

AGENDA

Tuesday, August 9, 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.1; Personnel Matters;** Discussion, consideration, or interviews of prospective candidates for employment and contracts; **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 July 12th and July 28th, 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 CITIZEN'S TIME

5:30 ARTHUR BARKER-VSTOP GRANT

5:45 HOWARD BURTON-MT. ROGERS CSB UPDATE

6:00 MATTHEW MILLER-WYTHEVILLE EXTENSION OFFICE-NEW AG CENTER UPDATE

6:15 LORI DEEL-TRW 25TH ANNIVERSARY RECONGNITION

6:30 STEVIE STEELE, CHA CONSULTING-ADWOLFE SEWER UPDATE

6:45 LAVONDA BRICKEY-RABIES CLINIC INFORMATION

NEW BUSINESS

***MTN. CAP BOARD OF DIRECTORS APPOINTMENT-MICHAEL CARTER**

***PLANNING COMMISSION RECOMMENDATION-MICHAEL CARTER**

***COMMITTEE RECOMMENDATIONS**

- **COURTHOUSE COMMITTEE-BLAKE FRAZIER, CHAIR**
- **SOLID WASTE COMMITTEE-RICK BLEVINS, CHAIR**

OLD BUSINESS:

Continued Discussion of Meeting with Library Board

Supervisor Comment Time

Meeting reminders:

***TOWN & COUNTRY BBQ-AUGUST 25, 2016 @6:30 P.M.**

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, July 12, 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: Vice Chair, Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K Blevins; Atkins District Supervisor Charles Atkins; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson (5)

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

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Jeff Campbell; Administrative Assistant Kelly Woods (4)

 7/12/2016 4:02 PM Vice Chair, Park District Supervisor M. Todd Dishner called the meeting to order.

A motion was made by Rye Valley District Supervisor Rick K. Blevins to enter into closed session under the 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. Saltville District Supervisor Roscoe D. Call seconded the motion.


After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner, Rye Valley District Supervisor Rick K. Blevins, Saltville District Supervisor Roscoe D. Call, Atkins District Supervisor Charles Atkins and North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and Royal Oak District Supervisor G. Blake Frazier.

 7/12/2016 5:02 PM Vice Chair, Park District Supervisor M. Todd Dishner called the meeting back to order from closed session.

It was moved by Rye Valley District Supervisor Rick K Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to adopt the following resolution certifying the business conducted in closed session as follows:

**RESOLUTION
CERTIFICATION OF CLOSED SESSION**

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

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

NOW, THEREFORE, BE IT RESOLVED 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: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

 7/12/2016 5:02 PM Sandy Elswick, Voter Registrar gave the invocation and Kelly Woods, Administrative Assistant led the Pledge of Allegiance.

 7/12/2016 5:03 PM A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:


AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

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

Royal Oak District Supervisor G. Blake Frazier.

 7/12/2016 5:04 PM It was moved by North Fork District Supervisor Phil Stevenson, seconded by Saltville District Supervisor Roscoe D. Call to approve the minutes of the May 26th, June 14th and June 23rd, 2016 meetings, with a change to the Resolution on page four of the minutes for June 23, 2016, reflecting a total adopted budget of \$90,517,116.


After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.


NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

 7/12/2016 5:05 PM Financial Update-Michael Carter, County Administrator presented the Board with information on the end of the fiscal year for 2015-2016 Budget and a current month analysis for appropriations.

Vice Chair, Park District Supervisor M. Todd Dishner stated that he appreciates all of the work that staff has done with the finances of the County. North Fork District Supervisor Phil Stevenson agreed with Mr. Dishner and expressed his appreciation for all of the work that is done on a daily basis concerning the finances of the County.

 7/12/2016 5:15 PM It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$4,050,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$	1,550,000.00
Social Services (July 13-July 31, 2016)	\$	315,000.00
Social Services (August 1-August 9, 2016)	\$	60,000.00
Schools-Operating Fund	\$	1,325,000.00
School Debt and Capital Outlay	\$	800,000.00

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,

Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$100,000.00 from the School Textbook Fund.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$156,027.92 for the Courthouse Project.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$960.40 from the Sheriff's Fund 748 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.


NAYS: None.


ABSTAINERS: None.

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

Royal Oak District Supervisor G. Blake Frazier.

 7/12/2016 5:19 PM Vice Chair, Park District Supervisor M. Todd Dishner opened citizen's time.

 7/12/2016 5:19 PM With no one wishing to speak, Vice Chair, Park District Supervisor M. Todd Dishner closed citizen's time.

 7/12/2016 5:20 PM Michael Carter, County Administrator read the following letter for the record concerning Competitive Power Ventures.

CPV COMPETITIVE POWER 50 BRAINTREE HILL OFFICE PARK T/ 781-848-0253 VENTURES, INC. SUITE 300 F/ 781-848-5804 BRAINTREE, MA 02184 WWW.CPV.COM

July 6, 2016

Mr. Michael Carter

Smyth County Administrator

121 Bagley Circle, Suite 100

Marion, Virginia 24354

Dear Administrator Carter,

I am writing to let you know that after more than eight years of development, CPV has decided to halt work on the CPV Smyth Energy Center project. After closely weighing the viability of continuing, we have determined there is not a clear avenue to finance the project.

This decision is in no way a reflection on the local community or the Smyth County and Town of Marion officials who were all very supportive of our project. We were humbled by and thankful for the outpouring of local support, and that's what makes this decision so difficult. In the end, however, it just came down to financing. For everything you did to help CPV advance this project, we thank you.

Should the situation change and new opportunities arise, we would certainly consider re-starting the project. In the meantime, please contact me if you have any questions or would like to discuss further.

Sincerely,


John Hafner

Director, Project Manager

 7/12/2016 5:23 PM Conrad Hill, VDOT Residency Administrator introduced himself to the Board and stated that VDOT has reopened the Abingdon Residency and will be serving Smyth County.

