

AGENDA

Tuesday, May 10, 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 March 24th, and April 12th, 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 Department of Game and Inland Fisheries-Mike Pinder & Bill Kitrell

5:45 Sunset Digital Communications-Tim Long

6:00 Public Hearing-School Board FY16-17 Budget

6:30 Public Hearing-VDOT 6 Year Plan

NEW BUSINESS

***FY2016 Aid to Localities-Shannon Williams**

***Mt. Rogers Health District Privacy and Security Agreement-Michael Carter**

***Animal Control Committee Recommendations, Blake Frazier**

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

***Planning Commission Recommendations-Michael Carter**

***Surplus Committee Recommendations- Todd Dishner, Chair**

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

***Budget Amendments/Transfers-Scott Simpson**

***Conservation Fund Letter of Support Request-Michael Carter**

Supervisor Comment Time

Meeting reminders:

***Ribbon Cutting-Regional Cancer Center at SCCH-Thursday, May 12, 2016 from 4-5 P.M.**

***Governor Terry McAuliffe-Pop up Marion-Friday, May 13, 2016, 2:00 P.M. at the Wayne C. Henderson School of Arts**

***WCCH Commencement Ceremonies, Saturday, May 14, 2016 starting at 2:00 P.M.**

Board of Supervisors Meeting Minutes
March 24, 2016

The Smyth County Board of Supervisors held its continued meeting at 7:00 p.m., **Thursday, March 24, 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.; Atkins District Supervisor Charles Atkins; North Fork District Supervisor Phil Stevenson; Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; Royal Oak District Supervisor G. Blake Frazier (6)

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; Saltville District Planning Commissioner David Spence; Atkins District Planning Commissioner Hazel Wagoner (7)

ABSENT:

Vice Chair, Park District Supervisor M. Todd Dishner (1)

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.

**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, March 24, 2016 at 7:00 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 the back of units. Section 4-14.2 relates to open space and amenities and the maintenance thereof through 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 Servicing and Parts; Automotive Sales and Service; Boardinghouse; Brewery; Broadcasting/Radio, Television Station; Bus Depot; Cab Service; Campground/ Recreational Vehicle Park; Catering Facility; Commercial Bus Station; Commercial Bus Terminal; Ecotourism,

Major; Ecotourism, Minor; Event Center; Laboratory, Medical and Analytical; Livestock Market; Meat Processing Facility; Microbrewery; Microdistillery; Nanobrewery; Recreational Vehicle; Service Business, General Contractor, Major; Service Business, General Contractor, Minor; Shooting Range, Indoor; Shooting Range, Outdoor; Stonecutting, Monument Manufacturing; Taxidermy; Tire Recapping or Retreading; Townhouse; and 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 Additions:

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

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

Auditorium; Automotive sales; Automotive servicing and parts; Automotive sales and service; Boardinghouse; Broadcasting/ radio, TV station; Bus depot; 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 manufacture and sale; Taxidermy; Tire recapping and retreading; Townhouse; Winery.

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

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

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

Auditorium; Automotive sales; Automotive servicing and parts; Automotive sales and service; Boardinghouse; Broadcasting/ radio, TV station; Bus depot; 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 manufacture and sale; Taxidermy; Tire recapping and retreading; Townhouse; Winery.

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

Auditorium; Automotive sales; Automotive servicing and parts; Automotive sales and service; Boardinghouse; Broadcasting/ radio, TV station; Bus depot; Brewery; 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; Stonecutting, monument manufacture and sale; Taxidermy; Townhouse; Winery.

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

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

§ 3-4.2 – Uses Permitted with Special Use Permit in the Commercial District – Proposed Additions:

Auditorium; Automotive sales; Automotive servicing and parts; Automotive sales and service; Boardinghouse; Broadcasting/ radio, TV station; Bus depot; Brewery; Cab service; Catering facility; Commercial bus station; Commercial bus terminal; Distillery; Ecotourism, major; Ecotourism, minor; Laboratory, medical and analytical; Microbrewery; Microdistillery; Nanobrewery; Recreational vehicle sales, service and rental; Service business, general contractor, major (more than 5 employees); Stonecutting, monument manufacture and sale; Taxidermy; Tire recapping and retreading; Winery.

§ 3-5.1 – Uses Permitted by Right in the Industrial District– Proposed Additions: Bus depot; 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; Winery.

§ 3-5.2 – Uses Permitted with Special Use Permit in the Industrial District – Proposed Additions:

Auditorium; Automotive sales; Automotive servicing and parts; Automotive sales and service;

Boardinghouse; Broadcasting/ radio, TV 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 manufacture and sale; Townhouse.

§ 3-6.2 – Uses Permitted with Special Use Permit in the Conservation Recreation District – Proposed Additions: 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 manufacture and sale; Taxidermy; Tire recapping and retreading; Townhouse; Vineyard/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. After the public hearing changes may be made to the Ordinance, as appropriate. 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) 706-8326, at least 48 hours prior to the hearing. A copy of the full text of this proposed amendment and the district land use map 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. The information is also posted at www.smythcounty.org.

**NOTICE OF PUBLIC HEARING
BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS
AND SMYTH COUNTY PLANNING COMMISSION
ON INCREASES OF FEES IN 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, March 24, 2016 at 7:00 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 pursuant to §§ 15.2-107 and 15.2-2286(A)(6) of the Code of Virginia (1950), as amended. The following proposed changes will be considered:

Section 8-6. - Duties of Administrator on Zoning Amendments, Zone Map Changes (Rezoning's), Special Use Permits, Variances, and Appeals.

Filing Fees. Filing fees for the above applications shall be based upon reasonable costs to pay for the expenses involved. The fees shall be as follows:

Zoning Permit	No Fee	
Zoning Amendment (Text Change)	\$75.00	<u>\$250.00</u>
Rezoning (Change to Zoning Map)	\$75.00	<u>\$250.00</u>
Special Use Permit	\$75.00	<u>\$250.00</u>
Variance	\$75.00	<u>\$250.00</u>
Appeal__	\$75.00	<u>\$250.00</u>

If the decision of the Board of Zoning Appeals is substantially in favor of the appellant, the ~~\$75.00~~ \$250.00 fee shall be refunded to the appellant.

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) 706-8326, 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

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address given above, and may be viewed during regular business hours Monday through Friday and at www.smythcounty.org.

Mr. Williams summarized the amendments to the Zoning Ordinance as outlined in the legal ad and stated there is a desire to add multiple uses which are not currently allowed by right or by special use. He stated he had received several phone calls and had answered several questions. Mr. Williams read two emails for the record, one from John Saunders and the other from Edna Sullins. Both individuals stated their concerns and objection for Tire Recapping and Retreading being considered in the Conservation/Recreation District. Furthermore, Mrs. Sullins felt shooting ranges are inappropriate in the Conservation/Recreation District.

John Taminger was present and expressed the same concern as Mr. Saunders. He stated parks such as Hungry Mother State Park should be protected.

Jim Kelly was present and stated his opinions regarding recreational vehicle parks and the need for them to be restricted to maintain the aesthetics of the park.

No one else spoke concerning the proposed amendments.

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

7:27:52 PM Mr. Wade Blevins, Chairman of the Board of Supervisors, and Mr. Norman Sparks, Chairman of the Planning Commission, called the joint public hearing to order. Mr. Michael Carter, County Administrator read the advertisement as placed in the Smyth County News and Messenger.

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

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, March 24, 2016, at 7:30 P.M. or as soon after 7:30 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, including but not limited to zip lines. The property is located at 760 Walkers Creek Road in Marion. 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.

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7:30:04 PM Rye Valley District Supervisor Rick K. Blevins made a motion to waive the reading of the rules for Public Hearings. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

7:30:50 PM Clegg Williams, Building and Zoning Administrator explained the advertisement for Lawrence Scott Schumaker's application for a Special Use Permit heard last month, stating the property was located in Chilhowie when in fact it is located in Marion. Legal counsel advised to avoid any consequences to re-advertise the hearing.

No one chose to speak concerning this application.

7:30:55 PM Board of Supervisors Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. and Planning District Commission Chairman Norman Sparks closed the joint public hearing.

7:31:22 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called for a ten (10) minute recess.

7:44:29 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the Board of Supervisors meeting back to order.

7:44:34 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr., opened citizen's time.

7:44:41 PM With no one wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizen's time.

7:45:03 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$11,190.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:

Accounts Payable Listing (Officer of Election Pay)	\$11,190.00
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After consideration, the motion PASSED by the following vote:

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

7:46:57 PM Roland Kooch with Davenport & Company presented a refinancing update to the Board of Supervisors and presented a resolution as shown below for consideration.

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF A GENERAL OBLIGATION WATER AND SEWER UTILITY REVENUE REFUNDING BOND, SERIES 2016, OF THE COUNTY OF SMYTH, VIRGINIA, PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF, AND PROVIDING FOR THE REFUNDING OF CERTAIN OUTSTANDING BONDS

WHEREAS, on May 26, 2004, the County of Smyth, Virginia (the "County"), issued its General Obligation Sewer Bond (Allison Gap Sewer Project), Series of 2004 (the "2004 Bond") and on May 10, 2012, the County of Smyth, Virginia (the "County"), issued its General Obligation Water and Sewer Utility Refunding Bond, Series 2012 (the "2012 Bond" and together with the 2004 Bond, the "Prior Bonds");

WHEREAS, the County's financial advisor has advised the County that it may achieve debt service savings by refunding all or a portion of the outstanding principal amount of the Prior Bonds;

WHEREAS, the County desires to issue a refunding bond (the "Bond," as further described in Section 3 herein) to refund all or a portion of the Prior Bonds, subject to the terms and conditions herein, including a condition that the refunding achieve an aggregate net present value debt service savings of not less than 3.00% of the refunded par amount of the Prior Bonds (the "Targeted Savings");

WHEREAS, the County has applied to the Virginia Resources Authority ("VRA") for the purchase of the Bond, and VRA has indicated its willingness to purchase the Bond from the proceeds of one or more series of its Infrastructure and State Moral Obligation Revenue Bonds (Virginia Pooled Financing Program) (collectively, the "VRA Bonds"), in accordance with the terms of a Local Bond Sale and Financing Agreement (the "Financing Agreement"), between VRA and the County, the form of which has been made available in the papers for this meeting of the Board of Supervisors of the County (the "Board of Supervisors");

WHEREAS, VRA has informed the County that VRA's objective is to pay the County a purchase price for the Bond (the "Purchase Price Objective") that, in VRA's judgment, reflects its market value taking into consideration such factors as the Targeted Savings, the purchase price received by VRA for the VRA Bonds, the issuance costs of the VRA Bonds (consisting of the underwriters' discount and other costs incurred by VRA) and other market conditions relating to the sale of the VRA Bonds;

WHEREAS, VRA has requested that the County secure the Bond with a pledge of the County's general obligation and a pledge of the revenues from the County's water and sewer system; and

WHEREAS, the Financing Agreement will provide that the terms of the Bond may not exceed the parameters set forth below in Section 3;

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

Issuance of Bond and Use of Proceeds. Pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act of 1991, there shall be issued and sold to VRA a general obligation water and sewer utility revenue refunding bond of the County to provide funds to refund all or a portion of the Prior Bonds and to pay the costs incurred in connection with such refunding and the issuance of the Bond. The Bond shall be delivered to or upon the order of VRA upon VRA's payment of the purchase price set forth in the Financing Agreement. Subject to the Chairman (the "Chairman") of the Board of Supervisors of Smyth County, Virginia's (the "Board of Supervisors") determination of what will be in the County's best interests, the Bond may be sold to VRA in connection with any sale date of the VRA Bonds occurring prior to December 31, 2016.

