of trash is on the roadside. In such cases, the Sheriff's Office will schedule clean-up at the earliest time possible and alert the Virginia Department of Transportation to pick up the bags left from the clean-up.

Duration

This MOU is at-will and may be modified by mutual consent of authorized officials from the Smyth County Board of Supervisors and the Smyth County Sheriff's Office. This MOU shall become effective upon signature by the authorized officials and will remain in effect until modified or terminated by any one of the partners by mutual consent.

Wade H. Blevins, Jr., Chair
Smyth County Board of Supervisors

R. David Bradley, Sheriff
Smyth County, Virginia

North Fork District Supervisor Ron C. Blevins made a motion to approve the MOU as presented and to allow Chairman of the Board, Wade H. Blevins Jr. to sign. Royal Oak District Supervisor G. Blake Frazier 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,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:28:02 PM](#) Saltville District Supervisor Roscoe D. Call informed the Board that he would like for the Buildings located at the Convenience Station sites be inspected.

[5:28:49 PM](#) Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Smyth County Appointment Committee. It is the committee's recommendation to reappoint Roscoe Call to the Community Policy Management Team for a one (1) year term, beginning June 30, 2015 and ending on June 30, 2016, with Scott Simpson remaining as designee.

After consideration, 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: Saltville District Supervisor Roscoe D. Call.

ABSENT: None.

Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Smyth County Appointment Committee. It is the committee's recommendation to reappoint Manuel Street to Keep Southwest Virginia Beautiful for a one (1) year term, beginning June 30, 2015 and ending on June 30, 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,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Smyth County Appointment Committee. It is the committee's recommendation to reappoint Lori Hester to the Marion Downtown Revitalization Committee for a one (1) year term, beginning June 30, 2015 and ending on June 30, 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,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Smyth County Appointment Committee. It is the committee's recommendation to reappoint Robin Meadows from American Wood Fibers to the New River/Mt. Rogers Workforce Investment Board for a three (3) year term, beginning March 31, 2015 and ending March 31, 2018. It is also the committee's recommendation to reappoint Ed Stringer from the Bank of Marion to the same Board for a three (3) year term beginning June 30, 2015 and ending June 30, 2018.

After consideration, 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,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Smyth County Appointment Committee. It is the committee's recommendation to reappoint Dr. Mike Robinson to the Crossroads Rural Entrepreneurial Institute Board of Directors for a four (4) year term, beginning June 30, 2015 and ending June 30, 2019.

After consideration, 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,

Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:32:17 PM](#) Park District Supervisor M. Todd Dishner made a motion to reappoint Kris Ratliff to the Economic Development Authority for a four (4) year term, beginning June 30, 2015 and ending June 30, 2019. Royal Oak District Supervisor G. Blake Frazier 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,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:32:51 PM](#) Michael Carter, County Administrator brought a recommendation before the Board of Supervisors from the Budget Committee. It is the committee's recommendation to allow a line transfer for the Smyth County School Board in the amount of \$135,000.00 as shown below.

Transfer \$135,000.00 from Fund 9, Line item 099990-5801(Instruction) to Fund 9, Line item 099990-5803(Transportation).

After consideration, 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter, County Administrator brought a recommendation before the Board of Supervisors from the Budget Committee to amend the FY 15-16 Budget from \$88,496,526 to \$88,527,209 as shown below.

Line Item Number	Title	Expense
Fund 9-099990-5803	School Operating Expense-Transportation	\$30,683.00
Line Item Number	Title	Revenue
Fund 9-022000-0001	Local Funds Transfer from General Fund	\$30,683.00

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, Saltville District Supervisor Roscoe D. Call, 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:35:38 PM](#) Lavonda Brickey presented information on the Health Department's 2015 mobile rabies clinic. Each year, the County pays the advertising cost for the clinic out of the Animal Fund 3. 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 Rye Valley District Supervisor Rick K. Blevins, to approve and appropriate \$280.64 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:36:30 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called for a recess until 6:00 P.M.

[6:01:24 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting back to order.

[6:01:32 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened the Public Hearing for Green Hill Circle. Michael Carter, County Administrator read the following advertisement as published in the Smyth County News & Messenger.

NOTICE OF PUBLIC HEARING

Pursuant to §§ 15.2-2409 and 33.2-343 of the Code of Virginia, 1950, as amended, the Board of Supervisors of the Smyth County, Virginia hereby gives notice of its intent to conduct public hearings regarding proposed improvements to the following subdivision road:

GREEN HILL CIRCLE

Landowners of property abutting Green Hill Circle in the Chilhowie Magisterial District propose to make financial contributions to fund fifty percent of the costs associated with improvement of the road to standards sufficient for the Virginia Department of Transportation (VDOT) to accept the road into the state secondary system of highways for purposes of maintenance, improvement, construction and reconstruction. VDOT would fund the remaining fifty percent of costs. Upon receipt of written agreements from seventy-five percent of owners of land abutting the road, the Board will consider contributing from special assessment of abutting landowners fifty percent of the costs of improvements. If the Board agrees to the proposal, liens will be created against each abutting parcel until the owner reimburses the County its proportionate share of the expense. Any landowner wishing to make objections to an assessment or apportionment may appear at the public hearing in person or by counsel and state such objections.

The Board will consider these proposals at its regular meeting on Tuesday, September 8, 6:00 p.m. in the Board of Supervisors Meeting Room at the County Administration Building located at 121 Bagley Circle, Marion, Virginia.

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 x 8315 at least forty eight (48) hours prior to the public hearing.

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

[6:04:46 PM](#) Michael Lamkins, 212 Flatwoods Acres Road, Chilhowie, VA, stated that the project would be of no use to him because he does not use this road to access his property.

[6:08:37 PM](#) With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed the Public Hearing.

[6:11:57 PM](#) Michael Carter, County Administrator explained to those in attendance of the Public Hearing when the Board could vote on the item and stated the price could change if the participation of the project changes.

[6:17:25 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened the Public Hearing for Proposed Increase in Smyth County Solid Waste Tipping Fees. Michael Carter, County Administrator read the following advertisement as published in the Smyth County News & Messenger.

Public Hearing
Proposed Increase in Smyth County Solid Waste Tipping Fees

Pursuant to § 15.2-107 and §15.2-1427 of the Code of Virginia, (1950), as amended, the Smyth County Board of Supervisors proposes to increase solid waste tipping fees from \$52 per ton to \$56 per ton. The current disposal cost for used tires would not change from the current rates identified below. The increase in tipping fees is the first since 2009 and is necessary due to new contract rates for hauling and disposal. The increase would take effect immediately upon adoption. The proposed rates would be as follows:

- \$56/ton flat rate for waste delivered to the Transfer Station
- Tires:

Less than 16"	-	\$2.50 each
17" - 24"	-	\$7.50 each
25" or greater	-	\$13.25 each
Cut or chipped tires	-	\$165/ton

A Public Hearing will be conducted by the Smyth County Board of Supervisors on Tuesday, September 8th, 2015 beginning at 6:15 p.m., or as soon thereafter, in the Board of Supervisors meeting room, 121 Bagley Circle, Marion, Virginia. A copy of the present and proposed ordinance is on file at the Smyth County Administrators Office, 121 Bagley Circle, Marion, Virginia and can be viewed between the hours of 8:00 am and 5:00 pm, Monday through 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 x 8315 at least forty eight (48) hours prior to the public hearing.

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

Rye Valley District Supervisor Rick K. Blevins made a motion to waive the reading of the rules. 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,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

6:20:11 PM With no one wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed the Public Hearing.

6:20:33 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called for a 10 minute recess.

6:32:22 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened the Public Hearing for a Festival Permit from the Konnarock Retreat House Festival Application. Michael Carter, County Administrator read the following advertisement as published in the Smyth County News & Messenger.

PUBLIC HEARING NOTICE

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, September 8, 2015 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 Konnarock Retreat House has submitted a festival application for an event to be held on Saturday, October 3, 2015. This event will be held at the Konnarock Retreat House, 6402 Konnarock Road, Troutdale, Virginia, 24378, and will be held between the hours of 10:00 a.m. and 6:00 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 x8315 at least forty eight (48) hours prior to the public hearing.

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

Rye Valley District Supervisor Rick K. Blevins made a motion to waive the reading of the rules. 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,
Saltville District Supervisor Roscoe D. Call,

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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:33:58 PM](#) Jean Hamm, Chair of the Konnarock Retreat House extended an invitation to the Board to attend the Festival.

[6:35:12 PM](#) With no one wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed the Public Hearing.

[6:35:18 PM](#) Nothing was discussed concerning old business.

[6:35:59 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to continue the meeting on September 24, 2015 at 7:00 P.M. Royal Oak District Supervisor G. Blake Frazier 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,
Saltville District Supervisor Roscoe D. Call,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Smyth County Board of Supervisors held its continued meeting at 7:00 p.m., **Thursday, September 24, 2015**. 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; Atkins District Supervisor J. Howard Burton; North Fork District Supervisor Ron C. Blevins; Saltville District Supervisor Roscoe D Call; Royal Oak District Supervisor G. Blake Frazier (7)

Chilhowie District Planning Commissioner Graham Davidson Jr.; Vice Chair; Rye Valley Dist Planning Commissioner Paul D. Shepherd; Vice- Chair, Park District Planning Commissioner Joel Pugh; Chairman, North Fork Dist. Planning Commissioner Norman Sparks; Saltville District Planning Commissioner Wayne Venable; Atkins District Planning Commissioner Hazel Wagoner (7)

STAFF: County Administrator Michael Carter; Administrative Assistant Becca Creasy; Assistant County Administrator Scott Simpson; Building & Zoning Administrator Clegg Williams; Administrative Assistant Kelly Woods (5)

[7:00:40 PM](#) 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. Michael Carter, County Administrator 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 24, 2015, 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 Ridgeview Contractors LLC for a Special Use Permit to operate a Service Business. The property is located at 585 Fox Valley Road (Tax Map No. 55-A-14) in Marion, 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 Act, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 706-8315 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

Carol Hash of Ridgeview Contractors, LLC was present to address questions and concerns. She stated that Ridgeview is contracted by VDOT for five years to provide traffic control for work on I-81. After five years their contract can be renewed yearly. They are scheduled to work Monday through Friday usually from 6 a.m. to 6 p.m., they have three full time employees, five trucks with crash cushions and two service trucks. They are also responsible for responding to accidents along I-81 that requires traffic control 24 hours a day. The dwelling is essentially used as a dispatch station for processing paperwork but typically no one is there. Maintenance of vehicles is conducted elsewhere.

