

AGENDA

Tuesday, April 12, 2016
4:00 PM

4:00 CALL MEETING TO ORDER (Chairman Wade H. Blevins, Jr.)

CLOSED SESSION

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

5:00 CALL MEETING TO OPEN SESSION

Invocation and Pledge of Allegiance

ADOPTION OF AGENDA

Adopt the agenda and the additional agenda as presented

MINUTES OF PREVIOUS MEETINGS

Request adoption of the February 25th and March 8th, 2016 meeting minutes.

FINANCIAL UPDATE

Michael Carter – Inform the Board of the County's financial status

PAYMENT OF INVOICES

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

5:15 CITIZENS TIME

5:30 David Rose-Davenport & Co.

5:45 Arthur Barker-School Resource Officer Grants

6:00 Michael Walker-Mtn. Cap

NEW BUSINESS

***Water/Sewer Committee Recommendation-Roscoe Call, Chair**

***Building and Grounds Committee Recommendations-Roscoe Call, Chair**

***Budget Committee Recommendation-Wade Blevins, Chair**

***Insurance Committee Recommendation-Charles Atkins, Chair**

***Planning Commission Recommendation for Zoning Fee Structure- Michael Carter**

***Ordinance Committee Recommendation-Phil Stevenson, Chair**

***Budget Amendment Requests-Scott Simpson**

***Department of Education Contract-Michael Carter**

Supervisor Comment Time

Meeting reminders:

The Smyth County Board of Supervisors held its continued meeting at 7:00 p.m., **Thursday, February 25, 2016**. 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; Atkins District Supervisor Charles Atkins; North Fork District Supervisor Phil Stevenson; Saltville District Supervisor Roscoe D Call; Royal Oak District Supervisor G. Blake Frazier (6)

Chilhowie District Planning Commissioner Graham Davidson Jr.; Rye Valley Dist Planning Commissioner Paul D. Shepherd; Park District Planning Commissioner Joel Pugh; North Fork District Planning Commissioner Norman Sparks; Saltville District Planning Commissioner David Spence; Atkins District Planning Commissioner Hazel Wagoner (7)

ABSENT:

Rye Valley District Supervisor Rick K Blevins

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, February 25, 2016, 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 Lawrence Scott Schumaker for a Special Use Permit to establish a Recreation Facility. The property is located at 760 Walkers

Creek Road in Chilhowie. It is identified as Tax Map Nos. 45-A-99A, 45-A-97 and 45-A-96D, 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) 783-3298 ext. 8315 at least 48 hours prior to the hearing.

Mr. Williams explained Mr. Schumaker's application for a Special Use Permit to establish a Recreational Facility on his property identified as Tax Map Nos. 45-A-99A, 45-A-97, and 45-A-96D, addressed as 760 Walker's Creek Road in Marion. He referenced the relevant Zoning Ordinance sections.

Lawrence Scott Schumaker (Scott) was present to address any questions and concerns. He explained his distillery has out grown its present location and he intends to move it to a larger location. He feels the topography of his property would provide a good location for zip lines and draw tourism. He proposes to install seven lines with the longest line being approximately 1,500 feet. Trail Guides will supervise individuals through the zip lines at all times. Final engineering is not complete but he is consulting with professionals and intends to have a sound and well maintained operation. He intends to install rope courses for team building exercises. Parking will be provided at the bottom on the mountain and he will look at purchasing more property for parking and provide shuttle service if necessary. The current distillery building will be converted for business operations and equipment storage. Mr. Schumaker hopes to provide 10-15 jobs and to partner with Hungry Mother State Park to connect the park and his facility with a hiking trail.

Les Whitt, an adjoining property owner, stated he would like to see a fence installed to hopefully resolve any liability risks of potential trespassers from Mr. Schumaker's business. He stated he had no other concerns and was willing to work with Mr. Schumaker.

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.

7:40:21 PM Chairman, Chilhowie District Supervisor Wade H Blevins, Jr. called the Board of Supervisors meeting to order.

7:41:27 PM Royal Oak District Supervisor G. Blake Frazier made a motion to appoint Charles Atkins to the Smyth County Tourism Board. North Fork District Supervisor Phil Stevenson 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 Phil Stevenson,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: Atkins District Supervisor Charles Atkins.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

7:42:09 PM Royal Oak District Supervisor G. Blake Frazier made a motion to appoint Wanda Sanderson, 136 Teaberry Lane, Marion, VA 24354 to the Board for Social Services as the Rye Valley District Representative, 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,
Saltville District Supervisor Roscoe D. Call
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins.

7:43:58 PM Michael Carter, County Administrator brought forward a recommendation from the Joint Ordinance Committee. It is the Committee's recommendation to schedule a Joint Public Hearing for March 24, 2016 at 7:00 P.M. to amend the Zoning Ordinance.

After consideration, the motion PASSED by the following vote:

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

8:00:11 PM Michael Carter, County Administrator brought forward a recommendation from the Emergency Communications Committee. It is the Committee's recommendation to accept a grant from the Department of Homeland Security for the implementation of Nixle or the Code Red program to notify people of emergency type situations and does not require a local match from 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,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
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.

8:03:41 PM Michael Carter, County Administrator presented a Grant Agreement from the Department of Emergency Management. Mr. Carter stated this was a grant the State provides to cover half of the cost of the Emergency Management position the County currently has. Saltville District Supervisor Roscoe D. Call made a motion to accept the grant 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,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
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.

A motion was made by Park District Supervisor M. Todd Dishner 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 contracts; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion **PASSED** by the following vote:

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

Vice Chair, Park District Supervisor M. Todd Dishner,

North Fork District Supervisor Phil Stevenson,

Atkins District Supervisor Charles Atkins,

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.

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

Supervisor Comment Time: Atkins District Supervisor Charles Atkins stated that several of the secondary roads were in bad shape due to the recent weather. Michael Carter, County Administrator stated he would invite VDOT to the next scheduled meeting so the Board would have the opportunity to discuss any concerns with them.

Saltville District Supervisor Roscoe D. Call 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,
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.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, March 8, 2016**. 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 Phil Stevenson; Atkins District Supervisor Charles Atkins; 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 (4)

4:03:49 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.1**; Discussion, consideration, or interviews of prospective candidates for employment 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, North Fork District Supervisor Phil Stevenson, Atkins District Supervisor Charles Atkins and Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier

4:23:22 PM Royal Oak District Supervisor G. Blake Frazier entered the meeting during closed session.

5:05:24 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting back to order from closed session.

It was moved by Rye Valley District Supervisor Rick K Blevins, seconded by Park District Supervisor M. Todd Dishner, 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,
Royal Oak District Supervisor G. Blake Frazier,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

5:05:50 PM Royal Oak District Supervisor G. Blake Frazier gave the invocation and Kelly Woods, Administrative Assistant led the Pledge of Allegiance.

5:06:54 PM A motion was made by Royal Oak District Supervisor G. Blake Frazier, seconded by Atkins District Supervisor Charles Atkins to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Royal Oak District Supervisor G. Blake Frazier,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

5:07:19 PM It was moved by North Fork District Supervisor Phil Stevenson, seconded by Royal Oak District Supervisor G. Blake Frazier to approve the minutes of the February 3rd, and February 9th, 2016 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,
Royal Oak District Supervisor G. Blake Frazier,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

ABSENT: None.

5:07:42 PM Financial Update-Michael Carter, County Administrator presented the Board with information on the current FY15-16 budget and a current month analysis for appropriations.

5:15:44 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$5,595,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$1,475,000.00
Social Services (March 9-March 31, 2016)	\$325,000.00
Social Services (April 1-April 12, 2016)	\$60,000.00
Schools-Operating Fund	\$3,735,000.00

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,
Royal Oak District Supervisor G. Blake Frazier,
North Fork District Supervisor Phil Stevenson and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: Atkins District Supervisor Charles Atkins

ABSENT: None.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$390,682.08 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,
Royal Oak District Supervisor G. Blake Frazier,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins and
Saltville District Supervisor Roscoe D. Call.

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 \$5,191.21 from the Commonwealth's Attorney Fund 760 for open 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,
Royal Oak District Supervisor G. Blake Frazier,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$16,800.54 from the Sheriff's Fund 748 for open 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,
Royal Oak District Supervisor G. Blake Frazier,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

5:19:14 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr., opened citizen's time.

Mark Prater, 5535 Lee Highway Atkins, VA, 24311 expressed his gratitude for Lori Hester Deel, Director of Community and Economic Development and thanked her for meeting with him. Mr. Prater also presented the Board with a newspaper containing an article about New Ridge LLC.

