

AGENDA

Tuesday, February 14, 2017
4:00 PM

4:00 CALL MEETING TO ORDER (Michael Carter, County Administrator)

CLOSED SESSION

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

5:00 CALL MEETING TO OPEN SESSION

Invocation and Pledge of Allegiance

ADOPTION OF AGENDA

Adopt the agenda and the additional agenda as presented

MINUTES OF PREVIOUS MEETINGS

Request adoption of the January 10th and January 26th, 2017 meeting minutes.

FINANCIAL STATUS

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 Conrad Hill-VDOT

5:45 Aaron Sizemore & Brian Reed, Mt. Rogers Planning District Commission- Lick Skillet Housing Project Request

6:00 Lori Deel-Retail Attractions Update

6:15 Arthur Barker, Grant Administrator, Smyth County Sheriff's Office- Highway Safety Grant

NEW BUSINESS

***Planning Commission Recommendations-Michael Carter**

***Bridge Dedication-Michael Carter**

***Committee Recommendations**

- **Appointment Committee, Rick Blevins-Chair**
- **Building and Grounds Committee, Roscoe Call-Chair**
- **Water/Sewer Committee, Roscoe Call-Chair**

***Schedule Public Hearings**

- **Green Valley Court Revenue Sharing Project-March 14, 2017 @ 6:00 P.M.**
- **Workforce Innovation & Opportunity Act-March 14, 2017 @ 6:15 P.M.**

Supervisor Comment Time

Meeting Reminders:

Joint Public Hearing, February 23, 2017 @ 7:00 P.M.

Public Hearing, Vacation of alley way in Sugar Grove, February 23, 2017 @ 7:30 P.M.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, January 10, 2017**. 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: Chilhowie District Supervisor Wade H Blevins, Jr., Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K Blevins; North Fork District Supervisor Phil Stevenson; Atkins District Supervisor Charles Atkins; Saltville District Supervisor Roscoe D Call (6)

ABSENT: Royal Oak District Supervisor G. Blake Frazier (1)

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

OTHERS: Stephanie Porter-Nichols, Smyth County News and Messenger, Sheriff Chip Shuler and Johnny Joannou with the Smyth County Sheriff's Office.

 1/10/2017 4:01 PM Michael Carter, County Administrator 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. 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 Chairman, Park District Supervisor M. Todd Dishner, Rye Valley District Supervisor Rick K. Blevins, Saltville District Supervisor Roscoe D. Call, Atkins District Supervisor Charles Atkins and North Fork District Supervisor Phil Stevenson.

NAYS: None.


ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier.

 1/10/2017 5:00 PM Royal Oak District Supervisor G. Blake Frazier entered the meeting.

 1/10/2017 5:03 PM Michael Carter, County Administrator called the meeting back to order from

Closed session.

 1/10/2017 5:03 PM It was moved by Rye Valley District Supervisor Rick K Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION

CERTIFICATION OF CLOSED SESSION

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

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

NOW, THEREFORE, BE IT RESOLVED that the Smyth County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Smyth County Board of Supervisors.


After consideration, the motion PASSED by the following vote:

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


NAYS: None.

ABSTAINERS: Royal Oak District Supervisor G. Blake Frazier.

ABSENT: None.

 1/10/2017 5:04 PM Michael Carter, County Administrator explained the organizational meeting to those in attendance.

 1/10/2017 5:05 PM Lori Deel, Director of Community and Economic Development gave the invocation and Lisa Richardson, Human Resource Manager led the Pledge of Allegiance.

 1/10/2017 5:06 PM A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor G. Blake Frazier to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



1/10/2017 5:07 PM Michael Carter, County Administrator opened the floor for discussion and nominations for the Election of Officers for the calendar year of 2017.

Saltville District Supervisor Roscoe D. Call made a motion to nominate Chilhowie District Supervisor Wade H. Blevins Jr. as Chairman. The motion was seconded by Royal Oak District Supervisor G. Blake Frazier.

Rye Valley District Supervisor Rick K. Blevins made a motion to close the nominations, seconded by Saltville District Supervisor Roscoe D. Call.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

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


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Wade H. Blevins Jr.

ABSENT: None.

 1/10/2017 5:08 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened the floor for nominations of Vice Chairman for calendar year 2017. North Fork District Supervisor Phil Stevenson nominated Park District Supervisor M. Todd Dishner as Vice Chairman. The motion was seconded by Rye Valley District Supervisor Rick K. Blevins.

Saltville District Supervisor Roscoe D. Call made a motion to close the nominations for Vice Chairman. 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 Chairman, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Royal Oak District Supervisor G. Blake Frazier,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called for a vote on Park District Supervisor M. Todd Dishner's nomination for Vice Chairman.


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: Park District Supervisor M. Todd Dishner.

ABSENT: None.

 1/10/2017 5:09 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened the floor for nominations of Clerk for the calendar year 2017. North Fork District Supervisor Phil Stevenson nominated Michael Carter for Clerk. Saltville District Supervisor Roscoe D. Call seconded the motion.

Saltville District Supervisor Roscoe D. Call made a motion to close the nominations for Clerk and 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 Chairman, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Royal Oak District Supervisor G. Blake Frazier,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

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


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/10/2017 5:10 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened the floor for nominations of Deputy Clerk for the calendar year 2017. North Fork District Supervisor Phil Stevenson nominated Scott Simpson for Deputy Clerk. Saltville District Supervisor Roscoe D. Call seconded the motion.

Rye Valley District Supervisor Rick K. Blevins made a motion to close the nominations for Deputy Clerk and Saltville District Supervisor Roscoe D. Call seconded the motion.

Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called for a vote on Scott Simpson's nomination for Deputy Clerk.


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/10/2017 5:11 PM Michael Carter, County Administrator asked the Board their desired meeting schedule for the calendar year 2017 and suggested the meeting stays as scheduled on the 2nd Tuesday of each month, with the exception of November's meeting to be held on Wednesday, the 15th. Saltville District Supervisor Roscoe D. Call made a motion to continue with the regular meeting schedule on the second Tuesday of each month, with closed session beginning at 4:00 p.m., and for November's meeting to be held on Wednesday the 15th. 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 Chairman, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Royal Oak District Supervisor G. Blake Frazier,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/10/2017 5:12 PM A motion was made by Saltville District Supervisor Roscoe D. Call to adopt the Board of Supervisors Rules of Procedures as Amended March 8, 2016. Royal Oak District Supervisor G. Blake Frazier seconded the motion.