Marivene Slemple, Algie Crouse and Susan Massey all spoke in opposition with concerns about increased traffic of oversized vehicles and the beauty and tranquility of Fox Valley Road being disrupted by "commercial uses."

There was discussion regarding the rodeo and service business approved by the Board for Seth and Brandi Heath on the other end of Fox Valley Road. It was explained that those applications were approved in the past and the Board and Commission could only address the application for Ridgeview Contractors. Mr. and Mrs. Heath were present and explained their service business is for snow removal along I-81, not traffic control, and the two businesses are two separate entities.

No one else spoke on the application.

Board of Supervisors Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. and Planning District Commission Chairman Norman Sparks closed the joint public hearing.

[7:44:21 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. called the Board of Supervisors meeting to order.

[7:44:27 PM](#) Arthur Barker, Grants Administrator for Smyth County Sheriff's Office presented information on the Highway Safety Grants through the Sheriff's Department. The request is for two (2) grants through the Virginia Department of Motor Vehicles in the amount of \$15,090.00. These grants require a local match of \$7,545.00 and will be used to enforce speed control for the County. The Sheriff's Office is asking the Board to approve the grant and the local proposed match.

Saltville District Supervisor Roscoe D. Call made a motion to approve the grant and local match as presented by Mr. Barker. Royal Oak District Supervisor G. Blake Frazier 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,
Saltville District Supervisor Roscoe D. Call,
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 G Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:49:09 PM](#) Arthur Barker, Grants Administrator for Smyth County Sheriff's Office presented information on the VSTOP Program through the Sheriff's Department. The request is to allow Mr. Barker to apply for the grant.

Park District Supervisor M. Todd Dishner made a motion to allow Arthur Barker to apply for the VSTOP grant program. 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,
Saltville District Supervisor Roscoe D. Call,
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 G Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:02:58 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$3,698,183.25 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$689,200.25
Schools-Operating Fund	
Instruction	\$2,531,409.00
Administration, Attendance & Health	\$100,000.00
Transportation	\$120,632.00
Facilities	\$146,485.00
School Food Service	\$96,077.00
Technology	\$14,380.00

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,
Saltville District Supervisor Roscoe D. Call,
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 G Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None

[8:04:11 PM](#) Michael Carter, County Administrator presented a resolution as shown below for the Green Hill VDOT Revenue Sharing Project.

RESOLUTION
REGARDING SPECIAL ASSESSMENT OF OWNERS OF PARCELS ABUTTING GREEN HILL
CIRCLE
IN CHILHOWIE MAGISTERIAL DISTRICT
FOR ROAD IMPROVEMENT PURSUANT TO VIRGINIA CODE § 33.2-335

WHEREAS, by resolution adopted by this Board of Supervisors on November 12, 2014, this Board resolved to request the Virginia Department of Transportation to improve the street described below to standards sufficient for acceptance into the secondary system of state highways pursuant to Virginia Code Section 33.2-335 to be funded by advance pro rata payment of the holders of speculative interests and by special assessment of the owners of other parcels abutting Green Hill Circle, as more specifically described in paragraph one.

WHEREAS, based on the Department's cost estimate of \$78,832.00 for improvement of Greenhill Circle, this Board has determined, as prescribed by Virginia Code section 33.2-335, that there are no speculative interests in the properties abutting Green Hill Circle; and

WHEREAS, in accordance with the requirements of Virginia Code section 15.2-2409, each owner of property abutting Greenhill Circle was provided notice of the proposed special assessment and had an opportunity to comment before the Board on September 8, 2015 meeting, and

WHEREAS, it appears to the Board that the owners of more than seventy-five percent (75%) of the parcels of land abutting Greenhill Circle desire to have it improved and brought into the secondary system of state highways by the Department and that to do so would be in the best interests of all owners of the parcels of land abutting Greenhill Circle; and

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

1. Pursuant to § 33.2-335 Code of Virginia, improvement for the purpose of rural addition of the street identified below shall be funded, as described in this resolution, by advance pro rata payment from the holders of speculative interests and by special assessment of the owners of parcels abutting said street:

Name of Street:	Green Hill Circle
From:	Flatwood Acres Drive
To:	Chalet Street
Guaranteed Right-of-Way Width:	40 feet
Plat Date:	February 3, 1969

2. The County shall accept payments made by or on behalf of the holders of speculative interests in amounts proportionate to their ownership interests as required by Virginia Code Section 33.2-335(C)(1), and as listed above. These contributions shall be appropriated for the purpose of the Greenhill Circle improvement project. However, if the cost of the road improvement project is

less than the amount originally estimated by the Department, the County shall re-calculate the amount required from holders of speculative interests and shall, if necessary, refund appropriate amounts.

3. The amount to be paid by special assessment against the properties abutting Greenhill Circle shall be determined upon completion of the road improvement project. After final determination of the assessment, the County Attorney shall cause to be recorded in the deed books and judgment docket of the Circuit Court of Smyth County an amendment of the estimated amount shown herein to show the amount finally assessed or apportioned, if such amount differs from the estimated amount.
4. The County Attorney shall report to the Treasurer of Smyth County the amount assessed against each landowner, or for which the landowner is liable by agreement, as soon as practicable, and the Treasurer shall enter the same as provided for other taxes.
5. The Board agrees to the special assessment of the landowners on Greenhill Circle listed below. Each parcel shall be assessed equally in an amount not to exceed \$2628.00 per parcel, not including applicable interest.

<u>Owner</u>	<u>Parcel</u>
Ronald L. and Maria C. Olinger	64A-4-1
Michael L. and Shelia E. Lampkins	64A-4-2
Christopher and Jennifer Hash	64A-4-3
Patsy H. Burgess	64A-4-4
Willard H. and Suzanne R. Lester	64A-4-5
Joe E. and Susie H. Threkeld	64A-4-6
Linda O. Stanberry	64A-4-7
Richard Lee and Mary H. Ryan	64A-4-8
Lester C. and Gaile A. Owens	64A-4-9
Rhonda G. Taylor	64A-4-10
Stephen D. Lewis Et Al	64A-4-11
Ronald L. and Karen H. Gillespie	64A-4-12
Heather Lewis Trivette	64A-4-13
Verna Odette Forbes	64A-4-14
Diane Lynn Brown Hester	64A-4-15

6. At completion of the road improvement project and receipt of the bill for services from the Department, the County shall remit to the Department the County's share of the costs of road improvements.

7. In accordance with Virginia Code Section 15.2-2413, each owner listed above may pay the amount finally assessed or apportioned or fixed by agreement in ten (10) annual installments, bearing annual interest at the rate of one-year United States Treasury Bills on August 4, 2015 (.37 percent). The Treasurer will begin billing each landowner after the work for improvement is completed, and payment shall be due at the time real estate taxes on the property are due and payable. Should the landowner not pay the entire amount finally assessed or apportioned or fixed by agreement when the first payment is due and payable, interest shall begin to accrue on the remaining balance at that time at the above-stated rate.
8. The amount finally assessed against or apportioned to each landowner, or fixed by agreement, as docketed in the judgment docket of the clerk's office shall be a lien enforceable in equity from the time when the work of improvement is completed. Upon payment in full of the amount due, including interest if applicable, the lien shall be released by noting the release in the judgment docket. The Treasurer of Smyth County or his designee is authorized to request the release of the lien upon payment in full of the total amount due pursuant to this resolution. No notation of the release need be made to this document.
9. The County Attorney is directed to have this resolution recorded in the deed books of the Clerk's Office of the Circuit Court of Smyth County and indexed in the grantor's index of said office in the names of the above-referenced property owners. Furthermore, the County Attorney is directed to cause an abstract of this resolution to be recorded in the judgment docket of said office showing the ownership and location of the property to be affected by the proposed improvement and the estimated amount that will be assessed against or apportioned to each landowner or fixed by agreement and the same shall be indexed in the name of the owner of the property.

On motion by Supervisor Ron C. Blevins, seconded by Supervisor M. Todd Dishner and the Resolution carried by the following vote:

<u>Supervisors</u>	<u>Vote</u>
Chairman, Chilhowie District Supervisor, Wade H Blevins, Jr.	Yes
Vice Chair, Park District Supervisor, M. Todd Dishner	Yes
Rye Valley District Supervisor, Rick K Blevins	Yes
North Fork District Supervisor, Ron C Blevins	Yes
Atkins District Supervisor, J. Howard Burton	Yes
Saltville District Supervisor, Roscoe D Call	Yes
Royal Oak District Supervisor, G. Blake Frazier	Yes

After consideration, the motion PASSED by the following vote:

AYES: 7
NAYS: 0
ABSTAINERS: 0
ABSENT: 0

[8:09:41 PM](#) Royal Oak District Supervisor G. Blake Frazier made a motion to approve the proposed Solid Waste Tipping Fee changes as heard during a Public Hearing on Tuesday, September 8, 2015 and shown below. These changes will be effective October 1, 2015. Saltville District Supervisor Roscoe D. Call seconded the motion.

- \$56/ton flat rate for waste delivered to the Transfer Station
- Tires:
 - Less than 16" - \$2.50 each
 - 17" - 24" - \$7.50 each
 - 25" or greater - \$13.25 each
 - Cut or chipped tires - \$165/ton

After consideration, 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,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton and
Royal Oak District Supervisor G. Blake Frazier

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:10:47 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to approve the Konnarock Retreat House 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
Rye Valley District Supervisor Rick K. Blevins and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:11:11 PM](#) Saltville District Supervisor Roscoe D. Call brought forward a recommendation from the Water/Sewer Committee. It is the committee's recommendation to accept the agreement from CHA Consulting for Engineering Services for the Adwolfe Sewer 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,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call
Rye Valley District Supervisor Rick K. Blevins and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:15:39 PM](#) Saltville District Supervisor Roscoe D. Call brought forward a recommendation from the Building and Grounds Committee. It is the committee's recommendation to facilitate conveyance of School properties the County currently owns to the School Board.