5:22:34 PM Mary Syke 1491 Cleghorn Valley Road spoke concerning a leak on her property and would like to be considered for another leak adjustment.

5:40:18 PM With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizen's time.

5:40:21 PM Jeff Russell, Residency Supervisor with VDOT and James Schwartz, VDOT Maintenance Manager for Smyth County presented an update on the snow season we had. Mr. Russell stated VDOT maintenance crews are trying to concentrate on repairing pot holes. Mr. Russell then updated the Board concerning several Road Projects and stated that VDOT would be paving approximately 27 miles within Smyth County. Royal Oak District Supervisor G. Blake Frazier asked if VDOT had any plans of installing more guard rail on Johnston Road and Mr. Russell stated it has been placed on the list for funding. North Fork District Supervisor Phil Stevenson asked for an update concerning the bridge in Hall Addition and Mr. Russell stated the project is still in the design phase. Atkins District Supervisor Charles Atkins informed VDOT of several issues located within his district.

6:01:37 PM Michelle Clayton, County Attorney presented an Amendment to section 4.5 of the Board's Rules of Procedures as shown below.

RULES OF PROCEDURES

ADOPTED SEPTEMBER 9, 2003

Amended April 14, 2015

DRAFT AMENDMENT FOR MARCH 8, 2016

4.5 Roll Call Vote. A voice roll call vote shall be taken at the request of any two or more members when such a request is made prior to the taking up of any other business, on any ordinance, or when required by law. A roll call vote by the recorded hand count of each member shall be taken on ~~the final~~ all other votes ~~on any ordinance or and contracts, or when required by law.~~

Saltville District Supervisor Roscoe D. Call made a motion to approve the amendment 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,
Royal Oak District Supervisor G. Blake Frazier,
North Fork District Supervisor Phil Stevenson and
Saltville District Supervisor Roscoe D. Call.

NAYS: Atkins District Supervisor Charles Atkins.

ABSTAINERS: None.

ABSENT: None.

6:05:41 PM Michael Carter, County Administrator brought forward a recommendation from the Joint Ordinance Committee. It is the Committee's recommendation to set a Joint Public Hearing for Zoning Ordinance Amendments and Fee changes on March 24, 2016 at 7:00 P.M.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Royal Oak District Supervisor G. Blake Frazier,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

6:07:22 PM Michelle Clayton, County Attorney presented an Intent to Amend Zoning Ordinance as shown below.

**RESOLUTION OF INTENT TO AMEND ARTICLES III, IV, VIII AND X
OF THE SMYTH COUNTY ZONING ORDINANCE**

WHEREAS, the Board of Supervisors wishes to initiate amendments to the Revised Smyth County Code Zoning Ordinance in furtherance of the purposes of zoning as set out § 15.2-2283 of the Code of Virginia; and

WHEREAS, the Board of Supervisors adopted a resolution to create a Joint Board of Supervisors and Planning Commission Ordinance Committee on July 23, 2015, to consider amendments to the Zoning Ordinance; and

WHEREAS, the Joint Ordinance Committee met several times to work on amendments to the Smyth County Zoning Ordinance; and

WHEREAS, pursuant to § 15.2-2285 and § 15.2-2286 of the Code of Virginia (1950), as amended, the Board of Supervisors wishes to initiate the proposed amendments to Articles III, IV, VIII and X of the Smyth County Zoning Ordinance to further business opportunities through newly defined or amended land uses in districts, include town house provisions to help encourage necessary student housing, and increase filing fees from \$75 to \$250 to cover the actual costs of advertising land use applications.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors in conjunction with the Smyth County Planning Commission states its intention to amend the Smyth County Zoning Ordinance as follows:

- **Addition of Article IV – General Provisions and Supplementary Regulations, relating to “Townhouses”:** Section 4-14.1 provides requirements to be followed with regard to public water and sewer, off-street parking, minimum lot size and easements for access to the back of units. Section 4-14.2 relates to open space and amenities and the maintenance thereof through a nonprofit homeowners association agreement. The need for student housing brought on by a new graduate school makes this amendment good for the general welfare and in furtherance of public necessity.
- **A proposed increase from \$75 to \$250 pursuant to §15.2-107 and §15.2-2286 of the Code of Virginia:** The increase applies to filing fees for a Zoning Amendment (text change); Rezoning (Change to Zoning Map); Special Use Permit; Variance; or Appeal. If a decision of the Board of Zoning Appeal substantially favors the appellant, the fee shall be refunded. The rise in fees is to cover the increases in mandated advertising costs that applicants are required to pay by Virginia state law and it is good government practice.
- **New or amended versions of the following definitions in Article X - Definitions:** Auditorium; Automotive Sales; Automotive Sales and Service;

Automotive Servicing and Parts; Boardinghouse; Brewery; Broadcasting/Radio or Television Station; Cab Service; Campground/Recreational Vehicle Park; Catering Facility; Commercial Bus Station; Commercial Bus Terminal; Distillery; Ecotourism, Major; Ecotourism, Minor; Event Center; Laboratory, Medical and Analytical; Livestock Market; Meat Processing Facility; Microbrewery; Microdistillery; Nanobrewery; Recreational Vehicle; Recreational Vehicle Sales, Service and Rental; Service Business, General Contractor, Major; Service Business, General Contractor, Minor; Shooting Range, Indoor; Shooting Range, Outdoor; Stonecutting, Monument Manufacturing; Taxidermy; Tire Recapping or Retreading; and Townhouse; Vineyard and/or Winery.

- **Repeal "Recreational Development"** in 3-6.2(f) the Conservation/Recreation District.
- **Proposed new land uses permitted by right or by special use permit** applications in the following districts listed in Article III - District Regulations:

§ 3-1.1 – Uses Permitted by Right in the Agricultural District – Proposed Additional:

Service business, general contractor, minor (five employees or less)

§ 3-1.2 – Uses Permitted with Special Use Permit in the Agricultural District – Proposed Additional: Auditorium; Automotive sales; Automotive sales and service; Automotive servicing and parts; Boardinghouse; Broadcasting/ radio or Television Station; Brewery; Cab service; Campground; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Ecotourism, major; Ecotourism, minor; Event center; Laboratory, medical and analytical; Livestock market; Meat processing facility; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle park; Recreational vehicle sales, service and rental; Service business, general contractor, major (more than 5 employees); Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacturing; Taxidermy; Tire recapping and retreading; and Townhouse.

§ 3-2.1 – Uses Permitted by Right in the Agricultural/Rural District – Proposed Additional:

Service business, general contractor, minor (5 employees or less)

§ 3-2.2 – Uses Permitted with Special Use Permit in the Agricultural/Rural District – Proposed Additional: Auditorium; Automotive sales; Automotive servicing and parts; Boardinghouse; Broadcasting/ radio or Television Station; Brewery; Cab service; Campground; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Ecotourism, major; Ecotourism, minor; Event center; Laboratory, medical and analytical; Livestock market; Meat processing facility; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle park; Recreational vehicle sales, service and rental; Service business, general contractor, major (more than 5 employees); Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacturing; Taxidermy; and Tire recapping and retreading.

§ 3-3.2 – Uses Permitted with Special Use Permit in the Residential District – Proposed Additional:

Auditorium; Automotive sales; Automotive sales and service; Automotive servicing and parts; Boardinghouse; Broadcasting/radio or Television Station; Cab service; Catering

facility; Commercial bus station; Ecotourism, major; Ecotourism, minor; Event center; Laboratory, medical and analytical; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle sales, service and rental; Service business, general contractor, major; Service Business, general contractor, minor; Stonecutting, monument manufacturing; Taxidermy; and Vineyard and/or Winery.

§ 3-4.1 – Uses Permitted by Right in the Commercial District– Proposed Additional:

Auditorium; Automotive Sales; Automotive Servicing and Parts; Broadcasting/Radio or Television Station; Brewery; Cab Service; Catering Facility; Commercial Bus Station; Commercial Bus Terminal; Distillery; Laboratory, medical and analytical; Microbrewery; Microdistillery; Nanobrewery; Recreation vehicle sales, service and rental; Service business, general contractor, minor and major (5 employees or less); Stonecutting, monument manufacturing; Taxidermy; Tire recapping and retreading; and Vineyard and/or Winery.