Authorization of Financing Agreement. The form of the Financing Agreement submitted to this meeting is hereby approved. The Chairman is authorized to execute and deliver the Financing Agreement in substantially such form, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the Chairman, whose approval shall be evidenced conclusively by the execution and delivery thereof. The issuance and sale of the Bond to VRA shall be upon the terms and conditions set forth in the Financing Agreement. The proceeds of the Bond shall be applied in the manner set forth in the Financing Agreement. All capitalized terms used but not otherwise defined herein shall have the same meanings as set forth in the Financing Agreement.

Bond Details. The Bond shall be issued as a single, registered bond, shall be designated "General Obligation Water and Sewer Utility Revenue Refunding Bond, Series 2016," shall be numbered R-1 and shall be dated the date that is 30 days prior to the closing date of the VRA Bonds. The Board of Supervisors authorizes the issuance and sale of the Bond to VRA on terms as shall be determined by VRA subject to VRA's Purchase Price Objective and market conditions described in the Recitals hereof; provided, however, that the Bond shall be payable in principal installments ending not later than October 1, 2036, and that the refunding shall achieve at least the Targeted Savings. Subject to the preceding terms, the Board of Supervisors further authorizes the Chairman to accept the final terms presented by VRA, including (a) the final principal amount of the Bond, (b) the amortization schedule (including the principal installment dates and amounts) for the Bond, (c) the optional and extraordinary redemption provisions, if any, of the Bond and (d) the portions, if any, of the Prior Bonds to be refunded, all in such manner as the Chairman shall determine to be in the best interests of the County.

As set forth in the Financing Agreement, the County agrees to pay such Supplemental Interest and other charges as provided therein, including such amounts as may be necessary to maintain or replenish any VRA Reserve. The principal of and premium, if any, and interest on the Bond shall be payable in lawful money of the United States of America.

The actions of the Chairman in accepting the final terms of the Bond shall be conclusive, and no further action shall be necessary on the part of the Board of Supervisors.

Payment and Redemption Provisions of Bond. The principal of and premium, if any, and interest on the Bond shall be payable as set forth in the Bond and the Financing Agreement. The County may, at its option, redeem, prepay or refund the Bond upon the terms set forth in the Financing Agreement.

Execution and Form of Bond. The Bond shall be signed by the Chairman or Vice-Chair, and the County's seal shall be affixed thereto and attested by the Clerk of the Board of Supervisors. The Bond shall be issued as a typewritten bond in substantially the form of Exhibit A attached hereto, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved

by the officers signing the Bond, whose approval shall be evidenced conclusively by the execution and delivery of the Bond.

Pledge of Full Faith and Credit and Revenues. The full faith and credit of the County are irrevocably pledged for the payment of principal of and premium, if any, and interest on the Bond. Unless other funds are lawfully available and appropriated for timely payment of the Bond, the Board of Supervisors shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all locally taxable property in the County sufficient to pay when due the principal of and premium, if any, and interest on the Bond. Additionally the Revenues (as defined in the Financing Agreement) are hereby pledged to secure the payment of the principal of, premium, if any, and interest on the Bond, subject to the right of the County to apply the same to Operation and Maintenance Expenses (as defined in the Financing Agreement). The pledge of Revenues shall be on parity with any Parity Bonds (as defined in the Financing Agreement).

Preparation of Printed Bond. The County shall initially issue the Bond in typewritten form. Upon request of the registered owner and upon presentation of the Bond at the office of the Registrar (as hereinafter defined), the County shall arrange to have prepared, executed and delivered in exchange as soon as practicable the Bond in printed form in an aggregate principal amount equal to the unpaid principal of the Bond in typewritten form, in denominations of \$5,000 and multiples thereof, of the same form and maturity and registered in such names as requested by the registered owner or its duly authorized attorney or legal representative. The printed Bond may be executed by manual or facsimile signature of the Chairman or Vice Chair, and the County's seal is to be affixed thereto and attested by the Clerk of the Board of Supervisors; provided, however, that if both such signatures are facsimiles, no Bond shall be valid until it has been authenticated by the manual signature of the Registrar and the date of authentication noted thereon. The typewritten Bond surrendered in any such exchange shall be canceled.

Registration, Transfer and Owner of Bond. The Board of Supervisors appoints the County Treasurer as paying agent and registrar (the "Registrar") for the Bond. If deemed to be in its best interests, the Board of Supervisors may at any time appoint a qualified bank or trust company as successor Registrar. Upon surrender of the Bond at the office of the Registrar, together with an assignment duly executed by the registered owner or its duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the County shall execute, and the Registrar shall authenticate and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, of the same form and maturity, bearing interest at the same rate and registered in such name as requested by the then registered owner or its duly authorized attorney or legal representative. Any such exchange shall be at the expense of the County, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person or entity exclusively entitled to payment of principal of and premium, if any, and interest on the Bond and the exercise of all other rights and powers of the owner, except that installments shall be paid to the person or entity shown as owner on the registration books on the 15th day of the month preceding each interest payment date.

Mutilated, Lost or Destroyed Bond. If the Bond has been mutilated, lost or destroyed, the County shall execute and deliver a new Bond of like date and tenor in exchange and substitution for, and upon cancellation of, such mutilated Bond or in lieu of and in substitution for such lost or destroyed Bond; provided, however, that the County shall so execute and deliver only if the registered owner has paid the reasonable expenses and charges of the County in connection therewith and, in the case of a lost or destroyed Bond, (a) has filed with the County evidence satisfactory to the County that such Bond was lost or destroyed and (b) has furnished to the County satisfactory indemnity.

Preparation and Delivery of Bond. The officers of the County are authorized and directed to take all proper steps to have the Bond prepared and executed in accordance with its terms and to deliver it to VRA as the purchaser thereof upon receipt of the Purchase Price from VRA as set forth in the Financing Agreement.

Redemption of Prior Bonds. The Chairman is authorized and directed to take all proper steps to call for redemption such portions of the Prior Bonds as shall be refunded on the date the Bond is issued and to prepare and deliver any such notices and correspondence necessary therefor. The Chairman is authorized to affix the County's seal on any such documents and attest the same.

Escrow Agreement. If needed, the Chairman is authorized and directed to execute an escrow agreement (the "Escrow Agreement") between the County, an escrow agent (the "Escrow Agent") to be selected by the County Administrator, and such other parties as may be necessary, for purposes of providing for the redemption and defeasance of the refunded portion of the Prior Bonds. The Escrow Agreement shall be in a form approved by the Chairman, in collaboration with the County Attorney and the County's bond counsel, the execution thereof by the Chairman to constitute conclusive evidence of the Chairman's approval of the Escrow Agreement.

Tax Compliance Agreement. Such officers of the County as may be requested are authorized and directed to execute and deliver a no arbitrage certificate and tax compliance agreement (the "Tax Compliance Agreement") in a form not inconsistent with this Resolution as may be approved by the officers of the County executing such document, whose approval shall be evidenced conclusively by the execution and delivery thereof.

Arbitrage Covenants. The County covenants that it shall not take or omit to take any action the taking or omission of which will cause the VRA Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and the regulations issued pursuant thereto (the "Code"), or otherwise cause interest on the VRA Bonds to be includable in the gross income of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of the Tax Compliance Agreement that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Bond, unless the County receives an opinion of nationally recognized bond counsel that compliance with any such covenant is not required to prevent interest on the VRA Bonds from being included in the gross income for federal income tax purposes of the registered owners thereof under existing law. The County shall pay any such required rebate from legally available funds.

Official Statement. The County authorizes and consents to the inclusion of information with respect to the County contained in VRA's Preliminary Official Statement and VRA's Official Statement in final form, both prepared in connection with the sale of the VRA Bonds. The Chairman is authorized and directed to take whatever actions are necessary or appropriate to aid VRA in ensuring compliance with Securities and Exchange Commission Rule 15c2-12.

SNAP Investment Authorization. The Board of Supervisors has heretofore received and reviewed the Information Statement describing the State Non-Arbitrage Program of the Commonwealth of Virginia ("SNAP") and the Contract Creating the State Non-Arbitrage Program Pool I (the "Contract"), and the Board of Supervisors has determined to authorize the County Treasurer to utilize SNAP in connection with the investment of the proceeds of the Bond, if the Chairman, in consultation with the County Treasurer, determines that the utilization of SNAP is in the best interests of the County. The Board of Supervisors acknowledges the Treasury Board of the Commonwealth of Virginia is not, and shall not be, in any way liable to the County in connection with SNAP, except as otherwise provided in the Contract.

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Other Actions. All other actions of officers of the County in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bond are hereby ratified, approved and confirmed. The officers of the County are authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Bond.

Repeal of Conflicting Resolutions. All resolutions or parts of resolutions in conflict herewith are repealed.

Public Finance Act. The Board hereby elects pursuant to Section 15.2-2601 of the Virginia Code to issue the Bond under the Public Finance Act of 1991, Chapter 26, Title 15.2 of the Virginia Code without regard to the requirements, restrictions or other provisions contained in any charter or special or local act.

Filing of Resolution. The appropriate officers or agents of the County are authorized and directed to file or cause to be filed a certified copy of this Resolution with the Circuit Court of the County of Smyth, Virginia pursuant to Sections 15.2-2607 and 15.2-2627 of the Virginia Code.

Effective Date. This Resolution shall take effect immediately.

7:59:33 PM Royal Oak District Supervisor G. Blake Frazier made a motion to approve the resolution as presented by Mr. Roland Kooch. 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.,
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: Vice Chair, Park District Supervisor M. Todd Dishner.

8:00:21 PM Roy Evans, Commonwealth Attorney presented information to the Board concerning Smyth County being the physical agent for a Drug Court Program to be held in Smyth County. Mr. Evans stated that he, along with several others had been working approximately a year to put the program together and the application is pending in Supreme Court. A grant is available in the amount of \$350,000 over a 3 year time frame. Mr. Evans informed the Board the grant required a local match and an in kind match would be acceptable. After discussion, Saltville District Supervisor Roscoe D. Call made a motion to approve the submittal of the grant application, notating the County would be giving an in kind match as required. 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.,
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.