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/10/2017 5:13 PM A motion was made by Saltville District Supervisor Roscoe D. Call to adopt the 2017 state holiday schedule as approved by the Governor and amended throughout the year. 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 Chairman, Park District Supervisor M. Todd Dishner,
Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
Royal Oak District Supervisor G. Blake Frazier,
Atkins District Supervisor Charles Atkins and
North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/10/2017 5:15 PM Rye Valley District Supervisor Rick K. Blevins made a motion to amend the Budget Committee minutes dated December 19, 2016, clarifying his comments concerning the request from the Sheriff's Department to transfer money. Mr. Blevins would like for the minutes to read as follows:

Rye Valley District Supervisor Rick K. Blevins made a motion to recommend the full Board approve a transfer of \$6,000.00 from line item 744-010000-9007 (Local aid to the Commonwealth) to a newly created line item 744-010000-5503 (Travel-Subst.&Lodging), asking the Sheriff's Office to postpone any more training that is not required. Park District Supervisor M. Todd Dishner seconded the motion. All agreed unanimously.

Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: Atkins District Supervisor Charles Atkins.

ABSENT: None.

It was moved by North Fork District Supervisor Phil Stevenson, seconded by Rye Valley District Supervisor Rick K. Blevins to approve the minutes from the December 13th, 2016 meeting.

After consideration, the motion PASSED by the following vote:


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


North Fork District Supervisor Phil Stevenson.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/10/2017 5:18 PM Financial Update-Michael Carter, County Administrator presented the Board with information on the current FY2016-2017 budget and a current month analysis for appropriations.

 1/10/2017 5:32 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Park District Supervisor M. Todd Dishner to appropriate \$1,610,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County

Accounts Payable Listing:	\$883,639.89
Payroll:	\$666,859.24
Auto Draft Rural Development:	\$8,974.00
AEP/Century Link Bills:	\$25,000.00
VRA Loan Payment:	\$20,146.97
County Administration Fund:	\$5,000.00

Total County Appropriation (Plus Carryover): \$1,610,000.00

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$68,850.00 from the General Fund for the HVAC project at Northwood High School.

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

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 \$402,710.00 from the General Fund for payment of an invoice to Carter Machinery for the purchase of new buses to be used by the Smyth County School Board.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Park District Supervisor M. Todd Dishner to appropriate \$375,000.00 from the General Fund. The following is an explanation of the appropriations approved:

Social Services

(January 11-January 31, 2017)	\$ 315,000.00
(February 1-February 14, 2017)	\$ 60,000.00

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$3,795,000.00 from the General Fund. The following is an explanation of the appropriations approved:

Schools-Operating Fund

Instruction	\$3,000,000.00
Administration, Attendance, & Health	\$110,000.00
Transportation	\$160,000.00
Facilities	\$250,000.00
School Food Service	\$200,000.00

Technology	\$75,000.00
Total School Operating Fund:	\$3,795,000.00

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.


It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$235,000.00 from the General Fund for School Debt Service.


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


NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/10/2017 5:35 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened citizens time.

 1/10/2017 5:35 PM With no one wishing to speak, Chairman Chilhowie District Supervisor Wade H. Blevins Jr. closed citizens time.

 1/10/2017 5:36 PM Michael Carter, County Administrator brought forward a recommendation from the Budget Committee. It is the Committee's recommendation to approve the budget transfer request from the Sheriff's Department as shown below.

From:

*Fund 744-010000-9007 (Local Aid to the Commonwealth) \$6,000.00

To:

*Fund 744-010000-5503 (Travel-Subst&Lodging) \$6,000.00

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter, County Administrator brought forward a recommendation from the Budget Committee. It is the Committee's recommendation to approve the use of funds in line item 001-056000-6006 for the branding of Smyth County, with the remainder of the budget funds made available to purchase brochures for Tourism.

After consideration, the motion PASSED by the following vote:


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

NAYS: Atkins District Supervisor Charles Atkins.

ABSTAINERS: None.

ABSENT: None.

 1/10/2017 5:47 PM Budget Request Deadline-Michael Carter, County Administrator informed the Board the deadline for receiving budget requests for FY2017-2018 is February 10, 2017.

 1/10/2017 5:49 North Fork District Supervisor Phil Stevenson made a motion to recommend the appointment of George Bowman, 976 Horseshoe Bend Road, Chilhowie, VA to represent the North Fork District on the Board of Zoning Appeals. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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



1/10/2017 5:52 PM Michael Carter, County Administrator informed the Board the lien for Mr. Lampkins property on Green Hill Circle, regarding the VDOT Revenue Sharing Project has been released and proper documentation has been recorded and sent to the landowner.



1/10/2017 5:53 PM Scott Simpson, Assistant County Administrator presented the Board of Supervisors several updates on projects that are on-going for the County as shown below:

Adwolfe Sewer Project- Mr. Simpson stated the advertisement for bids has been placed in the Bristol Herald Courier Newspaper, with bids to be received by 2:00 P.M. on February 7, 2017. A pre-bid meeting is scheduled for January 24 ,2017 to discuss the Project.

Courthouse Project update- Mr. Simpson informed the Board there were no appropriations to approve this month due to paperwork not being received on time. The Project is almost complete and is expected to be finished the week of February 20, 2017.

Mr. Simpson informed the Board the Library Roof had been replaced and is awaiting inspection.

Back of the Dragon Project-studies are almost complete, survey and field work are scheduled to begin over the next few months.



1/10/2017 5:59 PM Security Update-Michael Carter, County Administrator presented an update to the Board concerning the Security measures being taken on the County Administration Building. Mr. Carter stated in September the Board approved for an armed Security Guard to be hired and Human Resources is in the process of securing a company to provide the services. Most doors have been re-keyed and the metal detector has been wired, along with wiring for all the equipment needed for it to work properly.

Mr. Carter stated the door that is ADA compliant for handicap entrance would need to be operated by a remote to lock and unlock to allow accessibility to the building. A quote has been received to accommodate this in the amount of \$3,875.00.

Rye Valley District Supervisor Rick K. Blevins made a motion to move forward with the Security project on the Building. 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 Chairman, 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.

 1/10/2017 6:21 PM Kelly Woods, Administrative Assistant presented information to the Board concerning Legislative Day, which is scheduled to be held on February 2, 2017 at the State Capital.

 1/10/2017 6:25 PM Supervisor Comment Time:


Rye Valley District Supervisor Rick K. Blevins stated that he had spoken to Mr. Mullins who has some questions about an easement to a spring located on his property.

Atkins District Supervisor Charles Atkins stated the County could not lose businesses and feels like some changes need to take place.

Park District Supervisor M. Todd Dishner stated that he appreciates the nomination and vote for Vice Chairman and is looking forward to another year.

Saltville District Supervisor Roscoe D. Call congratulated those elected tonight and stated that he looks forward to another good great year.

Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. thanked everyone for appointing him as Chairman and looks forward to another great year.

 1/10/2017 6:28 PM North Fork District Supervisor Phil Stevenson made a motion to continue the meeting to January 26, 2017 at 7:00 P.M. Royal Oak District Supervisor G. Blake Frazier seconded the motion.