§ 3-4.2 – Uses Permitted with Special Use Permit in the Commercial District – Proposed Additional: Boardinghouse; Campground; Campground and Recreational Vehicle Park; Ecotourism, major; Ecotourism, minor; Event Center; Livestock Market; Meat Processing Facility; Recreational Vehicle Park; Shooting range, indoor; Shooting range, outdoor; and Townhouse

§ 3-5.1 – Uses Permitted by Right in the Industrial District– Proposed Additional:

Brewery; Cab service; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Laboratory, medical, analytical; Microbrewery; Microdistillery; Nanobrewery; Service business, general contractor, major (more than 5 employees); Service business, general contractor, minor (5 employees or less); Taxidermy; Tire recapping and retreading; and Vineyard and/or Winery.

§ 3-5.2 – Uses Permitted with Special Use Permit in the Industrial District – Proposed Additional: Auditorium; Automotive sales; Automotive sales and service; Automotive servicing and parts; Boardinghouse; Broadcasting/ radio or Television Station; Ecotourism, major; Ecotourism, minor; Event Center; Livestock Market; Meat processing facility; Recreation vehicle sales, service and rental; Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacturing; and Townhouse.

§ 3-6.2 – Uses Permitted with Special Use Permit in the Conservation Recreation District – Proposed Additional: Auditorium; Cab service; Campground; Campground and recreational vehicle park; Catering facility; Commercial bus station; Distillery; Ecotourism, major; Ecotourism, minor; Event center; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle park; Recreational vehicle sales, service and rental; Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacturing; Taxidermy; Tire recapping and retreading; Townhouse; and Vineyard and/or Winery.

BE IT FURTHER RESOLVED, that (1) these amendments are in furtherance of the public necessity, convenience, general welfare and good zoning practice; (2) the Joint

(3) the proposed amendments on these matters be brought forward for published notice, a public hearing on March 24, 2016, a Planning Commission recommendation, and Board of Supervisors' action.

Saltville District Supervisor Roscoe D. Call made a motion to approve the Intent to Amend the Zoning Ordinance as written. Atkins District Supervisor Charles Atkins 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,
Royal Oak District Supervisor G. Blake Frazier,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

6:09:16 PM Michael Carter, County Administrator brought forward the following recommendations from the Budget Committee.

It is the Committee's recommendation to approve the Non-Arbitrage Agreement regarding the General Obligation Bonds as presented.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Royal Oak District Supervisor G. Blake Frazier,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It is the Committee's recommendation to accept the proposal from McGuire Woods, in the amount of \$15,000.00 for fees to refinance the Water/Sewer Bonds.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Royal Oak District Supervisor G. Blake Frazier,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins and

Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It is the Committee's recommendation to approve the Finance Policy as shown below.

Smyth County Financial Policies

Budget Policy Statement

The Smyth County Board of Supervisors hereby establishes its Principles of High Performance Financial Management to prudently manage the people's resources through:

- Accountable and transparent allocation of resources.
- Planned strategic use of financial resources to ensure sustainability.
- Maintaining and upgrading the County's bond ratings.
- Balanced tax burden from residential and commercial sources.

Periodic Financial Policy Review

The Smyth County Board of Supervisors will review this policy no less than once every two years.

Unassigned Fund Balance

- The County shall work to develop an unassigned fund balance that is not less than 5% of annual general fund revenues (not including transfers, reserves, and grants) with the goal of reaching 7.5%. Once established, use of the unassigned fund balance below this amount will be restricted to only significant unexpected declines in revenues or unanticipated emergency expenditures. Following any use of unassigned fund balance, the County will develop a plan to replenish the unassigned fund balance within the next three fiscal years (i.e. 24 to 36 months) subsequent to the fiscal year in which the unassigned fund balance was used.
- The trigger for drawing on the unassigned fund balance is a 2% revenue shortfall within a single fiscal year. The reserve can be used as a first stop for major unanticipated emergencies and catastrophes.
- The unassigned fund balance will not be used to offset a tax rate change.
- The unassigned fund balance will be used in combination with spending cuts.
- Unassigned fund balance funds should only be directed to one-time expenditures to the extent possible.
- Smyth County does not intend to establish a trend of using the Unassigned Fund Balance to finance current operations.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Royal Oak District Supervisor G. Blake Frazier,

North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Scott Simpson, Assistant County Administrator brought a recommendation before the Board of Supervisors from the Smyth County Water Department requesting a budget transfer as listed below.

From:

*501-085010-3006 (Fuel) \$2,922.00

*501-085010-5102 (Heat) \$1,000.00

To:

*501-085010-3037 (Permits) \$622.00

*501-085010-5203 (Telephone) \$2,000.00

*501-085010-5401 (Office Supplies) \$1,300.00

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 Phil Stevenson,
Atkins District Supervisor Charles Atkins, and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter, County Administrator brought forward the following recommendations from the Budget Committee:

It is the Committee's recommendation to change the re-assessment of real property within Smyth County from the current four (4) year cycle to a six (6) year cycle.

After consideration, 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 Phil Stevenson and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: Atkins District Supervisor Charles Atkins

ABSTAINERS: None.

ABSENT: None.

The next item the Budget Committee discussed were the properties the Board had previously declared a nuisance. It is the committee's recommendation to approve the additional cost of \$1,850.00 for asbestos removal on 163 Crisp Road, and to delay the cleanup of the property located on 221 Cove Street, allowing for further efforts by the landowner to bring the property into compliance.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

6:21:51 PM Michael Carter, County Administrator presented an update from the Insurance Committee. Mr. Carter informed the Board the Insurance Committee discussed changing Atkins District Supervisor Charles Atkins made a motion to move the open enrollment date for Health Insurance as needed by staff. 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 Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

6:27:12 PM Saltville District Supervisor Roscoe D. Call presented an update from the Water/Sewer Committee and stated the Water department is making great effort to correct the water loss issues the County currently has.

6:28:37 PM Michelle Clayton, County Attorney presented a Mutual Aid Agreement as shown below.

MUTUAL AID AND COOPERATION AGREEMENT FOR LAW ENFORCEMENT SERVICES FOR
SMYTH COUNTY AND WASHINGTON COUNTY, VIRGINIA

Pursuant to Virginia Code §§ 15.2-1724, 15.2-1726, 15.2-1730.1, and 15.2-1736 (1950, as amended), in order that law enforcement services of each County better serve their citizens, this Mutual Aid and Cooperation Agreement for Law Enforcement Services ("Agreement") is made this the 1st day of January, 2016, by and between the County of Smyth, Virginia, the County of Washington, Virginia, the Sheriff of Smyth County, Virginia, and the Sheriff of Washington County, Virginia.

WHEREAS, the County of Smyth, Virginia and the County of Washington, Virginia (together referred to as "Counties") are contiguous political subdivisions of the Commonwealth of Virginia, and the governing bodies for each are the Board of Supervisors;

WHEREAS, the position of Sheriff is an elected position required for each city and county in the Commonwealth and established by the Constitution of Virginia, in Article VII, Section 4;

WHEREAS, neither Smyth County nor Washington County established a county police force as allowed pursuant to Virginia Code § 15.2-1702 and the Sheriff of each respective County is the chief law enforcement officer;

WHEREAS, the parties have determined that providing emergency police aid across jurisdictional boundaries will increase the ability of the local law enforcement agencies to promote the public safety and protect the general welfare of the citizens, and intend by this accord to enter into a reciprocal agreement for cooperation in furnishing police services and for use of their joint police forces, their equipment, and materials for their mutual protection, defense, and maintenance of peace and good order;

WHEREAS, the Counties are members of the Southwest Virginia Regional Jail Authority, and use the jail facilities of the Southwest Virginia Regional Jail located in Washington County, Virginia ("Jail"), to house prisoners from the Counties;

WHEREAS, criminal investigations often cross jurisdictional lines in the boundary areas of the Counties and the demands of emergencies and disasters, as addressed in Virginia Code § 15.2-1730.1, may require interjurisdictional law enforcement support among the Counties;

WHEREAS, in light of the foregoing, the Counties are so located in relation to each other and to the Jail, that it is to the advantage of each, under the circumstances herein specified, to permit law enforcement officers of the neighboring jurisdictions to provide service of civil summons, service of criminal warrants, process of arrest, and emergency support in the neighboring jurisdictions of the parties to this Agreement as if they were officers in such jurisdictions; and

WHEREAS, the Board of Supervisors for both Counties and the Sheriffs of both Counties have determined that it is in the best interests of the public health, safety, and welfare that the law enforcement personnel of the Counties should have the authority pursuant to Virginia Code §§ 15.2-1724, 15.2-1726, 15.2-1730.1, and 15.2-1736 to cooperate and to request and render assistance as provided herein.