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

8:10:14 PM A motion was made by Rye Valley District Supervisor Rick K. Blevins to enter into closed session under Code of Virginia, Section 2.2-3711- **A.1; Personnel Matters**; 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 and **A.5; Industrial/Business Prospects**; discussion concerning a business or industry considering expansion with no previous announcement being made and **A.7; Legal**; discussion with legal counsel and staff pertaining to actual or probable litigation. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

It was moved by Rye Valley District Supervisor Rick K Blevins, seconded 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: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr.,
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.

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ABSTAINERS: None.

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

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

Board of Supervisors Meeting Minutes
April 12, 2016

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, April 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: Chairman, Chilhowie District 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; Royal Oak District Supervisor G. Blake Frazier (7)

ABSENT: None (0)

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

4:01:29 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.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. Vice Chair, Park District Supervisor M. Todd Dishner seconded the motion.

After consideration, the motion PASSED by the following vote:

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

5:00:56 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 Vice Chair, 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.

5:01:26 PM Lori Deel, Director of Community and Economic Development gave the invocation and Shannon Williams, 911 Coordinator led the Pledge of Allegiance.

5:02:12 PM A motion was made by Vice Chair, Park District Supervisor M. Todd Dishner, seconded by North Fork District Supervisor Phil Stevenson to adopt the agenda and additional agenda as presented, with the addition of a Planning Commission Recommendation for a Special Use Permit and a Courthouse recommendation.

After consideration, the motion PASSED by the following vote:

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

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Vice Chair, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
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.

5:03:28 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 25th, and March 8th, 2016 meetings. Atkins District Supervisor Charles Atkins asked for staff to review the minutes of previous meetings to make sure the request for submittal of an appreciation letter to staff members who worked on the issue at the Dispatch Center were recorded properly.

After consideration, the motion PASSED by the following vote:

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.

5:05:50 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.

5:15:46 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$6,566,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County:	\$	1,975,000.00
Social Services (April 13-April 30, 2016)	\$	275,000.00
Social Services (May 1-May 10, 2016)	\$	60,000.00
Schools-Operating Fund	\$	4,196,000.00
School Debt and Capital Outlay	\$	60,000.00

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,
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 Vice Chair, Park District Supervisor M. Todd Dishner to appropriate \$541,156.98 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 Royal Oak District Supervisor G. Blake Frazier to appropriate \$476.99 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 Royal Oak District Supervisor G. Blake Frazier to appropriate \$6,014.00 from the Sheriff's Fund 746 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,

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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 Royal Oak District Supervisor G. Blake Frazier to appropriate \$1,603.80 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.

5:17:54 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr., opened citizen's time.

5:20:11 PM Jimmy King, Atkins VA, spoke concerning an issue he has with the Water Department. Mr. King stated that he had paid for a water tap on January 13, 2016 and three months later the tap has not been installed. Mr. King also stated he had spoken to Mr. Mike Neal, Water Department Foreman and had been told several times it would be taken care of.

5:23:59 PM Mary Syke 1491 Cleghorn Valley Road spoke concerning a leak on her property and would like to be considered for another leak adjustment.

5:42:49 PM With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizen's time.

5:42:56 PM David Rose with Davenport & Company presented a Financial Overview for Smyth County. Discussion continued on this item, with several members asking questions throughout the presentation.

6:02:58 PM Michael Carter, County Administrator clarified the minutes for the 911 situation were recorded correctly in the February 9, 2016 minutes, which were approved and voted on March 8, 2016.

6:04:14 PM Chip Shuler, Sheriff presented information to the Board concerning two (2) grants that were approved for School Resource Officers. The local match for each position will be \$8,709.00. The match as well as the salary will come from the Sheriff's Office main budget

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under line item number 021090-1001 (Salaries and Wages). Saltville District Supervisor Roscoe D. Call made a motion to approve submittal of the grant application 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,
Atkins District Supervisor Charles Atkins and
Saltville District Supervisor Roscoe D. Call.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

6:04:21 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. welcomed the new Attorney, Jeff Campbell.

6:09:42 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called for a 10 minute recess.

6:26:36 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting back to order.

6:26:47 PM Saltville District Supervisor Roscoe D. Call brought forward a recommendation from the Water/Sewer Committee. The committee had considered a leak adjustment request from Mary Sike, 1491 Cleghorn Valley Road, and Marion VA 24354. It is the committee's recommendation to deny the request presented by Mrs. Sike, noting it is policy to only allow one adjustment per year, and Mrs. Sike had previously received one in April of 2015.

After consideration, the recommendation PASSED by the following vote:

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

6:27:34 PM Scott Simpson, Assistant County Administrator updated the Board on the Water Loss report for all systems located within the County and stated some major leaks have been corrected in Atkins area, that resulted in a reduced purchase of water by 25% for the first part of the month of April, 2016. Mr. Simpson stated the Water Department will continue to work

diligently to correct any other problems that may be found in the remaining systems located in the County.

6:30:23 PM Saltville District Supervisor Roscoe D. Call brought forward a recommendation from the Building and Grounds Committee. Mr. Call stated that a proposal had been received for Air and Heat services for the Courthouse units for preventative maintenance, labor and materials from Cook's Mechanical in the amount of \$13,294.00. It is the committee's recommendation to accept the proposal from Cook's in the amount of \$13,294.00

After consideration, the motion PASSED by the following vote:

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

6:34:25 PM Michael Carter, County Administrator brought a recommendation before the Board of Supervisors from the Budget Committee. It is the Committee's recommendation to change the retirement age and years of service from 55/30 to 50/30.

After consideration, the motion PASSED by the following vote:

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

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

ABSTAINERS: None.

ABSENT: None.

6:50:27 PM Atkins District Supervisor Charles Atkins brought a recommendation before the Board of Supervisors from the Insurance Committee. It is the Committee's recommendation 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.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District 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,

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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.

6:51:52 PM Michael Carter, County Administrator brought a recommendation before the Board of Supervisors from the Budget Committee. It is the committee's recommendation to schedule a Public Hearing for the School Board's Budget on May 10, 2016 at 6:00 P.M.

After consideration, the motion PASSED by the following vote:

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

6:58:07 PM Scott Simpson, Assistant County Administrator brought forward a recommendation from the Building and Grounds Committee. Mr. Simpson stated that a proposal had been received from Thyssenkrupp Elevator for elevator maintenance on the unit located at the County Office Building and the four new units located within the Courthouse. The new contract would be for \$900.00 monthly, which would cover the four new units at the Courthouse and the existing unit at the County Office Building. It is the Committee's recommendation to accept the proposal from Thyssenkrupp Elevator in the amount of \$900.00 monthly for maintenance on the elevator located at the County office and the four elevators located within the Courthouse.

After consideration, the motion PASSED by the following vote:

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

Michael Carter, County Administrator brought forward a recommendation from the Building and Grounds Committee. It is the committee's recommendation to approve the request from the

Virginia Employment Commission-Marion Office as presented below.

Mr. Carter informed the Board of a request he received from the Virginia Employment Commission Office in Marion, to use any vacant office if available in the County Building to allow the VEC-Marion office to relocate to 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 Board there are some additional office spaces located within the County Office Building that could be used to potentially house this important service should approval be gained from the representatives at the State level.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Chilhowie District 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.

7:05:27 PM Michael Carter, County Administrator brought forward the following recommendations from the Planning Commission as shown below.

Commissioner David Spence made a motion to recommend the Board of Supervisors adopt the fees proposed for zoning map and text amendments, special use permit, appeals and variances. Commissioner Joel Pugh seconded the motion. After consideration, the motion PASSED by the following vote:

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

Saltville District Supervisor Roscoe D. Call made a motion to accept the recommendation presented by the Planning Commission, changing the fees from the current cost of \$75.00 each to \$250.00 each for zoning map and text amendments, special use permit, appeals and variances. 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,
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.

Commissioner Joel Pugh made a motion to recommend the Board approve the Special Use Permit requested by Lawrence Scott Schumaker to establish a Recreational Facility with the following restrictions: daytime operations only with up to six (6) night events annually; and that a suitable fence (approved by Whitt's) be constructed between the shared property line. The property is identified as 760 Walker's Creek Road in Marion; Tax map Nos. 45-A-99A, 45-A-97, and 45-A-96D; and is zoned Agricultural/Rural. Commissioner Hazel Wagoner seconded the motion. After consideration, the motion PASSED by the following vote:

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

Park District Supervisor M. Todd Dishner made a motion to accept the recommendation presented by the Planning Commission with restrictions as notated. Royal Oak District Supervisor G. Blake Frazier seconded the motion.

After consideration, the recommendation PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

7:10:57 PM Michael Carter, County Administrator brought a recommendation before the Board of Supervisors from the Ordinance Committee. It is the committee's recommendation to schedule a Public Hearing for consideration of amendments to the Smyth County Zoning Ordinance to April 28, 2016 at 7:30 P.M.

After consideration, the motion PASSED by the following vote:

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

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NAYS: None.

ABSTAINERS: None.

ABSENT: None.

7:19:25 PM Scott Simpson, Assistant County Administrator brought a recommendation before the Board of Supervisors from the Water/Sewer Department and the CSA Department to amend the FY2015-2016 Budget from \$88,577,209.00 to \$88,895,809.00 as shown below.

Expense:

1-083040-5701	CSA Pool Funds	\$	162,000.00
501-085020-0102	Atkins Water Purchases	\$	35,000.00
501-085020-0104	HMG/Walker Creek Water Purchases	\$	37,000.00
501-085020-0104-1	HM Park Water Purchases	\$	15,000.00
501-085020-0106	Merillat/MEC Water Purchases	\$	700.00
501-085020-0205	Apple Valley Water Purchases	\$	30,000.00
501-085030-0001	Marion Sewer Treatment	\$	33,000.00
501-085010-3005	Vehicle Maintenance	\$	5,000.00
501-085010-5201	Postage	\$	900.00
		\$	318,600.00

Revenue:

1-011010-0002	Delinquent Real Estate Taxes	\$	-37,860.00
1-022500-0001	CSA Pool Funds	\$	-124,140.00
501-015001-0001	Water Payments	\$	-19,000.00
501-015001-0002	Sewer Payments	\$	-8,000.00
501-019010-0003	Transfer from General Fund	\$	-129,600.00
		\$	-318,600.00

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

NAYS: North Fork District Supervisor Phil Stevenson.

ABSTAINERS: None.

ABSENT: None.

7:23:37 PM Michael Carter, County Administrator brought forward a request from the Department of Education to modify their contract with the County as shown below:

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	

Board of Supervisors Meeting Minutes
April 12, 2016

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.