After consideration, the motion PASSED by the following vote:

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

The Smyth County Board of Supervisors held its continued meeting at 7:00 p.m., **Thursday, January 26, 2017**. The location of the meeting was in the First-Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H. Blevins Jr., Vice Chair, Park District Supervisor M. Todd Dishner; Saltville District Supervisor Roscoe D Call; Rye Valley District Supervisor Rick K Blevins; Atkins District Supervisor Charles Atkins (5)

Chilhowie District Planning Commissioner Graham Davidson Jr.; Rye Valley District Planning Commissioner Paul D. Shepherd; Park District Planning Commissioner Joel Pugh; Chairman, North Fork District Planning Commissioner Norman Sparks, Atkins District Planning Commissioner Hazel Wagoner, Royal Oak District Planning Commissioner Robbie Doyle (7)

ABSENT: Royal Oak District Supervisor G. Blake Frazier and North Fork District Supervisor Phil Stevenson (2)

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Building & Zoning Administrator Clegg Williams; Administrative Assistant Kendra Hayden; Administrative Assistant Becca Creasy; County Attorney Travis Lee (6)

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

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

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, January 26, 2017, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from JMB Investment Co., LLC, which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map at Sugar Grove, Virginia, to rezone approximately .9 acres from Agricultural/Rural to Commercial. The Smyth County Comprehensive Plan does not identify a density range and the general usage of this property has most recently been vacant. The property is located at 5409 Sugar Grove Highway in Sugar Grove, Virginia, and is identified as the southern

portion of Tax Map Nos. 71F-6-1, 71F-6-2A, 71F-6-3, 71F-6-4, and 71F-6-5 and can be found within Grid No. 132 of the State Plane Grid Index.

An application from Thornton and Star Sexton for a Special Use Permit to expand Sexton's Inc. (welding shop), a non-conforming use. The property is located beside 540 Kelly Hill Road in Atkins, identified as Tax Map No. 48-A-150A and zoned Agricultural/Rural.

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

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

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact Clegg Williams, ADA Coordinator, at (276) 706-8315 at least 48 hours prior to the hearing.

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

Michael L. Carter, County Administrator

Norman K. Sparks, Chairman of the Planning Commission

Clegg Williams, Building and Zoning Administrator explained JBM Investment Co.'s intention to seek a map amendment to rezone five tracts of land from Agricultural/Rural to Commercial. The five tracts combined contain approximately .86 acres and are identified as Tax Map Nos. 71F-6-1, 71F-6-2A, 71F-6-3, 71F-6-4 and 71F-6-5. Mr. Williams made reference to the applicable state and county code sections, and stated with their application, the required fees were submitted. Notice of the Public Hearing was advertised in the Smyth County News & Messenger on January 14 and January 21, 2017.

Tim Dunaway was present representing JMB Investment Co. LLC. Mr. Dunaway stated Dollar General is proposed to be constructed on the five tracts referenced by Mr. Williams, and acknowledged the site is located in the floodplain, and they are working with engineers to comply with floodplain regulations.


No one else spoke concerning the application.

Clegg Williams, Building and Zoning Administrator then spoke concerning the Special Use Permit request from Thornton and Star Sexton. Mr. Williams stated the Sexton's established Sexton's Inc., a welding shop prior to the adoption of the Zoning Ordinance, and explained their welding shop is a non-conforming use. Therefore, they are requesting a special use permit for the construction of an addition to their business. Notice of the Public Hearing was advertised in the Smyth County News & Messenger on January 14 and January 21, 2017.

Mr. Sexton was present and apologized for constructing a 40' x 50' addition to his shop without first obtaining the necessary permits. He presented a petition signed by neighbors supporting his business.

No one else spoke on the application.

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

 1/26/2017 7:37 PM – A motion was made by Rye Valley District Supervisor Rick K. Blevins to enter into closed session under the Code of Virginia, Section 2.2-3711- **A.7 Legal**; discussion with legal counsel and staff pertaining to actual or probable litigation. Park District Supervisor M. Todd Dishner seconded the motion.


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier and North Fork District Supervisor Phil Stevenson.

 1/26/2017 7:58 PM – It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Park District Supervisor M. Todd Dishner, to adopt the following resolution certifying the business conducted in closed session as follows:

**RESOLUTION
CERTIFICATION OF CLOSED SESSION**

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

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

NOW, THEREFORE, BE IT RESOLVED that the Smyth County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:


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


Saltville District Supervisor Roscoe D. Call and
Atkins District Supervisor Charles Atkins.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier and North Fork District Supervisor Phil Stevenson.

 1/26/2017 7:59 PM – Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened Citizen's time. With no one wishing to speak, Chairman Chilhowie District Supervisor Wade H. Blevins Jr. closed Citizen's time.

 1/26/2017 7:59 PM - Michael Carter, County Administrator presented the following recommendations from the Budget Committee.

It is the committee's recommendation to accept the proposal from Robinson, Farmer and Cox for the Cost Allocation Plan, in the amount of \$12,000.00 for 3 years.

After consideration, the motion PASSED by the following vote:

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
Atkins District Supervisor Charles Atkins.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier and North Fork District Supervisor Phil Stevenson.

Mr. Carter stated the Committee discussed a request from Ron Thomason, Smyth County Director of Tourism for additional funding in the amount of \$3,900.00 to allow for the purchase of brochures for Tourism. The Budget Committee tabled the request presented by Mr. Thomason.

 1/26/2017 8:02 PM – Scott Simpson, Assistant County Administrator presented a recommendation from the Courthouse Committee.

It is the Committee's recommendation to approve the modification of the layout of the bench in the main Circuit Courtroom, due to the current layout being a very inefficient use space. The rough estimated cost of the modifications is \$8,100. During the Committee meeting, Judge Deanis Simmons spoke concerning the modification of the layout of the Circuit Courtroom Judge's bench; she stated the request is to allow for more efficient use of the space. Mr. Simpson stated the he along with Mr. Frazier and Michael Carter, County Administrator had visited the Courthouse and discussed the request with Judge Simmons prior to the Committee Meeting.

After consideration, the motion PASSED by the following vote:

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier and North Fork District Supervisor Phil Stevenson.

 1/26/2017 8:06 PM – Saltville District Supervisor Roscoe D. Call stated the Water Sewer Committee had met on January 23, 2017. Mr. Call stated the Committee discussed the Mandatory Connection Ordinance and the ability of the County to enforce the Ordinance. The Committee requested more information on this item be presented during the next meeting.

Mr. Call then presented a recommendation from the Water/Sewer Committee. It is the Committee's recommendation to release an easement owned by the County on a parcel of land in the Rye Valley District of Smyth County, as requested by Dr. Benny Mullins who currently owns the property.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier and North Fork District Supervisor Phil Stevenson.

Mr. Call then presented a recommendation from the Water/Sewer Committee to approve an abatement in the amount of \$136,869.13, due to a mechanical failure at the sewer pumps located at Hungry Mother State Park. The pumps ran continuously for several months before the issue could be found.