NOW THEREFORE, BE IT KNOWN AND AGREED that the Board of Supervisors of the respective Counties by proper resolutions adopted at a regular meeting, at the request of, and with the agreement of the Sheriffs of both Counties, hereby approve and enter into this Agreement, and the parties hereto jointly resolve and agree with one another as follows:

Assistance in Event of Emergency, Disaster, or Other Need

1. The chief law enforcement officer of the respective parties, or the officer commanding in his or her absence, is authorized to determine the need for additional law enforcement assistance, without the necessity of deputizing officers from the other cooperating jurisdictions, when such officer determines that an emergency or other need exists. In such cases, they may participate in law enforcement activities beyond their respective jurisdiction to the extent authorized by the general laws of the Commonwealth of Virginia.
2. In the event that a determination is made that law enforcement assistance is required, the law enforcement officer authorized to act shall communicate the determination to the chief law enforcement officer or his/her then officer in command of the law enforcement agency from which assistance is requested. In the event where immediate response is required for the requesting agency said request may be made through general dispatch at the direction of the requesting officer. Such request will include the following:
 - a) Name and title of the officer making the request;
 - b) A summary of the circumstances initiating the action and a description of the assistance needed; and
 - c) The name, title, and location of the officer to whom assisting personnel shall report.
3. Upon receipt of a request for assistance, the law enforcement officer authorized to act will provide such assistance as is consistent with the circumstances within the requesting jurisdiction and the availability of his or her own agency's forces.
4. Nothing contained in this Agreement shall compel any party hereto to respond to a request for law enforcement assistance nor shall any party providing assistance pursuant to this Agreement be compelled to continue with such assistance after such assistance was initiated.

5. During the period assistance is provided, personnel of the assisting agency shall operate in the requesting jurisdiction with the same powers, rights, benefits, privileges and immunities as are enjoyed by members of the requesting agency. Each officer who enters the jurisdiction of the requesting agency pursuant to this Agreement is authorized to exercise the full police powers of the requesting agency's law enforcement personnel. For purposes of this Agreement it is understood that the assisting party is considered to be rendering aid once it has entered the jurisdictional boundaries of the party receiving assistance. This specifically includes, but is not limited to, the following: the authority to serve civil summons; the authority to serve criminal warrants; and the authority to make arrests.

Interjurisdictional Actions

6. Further, pursuant to this Agreement, (1.) the law enforcement officers of the Smyth County Sheriff's Office may serve civil summons, serve criminal warrants, and make arrests within the territorial limits of Washington County when the alleged offense or civil cause of action occurred in the territorial limits of Smyth County, including the Towns of Marion and Chilhowie and the portion of Saltville located within Smyth County, and (2.) the officers of the Washington County Sheriff's Office may serve civil summons, serve criminal warrants, and make arrests in the territorial limits of Smyth County including the Towns of Chilhowie and Marion and Saltville, when the alleged offense or civil cause of action occurred within the territorial limits of Washington County, including the Towns of Glade, Abingdon, Damascus, and the portion of Saltville located within Washington County,

Formation of Task Force

7. Pursuant to Virginia Code § 15.2-1726, in the event that a determination is made by the chief law enforcement officers of two or more participating jurisdictions, or either of their then acting second in command, that cooperation between both agencies would be necessary or beneficial to the enforcement of laws and maintenance of peace in their respective jurisdictions, then they may form a task force of officers from two or more jurisdictions until such time as the agency of that participating jurisdiction determines that the need for such a task force no longer exists. The purpose for which the agency of two or more participating jurisdictions may form a task force include, but is not limited to, the following:

- a) The investigation of any sexual offense or prostitution as contained in Article 3 of Chapter 8 of Title 18.2;
- b) The investigation of laws assigned to control or prohibit the use or sale of controlled substance as defined by Virginia Code § 54.1-3401;
- c) The investigation of serial rapes, murders, armed robberies, or other felonies;

- d) Law enforcement and crowd control at special events and athletic events, such as parades, sporting events, rallies, gatherings, or such other occurrences; or
- e) The occurrence of any other event which in the opinion of both chief law enforcement officers makes cooperation between their respective agencies necessary.

General Terms and Conditions

8. In the event of arrest or service of process by law enforcement outside their regular jurisdiction pursuant to this Agreement, the law enforcement agency of the jurisdiction where the case is to be adjudicated will be responsible for satisfaction of the requirements under Virginia Code § 19.2-390.
9. The chief law enforcement officer of any agency receiving assistance under this Agreement shall be responsible for directing the activities of other officers, agents, or employees coming into his or her jurisdiction. The chief law enforcement officer of the agency receiving assistance shall notify the chief law enforcement officer of the assisting agency of any complaints, reports, or other instances of inappropriate, criminal, or otherwise improper conduct or act of any assisting officer promptly after receipt of such complaint, report, or other instance.
10. Each agency shall bear any liability arising from acts undertaken by the personnel of that office pursuant to this Agreement. All of the privileges and immunities from liability, exemption from laws, ordinances, and rules, and all pension, insurance, relief, disability, worker's compensation, salary, death and other benefits, which apply to the activity of such officers, agents, or employees of either 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 as if they were within their territorial limits while engaged in the performance of any of their functions and duties extraterritorially under the provisions of this Agreement.
11. Each agency shall provide satisfactory proof of law enforcement professional liability insurance, including public liability insurance in the minimum amount of ONE MILLION DOLLARS (\$1,000,000.00). Each agency shall maintain worker's compensation insurance in the statutorily required amount for any person acting under and covered by this Agreement. Should the coverage of such insurance required by this Agreement of either agency be canceled or materially changed, then that agency shall notify the other agency of such cancellation or change in writing within fifteen (15) calendar days of that agency's receipt of notice of such cancellation or material change. Each party shall notify its insurance carriers of this Agreement.
12. Whenever the law enforcement officer, agent, or other employee acts pursuant to this Agreement outside of their normal jurisdiction, pursuant to the authority contained herein, or

under any other written agreement subsequent to signing of this Agreement, or any supplement or addition hereto, such persons shall have the same authorities, powers, rights, benefits, privileges, and immunities as if they were performing their duties in the territorial jurisdiction of which they are employed, appointed, or elected.

13. It is the intent and purpose of this Agreement that there be the fullest cooperation among the agencies to ensure the maintenance of good order and law enforcement during an emergency situation or other law enforcement matter which requires interjurisdictional law enforcement activity pursuant to this Agreement.

14. If any part, section, sub-section, sentence, clause or phrase of this Agreement is for any reason declared invalid, such decision shall not affect the validity of the remaining portions of this Agreement.

15. This Agreement shall be in effect from January 1, 2016 through and including December 31, 2019, and shall extend thereafter until replaced by a subsequent written agreement or until terminated by written notice as provided in this paragraph. Each party to this Agreement may terminate this Agreement upon fifteen (15) days advance written notice to the other parties. This Agreement shall bind the localities indicated herein and the chief law enforcement officer for such localities regardless of changes in administration, subject to the right to terminate as set forth in this paragraph.

16. This Agreement is subject to modification only by written agreement signed by all parties hereto. Any such modification shall be made a part of this Agreement as an addendum.

17. This Agreement may be signed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year written below:

Executed pursuant to a resolution of the **Smyth County** Board of Supervisors at its regular meeting on the ____ day of _____, 2016.

_____, Chairperson of the
Smyth County Board of Supervisors

Bradford C. Shuler, Sheriff
Smyth County, Virginia

Executed pursuant to a resolution of the **Washington County** Board of Supervisors at its regular meeting on the 12th day of January, 2016.

Randy Pennington, Chairman
Washington County Board of Supervisors

Fred P. Newman, Sheriff
Washington County, Virginia

Saltville District Supervisor Roscoe D. Call made a motion to approve 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 Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Saltville District Supervisor Roscoe D. Call and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

6:30:16 PM Scott Simpson, Assistant County Administrator presented a slide show updating the Board on the progress of the Courthouse renovations.

6:40:23 PM Supervisor Comment Time: All Board Members thanked Michelle Clayton for her service to the County as the County Attorney and stated they wish her the best in her future endeavors. Royal Oak District Supervisor G. Blake Frazier thanked the staff of the Smyth Wythe Airport for their hard work and dedication to the County.