After consideration, 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
Rye Valley District Supervisor Rick K. Blevins and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[8:17:26 PM](#) Scott Simpson, Assistant County Administrator presented the Board with an update on the construction of the Courthouse.

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.1**; Discussion, consideration, or interviews of prospective candidates for employment and **A.5; Industrial/Business**

Prospects; discussion concerning a business or industry considering expansion with no previous announcement being made. 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
Rye Valley District Supervisor Rick K. Blevins and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by North Fork District Supervisor Ron C. Blevins seconded by Saltville District Supervisor Roscoe D. Call 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,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call
Rye Valley District Supervisor Rick K. Blevins and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

North Fork District Supervisor Ron C. Blevins made a motion 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,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call
Rye Valley District Supervisor Rick K. Blevins and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Board of Supervisors Meeting Minutes
October 13, 2015

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., Tuesday, October 13, 2015. 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: 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 G. Blake Frazier (6)

ABSENT: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. (1)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods; Director Community & Economic Development Lori Hester (5)

[4:03:34 PM](#) Vice Chairman, Park District Supervisor M. Todd Dishner called the meeting to order.

A motion was made 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.1 Personnel; A.5; Industrial/Business Prospects; discussion concerning a business or industry considering expansion with no previous announcement being made; and A.7 Legal; discussion with legal counsel and staff pertaining to actual or probable litigation.

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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

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

[4:09:00 PM](#) Royal Oak District Supervisor G. Blake Frazier entered the meeting.

[5:05:55 PM](#) Vice Chairman, Park District Supervisor M. Todd Dishner called the meeting to order from closed session.

It was moved by Saltville District Supervisor Roscoe D. Call, 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.

[5:06:32 PM](#) Lori Hester, Director of Community and Economic Development gave the Invocation and Norma Teaters, CSA Coordinator led the Pledge of Allegiance.

[5:07:45 PM](#) A motion was made by Rye Valley District Supervisor Rick K. Blevins 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: 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

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

[5:07:46 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to approve the minutes of the September 3rd and September 8th, 2015 meetings.

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

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Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

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

[5:08:09 PM](#) Michael Carter, County Administrator presented the Board with information on the current FY15-16 budget and a current month analysis for appropriations.

[5:19:20 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$3,001,079.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$2,000,000.00
Aid to the Commonwealth:	\$12,964.78
Social Services (October 14-October 31, 2015)	\$235,000.00
(November 1-November 10, 2015)	\$60,000.00
Schools-Operating Fund	
Instruction	\$230,248.00
Administration, Attendance & Health	\$0.00
Transportation	\$41,597.00
Facilities	\$169,221.00
School Food Service	\$148,663.00
Technology	\$16,350.00
School Debt and Capital Outlay	
Debt Service	\$100,000.00
Total General Fund:	\$3,001,079.00

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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

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

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$1,088,062.43 for the Courthouse Project.

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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: North Fork District Supervisor Ron C. Blevins.

ABSTAINERS: None.

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

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$231.62 from the Water/Sewer Deposit Fund for refunds to customers.

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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

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

It was moved by North Fork District Supervisor Ron C. Blevins seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$19,544.72 from Sheriff Fund 748 for outstanding invoices.

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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

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

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$630,700.27 for the Accounts Payable listing.

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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

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

[5:22:42 PM](#) Vice Chairman, Park District Supervisor M. Todd Dishner opened Citizen's time.

[5:23:00 PM](#) With no one wishing to speak, Vice Chairman, Park District Supervisor M. Todd Dishner closed citizen's time.

[5:23:05 PM](#) Michael Carter, County Administrator presented the following recommendation from the Planning Commission:

Commissioner Graham Davidson Jr. made a motion to recommend the Board approve the Special Use Permit requested by Ridgeview Contractors, LLC for a Service Business with the following restrictions: Only six (6) commercial trucks with crash cushions for the business and two (2) service trucks are permitted on the premises, this does not include personal vehicles. The property is identified as 585 Fox Valley Road, Marion; Tax Map No. 55-A-14; and is zoned Agricultural/Rural. Commissioner Hazel Wagoner seconded the motion.

Vote: Yays: Sparks, Pugh, Wagoner, Shepherd and Davidson, Venable and Doyle

Nays: None.

Abstainers: None.

Absent: None.

Atkins District Supervisor J. Howard Burton made a motion to not accept the recommendation presented by the Planning Commission identifying restrictions on the number of vehicles allowed on the premises. Saltville District Supervisor Roscoe D. Call 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

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

North Fork District Supervisor Ron C. Blevins made a motion to approve the Special Use Permit without restrictions. Royal Oak District Supervisor G. Blake Frazier 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,

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North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

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

[5:29:58 PM](#) Michelle Clayton, County Attorney presented a slide show with information concerning Conflict Of Interest Act.

[5:33:31 PM](#) Michael Carter, County Administrator presented the FY14-15 Report from the Community Criminal Justice Board. Saltville District Supervisor Roscoe D. Call made a motion to approve members as presented by Mr. Carter to serve on the Community Criminal Justice Board. Royal Oak District Supervisor G. Blake Frazier 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

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

[5:50:30 PM](#) Michelle Clayton, County Attorney presented information on a VDOT Revenue Sharing Project with the residents of Green Valley Court. Ms. Clayton informed the Board this is just an application process right now, and that VDOT would have to approve the application along with the Board of Supervisors.

North Fork District Supervisor Ron C. Blevins made a motion to allow Michael Carter, County Administrator to sign documents for the VDOT/Green Valley Court Revenue Sharing Project and submit them to VDOT. 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

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

[5:59:24 PM](#) Lori Hester, Director of Community and Economic Development presented a Grant Agreement for Back of the Dragon as shown below.

TICRC OFFICE

GRANT AGREEMENT

This Grant Agreement (this "Agreement") made and entered into the **23rd day of September, 2015** (the "Award Date"), by and between the **Tobacco Region Revitalization Commission**, a body corporate and political subdivision of the Commonwealth of Virginia (the "Commission"), and **Smyth County Board of Supervisors**. (the "Grantee").

WITNESSETH:

WHEREAS, the Virginia General Assembly created the Commission to, among other things, stimulate the economic growth and development of tobacco-dependent communities in the Southside and Southwest regions (the "Region") of the Commonwealth of Virginia (the "Commonwealth"), and

WHEREAS, the Grantee has submitted an application, which by this reference is incorporated herein and made a part of this Agreement (the "Application"), to the Commission for funding to acquire, construct, improve, equip, furnish and/or otherwise undertake the project entitled **Smyth County's Back of the Dragon Overlook** described on **Exhibit A** attached hereto (the "Project"), and

WHEREAS, the Commission, in reliance upon the information set forth in the Application, has determined that the Project benefits the Region and is consistent with and in furtherance of the Commission's public purposes and approved a grant to the Grantee in the amount of **\$184,000.00** (the "Grant") to fund the Project, the approval and funding of such Grant the Commission has determined constitutes a valid public purpose for the expenditure of public funds and is the animating purpose for the Grant, and

WHEREAS, the Commission and the Grantee desire to set forth their understanding and agreement as to the use of the Grant and the obligations of the Grantee regarding the use of the Grant,

NOW, THEREFORE, in consideration of the foregoing, the mutual benefits, promises and undertakings of the parties to this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby represent, warrant, covenant and agree as follows:

1. Project and Budget. The Grantee agrees to use the Grant to provide funds for that portion of the Project not being paid from other sources as set forth in the budget for the Project attached hereto as **Exhibit B** (the "Project Budget"). No portion of the Grant shall be used for any purpose whatsoever other than the Project without the prior written approval of

the Executive Director of the Commission (the "Executive Director"). No material changes shall be made in the scope of the Project or to the Project Budget without the prior written approval of the Executive Director. Any document signed by the Executive Director accepting a change in the scope of the Project or to the Project Budget shall set forth with specificity the accepted change. If the maximum authorized amount of the Grant exceeds the amount necessary to complete the Project, the excess shall not be disbursed to the Grantee but shall remain with the Commission or, if previously disbursed, be returned to the Commission within thirty (30) days of the earlier of the completion of the Project or the expiration of this Agreement.

The Grantee agrees to cause the Project to be acquired, constructed, improved, equipped, furnished and/or otherwise undertaken as described in Exhibit A and will cause the Project to be completed on or before the expiration of this Agreement. The Grant funds and funds available from the other sources specified in the Project Budget will be sufficient to cause the Project to be completed.

The Grantee agrees to comply with any applicable governmental requirements pertaining to the Project and the use and application of Grant funds provided hereunder, including but not limited to, applicable requirements of the Virginia Public Procurement Act (Virginia Code Section 2.2-4300 et seq., as amended) but only as and to the extent required by any such governmental requirements, and the Commission shall not in any way be responsible for determining the extent, to which any such governmental requirements apply to this Grantee.

2. Payment of Grant Funds. Subject to the terms of this Agreement, including but not limited to, satisfaction by the Grantee, in the sole discretion of the Commission, of the conditions set forth on Exhibit C attached hereto, the Grant shall be disbursed on a reimbursement basis upon submission of a signed payment request on the Commission's then-current form ("Payment Request Form") with adequate supporting documentation. The Grantee agrees to comply with the Commission's General Funding Policies, Grant Disbursement Guidelines and Guidelines for Advance of Funds as adopted by the Commission as in effect from time to time and applied in the sole discretion of the Commission. Expenses incurred prior to the Award Date are not eligible for reimbursement. Prior to any disbursement, the Commission shall have on record documentation from the Grantee designating the officers, employees or agents authorized to make a reimbursement request (such documentation may be in the form of a resolution or minutes of the Grantee appointing such designee). Reimbursement requests shall be submitted not more frequently than quarterly, unless the Commission otherwise agrees. Appropriate supporting documentation shall be attached to all Payment Request Forms and may include, but is not limited to, invoices from goods purchased and services performed, receipts, vouchers, reporting forms or other evidence of the actual payment of costs related to the Project and consistent with the Project Budget. The Grantee shall also provide appropriate supporting documentation of the expenditure and application of any required matching funds for the Project as set forth on Exhibit C attached hereto. The Commission may in its sole discretion refuse to make a disbursement if the Grantee's documentation is not adequate or if such disbursement does not appear to be within the Project Budget or otherwise contrary to or in violation of the provisions hereof. The Commission in its sole discretion may refuse to disburse any funds to the Grantee if the Grantee has previously received a grant award and a final grant report for the previous grant award has not been received by the Commission.