John Bechtold also introduced himself to the Board and stated that he works with the Abingdon residency and is looking forward to working with the citizens of the County.

North Fork District Supervisor Phil Stevenson requested that someone who represents VDOT be at the Board meeting every other month to address any concerns.

 7/12/2016 5:32 PM Arthur Barker, Grant Administrator for Smyth County Sheriff's Office presented information to the Board concerning two (2) grants that were approved for School Resource Officers. The approved amounts for each position are \$39,454.00. The local match for each position will be \$8,427.00. Atkins District Supervisor Charles Atkins made a motion to approve the grant and local match as presented by Mr. Barker. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

Arthur Barker, Grant Administrator then presented a request for submission of Grant for purchase of 16 overdose kits for the Sheriff's Office to use to treat overdose victims. Mr. Barker stated the officers who would be using these kits will receive proper training. Atkins District Supervisor Charles Atkins made a motion to approve the request from Mr. Barker to submit the grant application as presented. North Fork District Supervisor Phil Stevenson seconded the motion.


After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

 7/12/2016 5:41 PM North Fork District Supervisor Phil Stevenson made a motion to appoint Lori Deel, Economic and Community Development Director as a Board member to the Ninth District Development Financing, Inc., for a two (2) year term. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins and

Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

Rye Valley District Supervisor Rick K. Blevins made a motion to appoint Michael Carter, County Administrator to the Virginia's @Corridor Board of Directors and Executive Committee. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

Saltville District Supervisor Roscoe D. Call made a motion to appoint Tom Hess to the Department of Social Services Board as the Saltville District Representative for a four (4) year term beginning June 30, 2016 and ending June 30, 2020. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

Atkins District Supervisor Charles Atkins made a motion to reappoint Marvin Craig as the Atkins District Representative to the EDA, for a four (4) year term beginning June 30, 2015 and ending June 30, 2019. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson and
Atkins District Supervisor Charles Atkins.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

North Fork District Supervisor Phil Stevenson made a motion to appoint John C. McLean Jr., P.O. Box 728, Chilhowie, Virginia as the North Fork District Representative to the EDA, for a four (4) year term beginning June 30, 2016 and ending June 30, 2020. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

Atkins District Supervisor Charles Atkins made a motion to re-appoint Hazel Wagoner, as the Atkins District Representative to the Planning Commission. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson and
Atkins District Supervisor Charles Atkins.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

Saltville District Supervisor Roscoe D. Call made a motion to reappoint Bryant T. McVey as the Member at Large to the Mt. Rogers Planning District Commission, for a four (4) year term beginning June 30, 2016 and ending June 30, 2020. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson and
Atkins District Supervisor Charles Atkins.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

Rye Valley District Supervisor Rick K. Blevins made a motion to reappoint Montie Fleshman as the Rye Valley District Representative to the EDA, for a four (4) year term beginning June 30, 2016 and ending June 30, 2020. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson and
Atkins District Supervisor Charles Atkins.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

Rye Valley District Supervisor Rick K. Blevins made a motion to reappoint Joe Blankenship and William Farmer to the Rye Valley Water Authority Board, for a four (4) year term beginning June 30, 2016 and ending June 30, 2020. Atkins District Supervisor Charles Atkins seconded the motion.


After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson and
Atkins District Supervisor Charles Atkins.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

 7/12/2016 5:50 PM Michael Carter, County Administrator brought forward a recommendation from the budget committee. It is the Committee's recommendation to set the PPTRA rate at 53% for the 2016 tax year as recommended by the Commissioner of Revenue Jeff Richardson. Mr. Richardson discussed the Personal Property Tax Relief Act (PPTRA) and he noted the Board of Supervisors is required to establish the PPTRA tax relief rate to be applied to qualifying tax tickets each year.

After consideration, the motion PASSED by the following vote:


AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson and

Atkins District Supervisor Charles Atkins.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

 7/12/2016 6:04 PM Scott Simpson, Assistant County Administrator brought forward the following recommendations from the Courthouse Committee.

It is the Committee's recommendation to approve the contract with HVAC for a temporary air conditioning need in the Circuit Courtroom, Deed Vault and Circuit Court Clerk's Office.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

It is the Committee's recommendation to approve the purchase of three (3) small individual air units from Lowe's, for the remaining spaces in the Clerk's Office. The estimated cost is less than \$1,200.00 for the purchase.


After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

 7/12/2016 6:10 PM Atkins District Supervisor Charles Atkins presented an update from the Insurance committee and stated the committee had met on June 23, 2016 and discussed a Flexible Spending account that is available to the County. Due to lack of interest the Committee has decided to table the topic at this time.



7/12/2016 6:11 PM Michael Carter, County Administrator presented a recommendation from the Personnel Committee as shown below. These changes are effective immediately and to be placed in the current personnel manual.

Proposal change of current policy related to Sick / Bereavement Leave:

Current Policy;

6.9(c) (iii). Sick leave shall be used and approved only for the following;

Serious illness or death in the immediate family. The "immediate family" includes the employee's spouse, children, step-children, parents, brother, sister, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law or daughter-in-law, and with permission of the County Administrator, a member of the household of the employee. Leave due to the death of a member of the immediate family shall be charged first to available bereavement leave, then to sick leave. Leave due to death of others than those listed may be granted, but shall be charged first to available annual leave or leave without pay.

Proposed Change to Policy;

6.9(c)(iii). Sick leave shall be used and approved only for the following;

Serious illness or death in the immediate family. The "immediate family" includes the employee's spouse, children, step-children, parents, **grandparents, siblings(including step or half siblings)** ~~brother, sister,~~ mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law or daughter-in-law, and with permission of the County Administrator, a member of the household of the employee. Leave due to the death of a member of the immediate family shall be charged first to available bereavement leave, then to sick leave. Leave due to death of others than those listed may be granted, but shall be charged first to available annual leave or leave without pay.