6:45:03 PM Ernie Atwell, Smyth County Sheriff's Office, apologized to the Board for not having representation from the Sheriff's Office at the last Board meeting. Chairman, Wade H. Blevins Jr., expressed his concern over not receiving his Board packet on the scheduled delivery date. He went on to further identify the process in which he would like to receive it in the future.

6:49:12 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. continued the meeting to March 24, 2016 at 7:00 P.M.



Commonwealth of Virginia
Virginia Department of Criminal Justice Services
Grant Application

Grant Program:	School Resource Officer/School Security Officer Grant Program	Congressional District(s)	9th
Applicant:	Smyth County Sheriff's Office	Faith Based Organization?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Applicant Federal ID Number:	54-600-1608	Best Practice?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Jurisdiction(s) Served and Zip Codes:	Marion, Va. 24354 Sugar Grove, Va. 24375 Chilhowie, Va. 24319 Saltville, Va. 24370		
Program Title:	School Resource Officer	Certified Crime Prevention Community?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Grant Period:	July 1, 2016 to June 30, 2017	DUNS NUMBER:	091224170
Type of Application:	<input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation of Grant Number 16-C3095FR-16 <input type="checkbox"/> Revision of Grant Number _____		<input checked="" type="checkbox"/> Rural <input type="checkbox"/> Urban <input type="checkbox"/> Suburban

Project Director		Project Administrator		Finance Officer
Name:	Arthur Barker	Michael Carter	Scott Simpson	
Title:	Grants Administrator	County Administrator	Assistant County Administrator	
Address:	819 Matson Dr Marion, Va. 24354	121 Bagley Circle Marion, Va. 24354	121 Bagley Circle Marion, Va. 24354	
Phone:	276-781-2349	276-783-3298	276-783-3298	
Fax:	276-782-4070	276-783-9314	276-783-9314	
E-Mail:	abarker@smythcounty.org	mcarter@smythcounty.org	ssimpson@smythcounty.org	

Signature of Project Administrator:

Brief Project Description:

The Smyth County Sheriff's Office and the Smyth County School Board are working to ensure a safer learning environment and teaching environment for our school system. Currently the Smyth County Sheriff's Office has 5 School Resource Officers assigned to cover 14 schools. 2 of these SRO's are funded by DCJS. We are applying for continuation funding for these programs

Project Budget	DCJS Funds		Local Match	Total Requested
	Federal	State		
Personnel	\$29,966.00		\$8,261.00	\$38,227.00
Consultants				
Travel				
Equipment				
Supplies/Other				
Indirect Costs				
Total Requested	\$29,966.00		\$8,261.00	\$38,227.00

SMYTH COUNTY SHERIFF'S OFFICE/NORTHWOOD MIDDLE SCHOOL

PROJECT BUDGET NARRATIVE

Below is a breakdown of the proposed budget for the School Resource Officer position for the Northwood Middle School. We understand that with changing in state funds that there will be an offset in monies. However, the Smyth County Sheriff's Office will absorb that offset.

1) PERSONNEL/EMPLOYEES

Annual Salary

SRO	\$28,234.00
-----	-------------

2) FRINGE BENEFITS

FICA	7.65%	\$ 2,160.00
Retirement	10.02%	\$ 2,829.00
Life Insurance	1.31%	\$ 370.00
Health Insurance	18.0%	\$ 5,082.00
<u>Total Fringe Benefits</u>		\$ 10,441.00

Total Salary/Fringe Benefits	\$ 38,675.00
DCJS Funds:	\$29,965.00
Local Match:	\$ 8,261.00
Total Grant Funds:	\$38,227.00
Difference in Total Salary and Grant:	\$ 448.00

A meeting of the Smyth County Water and Sewer Committee was held at the County Office Building on Wednesday, March 23, 2016 at 3:45 p.m.

Committee Members Present:

Saltville District Supervisor Roscoe D. Call, Chair
Royal Oak District Supervisor G. Blake Frazier
Rye Valley District Supervisor Rick K. Blevins

Staff Members Present:

Michael Carter, County Administrator
Scott Simpson, Assistant County Administrator
Kelly Woods, Administrative Assistant

The meeting was called to order at 3:48 p.m. by Chairman Roscoe D. Call.

Scott Simpson, Assistant County Administrator presented an update on the Water Loss Report and stated the Water Department is focusing their attention to the Atkins System. Mr. Simpson also stated that some minor leaks have been located and corrected, and there is still great effort being put forward to locate the reason for the System showing such a loss. Discussion continued on this item.

The committee then discussed the Water and Sewer Rates. After discussion, Royal Oak District Supervisor G. Blake Frazier made a motion to recommend to the Board of Supervisors a Water/Sewer rate increase of 8%. Rye Valley District Supervisor Rick K. Blevins seconded the motion and all agreed unanimously.

Scott Simpson, Assistant County Administrator then brought forward a request for a leak adjustment from Mary Sike, 1491 Cleghorn Vally Road, Marion VA 24354. Mr. Simpson informed the Committee that Mrs. Sike had previously received a leak adjustment in April of 2015, and it is policy to only allow one adjustment per year. Rye Valley District Supervisor Rick K. Blevins made a motion to follow the County's procedure and deny the request presented by Mrs. Sike. Royal Oak District Supervisor G. Blake Frazier seconded the motion and all agreed unanimously.

All recommendations will be presented to the Board of Supervisors at the next scheduled meeting on April 12, 2016.

With nothing further to discuss, the meeting was adjourned at 4:27 P.M.

A meeting of the Smyth County Board of Supervisors Building and Grounds Committee was held at the County Office Building on Wednesday, March 23, 2016 at 4:30 p.m.

Committee Members Present:

Saltville District Supervisor Roscoe D. Call, Chairman
Rye Valley District Supervisor Rick K. Blevins
North Fork District Supervisor Phil Stevenson

Staff Members Present:

Michael Carter, County Administrator
Scott Simpson, Assistant County Administrator
Kelly Woods, Administrative Assistant

Saltville District Supervisor Roscoe D. Call, Chairman called the meeting to order at 4:35 p.m.

Scott Simpson, Assistant County Administrator presented a proposal from Cook's Mechanical for preventative maintenance, labor and materials to maintain the HVAC units located at the Courthouse, in the amount of \$13,294.00. The contract will renew on a yearly basis. After discussion, Rye Valley District Supervisor Rick K. Blevins made a motion to recommend to the Board of Supervisors to accept the proposal from Cook's in the amount of \$13,294.00. North Fork District Supervisor Phil Stevenson seconded the motion and all agreed unanimously.

This recommendation will be brought before the Board of Supervisors at their next scheduled meeting on April 12, 2016.

Having no other business to discuss, Chairman, Saltville District Supervisor Roscoe D. Call adjourned the meeting at 4:48 pm.

A meeting of the Smyth County Board of Supervisors Building and Grounds Committee was held at the County Office Building on Tuesday, April 5, 2016 at 4:30 p.m.

Committee Members Present:

Saltville District Supervisor Roscoe D. Call, Chairman
Rye Valley District Supervisor Rick K. Blevins
North Fork District Supervisor Phil Stevenson

Staff Members Present:

Michael Carter, County Administrator
Scott Simpson, Assistant County Administrator
Kelly Woods, Administrative Assistant

Saltville District Supervisor Roscoe D. Call, Chairman called the meeting to order at 3:37p.m.

Scott Simpson, Assistant County Administrator presented a proposal from Cook's Mechanical to replace the bearings and J bolt kit on the motor for the cooling tower of the HVAC unit located at the County Office Building. Discussion continued on this item. After discussion it was decided to allow staff members to obtain more information concerning this item and bring it back to the Committee at their next meeting.

Scott Simpson, Assistant County Administrator then presented a proposal for Elevator Maintenance from Thyssenkrupp Elevator, covering the unit located within the County Building and the four new units located within the Courthouse. The current contract is in the amount of \$482.00 monthly. The new contract would be for \$900.00 monthly, which would cover the four (4) new units at the Courthouse and the existing unit at the County Building. After discussion, Rye Valley District Supervisor Rick K. Blevins made a motion to recommend accepting the contract as presented to the full Board. North Fork District Supervisor Phil Stevenson seconded the motion and all agreed unanimously.