Saltville District Supervisor Roscoe D. Call made a motion to approve the modification as requested. Royal Oak District Supervisor G. Blake Frazier seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: North Fork District Supervisor Phil Stevenson.

ABSTAINERS: None.

ABSENT: None.

Atkins District Supervisor Charles Atkins made a motion to renew the contract from the Department of Education for one (1) year, starting July 1, 2016 and ending June 30, 2017. Royal Oak District Supervisor G. Blake Frazier seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: North Fork District Supervisor Phil Stevenson.

ABSTAINERS: None.

ABSENT: None.

7:27:08 PM Beth Merz, Ranger U.S. Forest Service presented an update to the Board on projects the Mt. Rogers Recreation Area has been working on and also informed the Board the Mt. Rogers National Recreation area will celebrate 50 years on May 31, 2016. Ms. Merz invited all members of the Board to attend the celebration. Ms. Merz then introduced the friends of Mt. Rogers and their President Ed Pietrzak. Mr. Pietrzak thanked the Board for the opportunity to speak and presented information on the Friends of Mt. Rogers. Mr. Pietrzak then presented Ms. Merz with a donation check in the amount of \$10,000.00 to continue to support the volunteers who help the Mt. Rogers Recreational area.

7:40:36 PM Supervisor Comment Time-Vice Chair, Park District Supervisor M. Todd Dishner welcomed Mr. Jeff Campbell to the County as did Atkins District Supervisor Charles Atkins. Rye Valley District Supervisor Rick K. Blevins stated he appreciated the information presented to the Board from Davenport & Co., and is very pleased with the situation the County is in financially. North Fork District Supervisor Phil Stevenson welcomed Mr. Jeff Campbell to the County, and discussed the Rich Valley Fair and the camping that is done on the Northwood Elementary School property. Mr. Stevenson stated that he feels like this shouldn't be conducted on School property and would like for Michael Carter, County Administrator to express his concern to the Smyth County School Board and the Rich Valley Fair Association.

Royal Oak District Supervisor G. Blake Frazier made a motion to allow Mr. Carter to send a letter to both the Rich Valley Fair Association and the Smyth County School Board, informing them of the Board's concern as expressed by Mr. Stevenson. 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,
Saltville District Supervisor Roscoe D. Call,
Rye Valley District Supervisor Rick K. Blevins,
Atkins District Supervisor Charles Atkins and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: North Fork District Supervisor Phil Stevenson.

ABSTAINERS: None.

ABSENT: None.

Royal Oak District Supervisor G. Blake Frazier brought forward a recommendation from the Courthouse Committee. It is the committee's recommendation to salvage and restore some of the old ceiling tiles located in the Courthouse, at a total cost of \$33,000.00. Saltville District Supervisor Roscoe D. Call made a motion to approve the recommendation as presented. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

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

Atkins District Supervisor Charles Atkins and
Royal Oak District Supervisor G. Blake Frazier.

NAYS: North Fork District Supervisor Phil Stevenson.

ABSTAINERS: None.

ABSENT: None.

7:48:55 PM Michael Carter, County Administrator informed the Board of a VDOT Traffic alert received concerning Crawley Branch Bridge and stated it will be closed May 2, 2016-May 16, 2016 to allow VDOT to replace bridge structure.

7:50:15 PM Royal Oak District Supervisor G. Blake Frazier made a motion to continue the meeting to Thursday, April 28, 2016 at 7:00 P.M. Vice Chair, Park District Supervisor M. Todd Dishner seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: North Fork District Supervisor Phil Stevenson.

ABSTAINERS: None.

ABSENT: None.

Success will be determined by the survival of the released individuals, evidence of reproduction, and expansion of reintroduced populations.

The project has several partners including the U.S. Fish and Wildlife Service, Tennessee Valley Authority, Conservation Fisheries, Inc., Tennessee Wildlife Resource Agency, Virginia Tech, and the Tennessee Aquarium.

Who can I contact for additional information of the project?

Please direct all questions to:



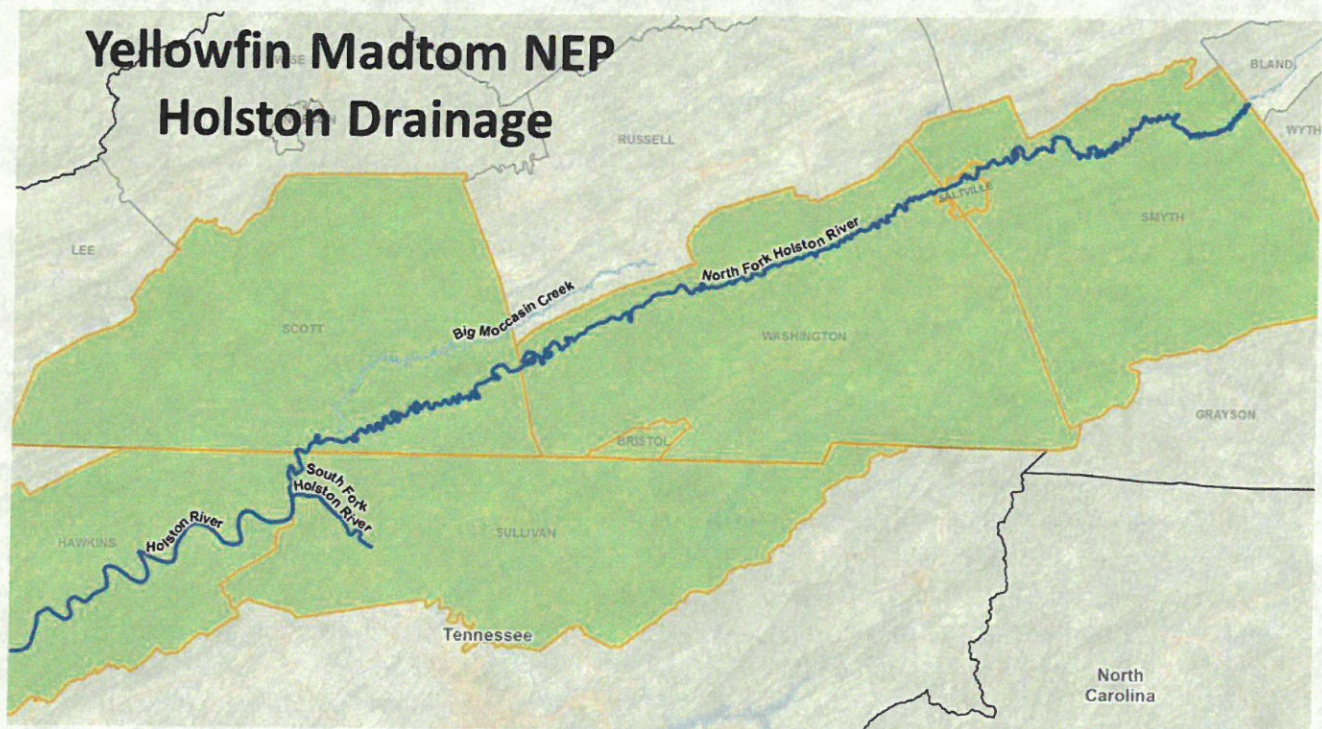
Yellowfin Madtom (*Noturus flavipinnis*)

Mike Pinder
Aquatic Biologist
Virginia Department of Game and Inland Fisheries
2206 South Main St., Suite C
Blacksburg, VA 24060

Email: Mike.Pinder@dgif.virginia.gov

Office: (540) 961-8387

Cell: (540) 320-2078



Nonessential Experimental Designation for Yellowfin Madtom

Native Fish Restoration in the North Fork Holston River

Goal: Restore native fish populations that are disappearing or been lost from the North Fork Holston River (NFHR)

The NFHR once harbored 72 fish species, making it one of the most biologically diverse rivers in the Tennessee River drainage. But today that number has declined to 64 species, with eight others that are extremely rare.

As the state's wildlife resource agency, the Virginia Department of Game and Inland Fisheries has the mission of maintaining optimum populations of all species. In many areas of the Tennessee River drainage, the agency has a long and successful track record of restoring native fish and mussel populations.

The NFHR is ready for restoration.

From poor landuse practices to devastating chemical spills, the NFHR has suffered many blows to its health. Efforts by private landowners, nonprofit organizations, and government agencies have helped improve water quality in the drainage. Recent biotic surveys have found that conditions in many river reaches have improved and are now suitable for species restoration.

With so many species in need of restoration, determining where to begin can seem daunting. One of the most important aspects of reintroduction is to ensure that a species is truly absent even though suitable habitat still exists. The next step is to determine if a donor population is large and healthy enough to remove individuals. Lastly, careful planning can guide species restoration and set targets for success.

Our work starts with the Yellowfin Madtom.

The fish selected for an initial restoration effort is the Yellowfin Madtom, a small catfish native to the Tennessee River drainage. First discovered in the NFHR in 1888, recent surveys indicate it has vanished from this system. In Virginia, the species still occurs in the Clinch and Powell watersheds, where it is federally listed as threatened and where populations have been bolstered through augmentation.

While the madtom is federally protected, reintroduced populations in five counties of Tennessee and Virginia have been designated as nonessential experimental populations. Under this designation, take of this species that is accidental and incidental to an otherwise legal activity, such as recreation (e.g., fishing, boating, wading, trapping, or swimming), forestry, agriculture, and other activities that are in accordance with Federal, State, and local laws and regulations, is allowed. If activities are funded, authorized, or carried out by federal agencies, which have special direction under law to help conserve wildlife, the U.S. Fish and Wildlife Service will provide voluntary recommendations for conserving the species.

We plan to start this spring.

Reintroduction efforts for Yellowfin Madtom are planned for the Spring 2016. Propagated individuals will be released above Saltville. Releases will occur for at least 5 years with an additional 5 years for monitoring.

VDGIF Mission Statement

- To manage Virginia's wildlife and inland fish to maintain optimum populations of all species to serve the needs of the Commonwealth;
- To provide opportunity for all to enjoy wildlife, inland fish, boating, and related outdoor recreation and to work diligently to safeguard the rights of people to hunt, fish and harvest game as provided for in the Constitution of Virginia;
- To promote safety for persons and property in connection with boating, hunting, and fishing;
- To provide educational outreach programs and materials that foster an awareness of and appreciation for Virginia's fish and wildlife resources, their habitats, and hunting, fishing, and boating opportunities.



Freshwater Fish Restoration in the North Fork Holston River

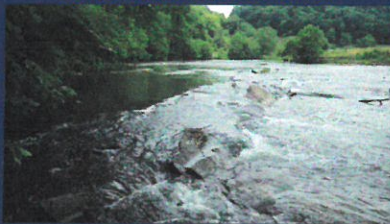


Restoring Our Aquatic Heritage
Virginia Department of Game and Inland Fisheries



What is the goal?