The Grantee may request in writing an advance of up to twenty-five percent (25%) of the Grant if the Grantee lacks sufficient working capital to fund the Project. Approval of such request shall be in the sole discretion of the Commission and shall be available no earlier than ninety days (90) prior to the start of the Project. If an advance is disbursed, the Grantee may request additional disbursements only upon submission of signed Payment Request Forms with adequate supporting documentation for actual expenditures incurred for which the previous disbursement was used.

3. Quality of Work. The Commission, and its members, employees and agents, shall have the right to inspect the Project at reasonable times from time to time. Upon a determination that the quality of work done or the progress toward completion of the Project is unsatisfactory, the Commission may take whatever action is necessary to preserve the integrity of the Grant and its original intended purpose, including but not limited to, the actions set forth in Section 9 of this Agreement. The Project may be monitored through on-site visits by representatives of the Commission or in any other manner deemed appropriate by the Executive Director.

4. Parties' Relationship. In connection with the award or the administration of the Grant, the Commission does not and shall not assume any liability for any financial or other obligations of the Grantee made to third parties, whether or not related to the Project. The Grantee shall provide written notice to all vendors, contractors and any other party retained to work on the Project that neither the Commission nor the Commonwealth shall be liable for the Project or any payment failure or other obligation related thereto. Such written notice shall provide that by accepting work on the Project, all such vendors, contractors and other parties release and relinquish the Commission and the Commonwealth from any claim which might otherwise be asserted, and that each party accepting such work thereby indemnifies and holds the Commission, and its members, employees and agents, harmless against any and all such obligations; and further, that if any action is brought against the Commission, or its members, employees or agents, the party accepting such work shall be liable for all legal expenses and other costs related to such action. The Grantee is and will be acting as an independent contractor in the performance of the Project, and agrees to be responsible, where found liable and to the extent not covered by insurance or specified by statute, for the payment of any claim for loss, personal injury, death, property damage, or otherwise arising out of any act or omission of its members, employees or agents in connection with the performance of the Project. Nothing contained herein shall be deemed an express or implied waiver of the sovereign immunity of the Commission or the Commonwealth.

In the event the Commission is required to take legal action under this Agreement, the Grantee shall be liable for all of the Commission's costs expended for the administration and enforcement of this Agreement, including but not limited to, reasonable attorney's fees and court costs.

5. Recordkeeping. The Grantee shall maintain proper books of record and account with respect to the Grant and the Project in which accurate and timely entries shall be made in accordance with generally accepted accounting principles, consistently applied, during the term of this Agreement. Grant funds received from the Commission shall be held in a separate and segregated account (the "Fund") and the Fund shall reflect all activity of the moneys received

from the Commission for the Project, itemized by category of expenses in the same manner as in the Project Budget. The Grantee shall retain all invoices from goods purchased and services performed, receipts, vouchers, reporting forms or other evidence of the actual payment of costs related to the Project. All books of record and account and all records of receipts and expenditures with respect to the Grant and the Project and copies of Payment Request Forms with supporting documentation and annual and final reports submitted to the Commission shall be retained for at least three (3) years after the later of the completion of the Project or the expiration of this Agreement. The Commission, and its members, employees and agents, shall have the right at reasonable times from time to time to inspect and make copies of the books and records of the Grantee and the Fund.

6. Annual Reports. The Grantee shall submit to the Commission annual financial and narrative reports reflecting activity in the Fund and progress made toward completion of the Project. Annual financial reports shall be presented on the Commission's grant reporting form then in effect (the "Grant Reporting Form"). Annual narrative reports shall indicate the progress made toward achieving the goals of the Grant and shall be submitted with the Grant Reporting Form. Annual reports shall be due one year from the Award Date and annually thereafter until the Project is complete. The Commission reserves the right to request additional information to supplement the information provided in the Grant Reporting Form or the annual narrative reports, including but not limited to, the Grantee's audited financial statements.

7. Final Report. The Grantee shall provide a final financial and narrative report to the Commission within thirty (30) days of the earlier of the completion of the Project or the expiration of this Agreement. The final report shall contain the type of information contained in the annual reports, including a narrative as to the success of the Project and a description of the long-term achievements and expectations for the Project. The Commission may withhold final disbursement of up to ten percent (10%) of the Grant until receipt of a final report that is in all respects satisfactory to the Commission. After the completion of the Project and expiration of this Agreement, the Commission may in its sole discretion require additional reporting on the long-term achievements and expectations of the Project.

8. Interim Reports. In addition to the annual reports and final report required by Sections 6 and 7 of this Agreement, the Commission may reasonably request that the Grantee submit additional or interim information from time to time to ensure that the provisions of this Agreement are properly carried out, administered and enforced.

9. Misuse of Award; Rights of Commission. If the Commission determines that any part of a Grant has not been used for the Project or for a purpose otherwise approved in writing by the Executive Director, or that the Grantee has failed to comply with any material term or condition of this Agreement, including but not limited to, the Grantee complying with the reporting requirements of this Agreement or making in any material respect a false or misleading statement or other written or oral representation, warranty or statement furnished or made to the Commission in this Agreement, the Application or otherwise, the Commission in its sole discretion may withhold any further disbursements to the Grantee and, in addition:

- (a) rescind the Grant by written notice to the Grantee, in which event the Grantee shall be obligated to return to the Commission, within five (5) days following

receipt of such notice, an amount, from legally available funds, equal to all Grant payments received pursuant to this Agreement, plus interest from the date of receipt of such notice at the prime rate set forth in the Wall Street Journal on the date of such notice;

(b) require the Grantee to take whatever action at law or in equity the Commission may direct in order to recover any Grant funds not used for the actual payment of costs related to the Project and consistent with the Project Budget, and comply with any procedures that the Commission may direct in order to prevent further improper use of the Grant;

(c) take any other action as necessary to preserve the integrity of the Grant and to preserve Grant funds for appropriate uses;

(d) determine that the Grantee is ineligible to receive future grant funding through the Commission;

(e) withhold any and all disbursements requested by the Grantee from the Commission under any other grant previously approved by the Commission; and/or

(f) take such judicial action as is necessary to collect any amounts owed, including legal action for breach of this Agreement, pursuant to this Section or as otherwise provided in this Agreement.

The Grantee agrees to pay the Commission's attorneys' fees and actual costs incurred in the collection of funds or for the enforcement of any obligations of the Grantee set forth in this Agreement.

The Commission reserves the right to modify or withhold any disbursement of Grant funds if the Commission in its sole discretion determines that it is necessary in order to protect the purposes and objectives of the Commission and the Grant or to comply with any law or regulation applicable to the Commission, the Grant and/or the Grantee.

10. Sale or Encumbrance; Security Interest. Until the Commission has determined that the public purposes of the Grant have been satisfied, none of the assets or property acquired, constructed, improved, equipped, and/or furnished as part of the Project shall be leased, sold, exchanged, disposed of, hypothecated, mortgaged or encumbered without the prior written approval of the Executive Director. In the event that such asset or property is leased, sold, exchanged, disposed of, hypothecated, mortgaged or encumbered without the prior written approval of the Executive Director, the Commission may assert its interest in the asset or property to recover the Commission's share of the value of such asset or property and/or recover from the Grantee, unless otherwise prohibited by law.

Grantee hereby pledges, delivers and assigns to the Commission a security interest in, to and on all property purchased with the Grant, which security interest shall be held by the Commission to secure Grantee's full performance under this Agreement. Upon the request of the Commission, Grantee will execute, provide and sign all documents necessary to establish

and/or perfect Commission's security interest in such property, including deeds of trust, supplemental deeds of trust, amendments or modifications hereto, financing statements, continuation statements or other instruments and documents which may be reasonably required from time to time. The Commission will release its security interest upon Grantee's full performance under this Agreement, including, without limitation, Grantee's full compliance with all reporting requirements required herein, and once the Commission has determined that the public purposes of the Grant have been satisfied.

11. Press Releases. The Grantee agrees that it shall not issue any press releases or other public statements regarding the Grant without the prior written consent of the Commission.

12. Future Funding. The Grant provided pursuant to this Agreement shall not be deemed to be an actual or implied promise of the Commission to fund the Project except as provided for herein. No representation by the Commission, or its members, employees or agents, shall be binding unless set forth in writing and signed by the Executive Director. In addition to the other remedies provided by law or in this Agreement, if the Grantee fails to comply with the terms of this Agreement, the Grantee shall not be entitled to additional funding for the Project.

13. Entire Agreement. To the extent there are inconsistencies between this Agreement and its supporting documents, including the Application and the exhibits attached hereto, this Agreement shall control. This Agreement expresses the entire understanding and all agreements between the Commission and the Grantee and may not be modified except in a writing signed by the Commission and the Grantee.

14. Governing Law; Jurisdiction; Venue. This Agreement shall be governed by the applicable laws of the Commonwealth. The venue of any judicial action shall be in the Circuit Court of the City of Richmond, Virginia, and such litigation shall only be brought in such court.

15. Limitation of Commission's Liability. Nothing herein shall be deemed to be a covenant, agreement or obligation of a present or future member of the Commission or of an employee or agent of the Commission. No member, employee or agent of the Commission shall incur any personal liability with respect to any action taken by him or her pursuant to this Agreement.

16. Severability. If any provision of this Agreement shall be held invalid by any court of competent jurisdiction, such holding shall not invalidate any other provision hereof.