Michael Carter, County Administrator informed the Committee of a request he received from the Virginia Employment Commission Office in Marion, to use vacant office if available in the County Building to allow the VEC-Marion office to relocate to. Mr. Carter stated the VEC had inquired about any available space within the County Office Building being provided to them at no cost. It is estimated they would use the space 2-3 days per week to continue to provide job placement services to the citizens of the County. Mr. Carter informed the Committee there are potentially some office spaces located within the County Office Building that could be used to house this service. After discussion, North Fork District Supervisor Phil Stevenson made a motion to approve the request as presented and recommend to the full Board. Rye Valley District Supervisor Rick K. Blevins seconded the motion and all agreed unanimously.

These recommendations will be brought before the Board of Supervisors at their next scheduled meeting on April 12, 2016.

Having no other business to discuss, Chairman, Saltville District Supervisor Roscoe D. Call adjourned the meeting at 3:59 pm.

A meeting of the Smyth County Budget Committee was held at the County Office Building on Wednesday, March 30, 2016 at 3:30 p.m.

Committee Members Present:

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

Staff Members Present:

Kelly Woods, Administrative Assistant
Michael Carter, County Administrator
Lisa Richardson, Human Resource Manager

Staff Members Absent:

Scott Simpson, Assistant County Administrator

- All Budgets on both Revenue and Expenditure were discussed.

Lisa Richardson, Human Resource Manager presented information to the Committee concerning VRS Retirement Age 55/30 versus 50/30. Mrs. Richardson informed the committee the study for this had been completed by VRA and results are as shown below.

VRS Retirement Age 55/30 versus 50/30

History:

Current Plan 1 employees receive full retirement benefits from VRS at age 55 with 30 years of service –or- age 65 with 5 years of service.

- General Assembly passed legislation in 1987 offering full retirement benefits at 55/30
 - Smyth County Board of Supervisors adopted March 1987
- General Assembly passed legislation in 1999 offering full retirement benefits at 50/30
 - Through negative election
 - Smyth County Board of Supervisors “opted out” of 50/30 July 1, 1999
- 450 Political Subdivisions in Virginia Retirement System
 - 419 are at 50/30
 - 31 are at 55/30
 - 6 of the 31 are Counties
 - Smyth County (excluding School Board)
 - Rockingham County
 - Richmond County

- Middlesex County
- James City County
- Clark County

Proposed Change from 55/30 to 50/30:

- Change affects Plan 1 employees only (hired before July 2010)
 - 69 employees (48 County / 16 Social Services / 5 Library)
 - 21 Plan 1 employees already eligible for full retirement
 - Sheriff's Deputies Plan 1 currently at 50/25
 - Plan 2 and Hybrid employees are exempt
- Required County to request Actuarial Study
 - Received cost analysis in February 2016
- Study Results for Benefit Changes 55/30 to 50/30:
 - Full retirement benefit up to five years earlier for 8 long term employees
 - Greatest benefit realized by those close to age 50 with 30 years of service
 - Majority of employees past age 50 before reaching 30 years of service
- Other items to consider:
 - Affects when (PLOP) Lump sum payment benefit is paid out (currently age 56)
 - Benefit for Plan 1 employees transferring from other Counties to Smyth County
- Decision is irrevocable (However, all Plan 1 employees will eventually retire/phase out)

Rye Valley District Supervisor Rick K. Blevins made a motion to recommend to the Board of Supervisors to make the change to the retirement age and years of service to 50/30. Park District Supervisor M. Todd Dishner seconded the motion and all agreed unanimously.

This recommendation will be brought before the full Board at their next meeting on April 12, 2016.

At 5:10 p.m. Chairman Wade H. Blevins Jr., adjourned the meeting. Next meeting will be held on April 4, 2016 at 3:30 p.m.

A meeting of the Smyth County Insurance Committee was held at the County Office Building on Wednesday, March 21, 2016 at 4:00 P.M.

Committee Members

Present:

Atkins District Supervisor Charles Atkins, Chair
Saltville District Supervisor Roscoe D. Call
Rye Valley District Supervisor Rick K. Blevins

Staff Members:

Michael Carter, County Administrator
Scott Simpson, Assistant County Administrator
Lisa Richardson, Human Resources
Kelly Woods, Administrative Assistant

Chairman, Atkins District Supervisor Charles Atkins called the meeting to order at 4:00 P.M.

Lisa Richardson, Human Resource Manager presented information on the contract renewal for the Anthem/Local Choice employee health insurance plan for July 1, 2016 through June 30, 2017.

Rye Valley District Supervisor Rick K. Blevins made a motion to recommend to the Board of Supervisors to accept the renewal for the Anthem/Local Choice employee health insurance plan with the contribution rate from the County to the Employee at 80% and 79% for spouse and/or dependents. Saltville District Supervisor Roscoe D. Call seconded the motion and all agreed unanimously.

Lisa Richardson, Human Resource Manager then presented information on a Flexible Spending Account that is available to the County. Discussion continued on this item. After discussion, the Committee asked for Mrs. Richardson to conduct a survey to see how many employees would be interested in the Flexible Spending Account and report back to them at a later date.

With no other matters to discuss, Chairman, Atkins District Supervisor Charles Atkins adjourned the meeting at 4:38 p.m.

A meeting of the Smyth County Ordinance Committee was held at the County Office Building on Tuesday, April 5, 2016 at 4:00 p.m.

Board Members Present: North Fork District Supervisor Phil Stevenson, Chairman
Saltville District Supervisor Roscoe D. Call
Atkins District Supervisor Charles Atkins

Staff Present: Michael Carter, County Administrator
Kelly Woods, Administrative Assistant
Clegg Williams, Building and Zoning Administrator
Travis Lee, Campbell Law Firm

At 4:02 p.m. Chairman Phil Stevenson called the meeting to order.

Clegg Williams, Building and Zoning Administrator informed the Committee of the errors that were discovered in the Zoning advertisement that was placed in the Smyth County News for the Public Hearing that was conducted on March 24, 2016. After discussion with Campbell Law Firm, Mr. Williams stated it had been decided to re-advertise the changes being proposed to the Zoning Ordinance and to hold another Public Hearing. Ad to be placed in the paper will be as follows:

**NOTICE OF PUBLIC HEARING
BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS
AND SMYTH COUNTY PLANNING COMMISSION
ON AMENDMENTS TO THE SMYTH COUNTY ZONING ORDINANCE**

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, April 28, 2016 at 7:30 p.m., or as soon thereafter, as may be heard, in the Smyth County Administration Building, 121 Bagley Circle, Marion, Virginia, to consider the following: Adoption of amendments to the Smyth County Zoning Ordinance located in Appendix A of the Smyth County Code. The following proposed changes will be considered:

- **Addition of Article IV – General Provisions and Supplementary Regulations, Sections 4-14.1 relating to “Townhouses”** to provide requirements to be followed with regard to public water and sewer, off-street parking, minimum lot size and easements for access to the back of units. Section 4-14.2 relates to open space and amenities and the maintenance thereof through the Virginia Condominium Act or a nonprofit homeowners association agreement.
- **Repeal of definition of “Commercial Slaughterhouse”** to be replaced by “Meat processing facility.”
- **Deletion of reference to “Recreational Development”** which has been repealed from the Smyth County Subdivision Ordinance.
- **New definitions of land uses in Article X - Definitions:** Auditorium; Automotive sales; Automotive sales and service; Automotive servicing and parts; Boardinghouse; Brewery; Broadcasting/radio or Television Station; Cab service; Campground and recreational vehicle

park; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Ecotourism; Ecotourism, major; Ecotourism, minor; Event center; Laboratory, medical and analytical; Livestock market; Meat processing facility; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle; Recreational vehicle sales, service and rental; Service business, general contractor, major (more than 5 employees); Service business, general contractor, minor (5 employees or less); Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacturing; Taxidermy; Tire recapping or retreading; Townhouse and Vineyard and/or Winery.

- **Proposed new land uses permitted by right or by special use permit applications in the following districts listed in Article III - District Regulations:**

§ 3-1.1 – Uses Permitted by Right in the Agricultural District – Proposed:

Service business, general contractor, minor (five employees or less)

§ 3-1.2 – Uses Permitted with Special Use Permit in the Agricultural District – Proposed:

Auditorium; Automotive sales; Automotive sales and service; Automotive servicing and parts; Boardinghouse; Broadcasting/radio or Television Station; Brewery; Cab service; Campground; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Ecotourism, major; Ecotourism, minor; Event center; Laboratory, medical and analytical; Livestock market; Meat processing facility; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle park; Recreational vehicle sales, service and rental; Service business, general contractor, major (more than 5 employees); Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacturing; Taxidermy; Tire recapping or retreading; and Townhouse.