Restore native fish populations that have declined or been lost from the North Fork Holston River



Natives of the North Fork

Historic

- 72 fish species
- 34 mussel species

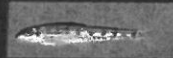
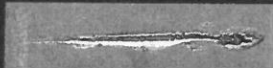
Current

- 64 fish species
- 12 mussel species



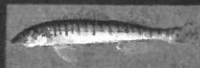
What has been lost?

- Blotched chub
- Freshwater drum
- Harelip sucker (extinct)
- Longnose gar
- River redhorse
- Sauger
- Walleye
- Yellowfin madtom FT



What is disappearing?

- Blueside darter
- Bullhead minnow
- Logperch
- Ohio lamprey
- Sickle darter ST
- Smallmouth redhorse
- Spotfin chub FT
- Stonecat



Why should we care?

- Maintain optimum populations of all species – DGIF Mission Statement
- Provide a rich and diverse river to improve its condition and integrity
- Saving “every cog and wheel”
- Recover listed and rare species



Is the NFHR ready for restoration?

- Historic impacts from chemical spills and poor land use practices
- VDH-DEQ Health advisory for eating fish
- Fecal bacteria impairment of 35 segments in the mainstem and its tributaries

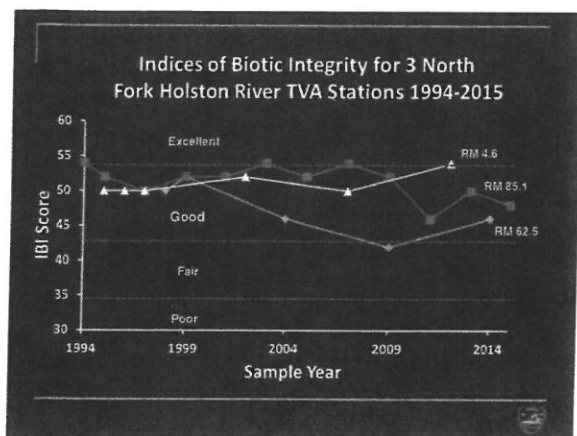
...but the system has seen improvements



What improvements have we seen?

- Millions of dollars to restore degraded streams and remove barriers
- NFHR ranks as a high quality smallmouth bass fishery
- Reduction of straight piping and upgrading of sewage treatment plants





Where to begin?

Species Selection Criteria

- Confirmation of species loss
- Suitable habitat is still present and threats minimized
- Donor population exists in sufficient numbers and is genetically compatible
- Propagation techniques are well established
- Plan exists to direct reintroduction

Yellowfin Madtom (*Noturus flavipinnis*)

- Miniature catfish endemic to the TN drainage
- Federally listed threatened
- Four extant populations (VA & TN)
- Last confirmed observation in NFHR 1888

Yellowfin Madtom (*Noturus flavipinnis*)

- Survey in 2010 found suitable habitat
- Species survey in 2013 found no extant YFM
- Sufficient numbers and genetic diversity in the Powell Drainage
- Successful species propagation and release to other streams
- Controlled propagation plan developed in 2015



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Yellowfin Madtom (*Noturus flavipinnis*)

Potential concerns regarding threatened and endangered species reintroduction

- Additional regulations
- Restricting river access
- Preventing harvest of sportfish
- Stopping or delaying projects



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Yellowfin Madtom (*Noturus flavipinnis*)

Listed Animals in the NFHR

- Spotfin Chub FT - CH
- Shiny Pigtoe FE
- Slabside Pearlymussel FE - CH
- Fluted Kidneyshell Mussel FE - CH
- Sickle Darter ST
- Tennessee Dace SE
- Spiny Riversnail ST
- Tennessee Heelsplitter SE



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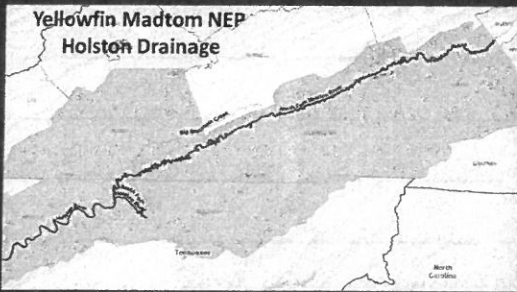
Yellowfin Madtom (*Noturus flavipinnis*)

Nonessential Experimental Population (NEP)

- Take (harm, harass, kill) that is accidental or incidental to an otherwise legal activity (e.g., agriculture, forestry, fishing etc.) is allowed
- Federal agencies will be provided voluntary recommendations for conserving the species
- NEP designation will not change nor will critical habitat be designated for YFM



Yellowfin Madtom NEP Holston Drainage



Yellowfin Madtom (*Noturus flavipinnis*)

Reintroduction Plan Strategy

- Begin reintroduction efforts by Spring 2016
- Release site will be above Saltville
- Monitor success in the fall of each year
- Conduct releases for a minimum of 5 years and continue for an additional 5 years



Yellowfin Madtom (*Noturus flavipinnis*) Reintroduction Plan Strategy

Tier I

- Survival of stocked fish
- Evidence of reproduction
- Expansion of reintroduced population



Tier II

- Evidence of multiple age classes
- Habitat occupied similar to source population
- Genetic structure similar to source population

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Reintroduction Project Partners

- Virginia Department of Game and Inland Fisheries
- U.S. Fish and Wildlife Service
- Conservation Fisheries, Inc.
- Tennessee Wildlife Resource Agency
- Tennessee Valley Authority
- Virginia Tech
- Tennessee Aquarium



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Questions or Comments Contact:

Mike Pinder
Aquatic Biologist
VA Dept. of Game & Inland Fisheries
2206 South Main St., Suite C
Blacksburg, VA 24060

Office (540) 961-8387
Cell (540) 320-2078
Mike.Pinder@dgif.virginia.gov

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**NOTICE OF PUBLIC HEARING
ON THE SMYTH COUNTY SCHOOL BUDGET
FOR FISCAL YEAR COMMENCING
July 1, 2016– June 30, 2017
On May 10, 2016 at 6:00 p.m.**

This budget synopsis is prepared and published in accordance with Section 15.2-2506 and 22.1-93, of the Code of Virginia of 1950, as amended. The budget has been prepared and proposed on the basis of estimates made by the Smyth County School Board. The adoption of this proposed budget shall require a monthly appropriation by the Smyth County Board of Supervisors as required in Section 15.2-2506 for any contemplated expenditures.

The Smyth County Board of Supervisors will conduct a hearing for the purpose of receiving public comments on the proposed School Board budget for the fiscal year beginning July 1, 2016. The public hearing will be held in the **Board of Supervisors meeting room, 121 Bagley Circle, Smyth County Office Building on May 10, 2016 at 6:00 p.m.**

Subject to the rules and procedures of the Board of Supervisors, at the above-mentioned day, time, and place any citizen of Smyth County may appear and express their opinion(s).

A full copy of the proposed Smyth County School Board budget is on file at the Office of the County Administrator, 121 Bagley Circle, Suite 100, Marion, Virginia, and may be viewed during regular business hours 8:00 a.m. – 5:00 p.m., Monday – Friday.

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

Smyth County School Board			
Operations Budget For the Year Ending June 30, 2017			
Revenue Summary for Operations Budget			
	2015-2016	2016-2017	Difference
State Revenue	\$ 25,307,660	\$ 26,294,578	\$ 986,918
Local Revenue	\$ 8,061,575	\$ 8,061,575	\$ -0-
Federal Revenue	\$ 4,788,520	\$ 5,189,460	\$ 400,940
State Sales Tax	\$ 4,773,990	\$ 4,924,248	\$ 150,258
Other Revenue	\$ 2,670,195	\$ 2,511,065	\$ (159,130)
TOTAL OPERATIONS	\$ 45,601,940	\$ 46,980,926	\$ 1,378,986
Expenditure Summary for Operations Budget			
	2015-2016	2016-2017	Difference
Instruction	\$ 33,728,880	\$ 33,958,548	\$ 229,668
Administration	\$ 1,415,268	\$ 1,439,837	\$ 24,569
Transportation	\$ 2,170,364	\$ 2,660,381	\$ 490,017
Facilities	\$ 4,192,744	\$ 4,319,795	\$ 127,051
Food Service	\$ 2,800,609	\$ 3,244,555	\$ 443,946
Technology	\$ 1,294,075	\$ 1,357,810	\$ 63,735
TOTAL OPERATIONS	\$ 45,601,940	\$ 46,980,926	\$ 1,378,986

Smyth County School Board
Capital Outlay and Debt Service Budget For the Year Ending June 30, 2017

Revenue Summary for Capital Outlay and Debt Service Budget

	2015-2016	2016-2017	Difference
Local Funds - Capital Outlay	\$ -0-	\$ 1,000,000	\$ 1,000,000
Local Funds - Debt Service	\$ 1,759,443	\$ 1,762,111	\$ 2,668
Other Funds – Interest Rebate	\$ 487,113	\$ 487,113	\$ -
TOTAL CAPITAL OUTLAY	\$ 2,246,556	\$ 3,249,224	\$ 1,002,668

Expenditure Summary for Capital Outlay and Debt Service Budget

	2015-2016	2016-2017	Difference
Capital Outlay – Facilities	\$ -0-	\$ 1,000,000	\$ 1,000,000
Capital Outlay - Debt Service	\$ 2,246,556	\$ 2,249,224	\$ 2,668
TOTAL CAPITAL OUTLAY	\$ 2,246,556	\$ 3,249,224	\$ 1,002,668

Public Hearing Notice

The Virginia Department of Transportation and the Board of Supervisors of Smyth County, in accordance with Section 33.1-70.01 of the Code of Virginia, will conduct a joint public hearing in the Board of Supervisors Meeting Room of the Smyth County Administration Office, 121 Bagley Circle, Suite 100, Marion, Virginia 24354 at **6:30 p.m. on May 10, 2016**. The purpose of this public hearing is to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2016/17 through 2021/22 in Smyth County and on the Secondary System Construction Budget for Fiscal Year 2016/17. Copies of the proposed Plan and Budget may be reviewed at the Wytheville Residency Office of the Virginia Department of Transportation, located at 2843 Chapman Road, Wytheville, Virginia 24382 or at the Smyth County Administration Office located at 121 Bagley Circle, Suite 100, Marion, Virginia 24354.

All projects in the Secondary Six-Year Plan that are eligible for federal funds will be included in the Statewide Transportation Improvement Program (STIP), which documents how Virginia will obligate federal transportation funds.

Persons requiring special assistance to attend and participate in this hearing should contact the Virginia Department of Transportation at (276) 228-2154. Persons wishing to speak at this public hearing should contact the Smyth County Board of Supervisors at (276) 783-3298.