An employee on extended sick leave that does not work any in the pay period will not earn paid sick leave hours for the period.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

Michael Carter, County Administrator presented a recommendation from the Personnel Committee. It is the Committee's recommendation to designate Lisa Richardson as the Freedom of Information Act contact for Smyth County.

After consideration, the motion PASSED by the following vote:


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

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

NAYS: None.


ABSTAINERS: None.

ABSENT: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr. and
Royal Oak District Supervisor G. Blake Frazier.

 7/12/2016 6:22 PM Supervisor Comment Time: Saltville District Supervisor Roscoe D. Call thanked the Staff and the Board for all of the work that has been done with the County's finances and is pleased with the progress being made in the County.

Atkins District Supervisor Charles Atkins stated that he would like to see the Board address the letter everyone received from the Smyth Bland Regional Library Board concerning meeting with them.

North Fork District Supervisor Phil Stevenson stated that he appreciates all the work that is done by the Staff and Board on a daily basis and appreciates those that worked on the FY16-17 Budget.

 7/12/2016 6:29 PM Vice Chair, Park District Supervisor M. Todd Dishner continued the meeting to July 28, 2016 at 7:00 P.M.

The Smyth County Board of Supervisors held its continued meeting at 7:00 p.m., **Thursday, July 28, 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; North Fork District Supervisor Phil Stevenson; Saltville District Supervisor Roscoe D Call; Royal Oak District Supervisor G. Blake Frazier (5)

Chilhowie District Planning Commissioner Graham Davidson Jr.; Rye Valley District Planning Commissioner Paul D. Shepherd; Park District Planning Commissioner Joel Pugh; Chairman, North Fork District Planning Commissioner Norman Sparks Atkins District Planning Commissioner Hazel Wagoner (6)

ABSENT: Rye Valley District Supervisor Rick K Blevins, Atkins District Supervisor Charles Atkins (2)

Planning Commission-Royal Oak District Representative Robbie Doyle. (1)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Building & Zoning Administrator Clegg Williams; Administrative Assistant Kelly Woods; Administrative Assistant Becca Creasy; County Attorney Jeff Campbell (6)

At 7:00 p.m. Chair of the Board of Supervisors Wade H. Blevins Jr., 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, July 28, 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 Map Amendment to the Zoning Ordinance of Smyth County, Virginia:

Pursuant to Section 9-2.1 the Board of Supervisors of Smyth County, Virginia, propose to amend the official Zoning Map of Smyth County, Virginia, by rezoning approximately 1,400 tracts totaling approximately 48,000 acres in the Rich Valley and Ceres Communities from Agricultural to Agricultural/Rural. The Smyth County Comprehensive Plan does not identify a density range and the general usage of these properties has been residential and agricultural. The properties can be found within Grid Nos. 5458, 5459, 5469, 5479, 5489, 5499, 5550, 5551, 5560, 5561, 5562, 5570, 5571, 5572, 5573,

5580, 5581, 5582, 5583, 5590, 5591, 5592, 5593, 6500, 6501, 6502, 6503, 6510, 6511, 6512, 6513, 6520, 6521, 6522, 6523, 6530, 6531, 6532, 6533 of the State Plane Grid Index.

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.

A copy of the proposed Zoning Map is on file in the Office of the County Administrator of Smyth County. Copies are also maintained by the County Zoning Administrator at the address given above, and may be viewed during regular business hours Monday through Friday.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 8315 at least 48 hours prior to the hearing.

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

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

Clegg Williams, Building and Zoning Administrator explained the proposed Map Amendment to rezone approximately 48,000 acres of land in the Rich Valley and Ceres Communities from Agricultural to Agricultural/Rural. Mr. Williams' presentation included a map of the area affected as well as a list of differences in the uses allowed "by right" and the uses allowed with the issuance of a special use permit in the A and A/R districts. A first class mailing was sent to approximately 600 property owners in the affected areas. Mr. Williams stated he had received several phone calls with general comments and questions.

Jeff Richardson, Commissioner of Revenue provided a statement that addressed any questions concerning tax consequences for rezoning.

North Fork District Supervisor Phil Stevenson welcomed everyone and stated the main reason for his proposal for rezoning was to provide a way for young people to purchase small lots and to make community growth easier.

Approximately eighteen (18) citizens spoke in opposition and Clegg Williams, Building and Zoning Administrator read five (5) citizens emails, all of which opposed the proposed rezoning. Comments made in opposition included to leave the area "as is", and many felt it was unfavorable to the environment they live in.

Approximately four (4) citizens spoke in favor of the rezoning for reasons such as wanting growth, increasing the likelihood of schools and churches remaining open.

No one else chose to speak concerning the rezoning application.

Board of Supervisors Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. and Planning District Commission Chairman Norman Sparks closed the joint public hearing.

Royal Oak District Supervisor G. Blake Frazier left the meeting.

At 8:47 p.m. Chair of the Board of Supervisors Wade H. Blevins Jr., and Mr. Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order. Mr. Michael Carter, County Administrator read the advertisement as placed in the Smyth County News and Messenger.

BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND

SMYTH COUNTY PLANNING COMMISSION

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, July 28, 2016, at 7:15 P.M. or as soon after 7:15 P.M. as an application(s) 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 Gerald D. McGuire which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map to rezone approximately 0.5 acres in Atkins, Virginia, from Agricultural/Rural to Industrial. The property is addressed as 383 Nicks Creek Road in Atkins and identified as Tax Map No. 48A2-1D-4A. The Smyth County Comprehensive Plan does not identify a density range nor the general usage of this property and it recently has been used as residential. The property can be found within Grid No. 6428 of the State Plane Grid Index.

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

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

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact the Smyth County Building and Zoning Department at (276) 783-3298 ext. 8315 at least 48 hours prior to the hearing.

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

Michael L. Carter, County Administrator

Norman K. Sparks, Chairman of the Planning Commission

Rye Valley District Supervisor Rick K. Blevins made a motion to waive the reading of the rules for Public Hearings. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Chilhowie District Supervisor Wade H. Blevins Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Phil Stevenson and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.