§ 3-2.1 – Uses Permitted by Right in the Agricultural/Rural District – Proposed:

Service business, general contractor, minor (5 employees or less)

§ 3-2.2 – Uses Permitted with Special Use Permit in the Agricultural/Rural District – Proposed:

Auditorium; Automotive sales; Automotive servicing and parts; Boardinghouse; Broadcasting/ radio or Television Station; Brewery; Cab service; Campground; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Ecotourism, major; Ecotourism, minor; Event center; Laboratory, medical and analytical; Livestock market; Meat processing facility; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle park; Recreational vehicle sales, service and rental; Service business, general contractor, major (more than 5 employees); Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacturing; Taxidermy; and Tire recapping or retreading.

§ 3-3.2 – Uses Permitted with Special Use Permit in the Residential District – Proposed:

Auditorium; Automotive sales; Automotive sales and service; Automotive servicing and parts; Boardinghouse; Broadcasting/radio or Television Station; Cab service; Catering facility; Commercial bus station; Ecotourism, major; Ecotourism, minor; Event center; Laboratory, medical and analytical; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle sales, service and rental; Service Business, general contractor, major (more than 5 employees); Service Business, general contractor, minor (5 employees or less); Stonecutting, monument manufacturing; Taxidermy; Vineyard and/or Winery.

§ 3-4.1 – Uses Permitted by Right in the Commercial District– Proposed:

Auditorium; Automotive sales; Automotive servicing and parts; Broadcasting/radio or Television Station; Brewery; Cab service; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Laboratory, medical and analytical; Microbrewery; Microdistillery;

Nanobrewery; Recreational vehicle sales, service and rental; Service business, general contractor, major (more than 5 employees); Service business, general contractor, minor (5 employees or less); Stonecutting, monument manufacturing; Taxidermy; Tire recapping or retreading; and Vineyard and/or Winery.

§ 3-4.2 – Uses Permitted with Special Use Permit in the Commercial District – Proposed: Boardinghouse; Campground; Campground and recreational vehicle park; Ecotourism, major; Ecotourism, minor; Event center; Livestock market; Meat processing facility; Recreational vehicle park; Shooting range, indoor; Shooting range, outdoor; and Townhouse.

§ 3-5.1 – Uses Permitted by Right in the Industrial District– Proposed: Brewery; Cab service; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Laboratory, medical and analytical; Microbrewery; Microdistillery; Nanobrewery; Service business, general contractor, major (more than 5 employees); Service business, general contractor, minor (5 employees or less); Taxidermy; Tire recapping or retreading; and Vineyard and/or Winery.

§ 3-5.2 – Uses Permitted with Special Use Permit in the Industrial District – Proposed: Auditorium; Automotive sales; Automotive sales and service; Automotive servicing and parts; Boardinghouse; Broadcasting/radio or Television Station; Ecotourism, major; Ecotourism, minor; Event center; Livestock market; Meat processing facility; Recreational vehicle sales, service and rental; Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacturing; and Townhouse.

§ 3-6.2 – Uses Permitted with Special Use Permit in the Conservation Recreation District – Proposed: Auditorium; Cab service; Campground; Campground and recreational vehicle park; Catering facility; Commercial bus station; Distillery; Ecotourism, major; Ecotourism, minor; Event center; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle park; Recreational vehicle sales, service and rental; Shooting range, indoor; Shooting range, outdoor; Stonecutting, monument manufacturing; Taxidermy; Townhouse; and Vineyard and/or Winery.

At this public hearing, subject to the rules of procedure of the Board of Supervisors of Smyth County, Virginia, any person may appear and state his/her views thereon. In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact Clegg Williams, ADA Coordinator, at (276) 706-8315, at least 48 hours prior to the hearing. A copy of this proposed amendment is on file in the Office of the County Administrator of Smyth County at the address given above, and may be viewed during regular business hours Monday through Friday and at www.smythcounty.org.

Atkins District Supervisor Charles Atkins made a motion to not allow Tire recapping and retreading in the Conservation Recreation District. Saltville District Supervisor Roscoe D. Call seconded the motion and all agreed unanimously.

Saltville District Supervisor Roscoe D. Call made a motion to approve the changes to the Zoning Ordinance as presented, with communication to be made by Mr. Williams to the Planning Commission, requesting their approval of the changes to be made. Atkins District Supervisor Charles Atkins seconded the motion and all agreed unanimously.

As of April 7, 2016 all members of the Planning Commission Ordinance Committee were in agreement with the proposed changes.

Ordinance Committee Meeting Minutes

April 5, 2016

Atkins District Supervisor Charles Atkins made a motion to recommend to the Board of Supervisors to schedule a Public Hearing for consideration of the Zoning Ordinance changes to April 28, 2016 at 7:30 P.M. Saltville District Supervisor Roscoe D. Call seconded the motion and all agreed unanimously.

With nothing else to discuss, Chairman Phil Stevenson adjourned the meeting at 4:25 P.M.

January 28, 2016

To: Michael Carter, County Administrator

From: Mike Neal, Water-Sewer Foreman

RE: Budget Amendment – Water-Sewer Department

In reviewing the line items in the Water-Sewer Budget, I request the following Budget Amendment.

Expenses:

• \$ 35,000.00	501-085020-0102	Atkins Water Purchases
• \$ 37,000.00	501-085020-0104	HMG/Walker Creek Water Purchases
• \$ 15,000.00	501-085020-0104-1	HM Park Water Purchases
• \$ 700.00	501-085020-0106	Merillat/MEC Water Purchases
• \$ 30,000.00	501-085020-0205	Apple Valley Water Purchases
• \$ 33,000.00	501-085030-0001	Marion Sewer treatment
• \$ 5,000.00	501-085010-3005	Vehicle Maintenance
• \$ <u>900.00</u>	501-085010-5201	Postage
\$ 156,600.00		

Revenues

• \$ -19,000.00	501-015001-0001	Water Payments
• \$ - 8,000.00	501-015001-0002	Sewer Payments
• \$ <u>- 129,800.00</u>	501-019010-0003	Transfer from General Fund
\$ - 156,600.00		

Mike Neal



SMYTH COUNTY CSA

121 BAGLEY CIRCLE, SUITE 420
MARION, VIRGINIA 24354

MEMO

DATE: FEBRUARY 19, 2016

TO: MICHAEL CARTER, SMYTH COUNTY ADMINISTRATOR

FROM: SMYTH COUNTY CPMT
PATRICIA DAVIS, CHAIRMAN

RE: CSA POOL FUND BUDGET AMENDMENT REQUEST

The Smyth County Community Policy and Management Team (CPMT) is requesting a FY15/16 CSA Budget Amendment. Currently, the budget is \$760,000.00 which includes a 23.37% local match. The CPMT projects an additional \$162,000.00 will be needed in order to meet the expenses for the months of May and June. This would require a local match of \$37,860.00.

Last year 88 kids were served through CSA. We have already served 75 children this fiscal year at the end of the second quarter. The number of children in foster care has increased from 22 in July, 2015, to 38 in February, 2016. We attribute the need for increased funding to the following:

- increased number of children coming into foster care
- increased number of families with children referred due to drug usage
- increase number of children served with severe mental health and behavior issues
- increase in the cost of services

Most of the budget is for mandated services which include foster care, education for children with special needs that cannot be served in the public school system, and foster care/CHINS (Children in Need of Services) prevention.

If you have any questions, please contact Norma Teaters at 706-8416.

CONTRACT MODIFICATION AGREEMENT

Date: March 24, 2016

Contract Number: DOE-MOA-DOS-2014-069

Modification Number: 2

Issued By: Commonwealth of Virginia
Department of Education
Post Office Box 2120
Richmond, Virginia 23218-2120

Contractor: County of Smyth
121 Bagley Circle, Suite 100
Marion, Virginia 24354

Commodity

This Supplemental Agreement is entered into pursuant to the provision of the basic contract.

Description of Modification:

The Virginia Department of Education will pay the Contractor one fourth of the contract amount quarterly, within 30 days of acceptance of deliverables, or receipt of valid invoices, whichever is later. Invoices shall be submitted not later than July 15 each year, and should be mailed to **Accounts Payable, Department of Education, P.O. Box 2120, Richmond, VA 23218-2020.** Change "**Budget Amount**" to "**Contract Amount**" and replace all text and amounts with "\$2,600."

Dollar Value Change \$0

Date Change July 1, 2016-June 30, 2017

Except as provided herein, all terms and conditions of this contract remain unchanged and in full force and effect.