Shannon Williams, 911 Coordinator



Phone: (276) 783-3298 Ext. 208

Fax: (276) 783-9314

E-Mail: smyth911@smythcounty.org

Smyth County 911

121 BAGLEY CIRCLE, Suite 110 • MARION, VIRGINIA 24354

April 11, 2016

Smyth County Board of Supervisors
121 Bagley Cir; Ste 100
Marion, Va 24354

Re: FY2016 Aid to Localities Allocations

Dear Smyth County Board of Supervisors:

Smyth County has received an initial 90% payment from the Aid to localities FY2016 allocations in the amount of \$63,843. Staff recommends the following disbursement schedule.

Agency:	Disbursement Amount 90%
Atkins Fire Dept	\$13,640.50
Adwolfe FD	\$13,640.50
Nebo Fire Dept	\$13,640.50
Sugar Grove Fire Dept	\$13,640.50
Chilhowie FD	\$4,640.50
Saltville FD	\$4,640.50

* * Please note that the Town of Marion is not listed for disbursements because they receive more money (\$17,024) from the ATL program then what will be distributed to the other Fire Departments.

Please mail checks directly to the agencies if approved.

FY 2016 Aid to Localities

Smyth County has received \$63,843 dollars from the Department of Fire Programs Aid to Localities Allocation. This is an initial (90%) payment with the remainder coming sometime later in the year.

Aid to Localities (ATL) FY 2016 Allocations

Description	FY 2015 Estimated	Initial Payment (90%)
Smyth County	\$70,937	\$63,843
Town of Chilhowie	\$10,000	\$9,000
Town of Saltville	\$10,000	\$9,000
Town of Marion	\$18,915	\$17,024

* * Please note that the Town of Marion is listed for information purposes only. They receive more money from ATL than any other agency and are not included in the disbursement calculation.

Distribution Formula:

Smyth County: \$63,843
Town of Chilhowie: \$9,000
Town of Saltville: \$9,000
Total: \$81,843 divided by 6 Fire Depts = \$13,640.50

Staff recommend disbursement:

Atkins FD:	\$13,640.50	
Adwolfe FD:	\$13,640.50	
Nebo FD:	\$13,640.50	
Sugar Grove FD:	\$13,640.50	
Town of Chilhowie	\$13,640.50	Town of Saltville
\$13,640.50		\$13,640.50
<9,000>		<9,000>
Total: \$4,640.50		Total: \$4,640.50

LOCAL HEALTH DEPARTMENTS
SERVING THE PEOPLE OF

Bland
Wythe
Carroll
Galax
Grayson
Smyth
Washington
Bristol



D. Craig Smith, M.D., M.P.H., Director
Phone: 276/781-7450
Fax: 276/781-7455

EMAIL
craig.smith@vdh.virginia.gov

COMMONWEALTH of VIRGINIA

Mount Rogers Health District

201 Francis Marion Lane
Marion, Virginia 24354

April 18, 2016

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

Dear Mr. Carter:

Attached is an agreement from Mount Rogers Health District that is an essential part of our compliance to HIPAA laws, rules and regulations. This agreement is simply the localities understanding and agreement for privacy and security of protected health information as any subcontractors, housekeeping workers, staff, or any others could possibly come in contact with client information while performing work in one of Mount Rogers Health Department offices. The agreement allows for compliance from both Mount Rogers Health District and the covered entity/locality.

In the future, this agreement will be sent with your annual locality agreement for signature. At this time, to update our files, we will need a signed copy back to us at your earliest convenience. After signature, if you want to call, I will be glad to pick up the agreement and return back a fully executed copy to you after our District Director, Dr. Melody Counts has an opportunity to sign.

Thank you. If you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in blue ink that reads "Teresa Taylor".

Teresa G. Taylor
Business Administrator
Mount Rogers Health District



COMMONWEALTH of VIRGINIA
Department of Health

BUSINESS ASSOCIATE AGREEMENT

PRIVACY AND SECURITY OF PROTECTED HEALTH INFORMATION

THIS BUSINESS ASSOCIATE AGREEMENT is made as of April 18, 2016, by the **Smyth County Health Department and Mount Rogers Health District Offices** (herein referred to as "Covered Entity"), with offices at 201 Francis Marion Lane, Marion, Virginia and **Smyth County** (here in referred to as "Business Associate"), a corporation, department or other entity with office at 121 Bagley Circle, Suite 100, Marion, Virginia.

This BUSINESS ASSOCIATE AGREEMENT (herein referred to as the "Agreement") constitutes a non-exclusive agreement between the Covered Entity, which administers health services, and the Business Associate named above.

The Covered Entity and Business Associate have entered into this Business Associate Agreement to comply with the Health Insurance Portability and Accountability Act (HIPAA). The parties signing this Agreement shall comply fully with the provisions of the HIPAA Rules.

NOW THEREFORE, the parties, intending to be legally bound, agree as follows:

I. Definitions.

As used in this contract, the terms below will have the following meanings:

- a. "Business Associate" shall generally have the same meaning as the term "business associate" at 45 CFR 160.103, and in reference to the party to this agreement, shall mean [Insert Name of Business Associate].
- b. "Covered Entity" shall generally have the same meaning as the term "covered entity" at 45 CFR 160.103, and in reference to the party to this agreement, shall mean [Insert Name of Covered Entity].
- c. Protected Health Information (PHI): Any information that is created or received by a Covered Entity that relates to the past, present, or future physical or mental health or condition of an individual, limited to the information created or received by Business Associate from or on behalf of Covered Entity.

d. "HIPAA Rules" shall mean the Privacy, Security, Breach Notification, and Enforcement Rules at 45 CFR Part 160 and Part 164.

II. Obligations and Activities of Business Associate

- a. Business Associate agrees to not use or disclose Protected Health Information other than as permitted or required by the Agreement or as required by law.
- b. Business Associate agrees to use appropriate safeguards and comply with Subpart C of 45 C.F.R. Part 164 to prevent use or disclosure of the Protected Health Information other than as provided for by this Agreement.
- c. Business Associate agrees to report to Covered Entity any use or disclosure of the Protected Health Information not provided for by this Agreement of which it becomes aware, including breaches of unsecured protected health information, as required at 45 C.F.R. 164.410.
- d. In accordance with 45 C.F.R. 164.502(e)(1)(ii) and 164.308(b)(2), if applicable, ensure that any subcontractors that create, receive, maintain, or transmit protected health information on behalf of the Business Associate agree to the same restrictions, conditions, and requirements that apply to the Business Associate with respect to such information.
- e. Report to the Covered Entity any security incident of which it becomes aware.
- f. Business Associate shall notify the Covered Entity of a breach of unsecured PHI on the first day on which such breach is known by Business Associate or an employee, officer or agent of Business Associate other than the person committing the breach, or as soon as possible following the first day on which Business Associate or an employee, officer or agent of Business Associate other than the person committing the breach should have known by exercising reasonable diligence of such breach. Notification shall include, to the extent possible, the identification of each individual whose unsecured PHI has been, or is reasonably believed by the Business Associate to have been, accessed, acquired, used or disclosed during the breach. Business Associate shall also provide the Covered Entity with any other available information at the time Business Associate makes notification to the Covered Entity or promptly thereafter as information becomes available. Such additional information shall include (i) a brief description of what happened, including the date of the breach; (ii) a description of the types of unsecured PHI that were involved in the breach; (iii) any steps the Business Associate believes individuals should take to protect themselves from potential harm resulting from the breach; and (iv) a brief description of what Business Associate is doing to investigate the breach, mitigate harm to individuals, and protect against any future breaches.

For purposes of this paragraph, unsecured PHI means protected health information that is not rendered unusable, unreadable, or indecipherable to unauthorized persons through the use of a technology or methodology specified by the U.S. Secretary of Health and Human Services.

- g. Business Associate agrees to provide access, at the request of Covered Entity to Protected Health Information to Covered Entity or, as directed by Covered Entity, to an Individual in order to meet the requirements under 45 CFR 164.524.
- h. Business Associate agrees to make internal practices, books, and records, including policies and procedures and Protected Health Information, available to the Secretary of the U.S. Department of Health and Human Services for the purpose of determining compliance with the HIPAA Rules.
- i. Business Associate agrees to document and provide to Covered Entity such disclosures of Protected Health Information and information as would be required for Covered Entity to respond to a request by an Individual for an accounting of disclosures of Protected Health Information in accordance with 45 CFR 164.528.
- j. Make any amendment(s) to Protected Health Information in a designated record set as directed or agreed to by the covered entity pursuant to 45 C.F.R. 164.526, or take other measures as necessary to satisfy covered entity's obligations under 45 C.F.R. 164.526.

III. General Use and Disclosure Provisions

- a. Business Associate may only use or disclose Protected Health Information as provided in the underlying Agreement.
- b. Business Associate may use or disclose Protected Health Information as required by law.
- c. Business Associate agrees to make uses and disclosures and requests for Protected Health Information consistent with Covered Entity's minimum necessary policies and procedures.
- d. Business Associate may not use or disclose Protected Health Information in a manner that would violate Subpart E of 45 CFR Part 164 if done by covered entity, except for the specific uses and disclosures set forth below.
- e. Business Associate may disclose Protected Health Information for the proper management and administration of the Business Associate, provided that disclosures are required by law, or Business Associate obtains reasonable assurances from the person to whom the information is disclosed that it will remain confidential and used or further disclosed only as required by law or for the purpose for which it was disclosed to the person, and the person notifies the Business Associate of any instances of which it is aware in which the confidentiality of the information has been breached.

IV. Obligations of Covered Entity

- a. Covered Entity shall notify Business Associate of any limitations in its notice of privacy practices of Covered Entity in accordance with 45 CFR 164.520, to the extent

that such limitation may affect Business Associate's use or disclosure of Protected Health Information.

- b. Covered Entity shall notify Business Associate of any changes in, or revocation of, permission by Individual to use or disclose Protected Health Information, to the extent that such changes may affect Business Associate's use or disclosure of Protected Health Information.
- c. Covered Entity shall notify Business Associate of any restriction to the use or disclosure of Protected Health Information that Covered Entity has agreed to in accordance with 45 CFR 164.522, to the extent that such restriction may affect Business Associate's use or disclosure of Protected Health Information.

V. Permissible Request by Covered Entity

Covered Entity shall not request Business Associate to use or disclose Protected Health Information in any manner that would not be permissible under the Privacy Rule if done by Covered Entity.

VI. Termination

Either party may terminate this Agreement immediately if it determines that the other party has violated a material term of this Agreement. This Agreement shall remain in effect unless terminated for cause with immediate effect, or until terminated by either party with not less than thirty (30) days prior written notice to the other party, which notice shall specify the effective date of the termination; provided, however, that any termination shall not affect the respective obligations or rights of the parties arising under this Agreement before the effective date of termination.