ABSENT: Rye Valley District Supervisor Rick K. Blevins, Royal Oak District Supervisor G. Blake Frazier and Atkins District Supervisor Charles Atkins.

Clegg Williams, Building and Zoning Administrator stated Mr. McGuire's property is adjacent to the Pratt properties which were rezoned to Industrial in April 2016 and for similar reasons Mr. McGuire requests to be rezoned from Agricultural/Rural to Industrial.

No one chose to speak concerning this application.

Board of Supervisors Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. and Planning District Commission Chairman Norman Sparks closed the joint public hearing.

 7/28/2016 9:01 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr., called the Board of Supervisors meeting back to order.

 7/28/2016 9:01 PM RT Taylor, a Representative with Davenport and Company presented a resolution as shown below for the financing for the County and Smyth County School Board.

A RESOLUTION OF THE BOARD OF SUPERVISORS OF SMYTH COUNTY, VIRGINIA, AUTHORIZING THE LEASE FINANCING OF CERTAIN EQUIPMENT FOR THE COUNTY AND THE SMYTH COUNTY SCHOOLS

WHEREAS, the Board of Supervisors (the "Board") of Smyth County, Virginia (the "County"), has determined that it is necessary or advisable to finance the cost of the acquisition of certain equipment for use by the County and the School Board of Smyth County, Virginia (the "School Board"), including without limitation school buses, HVAC equipment for Northwood High School and a solid waste truck (the "Equipment"); and

WHEREAS, the Board has been presented with proposals of various lenders to provide financing for the costs of the Equipment in the form of an equipment lease, purchase agreement or similar financing arrangement (a "Lease") among the County, the School Board, and the Lessor (as defined below).

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

Acceptance of Proposal; Authorization and Execution of Documents. The proposal (the "Proposal") of Branch Banking & Trust Company (the "Lessor") dated July 14, 2016, as amended, has

been described to the Board. The Board hereby accepts the Proposal and hereby awards the lease financing for the Equipment to the Lessor. The County Administrator and the Chairman of the Board, or either of them, and such officers as either of them may designate are authorized to execute and deliver on behalf of the County the Lease with the Lessor providing financing for costs of the Equipment in the maximum principal amount of \$2,500,000 plus such amount as is necessary to pay the costs of preparation of the Lease and other financing documents. The Lease shall contain terms substantially similar to those in the Proposal. The County Administrator and the Chairman of the Board, or either of them, and such officers as either of them may designate are authorized to execute and deliver such instruments, agreements, documents or certificates, including an escrow or acquisition fund agreement governing the deposit of proceeds of the Lease, and to do and perform such things and acts, as they shall deem necessary or appropriate to carry out the transactions authorized by this Resolution; and all of the foregoing, previously done or performed by such officers or agents of the County, are in all respects approved, ratified and confirmed.

Nature of Obligations. The obligation of the County to make payments under the Lease will be subject to appropriation each year by the Board. Nothing in this Resolution or the Lease shall constitute a debt or a pledge of the faith and credit of the County.

Bank Qualification. The Board of Supervisors designates the Lease as a "qualified tax-exempt obligation" eligible for the exception from the disallowance of the deduction of interest by financial institutions allocable to the cost of carrying tax-exempt obligations in accordance with the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The County does not reasonably anticipate that it and any "subordinate entities" will issue more than \$10,000,000 in tax-exempt obligations during calendar year 2016 and the County will not designate more than \$10,000,000 of qualified tax-exempt obligations pursuant to such Section 265(b)(3) in calendar year 2016.

Effective Date. This Resolution shall take effect immediately.

North Fork District Supervisor Phil Stevenson made a motion to adopt the resolution as presented. Saltville District Supervisor Roscoe D. Call seconded the motion.


After consideration, the motion PASSED by the following vote:

AYES: Chair, Chilhowie District Supervisor Wade H. Blevins Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Phil Stevenson and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins, Royal Oak District Supervisor G. Blake Frazier and Atkins District Supervisor Charles Atkins.

 7/28/2016 9:12 Jeff Campbell, County Attorney presented a Water Purchase Contract with the Town of Marion as shown below. It is the Committee's recommendation to approve the contract as

presented.

WATER PURCHASE CONTRACT

THIS CONTRACT for the sale and purchase of water is entered into as of the 1st day of July, 2016, by and between THE TOWN OF MARION, Smyth County, Virginia, a municipal corporation, hereinafter referred to as the "Town" and SMYTH COUNTY, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as the "County".

WITNESSETH:

WHEREAS, the County has elected, among other things to construct and operate a water supply distribution system serving water users within Smyth County; and

WHEREAS, the County is expanding its water supply distribution system into different areas within Smyth County; and

WHEREAS, the Town owns and operates a water production and supply distribution system with the capacity currently capable of serving the present customers of the Town's system and also of supplying a quantity of water to the County; and

WHEREAS, by resolution enacted on the 5th day of July, 2016, by the Town, the sale of water to the County and the purchase of water from the County in accordance with the provisions of this contract and collecting and billing County sewer customers that are also Town water customers in accordance with the provisions of this agreement, were approved and execution of this contract carrying out the said agreement by the Mayor and attested by the Clerk was duly authorized; and

WHEREAS, by resolution of the Board of Supervisors of the County, enacted on the 12th day of July, 2016, the purchase of water from the Town and the sale of water to the Town in accordance with the terms set forth in the agreement and the billing and collection of County sewer bills by the Town for Town water customers were approved, and execution of this contract by the Chairperson, and attested by the Clerk was duly authorized.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and conditions contained herein, the parties do agree as follows:

1. The Seller shall furnish to the Purchaser at the delivery points, potable treated water meeting applicable purity standards of the Commonwealth of Virginia and of such other regulatory agencies as may, from time to time, be authorized to regulate public water systems. Purchaser agrees to purchase and be responsible for the payment for such water used by domestic, commercial, industrial or other users served by Purchaser. The minimum annual purchase through a combination of all connection points shall be 21,000,000 gallons. The resolution to any deviation of this minimum purchase amount shall be addressed by the Town Manager and County Administrator, with final approval by both governing bodies.