After consideration, the motion PASSED by the following vote:

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
Atkins District Supervisor Charles Atkins.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier and North Fork District Supervisor Phil Stevenson.

 1/26/2017 8:11 PM - Michael Carter, County Administrator informed the Board of Supervisors that while considering the proposed development in Sugar Grove discussed earlier in the evening, a vacation of an existing alley way also needs to be considered.

Mr. Carter recommended that a Public Hearing be set for February 23, 2017 at 7:30 P.M.

Rye Valley District Supervisor Rick K. Blevins made a motion to schedule a Public Hearing for the vacation of the alleyway in Sugar Grove for February 23, 2017 at 7:30 P.M. Saltville District Supervisor After consideration, the motion PASSED by the following vote:

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
Atkins District Supervisor Charles Atkins.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier and North Fork District Supervisor Phil Stevenson.
Roscoe D. Call seconded the motion.



1/26/2017 8:13 PM Saltville District Supervisor Roscoe D. Call made a motion to the adjourn meeting. Park District Supervisor M. Todd Dishner seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor G. Blake Frazier and North Fork District Supervisor Phil Stevenson.

APPENDIX B – CDBG CITIZEN PARTICIPATION

For All Potential Local Government Applicants:

It is important that community development projects carried out wholly or in part with Virginia Community Development Block Grant (CDBG) funds involve extensive citizen participation during the proposal development process. Local citizen participation should be encouraged throughout the process of developing a Community Improvement Grant (CIG) proposal. In particular, participation by low- and moderate-income (LMI) residents of the project service area or a slum and blight area should be encouraged. Participation is encouraged prior to submitting a Planning Grant proposal, but there are no firm requirements.

The following steps, however, are required for each local government wishing to submit a Community Improvement Grant proposal, including both competitive round projects and projects being submitted under the open submission funds.

PUBLIC HEARING REQUIREMENT

At a minimum, at least **two public hearings** must be held during the CIG proposal development period.

- ☐ The two hearings must, at a minimum, be held **one week apart**.
- ☐ Advertisements for the two public hearings must be published separately. Applicants may not only publish one advertisement that includes information on both public hearings.

- ☐ Both public hearings must be held **within twelve months** of the application deadline (defined by DHCD in 2016 as after March 31, 2015). In the case of the same proposal being resubmitted from the prior competitive year, DHCD may waive the public hearing requirement on community development needs (first public hearing).
- ☐ Files must be maintained containing documentary evidence that the hearings were held, to include at a minimum a list of attendees, minutes of the hearings, and notices (2 types) of the public hearings.
- ☐ For **regional proposals**, each participating locality must hold two public hearings as described above.
- ☐ Applicants must provide timely written answers to written comments and grievances, within 15 working days where practicable.

Each hearing must be held after adequate notice as described below:

NOTICE OF PUBLIC HEARINGS

Advertisement must be made in a non-legal, locally-circulated newspaper with the largest general circulation at least seven days prior to each hearing.

The public hearing notices must provide the address, phone number, TDD, and times for submitting comments and grievances to the applicant locality. If publishing in a weekly paper, be sure the ads are published in such a manner as to comply with the requirements outlined here.

At least one other type of announcement must be done for each public hearing

(examples below), at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped.

- ☐ Advertisement through local radio broadcast and/or television stations;
- ☐ Distribution of flyers in LMI areas and in the proposed service area(s);
- ☐ Announcements at local community organization meetings; or,
- ☐ Announcements through local churches and community centers located in LMI and proposed project areas.

FIRST PUBLIC HEARING

The first hearing must be held early in the CIG proposal development process to identify the applicant's community development and housing needs, the range of eligible project types funded through the CDBG program and the amount of money available to the applicant, as well as the applicant's past performance (if applicable) in the CDBG program during the previous five years. At a minimum citizens should be furnished with information concerning the amount of funds available (including program income) for proposed activities and the range of activities that may be undertaken, including the estimated amount to be used for activities that will benefit low- and moderate-income persons, the proposed CDBG activities likely to result in displacement, and plans for minimizing displacement of persons as a result of the CDBG project, and plans to assist persons actually displaced by the project.

Between the two hearings applicants must make available to the public a fact sheet or proposal summary that identifies the proposed activities and objectives for the project and identifies who will be affected

by these activities. Citizens must have an opportunity to comment on this document.

SECOND PUBLIC HEARING

A second hearing must be held for public review of and comment on the final draft of the CIG proposal. A final draft or detailed fact sheet presenting the key activities and eligible benefits of the project must be available at the second public hearing, if not before.

ADDITIONAL CITIZEN PARTICIPATION REQUIREMENTS

Local citizens should be provided with reasonable and timely access to local meetings, information, and records relating to the applicant locality's proposed and actual use of CDBG funds. Meetings should be conducted according to the standards established for the public hearings cited below. CDBG-related information and records must be made available to interested citizens with the availability of such items announced at least in the same manner as the public hearing advertisements.

Technical assistance must be provided to groups representative of persons of low- and moderate-income that request such assistance in developing proposals for use of CDBG funds. The level and type of assistance is determined by the applicant locality but must include at least consultation and written communication between a local contact person responsible for the CDBG proposal's development and interested groups. The name, address, and telephone number of the contact person(s) must be made available upon request and announced at all public meetings held on the CDBG proposal.

Where 5 percent or more of public hearing participants can be reasonably expected to be non-English speaking residents,

applicants must take measures to accommodate their needs. Census data on the proposed project area and on the locality as a whole should be consulted to determine if this provision applies in a particular instance. Meeting this provision requires, at a minimum, having printed material available in the non-English language(s) and retaining the services of an interpreter(s) for all CDBG-related meetings and public hearings.

An applicant with a current CIG project to which activities are to be added, deleted, or substantially changed (that is, substantial changes made in terms of purpose, scope, location, or beneficiaries) must provide local citizens through a public hearing with an opportunity for comment on such changes, after the locality has informed citizens of the changes at least seven days prior to the hearing.

Applicants must keep documentation of how they met the above requirement in their

CDBG files for verification. This documentation should include:

- ☐ Documentation of the Public Hearing advertisements,
- ☐ Documentation of the second method used to notify citizens of the public hearings,
- ☐ List of attendees,
- ☐ Minutes from the first hearing showing:
- ☐ Available funds,
- ☐ Available activities,
- ☐ Past use of CDBG funds,
- ☐ Minutes from the second hearing showing:
- ☐ Description of proposed activities,
- ☐ Plans to minimize displacement and assist displaced persons (if applicable), and
- ☐ Any requested special accommodations.

None of the foregoing may be construed to restrict the responsibility or authority of the local government applicant in the development and execution of its Community Improvement Grant project.

PUBLIC HEARING ADVERTISEMENTS

These advertisements should be made in accordance with the Plan above.