VII. Effect of Termination

Upon termination of this Agreement for any reason, Business Associate shall return or destroy all Protected Health Information received from Covered Entity, or created or received by Business Associate on behalf of Covered Entity. This provision shall apply to Protected Health Information that is in the possession of subcontractors or agents of Business Associate. Business Associate shall retain no copies of the Protected Health Information. In the event that Business Associate determines that returning or destroying the Protected Health Information is infeasible, Business Associate shall provide to Covered Entity notification of the conditions that make return or destruction of Protected Health Information infeasible. Upon agreement that return or destruction of Protected Health Information is infeasible, Business Associate shall extend the protections of this Agreement to such Protected Health information and limit further uses and disclosures of such Protected Health Information to those purposes that make the return or destruction infeasible, for so long as Business Associate maintains such Protected Health Information.

VIII. Amendment

Upon the enactment of any law or regulation affecting the use or disclosure of PHI, or the publication of any decision of a court of the United States or of this state relating to any such law, or the publication of any interpretive policy or opinion of any governmental agency charged with the enforcement of any such law or regulation, the parties shall work in good faith to amend this Agreement in such manner as is necessary to comply with such law or regulation. If the parties are unable to agree on an amendment within thirty (30) days thereafter, either of them may terminate this Agreement by written notice to the other.

EACH PARTY has caused this Agreement to be properly executed on its behalf as of the date first above written.

For: Mount Rogers Health District

For: Smyth County

_____, M.D.

BY: _____
District Director

BY: _____

DATE: _____

DATE: _____

Animal Control Committee
Wednesday, April 27, 2016
3:00 p.m.

Committee Members

Present: Royal Oak District Supervisor G. Blake Frazier, Acting Chair
Atkins District Supervisor Charles Atkins

Committee Members

Absent: Park District Supervisor M. Todd Dishner, Chairman

Staff Members

Present: Michael Carter, County Administrator
Kelly Woods, Administrative Assistant
Scott Simpson, Assistant County Administrator
Bill Turman, Chief Animal Control Officer
Chris Bennett, Animal Control Officer
Jonathan Cantrell, Animal Control Officer

Acting Chair, Royal Oak District Supervisor G. Blake Frazier called the meeting to order at 3:06 P.M.

The Committee met to consider the following Animal Control (dog damage) claims. The claim amounts are based on fair market value, according to Virginia Code Section 3.2-6553, which identifies a not to exceed amount of \$750 per animal and \$10 per fowl.

Fred N. Smith for 1 Cow. Upon discussion by the committee it was agreed upon to approve this claim for \$750.00 and the motion passed unanimously.

Derek Cardwell for 3 Goats and 2 Sheep. Upon discussion by the committee, it was agreed upon to approve this claim for \$545.00, and the motion passed unanimously.

Ted A. Hunt for 1 Goat. Upon discussion by the committee, it was agreed upon to approve this claim for \$175.00 and the motion passed unanimously.

The claims above (totaling \$1,470.00) will be recommended to the Board for approval and appropriation at the May 10, 2016 meeting.

Bill Turman, Chief Animal Control Officer presented an update on the shelter and stated the shelter had been written up during their inspection in January of 2016 for the dogs being wet due to kennels not being dry after cleaning them. Mr. Turman informed the Committee of the changes he and his staff have implemented to remedy the problem. Discussion continued on this item.

Acting Chair, Royal Oak District Supervisor G. Blake Frazier adjourned the meeting at 3:30 p.m.

A meeting of the Smyth County Budget Committee was held at the County Office Building on Monday, May 2, 2016 at 3:30 p.m.

Committee Members Present:

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

Staff Members Present:

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

The following Budgets were reviewed and discussed.

*All Budgets were reviewed and discussed.

After discussion, Rye Valley District Supervisor Rick K. Blevins made a motion to recommend to the full Board to schedule the Public Hearing for the FY16-17 proposed County Budget on June 14, 2016 at 6:00 P.M. Park District Supervisor M. Todd Dishner seconded the motion. All agreed unanimously.

At 4:47 p.m. Chairman, Chilhowie District Supervisor Wade H. Blevins Jr., adjourned the meeting.



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: May 2, 2016
Subject: Recommendations from the Planning Commission

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

- 1) Commissioner Joel Pugh made a motion to recommend approval of all four Map Amendment requests to the Official Zoning Map of Smyth County, Virginia, from Agricultural/Rural to Industrial. Commissioner Hazel Wagoner seconded the motion.
 - a) Angelina Blevins Pratt, Tax Map Nos. 48-A-85, 48A2-1D-4E, 48A2-1D-5, 48A2-1D-6, 48A2-1D-6A, and 48A2-1D-7;
 - b) Norma Pratt Teaters, Tax Map No. 48A2-1D-4;
 - c) Charles Walter Pratt, Tax Map No. 48-A-83; and
 - d) Sara Elizabeth Pratt Carty, Tax Map No. 48-A-83B.

After consideration, the motion PASSED by the following vote:

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

- 2) Commissioner Robbie Doyle made a motion to recommend approval of the proposed text amendments to the Smyth County Zoning Ordinance as presented and advertised. Commissioner Joel Pugh seconded the motion.

After consideration, the motion PASSED by the following vote:

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

A meeting of the Smyth County Surplus Committee was held at the County Office Building on Thursday, April 28, 2016 at 6:30 p.m.

Committee Members Present:

Park District Supervisor M. Todd Dishner, 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

The meeting was called to order at 6:29 p.m. by Chairman, Park District Supervisor M. Todd Dishner.

Mr. Simpson reviewed the following list of vehicles that are available for surplus by the County.

YEAR	MAKE	MODEL	MILEAGE	VIN
1997	FORD	TAURUS	Unknown	1FALP52U9VA229435
2004	FORD	EXPLORER	143,064	1FMZU72KXUA91601
2003	DODGE	PICKUP	213,180	1D7HG12X23S185584
1998	FORD	TAURUS	90,440	1FAFP52U1WA106842
2006	FORD	CROWN VIC	Unknown	2FAHP71W26X162206
2011	FORD	CROWN VIC	139,116	2FABP7BV1BX115660
2010	FORD	CROWN VIC	161,385	2FABP7BV6AX121310
2009	DODGE	CHARGER	155,084	2B3KA43T39H540746
2009	DODGE	CHARGER	135,944	2B3KA43T19H540745
1987	TOYOTA	PICKUP	Unknown	JT4RN63R1H0141516
1992	CHEVROLET	PICKUP	63,981	1GCEK14Z0NE170237
2000	CHEVROLET	PICKUP	75,184	1GCEK14W3YZ233379
1996	FORD	F350	Unknown	2FDKF38GXTCA5615
1979	CHEVROLET	TRUCK C60	Unknown	C16DA9V149556
1989	GULF STREAM	RV	43,720	17N330125KW0134977

North Fork District Supervisor Phil Stevenson made a motion to declare all vehicles listed as surplus property and to allow staff to advertise them for bids in the Smyth County News and Messenger. Saltville District Supervisor Roscoe D. Call seconded the motion and all agreed unanimously.

The meeting was adjourned at 6:38 p.m.

A meeting of the Smyth County Water and Sewer Committee was held at the County Office Building on Wednesday, April 27, 2016 at 3:30 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
Jeff Campbell, County Attorney
Kelly Woods, Administrative Assistant
Mike Neal, Water/Sewer Department Foreman
Lori Hester Deel, Director of Community and Economic Development

Others Present:

Jason Childers, Town Manager, Town of Rural Retreat
Tim Litz, Mayor, Town of Rural Retreat
Jack Weaver, Concerned Citizens
Tony Wright, Town of Rural Retreat
Jeff Spickard and Bobby Lane, The Lane Group

The meeting was called to order at 3:32 p.m. by Chairman Roscoe D. Call.

Michael Carter, County Administrator opened the meeting for discussions with the representatives from the Town of Rural Retreat concerning a possible interconnect for water between Smyth County and the Town of Rural Retreat. Several concepts and ideas were discussed concerning this possibility. Once the proper information is obtained, discussion will continue to take place between both entities.

Royal Oak District Supervisor G. Blake Frazier made a motion to recommend continuing discussion with the Town of Rural Retreat on this Project and gathering the information needed to proceed. Rye Valley District Supervisor Rick K. Blevins seconded the motion. All agreed unanimously.

Scott Simpson, Assistant County Administrator then presented the Committee with an agreement between Thomas Bridge Water and Smyth County as shown below.

COOPERATIVE SEWER BILLING AND ENFORCEMENT AGREEMENT

BETWEEN

SMYTH COUNTY, VIRGINIA

AND

THOMAS BRIDGE WATER CORPORATION

JULY 01, 2016

THIS AGREEMENT for cooperative billing and enforcement was entered into as of the 01st day of July, 2016, by and between THOMAS BRIDGE WATER CORPORATION, (hereinafter referred to as "TBWC"), and SMYTH COUNTY, a political subdivision of the Commonwealth of Virginia, (hereinafter referred to as "County"), provides as follows:

WHEREAS, Thomas Bridge Water Corporation ("TBWC"), located at 586 Thomas Bridge Road, Marion, Virginia 24354, is a public service company, chartered by the State Corporation Commission of Virginia on September 1, 1965, and amended; and

WHEREAS, as a 501 (c) 12 water public utility company with gross annual operating revenues of less than one million dollars, TBWC is governed by the Small Water or Sewer Public Utility Act found at Code of Virginia Title 56, Chapter 10.2:1; and

WHEREAS, TBWC provides water service to approximately 2,000 water customers within part of Smyth County, Virginia; and

WHEREAS, the County's Water and Sewer Department (the "Department"), located at 121 Bagley Circle, Marion, Virginia 24354, provides water and sewer services to customers throughout Smyth County; and

WHEREAS, the County provides sewer service in some areas in which its sewer customers obtain water service from TBWC; and

WHEREAS, the County plans to extend its sewer service to additional areas where customers obtain water service from TBWC; and

WHEREAS, Code of Virginia (1950), as amended, §§ 15.2-2117 and 15.2-2119 permits the establishment of cooperative billing and enforcement agreements such as this;

WHEREAS, by resolution of the Thomas Bridge Water Corporation, enacted on the 17th day of March, 2016, the billing and enforcement terms for collecting and billing the County sewer customers that are also TBWC water customers in accordance with this Agreement were approved and execution of this Agreement by the President and attested by the Secretary was duly authorized.

WHEREAS, by resolution of the Board of Supervisors of Smyth County, enacted on the 10th day of May, 2016, the billing and enforcement terms for collecting and billing County sewer customers that are also TBWC water customers in accordance with this Agreement were approved and execution of this Agreement by the Chairman and attested by the Clerk was duly authorized.