2. Water will be furnished to the Purchaser at a reasonably constant pressure that is normally available from the main service line of Seller at the points of delivery. Should the Purchaser require more pressure than is normally available at the points of delivery, the costs of providing such greater pressure beyond the points of delivery shall be borne by the Purchaser. Emergency failures of pressure or supply due to main supply breaks, power failure, flood, fire, and use of water to fight fire, earthquake or other catastrophe shall excuse Seller from this provision for such reasonable period of time as may be necessary to restore service.
3. The points of delivery to the County shall be the existing connection points as follows:
 - A. Nicks Creek and Hutton Branch System-Intersection of Mountain Empire Road and Gordondale Road.
 - B. Mulberry Lane – Intersection of Mulberry Lane and Gordondale Road.
 - C. Atkins System – Intersection of Lee Highway and McCoy Lane near the Atkins Church of God.
 - D. Walker Creek System- Intersection of Park Boulevard and Walker Creek Road.
 - E. Currin Valley System- Intersection Route 16 and Jaguar Lane. This point of delivery is only to be used in emergency situations. The point of delivery to the Town shall be approximately 800 feet south from the intersection of Route 16 and Dry Run at the existing County water line.
 - F. East Hungry Mother Drive System- Intersection of Route 16 and East Hungry Mother Drive at Hungry Mother Park.
 - G. Nothing in this section shall be construed as limiting either party from requesting and receiving additional points of delivery during the term of this agreement. There shall be no points of delivery without a commercial meter.
4. The Seller shall operate and maintain the existing metering equipment at the points of delivery to the Purchaser. The Purchaser shall install (at Purchaser's expense) and Seller shall operate and maintain an approved meter and backflow prevention device as specified by the Virginia Department of Health at the point of delivery and the necessary metering equipment, including a meter house or pit and required devices of standard types for properly measuring the quantity of water delivered to the Purchaser.

Both County and Town agree to calibrate such metering equipment no more frequently than once every twelve (12) months or whenever requested by the other party if there is a documented reason for more frequent calibration. A meter registering not more than two (2) percent above or below the test result shall be

deemed to be accurate. Any meter found to be inaccurate (i.e. registering more than two (2) percent above or below the test result) shall be replaced and the cost of such replacement meter shall be borne equally by both County and Town. The previous readings of any meter disclosed by the test to be inaccurate shall be corrected for the three (3) months previous to such test in accordance with the percentage of inaccuracy found by such tests. The cost of calibrating the meters at the points of delivery shall be borne equally by both the County and Town.

If any meter fails to register for any period, the amount of water furnished during such period shall be deemed to be the amount of water delivered in the corresponding period immediately prior to the failure, unless Town and County shall agree upon a different amount. The metering equipment shall be read on a monthly basis. An appropriate official of the Town and County shall have access to the meters for the purpose of verifying its readings at all reasonable times. Both the County and the Town shall assign an employee to read the meters at the points of delivery on a monthly basis and provide a copy of the readings to the other party.

The Purchaser shall have the option of installing a by-pass system on any meter. Such by-pass systems shall be metered, and their use reported to the Seller.

5. The Seller shall furnish to the Purchaser a bill with an itemized statement for the amount of water furnished to the Purchaser since the prior billing, which is assumed to be on a monthly basis. In the event of a postponement or delay in the normal monthly billing, Seller shall still be permitted to bill the Buyer for that delayed month's bill, but Seller will advise the Purchaser in writing of the delay or postponement and what the plan is for returning to a normal monthly billing. The Purchaser shall pay the Seller, on its next regular payment cycle, for service billed in accordance with this contract, the sum of \$5.00 per thousand gallons of water delivered through all points of delivery. Should the Town buy water back from the County, it shall be at a rate of \$5.00 per thousand gallons of water through all points of delivery.

The rate for purchase of water shall remain constant for the first 7 years of this agreement, with no increases. After the initial 7 year contract period, the rate for purchase of water shall be increased or decreased in a percentage equal to the increase or decrease of the residential rates of the Seller. This modification shall be automatic and shall not require any action by either party and shall commence on the date of the rate change for Seller's residential customers.

6. The initial term of this contract shall be for 7 years, from July 1, 2016 through June 30, 2023. This contract shall be renewable for intervals of three (3) successive years at the mutual option of the County and the Town. The above provisions notwithstanding, this agreement may be terminated or altered at any time upon the mutual written agreement of the County and the Town.
7. All points of delivery provided for by this contract shall be on existing water distributing lines of the Town or the County at the time the proposed tapping is

done. The cost of tapping the line and installing a point of delivery shall be at the sole expense of the Purchaser.

8. In order to prevent contamination from other sources of water, the Purchaser shall not connect any line served by water purchased from the Seller to any other line transmitting water from any other source without the written consent of Seller, which consent shall not be unreasonably withheld.
9. The delivery of water by the Seller to the Purchaser shall be subject to the rules and regulations of the water department of the Seller, provided that such rules and regulations shall be uniformly applied to all customers of the Seller. The Seller shall exercise reasonable care and diligence to furnish water service to Purchaser hereunder, but Seller shall not be liable for any damage resulting from curtailment, interruption or apportionment of such service occasioned by such necessary repairs or maintenance of the Seller's water distribution system, threatened or actual water shortage or other water shortage beyond the Seller's control. In the event of an extended shortage of water, or if the supply of water available to Seller is otherwise diminished over an extended period of time, the supply of water to the Purchaser, shall be reduced, diminished or limited in the same ratio or proportion and on the same terms and conditions as the supply to the Seller's residential customers are reduced, diminished or limited.
10. The Town and the County agree the use of water for emergency purposes by various fire departments is considered a public service in the best interest of all its citizens. Both Town and County will prohibit the non-emergency use of water from public fire hydrants, except for authorized maintenance.
11. The County shall not develop or use wells, or otherwise obtain raw water from the recharge area of the Town Springs; such area is defined on the attached map.
12. The provisions of this contract shall be reciprocal when the County is the Seller of water and the Town is the Purchaser of the County's water. The terms of this contract shall apply equally to both the Town and the County.
13. The Town shall collect sewer bills for the County Sewer Customers who are the Town's Water Customers; provided the Town shall not collect bills for charges incurred prior to execution of the initial agreement dated January 11, 2000. The Town and the County shall develop suitable protocols; such protocols shall include, but not be limited to:
 - A. Town authority to discontinue utility service for non-payment of County Sewer bills in accordance with prevailing Town utility payment conventions.
 - B. Procedures to observe for partial payments, acceptance of deposits, granting adjustments, reimbursements to the County, and other issues concerning the payment of water and sewer bills.