Model Advertisement – First Public Hearing

(Locality) will hold a public hearing on (date) at (time) at (location) to solicit public input on local community development and housing needs in relation to Community Development Block Grant (CDBG) funding for a project in our community.

Information on the amount of funding available, the requirements on benefit to low- and moderate-income persons, eligible activities, and plans to minimize displacement and provide displacement assistance as necessary will be available. Citizens will also be given the opportunity to comment on (locality's) past use of CDBG funds. All interested citizens are urged to attend. For additional information, contact (local contact name and information).

Comments and grievances can be submitted in writing to (locality) at (address) or by phone at (phone number and TDD) until (cut-off date).

If you plan to attend and have any special needs requirements, please call the number listed above.

Model Advertisement – Second Public Hearing

(Locality) will hold a public hearing on (date) at (time) at (location) to solicit public input on the proposed Community Development Block Grant (CDBG) proposal to be submitted to the Virginia Department of Housing and Community Development for (project name). Residents of the project area are encouraged to attend. The (project name) proposal will include the following activities (list activities).

The draft CDBG proposal will be presented for comment along with information on projected beneficiaries, including the number of low- and moderate-income residents to benefit from the proposed project, and plans to minimize displacement. Citizens will also be given the opportunity to comment on (locality's) past use of CDBG funds. A fact sheet on the proposed project and the draft proposal is available at (location). For additional information, contact (local contact name and information).

Comments and grievances can be submitted in writing to (locality) at (address) or by phone at (phone number and TDD) until (cut-off date).

If you plan to attend and have any special needs requirements, please call the number listed above.

HIGHWAY SAFETY OFFICE GRANT PROGRAM 2017-2018

The Smyth County Sheriff's Office will be applying for 2 grants this year through the Highway Safety Office. Below is a breakdown of each grant.

Alcohol Grant:

20 hours per quarter = 80 hours for entire grant @ \$35.00/hr =	\$ 2,800.00
2 officers to attend approved training	\$ 2,000.00
3 Radars	\$ 6,318.00
3 In-Car Camera Systems	\$ 14,404.00
3 field Intoxilyzers	\$ 1,498.00
Extra Mouthpieces for Intoxilyzers	\$ 57.00
In Kind matching funds (fuel and maintenance)	\$ 13,538.50
Total Grant	\$ 40,615.50

Speed Grant:

40 hours per quarter = 160 hours for entire grant @ \$35.00/hr=	\$ 5,600.00
3 Radars	\$ 6,318.00
In Kind matching funds (fuel and maintenance)	\$ 5,959.00
Total Grant	\$ 17,877.00

Please be aware that each grant has a 50% match. However, this match is an In-Kind match. We always use fuel and maintenance costs on the vehicles to meet the match requirements.

All equipment and overtime hours must be paid for and the Highway Safety Office reimburses the locality for monies spent.



Smyth County Planning Commission

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

Hazel Wagoner, Atkins District
Graham Davidson Jr., Chilhowie District
Norman Sparks, North Fork District
Joel Pugh, Park District
Robbie Doyle, Royal Oak District
Paul 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: January 30, 2017
Subject: Recommendations from Planning Commission

At the joint public hearing on Thursday, January 26, 2017, the following motions were rendered:

JMB Investment Co., LLC – Map Amendment: Commissioner Joel Pugh made a motion to recommend approval of JMB Investment Co., LLC's request for a Map Amendment to the Official Zoning Map of Smyth County, Virginia, from Agricultural/Rural to Commercial (Tax Map Nos. 71F-6-1, 71F-6-2A, 71F-6-3, 71F-6-4, and 71F-6-5). Commissioner David Spence seconded the motion.

After consideration, the motion PASSED by the following vote:

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

Thornton and Star Sexton – Special Use Permit – expand non-conforming use: Commissioner Joel Pugh made a motion to recommend approval of Thornton and Star Sexton's request for a Special Use Permit to expand a non-conforming use (welding shop – Tax Map No. 48-A-150A). Commissioner Robbie Doyle seconded the motion.

After consideration, the motion PASSED by the following vote:

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



Smyth County Board of Supervisors

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

Michael L. Carter
County Administrator

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

RESOLUTION

Naming the Bridge on Route 649 in Smyth County as the "Urshel E. Miller Sr. Bridge"

At the February 14, 2017 meeting of the Smyth County Board of Supervisors, the Board adopted the following:

SUPERVISORS:

Wade H. Blevins, Jr., Chairman, Chilhowie District
Rick K. Blevins, Rye Valley District
Phil Stevenson, North Fork District
Charles Atkins, Atkins District
Roscoe D. Call, Saltville District
Regina H. Davidson, Royal Oak District
M. Todd Dishner, Vice Chairman, Park District

VOTE:

WHEREAS, the Smyth County Board of Supervisors has received a request from the family of Urshel E. Miller Sr. to assist in naming a bridge in his honor; and

WHEREAS, Urshel E. Miller, Private 1st Class, served in the United States Army from 1947-1948; and

WHEREAS, Urshel E. Miller Sr. lived in the County since 1963; and

WHEREAS, the Smyth County Board of Supervisors adopts this resolution for the Commonwealth Transportation Board to consider the approval of naming the bridge on Route 649 in Smyth County as the Urshel E. Miller Sr. Memorial Bridge; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Smyth County Board of Supervisors, does hereby request the Commonwealth Transportation Board consider approval to name the bridge on Route 649 in Smyth County the Urshel E. Miller Sr. Memorial Bridge; and

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

Clerk
Smyth County Board of Supervisors

Date

Saltville District
Roscoe D Call

North Fork District
Phil Stevenson

Chilhowie District
Wade H Blevins Jr.

Park District
M Todd Dishner

Atkins District
Charles Atkins

Royal Oak District
G. Blake Frazier

Rye Valley District
Rick K Blevins

A meeting of the Smyth County Appointment Committee was held at the County Office Building on Friday, February 3, 2017 at 4:00 P.M.

Committee Members

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

Staff Members: Michael Carter, County Administrator
Scott Simpson, Assistant County Administrator
Kendra Hayden, Administrative Assistant

Chairman, Rye Valley District Supervisor Rick K. Blevins called the meeting to order at 4:10 pm.

County Administrator, Michael Carter informed the committee of several appointments that needed to be made.

Chilhowie District Supervisor Wade H. Blevins Jr. made a motion to appoint Kendra Hayden to the Marion Downtown Revitalization Committee for a one (1) year term beginning 03-01-17 and ending 02-28-18. Park District Supervisor M. Todd Dishner seconded the motion. All agreed unanimously.

Chilhowie District Supervisor Wade H. Blevins Jr. made a motion to appoint Lori Deel to the Mountain Community Action Program, Inc. Park District Supervisor M. Todd Dishner seconded the motion. All agreed unanimously.