NOW, THEREFORE, TBWC and the County agree as follows:

1. County will provide sewer service to its current and new customers within the County, including the establishment of all rates for sewer service in accordance with Virginia law; County will provide at least forty-five (45) days advance notice to TBWC of any changes in rates for sewer service.
2. TBWC will provide water to its current and new customers within its service area, including the establishment of all rates, fees and charges (including penalties and interest), other than sewer usage rates and sewer non-user fees, in accordance with Virginia law.
3. "Joint Customers" are those customers who receive water service from TBWC and sewer service from County and those who receive water service from TBWC and are subject to a sewer non-user fee.
4. TBWC will provide water meter reading service to establish the basis for Joint Customer billing for both water and sewer services. As identified in Paragraph 10, these readings will be forwarded to the County at the time of remittance of collected sewer funds.
5. TBWC will bill those Joint Customers for both water and sewer services, including any sewer non-user fees, as its rules and procedures provide.
6. TBWC will maintain its current disconnect policy for all customers, except that failure of a Joint Customer to pay all valid rates, fees, charges or penalties will result in the disconnection of water service for that Joint Customer.
7. County will pay to TBWC the following fees:
 - A. Account set-up for new Joint Customers \$3.00 each account
 - B. Monthly fee for billing for Joint Customers \$1.00 each account
8. TBWC will reimburse the County for all customer fees paid for monthly sewer service.
9. Fees owed by County to TBWC as established by Paragraph 7 shall be off-set on a monthly basis against the reimbursement of sewer collections which are due from TBWC to County.
10. Net payment from TBWC to County shall be made monthly with a report indicating customer list and charges.

11. This Cooperative Sewer Billing and Enforcement Agreement shall impose no obligations or responsibilities upon TBWC for the provision of sewer services to Joint Customers, but is intended solely to establish a cooperative billing agreement and enforcement agreement between TBWC and County, in accordance with Code of Virginia (1950), as amended, §§ 15.2-2117 and 15.2-2119. Nothing in this Agreement shall cause TBWC to be considered a provider of sewer services and, to the extent permissible by law; County will indemnify TBWC against any claims made in connection with this agreement.

TERM OF AGREEMENT

Initial Term. The term of this Agreement shall be for a period of five (5) years commencing July 1, 2016 and ending June 30, 2021. It shall be renewable as desired by the parties for additional terms of three (3) years, not to exceed a total of forty-one (41) successive years.

MISCELLANEOUS

Books and Records. TBWC shall keep proper books and records and shall provide them monthly to County with sewer remittance, and at any other requested time.

Successors and Assigns. This Agreement shall be binding upon, inure to the benefit of, and be enforceable by the participants hereto and their respective successors and assigns.

Severability. If any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not affect any other provision hereof.

Counterparts. This Agreement shall be executed in several copies, any of which shall be regarded for all purposes as the original.

Address of Parties: For purposes of any notice required by this agreement, the address of each participant is as follows:

Thomas Bridge Water Corporation
586 Thomas Bridge Road
Marion, Virginia 24354

Smyth County Board of Supervisors
121 Bagley Circle, Suite 100
Marion, Virginia 24354

The address of either party may be changed by written notice to the other party.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and their seals to be affixed and attested by their duly authorized officials.

THOMAS BRIDGE WATER CORPORATION

F. Joseph Copenhaver, Jr., Administrator

Attest:

COMMONWEALTH OF VIRGINIA
COUNTY OF SMYTH, to-wit:

The foregoing Agreement dated July 01, 2016 was acknowledged before me this _____ day of _____, 2016, by F. Joseph Copenhaver, Jr., Administrator of the Thomas Bridge Water Corporation.

NOTARY PUBLIC

SMYTH COUNTY, VIRGINIA

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

Attest:

Michael L. Carter

COMMONWEALTH OF VIRGINIA
COUNTY OF SMYTH, to-wit:

The foregoing Agreement dated July 01, 2016 was acknowledged before me this _____ day of _____, 2016, by Wade H. Blevins, Jr., Chairman of the Smyth County Board of Supervisors.

NOTARY PUBLIC

Pursuant to §15.2-1803 of the Code of Virginia, approved as to form:

By: _____
County Attorney

Royal Oak District Supervisor G. Blake Frazier made a motion to recommend to the full Board to accept the agreement as presented. Rye Valley District Supervisor Rick K. Blevins seconded the motion. All agreed unanimously.

Mr. Simpson then presented an update to the Committee concerning the Adwolfe Sewer Project, and stated that plans are approximately 95% complete, and the next steps are to schedule a Community meeting for those that will be affected by the project.

Discussion continued on the Mandatory Hook up Ordinance. Jeff Campbell, County Attorney stated that he would like more time to research the Ordinance that is currently in place and would update the committee accordingly.

The following is a recommendation that was carried forward from the March 23, 2016 meeting:

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.

All recommendations will be presented to the Board of Supervisors at the next scheduled meeting on May 10, 2016.

With nothing further to discuss, the meeting was adjourned at 5:05 P.M.

Kelly Woods

From: Scott Simpson
Sent: Tuesday, May 03, 2016 2:01 PM
To: Kelly Woods; Michael Carter
Subject: legal fees

Kelly –
please place on the Agenda for Tuesday May 10th,
Request for a Budget Transfer for Legal Services \$ 15,000.

from 001-012040-1001 Salaries and Wages
to 001-012040-3002 Professional Services and Fees

Thank you.

Scott

Scott R. Simpson, P.E.
Assistant County Administrator
County Engineer
Smyth County, VA
121 Bagley Circle, Suite 100
Marion, VA 24354
276-783-3298 x 8302



Sheriff's Office of Smyth County

819 MATSON DRIVE • MARION, VIRGINIA 24354
PHONE (276) 782-4056 • FAX (276) 782-4058

B.C. "Chip" SHULER
Sheriff

May 5, 2016

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

Dear Mike:

I respectfully request that the Board amend our 2015/2016 budget for Fund 746 in the amount of \$30,000.00. The funds requested for this line are Federal Asset Forfeiture monies awarded to this Office in regards to cases in which we have participated. I anticipate the need for these requested funds to purchase three dog kennels and to pay-off a vehicle that was seized by our Office which will be used to further combat the drug problem in Smyth County.

I appreciate the Board's consideration of this request and if any additional is required, please do not hesitate to call on me.

Sincerely,

A handwritten signature in dark ink, appearing to read "B.C. Shuler", written over a horizontal line.

B.C. "Chip" Shuler, Sheriff

BCS

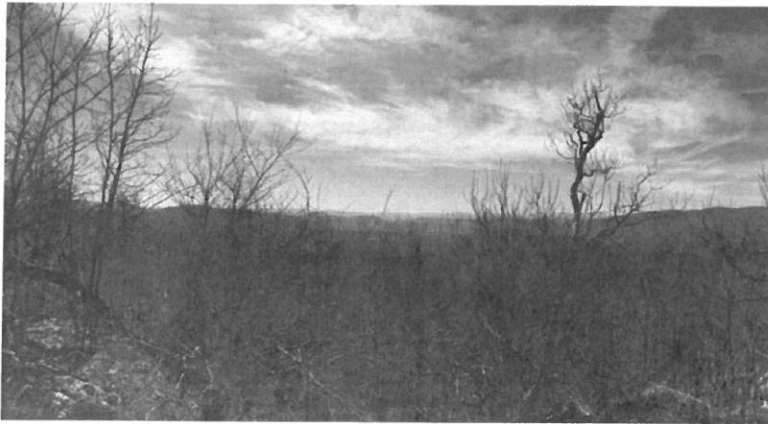
Dear Mr. Carter -

The Conservation Fund is working in partnership with the George Washington-Jefferson National Forest to help acquire a priority property that lies along the border of Smyth and Grayson Counties for the national forest. The seller of the property is eager to see their land purchased for public access, and the project has been recommended for funding in the President's FY17 LWCF budget. We were hopeful that Smyth County would provide a letter of support for this acquisition, which will help us secure the Congressional support needed to ensure that the funds are appropriated.

The property in question (map attached) is a 790 acre tract along the ridge of Straight Mountain. It contains significant ridge top hickory stands and commands views of the area to both the east and west. Acquisition of this property will help open public access to the ridge top and will connect trails from the Mount Rogers National Recreation Area to other Forest Service lands in the area. It also increases management potential for early successional wildlife habitat on USFS lands, and will build on existing efforts to that effect in the area. This property was the second highest priority for the USFS in the Southern Blue Ridge Collaborative, and was recommended for LWCF funding through that partnership.

We are working with the landowner (the estate of Phil Carroll) and the town of Troutdale to ensure that this project is a benefit to the local community, the residents of Virginia and the greater national population. It was the sincere desire of Mr. Carroll that this land be made available to all through a sale to the USFS. Acquisition of the property will help ensure that the land which provides a backdrop to scenic Troutdale remains that way forever, and provides access to all in the community.

All the best,
Heather Richards
Virginia Consultant
The Conservation Fund
www.conservationfund.org
[703-203-0060](tel:7032030060)



Grayson and Smyth Counties,
Congressional District 9

Project Overview

The 790-acre Straight Mountain parcel features open ridge lines, providing breathtaking views both east and west. The U.S. Forest Service seeks to incorporate this inholding into Jefferson National Forest. Its acquisition will consolidate U.S. Forest Service lands on Straight Mountain, creating management efficiencies.

The parcel spans the ridge and eastern slope of Straight Mountain, near the town of Troutdale. Its acquisition will offer recreational opportunities and link the town of Troutdale with the Mount Rogers National Recreation Area. Mount Rogers National Recreation Area is renowned for its hundreds of miles of hiking, biking, horseback riding, and cross-country ski trails. There is potential to create trails on the Straight Mountain parcel that will connect with the trails in the Recreation Area.

The Straight Mountain parcel contains a very healthy hickory forest, which may provide foraging habitat for the federally-endangered Indiana bat. Its permanent protection will also preserve Ripshin Creek, Laurel Creek, and Fox Creek, headwaters of the New River, an American Heritage River.

Agency

U.S. Forest Service—Land
Acquisition (Land and Water
Conservation Fund (LWCF))

Federal Funding

FY17 President's Budget = \$2.28
million, ranked #11 of 41 (through
Southern Blue Ridge Collaborative)

Status

The U.S. Forest Service has asked
The Conservation Fund to pre-
acquire the Straight Mountain
parcel, from a willing seller, in
anticipation of receiving FY17
LWCF funding to incorporate into
Jefferson National Forest.

Key Features

- 790-acre parcel featuring open ridge lines with breathtaking views both east and west
- Spans the ridge and eastern slope of Straight Mountain
- Links the town of Troutdale with the Mount Rogers National Recreation Area, renowned for hundreds of miles of hiking, biking, horseback riding, and cross-country ski trails
- May provide foraging habitat for federally-endangered Indiana bat and preserves headwaters of New River

At The Conservation Fund, we make conservation work for America. By creating solutions that make environmental and economic sense, we are re-defining conservation to demonstrate its essential role in our future prosperity. Top-ranked for efficiency and effectiveness, we have worked in all 50 states since 1985 to protect more than 7.5 million acres of land.

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703-203-0060

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Senior Government Relations Rep
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kreed@conservationfund.org
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