17. Public Documents. Unless specifically exempted pursuant to the Virginia Freedom of Information Act (Virginia Code Section 2.2-3700 et seq., as amended), all reports, documents, financial data and other information provided to the Commission shall be public records.

18. Notices. Unless otherwise provided for herein, all notices, approvals, consents, correspondence and other communications pursuant to this Agreement shall be in writing and shall be deemed received upon receipt or refusal after mailing of the same in the United States Mail by certified mail, postage fully pre-paid or by overnight courier (refusal shall mean return of

certified mail or overnight courier package not accepted by the addressee) to (a) the Commission at 701 East Franklin Street, Suite 501, Richmond, Virginia 23219, Attention: Executive Director, or (b) the Grantee at the address set forth below.

19. Conditional Funding. In the event that disbursement of Grant funds is contingent upon the happening of an event or events described herein that have not yet occurred as of the Award Date, the Commission may withdraw the Grant if such event or events have not been substantiated with appropriate documentation satisfactory to the Commission within twelve (12) months of the Award Date. This Agreement is subject to the availability of Commission funds. If such funds become unavailable and the Commission is unable to obtain sufficient funds, this Agreement shall be amended or terminated, as appropriate.

20. Expiration. Thirty-six (36) months after the date on which the Grant is approved, the Grant shall be automatically rescinded with respect to all funds not yet disbursed by the Commission, unless an extension is granted in writing by the Commission.

21. Survival. The rights and remedies available to the Commission shall survive any expiration or termination of this Agreement, including but not limited to, Sections 4, 7, 9, 10 and 21.

22. Counterparts. This Agreement may be executed in counterparts, each of which shall be an original, and all of which together shall constitute but one and the same instrument.

[Remainder of this page intentionally left blank.]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first written above.

TOBACCO REGION REVITALIZATION COMMISSION, a body corporate and political subdivision of the Commonwealth of Virginia

Signature of Executive Director: _____

Printed Name of Executive Director: _____ Evan Feinman

Date: _____

Smyth County Board of Supervisors

Signature of Grantee's Chief Executive:

Printed Name of Chief Executive:

Date: _____

Grantee Information:

Address _____

Phone # _____ e-mail _____ Federal ID

Exhibit A

Project Description

The purpose of the Back of the Dragon Overlook is to attract additional tourists to Smyth County to support the local economy. Every year, over 15,000 motorcyclists and car enthusiasts visit the Back of the Dragon. The plan is to double that number in five years. Many of them stay at local hotels and B&Bs between two and five nights during their visit. Additionally, they dine at local restaurants and shop at local shops. This has a great impact on the local economy, and in Marion alone, the town has seen a 14.3% increase in their meals/lodging tax revenue.

Exhibit B

Project Budget

The Budget Worksheet is available as a separate attachment.

Exhibit C

Grant Conditions

1. No less than dollar 50% of the total Project Budget shall be funded by non-commission sources and satisfactory evidence thereof submitted to the Commission prior to disbursement of any Commission money. Un-approved applications to other funding sources are not satisfactory evidence.

North Fork District Supervisor Ron C. Blevins made a motion to allow Michael Carter, County Administrator to sign the agreement as presented. Royal Oak District Supervisor G. Blake Frazier 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

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

[6:02:54 PM](#) Nothing was discussed concerning Old Business.

[6:06:25 PM](#) Vice Chairman, Park District Supervisor M. Todd Dishner continued the meeting to

October 27, 2015 at 4:00 P.M.

Board of Supervisors Meeting Minutes
October 27, 2015

The Smyth County Board of Supervisors held its continued meeting at 4:00 p.m., **Tuesday, October 27, 2015**. 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 G. Blake Frazier (7)

ABSENT: None (0)

STAFF: County Administrator Michael Carter; Assistant County
Administrator Scott Simpson; County Attorney Michelle
Clayton; Administrative Assistant Kelly Woods (4)

[4:02:54 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. called the Board of Supervisors meeting to order.

[4:03:00 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. opened citizen's time.

[4:03:18 PM](#) With no one wishing to speak Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. closed citizen's time.

[4:03:12 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$3,580,921.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$992,000.00
Schools-Operating Fund	
Instruction	\$2,219,752.00
Administration, Attendance & Health	\$80,000.00
Transportation	\$113,403.00
Facilities	\$135,779.00
School Food Service	\$1,337.00
Technology	\$38,650.00

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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.
ABSTAINERS: None.
ABSENT: None.

[4:04:24 PM](#) Scott Simpson, Assistant County Administrator presented a Resolution for the Back of the Dragon Project as shown below.

WHEREAS, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or state agency in order for the Virginia Department of Transportation to establish a Transportation Alternatives Program (Map-21) project in Smyth County, VA.

NOW, THEREFORE, BE IT RESOLVED, that Smyth County, VA requests the Commonwealth Transportation Board to establish a project for the design and construction of the Back of the Dragon Scenic Overlook.

BE IT RESOLVED, the Smyth County Board of Supervisors has secured funding to cover 20 percent of the total cost for planning and design, right-of-way acquisition, and construction of this project. Smyth County intends to administer this project itself

AND, BE IT FURTHER RESOLVED, the Smyth County Board of Supervisors is requesting, from the VDOT Map-21 program, 80 percent of the total cost for planning and design, right-of-way acquisition, and construction of this project.

Adopted this 27th day of October, 2015; Smyth County, Virginia.

North Fork District Supervisor Ron C. Blevins made a motion to approve the resolution as presented and to move forward with the project. Royal Oak District Supervisor G. Blake Frazier 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,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.
ABSTAINERS: None.
ABSENT: None.

[4:11:55 PM](#) Michael Carter, County Administrator presented a request for Payment for Enterprise Zone Incentives. The payment would be to Keith and Jan Medeiros for 50% rebate of the building permit as allowed by the Enterprise Zone Local Incentives to complete renovations of the Past Time Antique Emporium, in the amount of \$991.20.

Royal Oak District Supervisor G. Blake Frazier made a motion to approve the request for payment as presented. 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:13:16 PM](#) Nothing was discussed concerning old business.

[4:13:26 PM](#) A motion was made 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.1 Personnel.

After consideration, 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[4:23:41 PM](#) Supervisor Comment Time-Royal Oak District Supervisor G. Blake Frazier stated that he is very thankful for progress within the county. North Fork District Supervisor Ron C. Blevins stated that he is pleased with the direction the county is taking. Rye Valley District Supervisor Rick K. Blevins wished Good Luck to Ron Blevins and J. Howard Burton during the upcoming election.

[4:26:25 PM](#) Scott Simpson, Assistant County Administrator updated the Board on the Courthouse Project and stated that it was moving along nicely. Some departments will move into new offices sooner than expected.

[4:29:38 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to adjourn the meeting. Royal Oak District Supervisor G. Blake Frazier 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,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Board of Supervisors Meeting Minutes
November 12, 2015

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., Thursday, November 12, 2015. 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; Saltville District Supervisor Roscoe D Call (5)

ABSENT: Atkins District Supervisor J. Howard Burton; Royal Oak District Supervisor G. Blake Frazier (2)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods; Director Community & Economic Development Lori Hester (5)

[4:03:16 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order.

A motion was made by Rye Valley District Supervisor Rick K. Blevins, seconded 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 business or industry considering expansion with no previous announcement being made; and A.7 Legal; discussion with legal counsel and staff pertaining to actual or probable litigation.

After consideration, 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 and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier and Atkins District Supervisor J. Howard Burton.

[4:09:00 PM](#) Royal Oak District Supervisor G. Blake Frazier entered the meeting.

[5:03:23 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

[5:03:52 PM](#) Lori Hester, Director of Community and Economic Development gave the Invocation and Kelly Woods, Administrative Assistant led the Pledge of Allegiance.

[5:05:00 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins to adopt the Agenda and Additional Agenda. Royal Oak District Supervisor G. Blake Frazier 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

Board of Supervisors Meeting Minutes
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NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

[5:05:06 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins to approve the minutes of the September 24th, October 13th, and October 27th, 2015 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

[5:05:25 PM](#) Michael Carter, County Administrator presented the Board with information on the current FY15-16 budget and a current month analysis for appropriations.

[5:14:59 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$3,075,870.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$1,150,000.00
Social Services (November 11-November 30, 2015)	\$295,000.00
(December 1-December 8, 2015)	\$60,000.00
Schools-Operating Fund	
Instruction	\$215,244.00
Administration, Attendance & Health	\$19,048.00
Transportation	\$132,267.00
Facilities	\$214,831.00
School Food Service	\$348,130.00
Technology	\$86,350.00
School Debt and Capital Outlay	
Debt Service	\$555,000.00
Total General Fund:	\$3,075,870.00

After consideration, the motion PASSED by the following vote:

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

Board of Supervisors Meeting Minutes
November 12, 2015

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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Park District Supervisor M. Todd Dishner to appropriate \$943,918.67 for the Courthouse 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: North Fork District Supervisor Ron C. Blevins

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$960.26 from Sheriff Fund 748 for outstanding invoices.

After consideration, 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$1,129,061.63 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

[5:17:20 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened Citizen's time.

[5:17:35 PM](#) Lynn Pease, 752 Skyview Drive Chilhowie VA 24319, presented Chairman Wade H. Blevins Jr. with two names from the Chilhowie District, he would like considered to serve on the Board for Smyth Bland Regional Library.

[5:21:04 PM](#) Diane Webb, a representative for PAC with the SWVA Training Center, was present to request for the Board to provide a resolution of support to see the training center stay open.

[5:25:30 PM](#) Brian Martin, 14400 Grosses Creek Road, Chilhowie, VA 24319, presented information concerning his road conditions. Mr. Martin stated that his road is in disrepair and would like for it to be resurfaced.

[5:31:05 PM](#) With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizen's time.

[5:31:34 PM](#) Park District Supervisor M. Todd Dishner made a motion to schedule a public hearing for consideration of the grant application for the Back of the Dragon Project, on December 8, 2015 at 6:15 P.M. 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

[5:34:29 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to allow Chairman, Wade H. Blevins Jr. to sign a Special Tax Assessment release that Michelle Clayton, County Attorney had prepared in relation to a VDOT Road 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,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

[5:35:15 PM](#) Michael Carter, County Administrator brought a recommendation before the Board of Supervisors from the Budget Committee. It is the committee's recommendation to allow a line transfer for the Water Department as shown below.