Chilhowie District Supervisor Wade H. Blevins Jr. made a motion to re-appoint Charles Atkins to the New River/Mount Rogers Workforce Investment Consortium Board and G. Blake Frazier as an alternate for a one (1) year term, beginning 01-01-17 and ending 12-31-17. Park District Supervisor M. Todd Dishner seconded the motion. All agreed unanimously.

Chilhowie District Supervisor Wade H. Blevins Jr. made a motion to re-appoint Bill Garrison to the Southwest Virginia Emergency Medical Services Council, Inc. for a three (3) year term, beginning 01-01-17 and ending 12-31-2020. Park District Supervisor M. Todd Dishner seconded the motion. All agreed unanimously.

Chilhowie District Supervisor Wade H. Blevins Jr. made a motion to re-appoint Scott Simpson to the Transportation Rural Technical Committee and David Richardson as an alternate for a two (2) year term, beginning 01-01-17 and ending 12-31-2019. Park District Supervisor M. Todd Dishner seconded the motion. All agreed unanimously.

The Area Beautification Committee Judges, Board of Zoning Appeals, the elected official appointment of Mountain Community Action Program Inc, and the New River/Mount Rogers Workforce Investment Board; will be discussed at the next Board of Supervisors meeting on February 14, 2017 for appointment recommendations.

These recommendations will be brought before the full Board at the next scheduled meeting for February 14, 2017.

With nothing further to discuss, Chairman, Rye Valley District Supervisor Rick K. Blevins adjourned the meeting at 4:27 P.M.

A meeting of the Smyth County Board of Supervisors Building and Grounds Committee was held at the County Office Building on Friday, February 3, 2017 at 4:30 p.m.

Committee Members Present:

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

Staff Members Present:

Michael Carter, County Administrator
Scott Simpson, Assistant County Administrator
Kendra Hayden, Administrative Assistant

Saltville District Supervisor Roscoe D. Call, Chairman called the meeting to order at 4:30 p.m.

Michael Carter, County Administrator presented the committee with an update regarding the security of the building. Mr. Carter stated, along with the addition of the security guard, metal detector and the rekeying of all doors but two, there are other security measures that need to be considered. Mr. Carter continued with a tour of the building to identify and propose a change to the location of the main entrance, security officer and metal detector to room number 114, which currently is a storage room for the 4H Extension Office. This change would improve the flow of traffic and will better protect and monitor all individuals entering, exiting and working within the building. Discussion continued.

Rye Valley District Supervisor Rick K. Blevins made a motion to continue with the steps necessary to move the main entrance, the security guard and the metal detector. North Fork District Supervisor Phil Stevenson seconded the motion. All agreed unanimously.

This recommendation will be brought before the Board of Supervisors at their next scheduled meeting on February 14, 2017.

Michael Carter, County Administrator spoke regarding the installation of a camera system to additionally secure the building both indoors and in the parking lot. Mr. Carter stated the funds are available for this additional security measure.

North Fork District Supervisor, Phil Stevenson made a motion to install a camera system both indoors and outdoors to aid in security the building. Rye Valley District Supervisor, Rick K. Blevins seconded the motion. All agreed unanimously.

This recommendation will be brought before the Board of Supervisors at their next scheduled meeting on February 14, 2017.

North Fork District Supervisor, Phil Stevenson inquired about sending an updated memo to employees regarding the tobacco free policy. Mr. Stevenson would like to specify, "No Littering" as a stipulation of the current policy. Mr. Stevenson continued by saying; he has had several complaints regarding an excess of cigarette butts in the parking lot and

requested additional measures to ensure this does not become a permanent problem. Michael Carter, County Administrator suggested implementing an ordinance to resolve this issue and would have more information as to what type of ordinance would be necessary at a future meeting.

Having no other business to discuss, Chairman, Saltville District Supervisor Roscoe D. Call adjourned the meeting at 5:00 pm.

A meeting of the Smyth County Water and Sewer Committee was held at the County Office Building on Wednesday, February 8, 2017 at 4:30 p.m.

Committee Members Present:

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

Staff Members Present:

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

The meeting was called to order at 4:31 p.m. by Chairman Roscoe D. Call.

Scott Simpson, Assistant County Administrator reviewed the Water Loss reports with the Committee.

Scott Simpson presented the bids received for the Adwolfe Sewer project construction. 5 companies submitted bids for the 2 different contracts. The low bid for Contract 1 – Pump Stations and Force Main was from King General Contractors in the amount of \$ 909,064.40. The low bid for Contract 2 – Gravity Sewer Collection System was from Mendon Pipeline in the amount of \$ 2,848,524.00. Several bid alternates were discussed related to Contract 2 for sections of lines deducted from the bidding documents due to a minimal number of customers for a dead-end section of pipeline. Discussion continued related to the pavement overlay bid item and the possibility of deducting it from the base bid to allow for available funds to be utilized for alternates as well as the project financials and customer base.

Rye Valley District Supervisor Rick K. Blevins made a motion to recommend the award of both contracts 1 and 2 with the removal of item 12b paving overlay, and include Alternate B2., discussion continued regarding concern over the ability to secure additional funding for the paving at a later date and what the consequences would be due to a lack of success. The motion died due to lack of a second. Supervisor Rick K. Blevins then made a motion to recommend the award of both contracts 1 and 2 with the inclusion of item 12b paving overlay in the combined amount of \$3,757,588.40 contingent on the concurrence of Rural Development. North Fork District Supervisor Phil Stevenson seconded the motion and all agreed unanimously.

The attached spreadsheet indicates the Bid Amounts, multiple Alternates, the available funding, and related costs for the project. The second page shows the revenues generated by the project and the future debt service amounts. Not including minimal operating costs, the project generates a surplus of revenue from first billings until month 48 (March, 2021). Beginning in year 5, (April, 2021) the project has a deficit cash flow of approximately \$ 2,300 per month without any future growth or additional customers.

Supervisor Phil Stevenson began discussion related to the inspection of the project; further discussion will take place in a future meeting.


With nothing further to discuss, the meeting was adjourned at 5:43 P.M.