July 28, 2016

- C. The County shall pay a set-up fee of \$3.00 for each account which is established, discontinued, or incurred a change in sewer rate, plus \$1.00 for each monthly bill sent to such customers. The account modification fee of \$3.00 shall not be charged for those situations in which the Town is required to perform in the ordinary administration of its water customers.
 - D. All monies collected by the Town from County Sewer customers shall be delivered to the County the week after the second Town Council meeting of each month, excepting human or computer error.
 - E. The Town and County acknowledge that both parties have gone to considerable expense to have compatible billing software and computer systems. Both parties agree that they will not modify their billing software and computer systems to the extent that they are no longer compatible without the consent of the other party, which consent will not be unreasonably withheld.
14. This Contract shall be binding upon, and inure to the benefit of the successors and assigns of the Parties.
- Each Party, acting under the authority of their respective bodies, have caused this contract to be duly executed in duplicate, each which shall constitute an original.
15. The sections of this Contract are severable. If any section, phrase, clause, or word is found to be unenforceable by any Court of competent jurisdiction, the balance of this contract shall remain intact and enforceable without such section, phrase, clause or word.

TOWN OF MARION


David P. Helms, Mayor

Attest:


William T. Rush, III, Clerk

SMYTH COUNTY

Wade H. Blevins, Jr.
Chairman, Board of Supervisors

Attest:

Michael L. Carter, Clerk

COMMONWEALTH OF VIRGINIA

County of Smyth, to-wit:

The foregoing instrument was acknowledged before me this 8th day of JULY, 2016, by David P. Helms, Mayor, after proper approval by the Town Council of the Town of Marion, Virginia.



My Commission Expires: MARCH 31, 2018

Cynthia Yates Stanley Notary Public

COMMONWEALTH OF VIRGINIA

County of Smyth, to-wit:

The foregoing instrument was acknowledged before me this ____ day of ____, 2016, by Wade H. Blevins, Jr., Chairman, after proper approval by the Board of Supervisors for the County of Smyth, Virginia.

My Commission Expires: _____

Notary Public

After consideration, the motion PASSED by the following vote:

AYES: Chair, Chilhowie District Supervisor Wade H. Blevins Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Phil Stevenson and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins, Royal Oak District Supervisor G. Blake Frazier and Atkins District Supervisor Charles Atkins.

Jeff Campbell, County Attorney then informed the Board that he had sent some proposed changes on the Thomas Bridge Water/Sewer Billing Agreement back to the Attorney for TBWC and to date has received no response.

Scott Simpson, Assistant County Administrator presented an update to the Board concerning the Adwolfe Sewer Project, and stated the request for easements had been sent out to property owners. After all of those were received back, the project can then be sent out for bids on construction. Mr. Simpson stated that at the moment it looked like construction would be taking place in the spring of 2017.



7/28/2016 9:19 PM Michael Carter, County Administrator brought forward a recommendation from the Personnel Committee concerning the Meals Policy as shown below.

Current Policy;

7.12 Travel Policy

All reimbursable travel must be directly related to the employee's job or job performance and must be approved by the County Administrator no less than five (5) days in advance of the travel. The following conditions must be met for reimbursement:

1. Receipts: Receipts must be kept for all meals, hotel/motel rooms, gas, tolls, and registration fees.
2. **Meals: The County will reimburse no more than \$35.00 per day for meals. Tips provided for service will not be reimbursed.**
3. Mileage: Mileage for use of personal vehicles will be reimbursed at the rate per mile determined by the Board of Supervisors.
4. Alcohol: There will no reimbursement of alcoholic beverages.
5. Entertainment: The County will not reimburse for entertainment including tournaments, movies (including in-room movies) and non-work related excursions.
6. Family Travel: The traveler must cover all extra expenses related to family members traveling with the employee. This includes all meals, extra related hotel/motel charges, and additional registration fees. The employee is responsible that all travel expenses are reported accordingly.

7. Motel/Hotel Accommodations: The employee is required to request the government or lowest rate available.

Proposed Policy;

7.12 (2). Meals: Expenses for meals up to \$35.00 per person, per day will be reimbursed only when travel requires an overnight stay. Meals for same day trips will not be reimbursed by the County. Tips provided for service will not be reimbursed to the employee unless approved by the County Administrator. Reasonable and actual cost of meals and gratuities reimbursed to the County by the Commonwealth of Virginia will continue to be refunded as provided pursuant to the Code of Virginia §2.2-2825.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Chilhowie District Supervisor Wade H. Blevins Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Phil Stevenson and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins, Royal Oak District Supervisor G. Blake Frazier and Atkins District Supervisor Charles Atkins.



7/28/2016 9:21 PM Supervisor Comment Time-North Fork District Supervisor Phil Stevenson stated that appreciates everyone on staff and the rezoning is very personal to him and would like each member for considering it during the meeting.