(Name of Contractor)

Department of Education

By: _____
Signature

By: _____
Signature

Name: _____
Please print or type

Name: Marie G. Williams

Title: _____

Title: Director of Procurement & Tax Credit Programs

Date signed

Date signed





COMMONWEALTH of VIRGINIA
Department of Education ♦ P. O. Box 2120 ♦ Richmond, VA 23218-2120

**MEMORANDUM OF AGREEMENT
BETWEEN
THE VIRGINIA DEPARTMENT OF EDUCATION
AND
COUNTY OF SMYTH**

SECTION I

Purpose

The purpose of this agreement between the Virginia Department of Education and County of Smyth (the Contractor) is to provide office location for a VDOE employee from the Office of School Nutrition Programs.

SECTION II

Scope of Services

The Contractor shall provide the goods/services to the Department of Education as set forth in the following Scope of Services:

Smyth County agrees to provide the following in support of the Virginia Department of Education (VDOE), Office of School Nutrition Programs (OSNP) local field office.

1. Sole use of office space for one VDOE employee. Office space will include one office, one small meeting room and one workroom space/supply storage room.
2. Access to office space twelve months per year (including periods that the county offices are closed for holidays, breaks, etc.)
3. Parking for the VDOE employee vehicle at the office site.
4. Internet access, local and long distance telephone service. Phone services shall include voice mail service, voice mail and dedicated fax phone line. Phone service shall have unlimited long distance calls and voice mail capability to roll into the total system to allow for additional phone paths for simultaneous calls.
5. Occasional access to a meeting room that seats 30 people at the office site.

6. Other services to include janitorial and facilities support.
7. Office supplies including paper and postage for School Nutrition Programs mailings. VDOE-OSNP will reimburse actual cost of postage and office supplies on a quarterly basis.

Contractor agrees to provide the Department of Education a quarterly statement of itemized charges for services within the scope of this contract. The Department of Education agrees to pay the Contractor quarterly for services as defined in the scope of this contract.

BUDGET

	Description	Total (Quarterly)	Contract Amount (12 months)
A.	OFFICE ADMINISTRATION		
	Postal (actual expenditures)	\$100.00 (estimate)	\$400.00 (estimate)
B.	OFFICE SUPPLIES		
	Includes Paper (actual Expenditures)	\$100.00 (estimate)	\$400.00 (estimate)
C.	Rent, heat, electricity, janitorial service, phone, internet, and parking	\$450.00	\$1,800.00
	TOTAL	\$650.00	\$2,600.00

Period of Performance

July 1, 2014 through June 30, 2016 with option to renew for three successive one year periods.

SECTION III

Terms and Conditions

1. **AVAILABILITY OF FUNDS:** It is understood and agreed between the parties herein that the Virginia Department of Education shall be bound hereunder only to the extent of the funds available or which may hereafter become available for the purpose of this Agreement.
2. **CANCELLATION OF AGREEMENT:** The Virginia Department of Education (VDOE) reserves the right to cancel and terminate this Agreement, in whole or in part, without penalty, upon 60 days written notice to the Contractor. In the event the initial Agreement period is for more than 12 months, the Agreement may be terminated by either party, in part

or in whole, without penalty, after the initial 12 months of the Agreement period upon 60 days written notice to either party. Any cancellation notice shall not relieve the Contractor of the obligation to deliver and/or perform on all outstanding deliverables unless otherwise agreed to in writing by the VDOE prior to the effective date of cancellation.

3. **OWNERSHIP OF INTELLECTUAL PROPERTY:** All copyright and patent rights to all deliverables provided to the Virginia Department of Education in the performance of this contract ("the Intellectual Property") shall become the sole property of the Virginia Department of Education. The contractor hereby assigns to the Commonwealth exclusively all right, title, and interest in and to all rights in the Intellectual Property that the contractor may have or obtain, without further consideration, free from any claim, lien for balance due, or rights of retention thereto on the part of the contractor. Upon request, the contractor shall promptly provide any further acknowledgment or assignment in a tangible form satisfactory to the Virginia Department of Education to evidence the Virginia Department of Education's sole ownership of the Intellectual Property.
4. **SUBCONTRACTS:** No portion of the work shall be subcontracted without prior written consent of the Virginia Department of Education. In the event that the contractor subcontracts any part of the work specified herein, the contractor shall include Term & Condition #3 in the contract(s) with the subcontractor(s), shall remain fully liable and responsible for the work to be done by its subcontractor(s), and shall assure compliance with all requirements of the contract.
5. **CONTRACTOR RIGHTS TO USE MATERIALS:** The contractor is hereby granted a royalty-free, non-exclusive and irrevocable license in perpetuity to reproduce, publish or otherwise use the Intellectual Property for noncommercial purposes. Such rights shall include, but are not limited to the right to claim credit as the original author of the Intellectual Property, the right to use and authorize others to use the Intellectual Property in research and for preparation of teaching materials for noncommercial use, and the right to transfer to publishers the copyrights in scholarly publications and textbooks that include an insubstantial portion of the Intellectual Property. The contractor may seek further rights to use the Intellectual Property by submitting a written request for authorization to the Superintendent of Public Instruction, which authorization shall not reasonably be withheld.
6. **CHANGES TO THE AGREEMENT:** Changes can be made to the Agreement in any of the following ways:
 - A. The parties may agree in writing to modify the scope of the Agreement. An increase or decrease in the price of the Agreement resulting from such modification shall be agreed to by the parties as a part of their written agreement to modify the scope of the Agreement.
 - B. The Virginia Department of Education may order changes within the general scope of the Agreement at any time by written notice. Changes within the scope of the Agreement include, but are not limited to, things such as services to be performed and

the place of delivery. Any additional costs incurred as the result of such order will be determined by one of the following methods:

1. By mutual agreement between the parties in writing; or
 2. By agreeing upon a unit price or using a unit price set forth in the Agreement, if the work to be done can be expressed in units.
7. **CLASSIFICATION:** This agreement constitutes a sale of goods or services (a vendor relationship). Therefore, no funds provided to the contractor under this Agreement should be classified by the contractor as a grant or sub-award.
8. **RENEWAL:** This contract may be renewed by the Commonwealth upon written agreement of both parties for and additional three (3) successive one year periods, under the terms of the current contract, and at a reasonable time (approximately 90 days) prior to the expiration. Any increase/decrease in cost must be agreed to by both parties.

SECTION IV

Responsibilities of the Virginia Department of Education

The Virginia Department of Education will pay the Contractor quarterly for services as defined in the scope of this contract.

SECTION V

Method of Payment

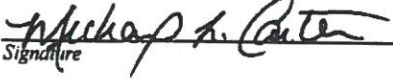
The Virginia Department of Education will reimburse the Contractor the actual costs for postage and office supplies estimated to be a total of \$800.00 and for expenses incurred for rent, utilities (heat, electricity), phone services, internet and parking not to exceed \$1,800.00. Requests for reimbursement for expenses shall be submitted quarterly with the final reimbursement request submitted not later than July 15, 2015 and should be mailed to Accounts Payable, Department of Education, P. O. Box 2120, Richmond, VA 23218-2120.

Budget Amount


\$2,600.00

IN WITNESS WHEREOF, the parties have caused this Agreement (including the attached Terms and Conditions) to be duly executed intending to be bound thereby.

COUNTY OF SMYTH

By: 
Signature
Printed Name Michael L. Carter
Title County Administrator
Address 121 Bagley Circle, Suite 100
Marion, VA 24354
FIN: 54-6001608
Date: _____

VIRGINIA DEPARTMENT OF EDUCATION

By: 
Signature
Marie G. Williams
Director of Tax Credit Programs, Procurement,
and Fixed Assets
Department of Education
P. O. Box 2120
Richmond, VA 23218-2120
Date: 7/14/14

PROJECT MANAGERS

County of Smyth	
Name	<u>Charles E. Atkins, CFO</u>
Address	<u>121 Bagley Circle, Suite 100</u>
City	<u>Marion</u>
State, Zip	<u>Virginia 24354</u>
e-mail	_____
Phone	<u>(276) 782-3298, Ext 8308</u>
Fax	<u>(276) 783-9314</u>

Virginia Department of Education	
Name	<u>Catherine Digilio Grimes</u>
e-mail	<u>Catherine.Diglio-Grimes@doe.virginia.gov</u>
Phone	<u>804-225-2074</u>
Fax	<u>804-786-3117</u>

Project Code:	<u>80300</u> Cost Code <u>425</u>