Transfer \$65,000.00 from line item 501-085010-0205 (Apple Valley) to line item 501-085020-0104 (Hungry Mother/Walker's Creek).

After consideration, 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

Michael Carter, County Administrator brought a recommendation before the Board of Supervisors from the Budget Committee to amend the FY2015-2016 Budget from \$88,527,209 to \$88,577,209 as shown below.

Line Item Number	Title	Expense
Fund 1 -042030-8888-27	Refuse Collection & Disposal-Haul and Disposal	\$50,000.00
Line Item Number	Title	Revenue
Fund 1-016080-0003	Landfill Tipping Fees	\$50,000.00

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,
Saltville District Supervisor Roscoe D. Call,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

Michael Carter, County Administrator brought a recommendation before the Board of Supervisors from the Budget Committee. It is the committee's recommendation to award the bid for nuisance cleanups to Teaters Trucking in the amount of \$12,800 for the Mattie Lee Richardson and Lois M. Miller properties and to move forward with cleanup.

After consideration, 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

Michael Carter, County Administrator brought a bid before the Board of Supervisors. His recommendation is to award the bid for nuisance abatement to Roger Lewis Puckett in the amount of \$1,000.00 to secure the property of Alfred M. Gullion Jr. and to reject the bid of \$2,900.00 for the Leo J. and Minnie Weaver property.

Saltville District Supervisor Roscoe D. Call made a motion to approve the recommendation as presented by Mr. Carter. 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

Michael Carter, County Administrator brought a recommendation before the Board of Supervisors from the Budget Committee. It is the committee's recommendation to move forward with the VRS Retirement Age 55/30 versus 50/30 Actuarial study at the cost of \$1,250.00, payable to the Virginia Retirement System.

After consideration, 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,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

[5:51:13 PM](#) Chris Austin, Director of Smyth County Department of Social Services made a request for the Board to schedule a Public Hearing for the consideration of an ordinance to allow giving the Department of Social Services employees a bonus.

North Fork District Supervisor Ron C. Blevins made a motion to schedule a Public Hearing for consideration of such an ordinance on December 8, 2015 at 6:00 P.M. Royal Oak District Supervisor G. Blake Frazier 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

[5:55:31 PM](#) North Fork District Supervisor Ron C. Blevins gave an update concerning the McMullin Bridge and stated that he had received a letter from the Governor stating representatives at the State level are looking at options to fix the bridge and would update accordingly.

[5:57:43 PM](#) Scott Simpson, Assistant County Administrator informed the Board the Treasurer's Office and the Commissioner of Revenue's Offices have been moved into their new spaces at the Courthouse and the project is on schedule and under budget at this time.

[6:02:49 PM](#) Scott Simpson, Assistant County Administrator presented the Board an update concerning a water source in the Atkins area. Mr. Simpson stated there was money left over from previous grants to drill a test well and this site has proven to have excellent water quality. The next steps to be taken include finding more grant money to bid the project, enlarge the well hole diameter, perform a drawdown, and to test the water source.

[6:06:22 PM](#) Chilhowie District Supervisor Wade H. Blevins Jr. presented a resolution as shown below.

RESOLUTION

Naming the Bridge on Route 600 in Smyth County as the "Albert Mason Keen Jr. Bridge"

WHEREAS, Albert Mason Keen Jr. of Smyth County Virginia was born on August 8, 1946 and died at the age of 20 on March 24, 1966 in the line of duty; and

WHEREAS, Mr. Keen gave his life in defense of the others and received a Purple Heart; and

WHEREAS, The Smyth County Board of Supervisors wishes to memorialize the life and sacrifice of Mr. Keen.

NOW, THEREFORE, BE IT RESOLVED, that the Smyth County Board of Supervisors, does hereby request the Commonwealth Transportation Board consider approval to name the bridge on Route 600 as the "Albert Mason Keen Jr. Bridge" in memorial of Mr. Keen.

BE IT FURTHER RESOLVED, the Smyth County Board of Supervisors request the appropriate signs, as directed by the Department, be placed calling attention to this designation and will assume the costs for the fabrication and installation of signs for this naming.

North Fork District Supervisor Ron C. Blevins made a motion to approve the Resolution as presented. Royal Oak District Supervisor G. Blake Frazier 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,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

[6:09:29 PM](#) Nothing was discussed concerning old business.

[6:09:43 PM](#) Supervisor Comment Time- North Fork District Supervisor Ron C. Blevins thanked the Board for their support and stated that it has been a pleasure working with everyone.

[6:12:00 PM](#) Saltville District Supervisor Roscoe D. Call made a motion to continue the meeting to November 19, 2015 at 4:00 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,

Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor J. Howard Burton.

DRAFT

Board of Supervisors Meeting Minutes
November 19, 2015

The Smyth County Board of Supervisors held its continued meeting at 4:00 p.m., **Thursday, November 19, 2015**. 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 G. Blake Frazier (1)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods; Director Community & Economic Development Lori Hester (5)

[4:02:41 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. called the Board of Supervisors meeting to order.

[4:03:02 PM](#) Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. opened citizen's time.

[4:03:12 PM](#) With no one wishing to speak Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. closed citizen's time.

[4:03:18 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$3,809,130.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$685,000.00
Schools-Operating Fund	
Instruction	\$2,584,756.00
Administration, Attendance & Health	\$105,952.00
Transportation	\$132,733.00
Facilities	\$145,169.00
School Food Service	\$101,870.00
Technology	\$53,650.00

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, 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 G. Blake Frazier.

It was moved by North Fork District Supervisor Ron C. Blevins seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$14,465.00 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,
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 G. Blake Frazier.

[4:07:45 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to re-appoint J. Howard Burton to a second three (3) year term to the Mount Rogers Community Services Board. 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.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

[4:09:31 PM](#) Scott Simpson, Assistant County Administrator presented a MOA for a new grant award for the Cornett Spring Water Project as shown below.

MEMORANDUM OF AGREEMENT
Regional 16-WW-TA-03

This agreement, entered into this _____ day of _____, 2015 by and between the Mount Rogers Planning District Commission, hereinafter referred to as the "PDC" and the Smyth County, hereinafter referred to as the "County" be it therefore agreed:

1. That the PDC is providing \$3,500 to the County for the purpose of funding the Cornett Spring well drilling.

2. That the County will be responsible for securing engineering services in accordance with the procurement laws of Virginia.
3. That the County shall provide a copy of the final report, PER, or design work, invoices and comments from the permitting agencies if applicable.
4. That the County will work with due diligence to insure that the project is completed in a timely manner and shall provide the PDC with regular status reports.

Aaron Sizemore Executive Director
Mount Rogers Planning District Commission

Michael Carter, County Administrator
Smyth County

North Fork District Supervisor Ron C. Blevins made a motion to approve the MOA as presented. 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.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier

[4:11:22 PM](#) Michelle Clayton, County Attorney informed the Board that two (2) Board of Zoning Appeals Appointments will be expiring the end of December. These members are appointed by the Judge of Circuit Court. Ms. Clayton sated that she would be sending out notifications to the members and would keep the Board informed and notify the Judge of the Circuit Court of the Board of Supervisors intent.

[4:12:07 PM](#) A motion was made by Rye Valley District Supervisor Rick K. Blevins, seconded 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.

After consideration, 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.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier

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.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier

[4:20:07 PM](#) Nothing was discussed concerning old business.

[4:23:42 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to adjourn the meeting. 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.,

Board of Supervisors Meeting Minutes
November 19, 2015

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.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

DRAFT

Board of Supervisors Meeting Minutes
December 8, 2015

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., Tuesday, December 8, 2015. 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: 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; Royal Oak District Supervisor G. Blake Frazier (5)

ABSENT: Chairman, Chilhowie District Supervisor Wade H Blevins, Jr.; North Fork District Supervisor Ron C Blevins (2)

STAFF: Assistant County Administrator Scott Simpson; County Attorney Michelle Clayton; Administrative Assistant Kelly Woods; Director Community & Economic Development Lori Hester (4)

[3:59:54 PM](#) Vice Chairman, Park District Supervisor M. Todd Dishner called the meeting to order.

A motion was made 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.1 Personnel; A.5; Industrial/Business Prospects; discussion concerning a business or industry considering expansion with no previous announcement being made; and A.7 Legal; discussion with legal counsel and staff pertaining to actual or probable litigation.

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, Saltville District Supervisor Roscoe D. Call, Royal Oak District Supervisor G. Blake Frazier and Atkins District Supervisor J. Howard Burton.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and North Fork District Supervisor Ron C. Blevins

[4:04:34 PM](#) North Fork District Supervisor Ron C. Blevins entered the meeting.

[5:06:25 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. and County Administrator Michael L. Carter entered the meeting during closed session.

[5:07:22 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order from closed session.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call 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: 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 G. Blake Frazier.

NAYS: None.

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

ABSENT: None.

[5:08:07 PM](#) North Fork District Supervisor Ron. C. Blevins made a motion to approve the employment contract as discussed during 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:08:45 PM](#) Lori Hester, Director of Community and Economic Development gave the Invocation and Manuel Street, GIS Department led the Pledge of Allegiance.

[5:09:39 PM](#) A motion was made by North Fork District Supervisor Ron C. Blevins 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: 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:10:00 PM](#) It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Ron C. Blevins to approve the minutes of the November 12th and November 19th, 2015 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:10:20 PM](#) Scott Simpson, Assistant County Administrator presented the Board with information on the current FY15-16 budget and a current month analysis for appropriations.