ADWOLFE SEWER EXTENSION PROJECT - PHASE 1

BID RESULTS SUMMARY

BID DATE: 7-Feb-2017

BID TIME: 2:00 PM

BIDDER NAME	CONTRACT 1 - PUMP STATIONS AND FORCEMAINS (BASE BID)	CONTRACT 2 - GRAVITY COLLECTION SYSTEM (BASE BID)	CONTRACT 2 - DEDUCT BID ITEM 12B	Total Contract 2 Base Bid
ORDERS CONSTRUCTION	NO BID PROVIDED	\$ 3,952,889.00	\$ 141,229.00	\$3,811,660.00
CENTRAL BUILDERS (ROCKY MOUNT NC)	\$ 1,396,622.00	NO BID PROVIDED	NO BID PROVIDED	NO BID PROVIDED
EC PACE COMPANY	\$ 1,386,264.00	\$ 3,630,273.00	\$ 133,595.00	\$3,496,678.00
KING GENERAL CONTRACTORS	\$ 909,064.40	\$ 2,936,587.65	\$ 134,549.25	\$2,802,038.40
MENDON PIPELINE 	NO BID PROVIDED	\$ 2,848,524.00	\$ 209,935.00	\$2,638,589.00

Available Funding

County Fees	\$	8,200.00
RD Loan	\$	2,044,000.00
RD Grant	\$	2,486,000.00
MRPDC Grant	\$	-

\$ 4,538,200.00

Project Costs

Construction	\$	909,064.40	Contract 1
Construction	\$	2,848,524.00	Contract 2 Base
Construction	\$	-	

75
0
75

\$ 3,757,588.40

Land and ROW \$ 3,000.00

Legal \$ 23,000.00

Bond Counsel \$ 7,500.00

Basic Engineering \$ 338,300.00

Inspection \$ 140,000.00

Additional Engineering \$ 46,000.00

Interest 20 months \$ 69,000.00

Contingency \$ 153,811.60 4.09%

\$ 4,538,200.00

CUSTOMERS

Alternates as funding available running total costs

0 Estimated Adjusted C-3 \$ (80,225.00) \$ (80,225.00) need to review with contractor before awarding this alternate.

8 B-2 \$ 239,594.50 \$ 159,369.50 Adwolfe Road to Joyful Noise Lane

2 B-1 \$ 28,980.00 \$ 188,349.50 Rolling Hills Drive

0 C-2 \$ 49,805.00 \$ 238,154.50 George Palmer additional piping

1 A-1 \$ 45,585.50 \$ 283,740.00 Denton Lane

1 A-4 \$ 36,721.25 \$ 320,461.25 Preston Hill

1 C-1 \$ 27,778.00 \$ 348,239.25 Fairfield - Easement issue - likely condemnation

2 A-3 \$ 138,345.00 \$ 486,584.25 Daywood Lane - lack easement - not likely cost effective

4 A-2 \$ 330,287.50 \$ 816,871.75 Old Eleven Road - not likely cost effective

19

4,000 gallon

	Customer Base	Average Bill	Monthly Revenue	Annual Revenue
Customer Base	75	\$ 49.30	\$ 3,697.50	\$ 44,370.00
Availability Fee	55	\$ 9.08	\$ 499.40	\$ 5,992.80
			\$ 4,196.90	\$ 50,362.80
Debt Service CoBank				
	months 1-20	4/17 - 11/18	included in project	
	months 21-24	12/18 - 3/19		
	RD annual I/O years 3-4	4/19 - 3/21		
full Debt Service beginning year 5		April, 2021	\$ 6,537.00	\$ 78,444.00

\$ 750,000 loan @ 2.125% @ 40 years = \$ 2,321 /month

Good Afternoon,

In January 2010, the thirteen (13) political jurisdictions in the New River Valley and Mount Rogers Area entered into an agreement utilizing Joint Powers of Authority to execute their legal obligations under the Workforce Investment Act (WIA) forming themselves into a legal entity for the purpose of securing additional grants and outside funding. Effective in 2014, the Workforce Innovation and Opportunity Act (WIOA) replaced WIA effective July 2015. Due to this change, the originally approved Consortium Board Agreement has been revised to bring in compliance with WIOA. This revision requires that the new Consortium Board Agreement (attached) be approved by ordinance for all thirteen (13) political jurisdictions as was originally done. I have attached the revised Consortium Board Agreement, Ordinances for both Counties and Cities as well as the Notice of Public Hearing. All documents have been reviewed and revised, as required ,to bring in compliance with WIOA by Stephen Durbin, Attorney, with Sands Anderson. The attached Consortium Board Agreement was approved earlier today by the Executive Committee of the Consortium Board.

It is very important that this process be completed as soon as possible but no later than April 1, 2017. Please return the signed Consortium Board Agreement to Marty Holliday, Board Executive Director, once the process has been completed.

Stephen Durbin also recommends that you reappoint your existing Consortium Board member for the remainder of their current term once the document has been signed since this is a new agreement.

Should you have any questions please contact Marty Holliday at marty.holliday@nrmrwib.org or at 540-633 - 6766.

Thanks,
Ronnie

Ronnie Martin
Operations Manager
New River/ Mount Rogers Workforce Investment Area Consortium Board
6580 Valley Center Drive, Suite 119
Radford, VA 24141
Phone : (540) 633 - 6764
Fax : (540) 633 - 2502
Cell : (540) 357 - 0761

NEW RIVER/MOUNT ROGERS WORKFORCE DEVELOPMENT AREA CONSORTIUM AGREEMENT

This Agreement is executed by the duly authorized elected officials from the Counties of Bland, Carroll, Floyd, Giles, Grayson, Montgomery, Pulaski, Smyth, Washington, and Wythe and the Cities of Bristol, Galax, and Radford, Virginia (the "Member Jurisdictions") and shall be effective on the latter of April 1, 2017 or on the day that the last Member Jurisdiction enters into this Agreement.

WHEREAS, the Workforce Innovation and Opportunity Act (Public Law 113-128, Title 1, Subtitle B, Chapter 2, Section 106) (hereinafter the "Act"), updates and amends previous federal law, providing federal funding to states for the delivery of workforce training and other services; and

WHEREAS, the Act allows the Governor of the Commonwealth of Virginia to designate local workforce development areas for the delivery of such services within the state; and

WHEREAS, the Member Jurisdictions wish to jointly perform the responsibilities prescribed under the Act; and

WHEREAS, Va. Code §15.2-1300 provides that local governments may enter into agreements for joint or cooperative exercise of any power, privilege or authority which each is capable of exercising individually; and

WHEREAS, the Member Jurisdictions have formed a joint entity under Va. Code § 15.2-1300, designated as the New River/Mount Rogers Workforce Investment Area Consortium (the "Consortium") and recognized as Virginia's Area II Local Workforce Development Area; and

WHEREAS, each Member Jurisdiction by ordinance approved the establishment of a joint entity empowered to exercise the responsibilities of the Chief Local Elected Official as set forth in this Agreement; and

WHEREAS, creation of the Consortium has permitted the delivery and oversight of workforce services in a manner that will ensure accountability to local elected officials of the Member Jurisdictions; and

WHEREAS, the Member Jurisdictions wish to amend and update the Consortium Agreement to account for the changes in federal law and to increase flexibility of the consortium in serving the local Workforce Development Area.

NOW, THEREFORE, the parties do mutually covenant and agree as follows:

Article I - Entity

Section 1. Formation of Consortium. The Member Jurisdictions, having created the New River/Mount Rogers Workforce Investment Area Consortium pursuant to authority granted to

them under Va. Code §15.2-1300, hereby amend the name of the Consortium and re-establish it as the New River/Mount Rogers Workforce Development Area Consortium as an entity to exercise the powers set forth in this Agreement.