Saltville District Supervisor Roscoe D. Call made a motion to adjourn the meeting. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Chilhowie District Supervisor Wade H. Blevins Jr.,
Vice Chair, Park District Supervisor M. Todd Dishner,
North Fork District Supervisor Phil Stevenson and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: Rye Valley District Supervisor Rick K. Blevins, Royal Oak District Supervisor G. Blake Frazier and Atkins District Supervisor Charles Atkins.

August 3, 2016

The Smyth County Sheriff's Office is proud to announce that the applications for the new VSTOP grant program are open. VSTOP stands for Virginia Services, Training, Officer, Prosecution for domestic violence against women. This grant will provide money for various programs. The Smyth County Sheriff's Office plans on applying to the VSTOP program for 1 position to assist in the growing problem of domestic violence.

This program if awarded will allow for the hiring of an additional officer. This officer will be a road officer and a domestic violence officer. This is not a 100% grant and is only funded for 2 years (January 1, 2017 – December 31, 2018). After which, the locality will assume responsibility for the salary of such officer. The local match each year will be 25% of the total project.

Attached are the guidelines for this grant for your review. There is also a copy of the budget breakdown for the position.

ITEMIZED BUDGET

1. Personnel/Employees

				DCJS FUNDS		APPLICANT MATCH		TOTAL
a. Name of Employees	Position Titles	Annual Salary Rate	Hours Devoted	FEDERAL	STATE	CASH	IN-KIND	
VSTOP Deputy	Deputy	28234	1920		\$27,775	\$7,734		\$35,509
								\$0
								\$0
								\$0
								\$0
								\$0
TOTAL				\$0	\$27,775	\$7,734	\$0	\$35,509
b. Fringe Benefits								\$0
FICA % =	7.65		7.65		\$1,662	\$463		\$2,125
RETIREMENT =	12.9		12.9		\$2,803	\$780		\$3,583
	Life Insurance	1.19%	1.19%					
	Health Insurance	18.0%	18.0%					
OTHER (Itemize) =					\$4,170	\$1,161		\$5,331
TOTAL				\$0	\$8,635	\$2,404	\$0	\$11,039
TOTAL PERSONNEL (A+B)				\$0	\$36,410	\$10,138	\$0	\$46,548

2. Consultants (including Travel and Subsistence)

		DCJS FUNDS		APPLICANT MATCH		TOTAL
		FEDERAL	STATE	CASH	IN-KIND	
a. Individual Consultants						
Type						\$0
Hours Devoted:						\$0
TOTAL		\$0	\$0	\$0	\$0	\$0
b. Organizations and Associations						
Type:						\$0
Fee:						\$0
Time Devoted:						\$0
TOTAL		\$0	\$0	\$0	\$0	\$0
c. Consultants' Subsistence and Travel						
Number of Days:						\$0
Rate/Day:						\$0
TOTAL		\$0	\$0	\$0	\$0	\$0
TOTAL CONSULTANTS (a+b+c)		\$0	\$0	\$0	\$0	\$0

3. Travel and Subsistence for Project Personnel

		DCJS FUNDS		APPLICANT MATCH		TOTAL
		FEDERAL	STATE	CASH	IN-KIND	
a. Local Mileage = No. of Miles X Rate Per mile	X					\$0
b. Non Local Mileage = No. of Miles X Rate Per mile	X					\$0
c. Subsistence = number of days X rate per day	X					\$0
d. Air or other fares						\$0



Mountain Community Action Program, Inc.

Serving Smyth - Wythe - Bland Counties

MAIN OFFICE

DRAWER 1008

MARION, VIRGINIA 24354

Phone: (AC 276) 783-7337

July 28, 2016

Mr. Michael Carter,
County Administrator
Smyth County Board of Supervisors
121 Bagley Circle, Suite 100
Marion, VA 24354

Dear Mr. Carter:

As Executive Director of Mountain Community Action Program, I am requesting a replacement for the Smyth County Public Sector of the Mt. CAP Board of Directors for Ms. Norma Marsh, who resigned from our Board on June 23, 2016. Ms. Marsh was nominated by the Smyth County Board Supervisors to serve as their representative on June 23, 2000.

I would ask that this matter be addressed by the Smyth County Board of Supervisors at their earliest convenience and please submit your recommendation to me in writing to P.O. Drawer 10008, Marion, VA 24354.

Thank you for your continued support of Mountain Community Action Program, Inc. If you have any questions or comments regarding this matter, please feel free to contact me at 276-783-7337, ext. 222.

Sincerely,

Michael Walker
Executive Director



Smyth County Planning Commission

121 Bagley Circle, Suite 120, Marion, VA 24354
Phone (276) 706-8316 Fax (276) 783-9314

Hazel L. Wagoner, Atkins District
Graham Davidson Jr, Chilhowie District
Norman Sparks, North Fork District
Joel Pugh, Park District
Robbie Doyle, Royal Oak District
Paul D. Shepherd, Rye Valley District
David Spence, Saltville District
Clegg Williams, Zoning Administrator
Becca Creasy, Administrative Assistant

To: Michael L. Carter
From: Clegg Williams *CW*
Date: August 1, 2016
Subject: Recommendations from the Planning Commission

At the joint public hearing on Thursday, July 28, 2016, the following motions were rendered:

- 1) **Recommendation on Zoning Map Amendment (A/R to I):** Commissioner Joel Pugh made a motion to recommend approval of Gerald McGuire's Map Amendment request to the Official Zoning Map of Smyth County, Virginia, from Agricultural/Rural to Industrial. Commissioner David Spence seconded the motion. The motion PASSED by the following vote:

AYES: Davidson Jr, Pugh, Shepherd, Sparks, Spence and Wagoner
NAYS: None.
ABSTAINERS: None.
ABSENT: Doyle.