[5:14:59 PM](#) It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Ron C. Blevins to appropriate \$6,385,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$1,550,000.00
Social Services (December 9-December 31, 2015)	\$320,000.00
(January 1-January 12, 2016)	\$60,000.00

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Schools-Operating Fund	
Instruction	\$3,200,000.00
Administration, Attendance & Health	\$150,000.00
Transportation	\$200,000.00
Facilities	\$375,000.00
School Food Service	\$275,000.00
Technology	\$250,000.00
School Debt and Capital Outlay	
Debt Service	\$5,000.00
Total General Fund:	\$6,385,000.00

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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call seconded by Park District Supervisor M. Todd Dishner to appropriate \$391,139.66 for the Courthouse 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

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 appropriate \$960.24 from Sheriff Fund 748 for outstanding invoices.

After consideration, the motion PASSED by the following vote:

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

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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 G. Blake Frazier.

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 appropriate \$823,428.92 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,
Atkins District Supervisor J. Howard Burton,
North Fork District Supervisor Ron C. Blevins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:16:25 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened Citizen's time.

[5:16:34 PM](#) Sarah Gillespie, Director of the Chamber of Commerce for Smyth County, presented an update on the Chamber. She stated the Boot Camp, was a success and 11 business plans were presented and funding for 4 were given, with a creation of 35 jobs.

[5:21:58 PM](#) With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizen's time.

[5:22:10 PM](#) Richard Linnen, a representative from Brown Edwards, Accounting Firm presented the Audit for the County for Fiscal Year ending June 30, 2015. He went over a few items from the bound information presented to the Board and asked if anyone had any questions. No one chose to ask any questions.

[5:44:17 PM](#) Major Hounshell with the Smyth County Sheriff's Office brought forward a recommendation relating to the purchase of six (6) Dodge Chargers, from Haley Auto Group for the Sheriff's Office. Total for the six (6) chargers is \$166,150.56, with emergency equipment installed and \$3,300.00 to be paid to Jerry's Signs for the marking of the six cars. The funds will be paid out of line item 744-010000-9003.

After consideration, 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:50:41 PM](#) Scott Simpson, Assistant County Administrator presented a consideration of a Deed Easement as shown below.

Prepared By and Return To:
County Attorney Smyth County, Virginia
121 Bagley Circle, Suite 100
Marion, VA 24354

Tax Map ID Nos.: **47C-2-30, 47C-2-31**

THIS DEED IS EXEMPT FROM TAXATION PURSUANT TO THE CODE OF VIRGINIA § 58.1-811(A)(3)

DEED OF EASEMENT

THIS DEED EASEMENT (the "Easement") is made this 20th day of November, 2015, by and between **DISTRICT THREE GOVERNMENTAL CO.**, Grantor (hereinafter referred to as the "Owner"); and **SMYTH COUNTY, VIRGINIA**, a political subdivision of Commonwealth of Virginia, Grantee (hereinafter referred to as "County"), whose address is 121 Bagley Circle, Marion, Virginia 24354.

WITNESSETH:

That in consideration of the sum of One Dollar (\$1.00), cash in hand paid and other good and valuable consideration the receipt of which is hereby acknowledged by the Owner, the Owner does grant, bargain, sell, transfer and convey unto the County, its successors and assigns, with special warranty of title, a temporary construction easement and permanent easement, subject to terms and conditions herein, over, under, across and through the land of the Owner known as all of that certain tract of property conveyed to the Owner by deed of record in the Circuit Court Clerk's Office for Smyth County in Deed Book 500 at Page 269, and more particularly described as follows:

A temporary construction easement 40' in width and a permanent easement 20' in width over the Property of the Owner (the "Property") which is situate in Atkins Magisterial District, Smyth County, Virginia and identified as "20 FT. PERMANENT EASEMENT" and "40 FT. CONSTRUCTION EASEMENT" (hereinafter "Easement") on the Property of the Owner, as shown on that certain set of drawings and plans filed in the office of the County Engineer of Smyth County, Virginia entitled "**Superflo Sewer Exhibit Tax Parcels 47C-2-30, 47C-2-31**" designed by The Lane Group and originally dated June 29, 2015.

WHEREAS, it is the desire and intent of the Owner to grant and convey unto the County an Easement for the rights of ingress and egress over, across, and through the Property, and granting the County the right to enter upon a portion of the Property herein described for purposes to erect, install, construct, reconstruct, sanitary sewer line pipes and any such other appurtenances as the County may deem necessary.

The Easement hereby granted includes:

1. The right of ingress and egress over, under and across the lands of the Owner for the purpose of exercising the rights herein granted; and,

2. The right to open and close fences; and,
3. The right to trim, top, re-trim and re-top, or cut any trees or brush along said right-of-way now or at any time so as to give and maintain a clearance of at least twenty (20') feet for all utility pipe lines and appurtenances.

The Easement granted herein for the specific location described is in addition to any easement for right-of-way now in existence or which may be acquired in the future.

The Owner further covenants that no building or structure shall be erected within the Easement granted without prior written consent of County, its successors or assigns.

The 20' Permanent Easement shall run with the land of the Owner and shall be binding upon the parties' heirs, executors, administrators, successors, and assigns. The 40' Temporary Construction Easement shall be extinguished upon completion of the construction project.

The County represents and warrants that the undersigned representatives have the full power and authority to enter into and perform this Deed of Easement on its behalf.

By their acceptance and recordation of this Deed of Easement, the Owner warrants that he is the true owner of the interest hereby created and that he has the right to make this conveyance and the Owner hereby acknowledges that he, his successors and assigns, shall be bound by the terms herein.

WITNESSETH the following signatures:

OWNER:

By: Mike Ray (Seal)
DISTRICT THREE GOVERNMENTAL CO.

COMMONWEALTH OF VIRGINIA
COUNTY OF SMYTH, to-wit:

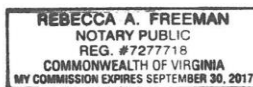
Rebecca Freeman a Notary Public of and for the Commonwealth of Virginia, at large, do certify that DISTRICT THREE GOVERNMENTAL CO.; whose name is signed to this Deed of Easement, dated the 20th day of Nov, 2015, has this day acknowledged the same before me on behalf of such authority in my County and State aforesaid.

Given under my hand this 20 day of Nov, 2015.

Rebecca A. Freeman
NOTARY PUBLIC

My Commission Expires: 9/30/2017
NOTARY ID# 1277718

2



Atkins District Supervisor J. Howard Burton made a motion to accept and approved the Deed of Easement as presented. 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:53:27 PM](#) Michelle Clayton, County Attorney gave the Board an update on the Hungry Mother Convenience station. Ms. Clayton stated that she would be closing on the purchase by the end of December and is requesting authorization to sign the deed of transfer. Park District Supervisor M. Todd Dishner made a motion to allow Ms. Clayton to sign the deed of transfer as requested. 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:54:32 PM](#) Michael Carter, County Administrator presented Resolution of support for SWVTC as shown below.

WHEREAS, Southwestern Virginia Training Center, an Intermediate Care Facility, opened May 3, 1976, and currently serves approximately 124 individuals with Intellectual & Developmental Disabilities. Their profound levels of medical/behavioral challenges require 24-hour care in a structured environment. PAAC maintains such services, including medical and dental care, which do not exist elsewhere in our region as a part of community resources.

WHEREAS, the Department of Justice cited the Commonwealth of Virginia for not providing enough community options for person with disabilities. The 2012 Settlement Agreement did not require Virginia to close four of their five Training Centers. This was an executive decision made by Virginia's former Governor McDonnell.

WHEREAS, there is overwhelming support from the citizens of Smyth County, as well as Senator Bill Carrico, Delegate Jeff Campbell, and Delegate Israel O'Quinn to keep this facility open.

BE IT FURTHER RESOLVED, the Smyth County Board of Supervisors recognizes the importance of keeping the Southwest Virginia Training Center open to serve the most vulnerable of Virginia's citizens, and ask for Governor Terry R. McAuliffe to reconsider the decision made by his predecessor to close Southwestern Virginia Training Center.

Recorded Vote

A Copy Teste:

Moved By:

Seconded By:

Yeas:

Nays:

Michael L. Carter, County Administrator

North Fork District Supervisor Ron C. Blevins made a motion to accept the resolution as presented. 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:57:09 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to schedule a public hearing for Criminal Background Check Ordinance to January 12, 2016 at 6:00 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:58:05 PM](#) Rye Valley District Supervisor Rick K. Blevins made a motion to re-appoint Phyllis Griffith, for a one (1) term to 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,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Ron C. Blevins,
Atkins District Supervisor J. Howard Burton,
Saltville District Supervisor Roscoe D. Call and

Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Rye Valley District Supervisor Rick K. Blevins made a motion to re-appoint Paige Coulthard to the Smyth Bland Regional Library Board for a second, four (4) year term, beginning December 31, 2015 and ending December 31, 2019. 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Rye Valley District Supervisor Rick K. Blevins made a motion to appoint Bill Boswell to the Smyth Bland Regional Library Board as the Chilhowie District member, for a four (4) year term, beginning December 31, 2015 and ending December 31, 2019. 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:59:21 PM](#) Park District Supervisor M. Todd Dishner made a motion to recommend to the Jude of Circuit Court to reappoint John Saunders for a five (5) year term to the Board of Zoning Appeals. 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[5:59:55 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened the Public Hearing for DSS Employee Bonus Ordinance. Michael Carter, County Administrator read the following advertisement as published in the Smyth County News & Messenger.

Public Hearing
DSS Employee Bonus Ordinance

Pursuant to §15.2-1508 of the Code of Virginia, (1950), as amended, and at the request of the Smyth County Department of Social Services, the Smyth County Board of Supervisors proposes to amend Chapter 2 (Administration) of the Smyth County Code to provide as follows, effective immediately upon adoption.

An amendment to the Smyth County Code, Chapter 2, Article 1, Section 2.2 relating to compensation of officers and employees and disposition of fee, will add a new paragraph to permit employee bonuses. It will provide that monetary bonuses may be paid to county officers and employees in such amounts and as such time as the Board of Supervisors may designate by resolution.

A Public Hearing will be held by the Smyth County Board of Supervisors Tuesday, December 8, 2015 beginning at 6:00 p.m. or soon thereafter in the Board of Supervisors meeting room, 121 Bagley Circle, Marion, Virginia. A copy of the present and proposed ordinance is on file at the Smyth County Administrators Office, 121 Bagley Circle, Marion, Virginia and can be viewed between the hours of 8:00 am and 5:00 pm, Monday through 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 x 8315 at least forty eight (48) hours prior to the public hearing.

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

[6:03:06 PM](#) With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed the Public Hearing.

[6:04:05 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to waive the rules and proceed with a vote on the DSS Employee Bonus. Royal Oak District Supervisor G. Blake Frazier 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:04:18 PM](#) North Fork District Supervisor Ron C. Blevins made a motion to approve the ordinance for bonuses as presented during the Public Hearing. Royal Oak District Supervisor G. Blake Frazier 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:06:22 PM](#) Michelle Clayton, County Attorney presented a Mutual Aid Agreements as shown below.

MUTUAL AID AGREEMENT

Whereas, the Towns of Chilhowie, Marion, and Saltville are contained within the County of Smyth and whereas the Sheriff's Office of Smyth county, and the Police Departments of the three Towns have determined that it would be advantageous to enter into a mutual aid agreement pursuant to Virginia Code §15.2-1736, in order that law enforcement officers of each department may better serve those areas of the County and Towns.

Whereas, the subscribed law enforcement agencies are so located in relations to each other that it is to the advantage of each to receive and extend Mutual Aid in the form of law enforcement services in intensive situations falling short of emergencies.

Whereas, it is the intent of this agreement that as a result of the existing and continuing possibility of intensive situations and other law enforcement problems, and in order to ensure that qualified personnel are available and will be adequate to deal with such activity, protect the public peace and safety, and preserve the lives and property of the people.

Whereas, it has been determined that the Sheriff and deputies with the Smyth County Sheriff's Office, and the Chiefs and officers with the Police Departments of the Towns of Chilhowie,

Marion, and Saltville should have the authority pursuant to Virginia Code §15.2-1736 to request and render assistance in law enforcement situations.

Now, therefore, be it known that the governing bodies of Smyth County and the Towns of Chilhowie, Marion and Saltville, by proper resolutions entered into at their regular meetings, and with the agreement of the Sheriff of Smyth County and the Chiefs of Police of Chilhowie, Marion and Saltville, hereby approve and enter into this agreement whereby each of the officers may request and render law enforcement assistance to the other in situations in which assistance will be rendered, for example: Civil disturbances, large protest demonstrations, aircraft disasters, fires, natural or man-made disasters, sporting events, concerts, parades, patrol activities, backup services and investigations of crime that have crossed jurisdictional lines.

Now, therefore, the parties agree as follows:

SECTION 1: Each agency will bear the liability arising from acts undertaken by its personnel pursuant to this agreement. All of the privileges and immunities from liability, exemption from laws, ordinances and rules, and all pension, insurance, relief, disability, workers compensation, salary, death and other benefits which apply to the activity of such officers, agents or employees of any such agency when performing their respective functions within the territorial limits of their respective public agencies shall apply to them to the same degree, manner, and extent while engaged in the performance of any of their functions and duties extraterritorially under the provisions of this mutual aid agreement.

SECTION II: Each party shall provide satisfactory proof of police professional liability insurance including public liability insurance in the minimum amount of \$1,000,000.00. Each party shall maintain worker's compensation insurance in the statutorily required amount for any person covered by this agreement. Should the coverage of any party be canceled or undergo material change, that party shall notify all parties to this agreement of such cancellation or change within ten (10) days of their receipt of notice of such change or cancellation.

After receiving such notice, the other parties to this agreement may provide a five (5) day written notice to the party which has had its insurance terminated or changes, unless the terminated or changed party furnishes proof of continuous insurance coverage as provided herein with this five (5) day period, this agreement may be terminated as to that party by written notice of any signatory to this agreement.

SECTION III: Whenever the employees of any law enforcement agency are rendering aid outside its jurisdiction and pursuant to the authority contained herein, or to any written agreement entered under, this part, such employees shall have the same powers, duties, rights, privileges, and immunities as if they were performing duties in the political subdivision in which they are normally employed or appointed.

SECTION IV: This agreement shall be in effect from January 1, 2016, through and including December 31, 2020. Under no circumstances may the agreement be renewed, modified or extended except in writing.

SECTION V: Any party may withdraw from this agreement upon written notice to all other parties.

Board of Supervisors Meeting Minutes
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Executed pursuant to resolution of the Smyth County Board of Supervisors at its regular meeting on December 8, 2015.

Executed pursuant to resolution of the Chilhowie Town Council at its regular meeting on December 10, 2015.

Executed pursuant to resolution of the Marion Town Council at its regular meeting on December 7, 2015.

Executed pursuant to resolution of the Saltville Town Council at its regular meeting on December 8, 2015.

In witness thereof, the parties hereto cause these presents to be signed by their duly authorized officers on the below mentioned date.

Chip Shuler, Sheriff Date
Smyth County Sheriff's Office

Wade H. Blevins, Jr., Chairman Date
Smyth County Board of Supervisors

Stephen Price, Chief Date
Chilhowie Police Dept. Town of Chilhowie

Gary Heninger, Mayor Date

Rex Anders, Chief Date
Marion Police Dept. Town of Marion

David P. Helms, Mayor Date

Chris Wilcox, Chief Date
Saltville Police Dept. Town of Saltville

C. Todd Young, Mayor Date

North Fork District Supervisor Ron C. Blevins made a motion to accept the Mutual Aid Agreement as presented. Royal Oak District Supervisor G. Blake Frazier 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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:09:01 PM](#) Scott Simpson, Assistant County Administrator brought several recommendations before the Board of Supervisors from the Courthouse Committee. After discussion, it is the Committee's recommendation to approve the requests as stated below.

Mr. Simpson brought forward an amendment from Moseley Architects to their agreement in the

amount of \$5,691.00. This is for additional services for design and construction for changes to the Commonwealth's Attorney Suite.

Mr. Simpson then brought forward a request for consideration of a video docket display system for Courtrooms and Lobby in the amount of \$10,905.00.

Mr. Simpson presented a request for purchase of two (2) monitors for Courtroom video conferencing and display in the amount of \$1,300.00

Mr. Simpson brought forward a consideration of a budget transfer of \$35,000.00 from Furnishings (301-012010-0008) to Architecture (301-012010-0003) to keep expenses from overrunning estimated funds.

Mr. Simpson brought forward a request for consideration of preventative maintenance and extended warranty for the new generators located at the Courthouse. The two (2) year maintenance cost is \$2,634.00.

Mr. Simpson presented a request from Jeff Richardson, Commissioner of Revenue for Land Book shelving units at a cost of \$6,685.00.

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,
Atkins District Supervisor J. Howard Burton,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[6:16:44 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened the Public Hearing for The Back of the Dragon Overlook. Michael Carter, County Administrator read the following advertisement as published in the Smyth County News & Messenger.

PUBLIC HEARING NOTICE

BACK OF THE DRAGON SCENIC OVERLOOK

A Public Hearing will be held by the Smyth County Board of Supervisors Tuesday, December 8, 2015 beginning at 6:15 p.m. or soon thereafter in the Board of Supervisors meeting room, 121 Bagley Circle, Marion, Virginia to receive comments on the application for grant funding through the Federal Transportation Alternatives Program for the development of a scenic overlook located on Route 16, known as the Back of the Dragon.

The intent of the project is to create an enhanced visitor experience by improving the condition of the existing overlook location for motorists traveling this designated route. Additional

contributions to the site include enhancing public safety, the improvement of the pavement surfaces, the overall aesthetics of the site and a better defined view shed of the surrounding area for visitors to enjoy.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend the Meeting should contact Clegg Williams, ADA Coordinator for Smyth County, at (276) 783-3298 x 8315 at least forty eight (48) hours prior to the meeting.

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

[6:19:14 PM](#) Raymond DeBord, 6683 Valley Road Saltville, spoke in opposition of the project and stated that he feels as if this brings more negative to the County instead of positives and feels as if there are several safety issues.

[6:41:17 PM](#) Charles Buchanan 5732 Valley Road, Saltville, spoke and stated the he had mixed emotions on the project.

[6:46:55 PM](#) Ron Thomason, Director of Tourism for Smyth County spoke in support of the project and explained the concept of the project.

[6:55:28 PM](#) Tesha Campbell, 2620 BF Buchanan Highway, Saltville VA, stated that she does not support the project and feels as if safety is a big issue.

[6:58:08 PM](#) Phil Stevenson, 1154 Long Hollow Road, Saltville Va., expressed concerns for several citizens and stated that he felt as if the road was not designed for this type of project.

[7:00:26 PM](#) With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed the Public Hearing.

[7:00:41 PM](#) Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called for a 10 minute recess.

[7:15:49 PM](#) Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting back to order.

[7:15:54 PM](#) Michelle Clayton, County Attorney brought a recommendation before the Board of Supervisors from the Personnel Committee. It is the committee's recommendation to approve the Personnel Manual as presented with all changes.

After consideration, the motion PASSED 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,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

[7:19:49 PM](#) Nothing was discussed concerning old business.

[7:19:57 PM](#) Supervisor Comment Time: Saltville District Supervisor Roscoe D. Call stated it has been a pleasure serving with Mr. Burton and Mr. Ron Blevins. Park District Supervisor M. Todd Dishner stated that it had also been a pleasure working with Mr. Burton and Mr. Ron Blevins. Atkins District Supervisor J. Howard Burton stated that he felt blessed to work on the Board, and stated he felt the County was in good hands. Rye Valley District Supervisor Rick K. Blevins thanked the Personnel Committee for working on the Policy Manual and stated that it had been an honor working with Mr. Burton and Mr. Ron Blevins. North Fork District Supervisor Ron C. Blevins stated that it had been a pleasure working with everyone. Chilhowie District Supervisor Wade H. Blevins thanked for everyone for supporting him as Chairman this past year and stated the last 4 years was the best Board the County has had.

[7:29:08 PM](#) Michael Carter, County Administrator presented plaques to outgoing members for their service to the County.

[7:32:12 PM](#) Saltville District Supervisor Roscoe D. Call made a motion 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,
Atkins District Supervisor J. Howard Burton,
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 G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.