- 2) **Recommendation on Zoning Map Amendment (A to A/R):** Commissioner Graham Davidson Jr. made a motion to recommend the Board not amend the Agricultural District to Agricultural/Rural of the Official Zoning Map of Smyth County, as presented. Commissioner David Spence seconded the motion. After consideration, the motion PASSED by the following vote:

AYES: Davidson Jr, Pugh, Shepherd, Sparks, Spence and Wagoner
NAYS: None.
ABSTAINERS: None.
ABSENT: Doyle.

cc Manuel Street, GIS

A meeting of the Smyth County Courthouse Committee was held at the County Office Building on Wednesday, August 3, 2016 at 4:00 p.m.

Committee Members Present:

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

Staff Members Present:

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

Others Present:

Judge Deanis Simmons
John Graham, Clerk of Circuit Court

Royal Oak District Supervisor G. Blake Frazier, Chairman called the meeting to order at 4:06 p.m.

The Committee was presented a request to modify the layout of the new Circuit Courtroom and the Clerk's Office Space. These spaces were designed by the previous Judge and Clerk, and there are some modifications requested by the current holders of those positions. The rough estimated cost of the modifications is \$18,000. Judge Simmons spoke concerning the request to modify the layout of the Circuit Courtroom and stated the request is more of a safety concern than just personal preference.

North Fork District Supervisor Phil Stevenson made a motion to approve the modification as requested by Judge Simmons for the Circuit Courtroom. Saltville District Supervisor Roscoe D. Call seconded the motion and all agreed unanimously.

John Graham spoke concerning the request to modify the Clerk's Office Space and explained to the Committee the reasoning for the request. Mr. Graham stated the request is just a better use of space, allowing for more privacy for staff within the office.

Saltville District Supervisor Roscoe D. Call made a motion to approve the modification as requested by the Clerk's Office. North Fork District Supervisor Phil Stevenson seconded the motion and all agreed unanimously.

All recommendations will be presented to the full Board at their next scheduled meeting on Tuesday, August 9, 2016.

Having no other business to discuss, Chairman, Royal Oak District Supervisor G. Blake Frazier adjourned the meeting at 4:55 P.M.

A meeting of the Smyth County Solid Waste Committee was held at the County Office Building on Monday, August 1, 2016 at 3:30 P.M.

Committee Members Present: Rye Valley District Supervisor Rick K. Blevins, Chair
North Fork District Supervisor Phil Stevenson
Atkins District Supervisor Charles Atkins

Staff Members: Michael Carter, County Administrator
Scott Simpson, Assistant County Administrator
Wally Blevins, Solid Waste Foreman
Kelly Woods, Administrative Assistant

Chairman, Rye Valley District Supervisor Rick K. Blevins called the meeting to order at 3:31 pm.

Michael Carter, County Administrator informed the committee the County had received the bids for a Roll off Truck for use by the Solid Waste Department. Discussion continued on this item.

North Fork District Supervisor Phil Stevenson made a motion to award the bid for the Roll off Truck to Worldwide Equipment, with an upgrade of a 485HP engine, to be done at no extra charge. Atkins District Supervisor Charles Atkins seconded the motion and all agreed unanimously.

Michael Carter, County Administrator then presented information concerning the disposal of electronics at the Convenience Stations. Mr. Carter stated the cost for the County to do this is .40 cents per pound, and in fiscal year 2015-2016 the total cost was \$42,000.00. It was identified other localities charge for disposal of electronics, which offsets the cost for the locality. The Committee would like to monitor this situation for a while longer, and revisit at a future meeting.

Michael Carter, County Administrator presented information concerning delinquent accounts as shown below. Jeff Campbell, County Attorney has seen the information and feels that the account can be written off of the books for Solid Waste.

Smyth County Landfill Clients
Severely Delinquent Accounts

Acct #	Customer Name	Amount	Date of Last Payment
74	Pepsi-Cola	\$ 1,865.32	6/7/2004
93	Superior Mills	\$ 322.71	2/8/2006
77	Project Crossroads	\$ 41.25	(non-profit)
133	Springfield Knitting Co	\$ 279.49	12/2/2002
267	Luv Homes	\$ 41.39	9/21/2009
272	Marion Plaza Shopping Ctr	\$ 117.43	9/16/2005
281	Northfork Manor Apts	\$ 117.90	3/19/2012
303	S&R Construction	\$ 4,977.95	11/5/2008
352	Patel Services	\$ 11.79	8/22/2012
356	Benny Martin Excavating	\$ 948.72	no record of any pmts

361	Nutter Construction	\$ 83.79	6/7/2013
		<u>\$ 8,807.74</u>	

		Within Statue of Limitations (3 years)	
14	Austin Builders	\$ 9,379.18	5/1/2014
279	J&J Contractors	\$ 5.00	8/20/2014
298	Conway Motors	\$ 235.00	5/19/2014
		<u>\$ 9,619.18</u>	

GRAND TOTAL \$ 18,426.92

ADDITIONAL NOTES
Mr. Campbell noted the following: The above referenced accounts within the Statue of Limitations should be okay write off if businesses are closed. Also that Bobby Austin's contractor's license expired in March of this year.

Atkins District Supervisor Charles Atkins stated he felt as if some of these accounts had been written off in a previous year, and would like for staff to verify the information.

North Fork District Supervisor Phil Stevenson made a motion to write off the accounts that exceed the statute of limitations, including J&J Contractors. Atkins District Supervisor Charles Atkins seconded the motion. All agreed unanimously.

Kendra Hayden, Administrative Assistant presented a request to the Committee for the use of electronic invoicing for Solid Waste charge accounts. These are businesses that use the Land Fill and have a charge account, and instead of mailing statements every month, the request is to email to those that would like the option. Discussion continued on this item.

Atkins District Supervisor Charles Atkins made a motion to approve the request for electronic invoicing as presented. North Fork District Supervisor Phil Stevenson seconded the motion. All agreed unanimously.

All recommendations will be presented to the full Board at their next scheduled meeting on August 9, 2016.

With nothing further to discuss, Chairman, Rye Valley District Supervisor Rick K. Blevins adjourned the meeting at 4:05 P.M.