Section 2. **Consortium Membership.** The Member Jurisdictions of the Consortium shall be the Counties of Floyd, Giles, Montgomery, and Pulaski and the City of Radford, which are included in the New River Valley Planning District and the Counties of Bland, Carroll, Grayson, Smyth, Washington, and Wythe and the Cities of Bristol and Galax, which are included in the Mount Rogers Planning District.

Section 3. **Consortium as Workforce Development Area.** Subject to the approval of the Governor of Virginia, the thirteen Member Jurisdictions shall also comprise the boundaries of the New River/Mount Rogers Workforce Development Area (the "Area") required by the Act.

Article II - Consortium Board Membership

Section 1. **Consortium Board Membership.** The Member Jurisdictions shall establish a Consortium Board comprised of one representative from each Member Jurisdiction (the "Representative"). The Consortium Board shall have in addition to the powers set forth herein all the powers, duties, and responsibilities of the Chief Local Elected Official as set forth in the Act.

Section 2. **Representative of Member Jurisdictions and Term.** The Representative to the Consortium Board shall be an elected member of the governing body of the Member Jurisdiction. No person shall serve as a Representative if such person is no longer an elected member of the governing body. Each Member Jurisdiction shall determine the length of term for its Representative and be responsible for filling the vacancy of its Representative who is no longer qualified to serve. Each member Jurisdiction may also designate an alternate to represent their Jurisdiction on the Consortium Board if the official representative is unable to attend a Consortium Board meeting.

Section 3. **Policy Making Authority.** Every Representative appointed to the Consortium Board shall have the authority to speak affirmatively for the Member Jurisdiction and, in conformity with the by-laws of the Consortium, to commit the Consortium to a course of action. Each alternate designated by a Member Jurisdiction shall have the authority to speak affirmatively for the Member Jurisdiction in the absence of the Representative, and commit the Consortium to a course of action.

Section 4. **Removal of Representative.** Under the by-laws and governing rules of the Member Jurisdiction, the Member Jurisdiction may remove its Representative from office.

Article III - Consortium Powers

Section 1. **Powers Under The Act.** The Consortium Board shall engage in all activities necessary and proper for the execution of its responsibilities that are assigned or reserved to the Chief Local Elected Official under the Act, including:

- A. Collectively perform the functions of the Chief Elected Officials of the Member

Jurisdictions as permitted in the Act. For purposes of the Act, the Member Jurisdictions shall act through the Consortium Board.

- B. Apply to the Governor of Virginia for Area designation.
- C. Appoint the members of the Local Workforce Development Board in accordance with the Act and state policy.
- D. Execute an agreement with the Local Workforce Development Board for the operation and functions of the Local Workforce Development Board set out in the Act.
- E. Continually establish the vision and priorities of the Consortium in conjunction with the Local Workforce Development Board.
- F. Develop the region's strategic plan as the Local Plan under the Act for Member Jurisdictions in partnership with the Local Workforce Development Board. The plan shall be submitted to the Virginia Workforce Council (hereinafter, the "Workforce Council") in the manner prescribed by the Workforce Council.
- G. Provide input into and approve the budget recommended by the Local Workforce Development Board and provide continuing fiscal oversight of all funds received and expended.
- H. Work with the Local Workforce Development Board and Governor of Virginia to reach agreement on local performance measures.
- I. Approve the Local Workforce Development Board's selection and designation of One-Stop Operator(s), its evaluation of the performance of One-Stop Operator(s), and its termination of their eligibility for cause.
- J. From among the Member Jurisdictions, identify annually the Grant Recipient of all funds received under the Workforce Innovation and Opportunity Act.

Section 2. **General Powers.** The Consortium Board shall engage in all things necessary or convenient to carry out the business and affairs of the entity, including, without limitation, the authority to:

- A. To sue, be sued, complain and defend in its name.
- B. To adopt and amend bylaws, not inconsistent with this Agreement or with the laws of the Commonwealth, for managing the business and regulating the affairs of the Consortium.
- C. To purchase, receive, lease, or otherwise acquire, and own, hold, improve, use and otherwise deal with in its own name, real or personal property, or any legal or equitable interest in property, wherever located.

- D. To sell, convey, mortgage, pledge, lease, exchange, and otherwise dispose of all or any part of its property.
- E. To purchase, receive, subscribe for, or otherwise acquire, own, hold, vote, use, sell, mortgage, lend, pledge, or otherwise dispose of, and deal in and with shares or other interests in, or obligations of, any other entity.
- F. To make contracts, incur liabilities, borrow, and secure any of its obligations by mortgage or pledge of any of its property, franchises, or income.
- G. To invest and reinvest its funds and receive and hold real and personal property as security for repayment.
- H. To elect officers and define their duties.
- I. To hire, discharge, establish the terms and conditions of employment, and pay salaries and benefits to employees who provide staffing services to the Consortium Board and the Local Workforce Development Board. Such benefits may include retirement and deferred compensation plans, health and life insurance, and other leave and pay benefits as the Consortium Board determines is consistent with the practices within the Member Jurisdictions. The Executive Director shall report directly to the Consortium Board.
- J. To pay compensation, or to pay additional compensation, to any or all employees on account of services previously rendered to the Consortium, whether or not an agreement to pay such compensation was made before such services were rendered.
- K. To obtain indemnity insurance for the Consortium, its Board, the Local Workforce Development Board, and any of its officers or employees for any cause of action or claim asserted against them for acts engaged in their official capacities.
- L. To employ legal counsel, accountants, and other advisors as the Consortium Board deems necessary as may be permitted under the Act.
- M. To have and exercise all powers necessary or convenient to affect any or all of the purposes for which the Consortium is organized.

Section 3. **Consortium Board's Oversight and Control.** The Consortium Board shall perform the following functions:

- A. Oversee the local workforce development system.
- B. Oversee other programs and fund sources which may from time to time fall under the purview of the Local Workforce Development Board.

- C. Assist in the development of the Local Plan and Plan modification review and approval for the Act's programs and other programs for which the Local Workforce Development Board is given responsibility.
- D. Adopt a budget for the Workforce Development Area including the operating budget developed by the Local Workforce Development Board.
- E. To the extent feasible, align all investments in workforce development in the Area under the policy umbrella of the Consortium Board.
- F. When applicable, ensure that policies of the Local Workforce Development Board for workforce development, become integrated into county and city overall policies for economic development, education, and workforce development.
- G. Any and all powers necessary and proper to carry out the Consortium's oversight and financial control of the Act's funds and programs.

Article IV - Governance

Section 1. **Consortium Board Governance and Bylaws.** The Consortium Board may adopt operational and procedural by-laws consistent with this Agreement, applicable federal and state laws, and rules and regulations pursuant thereto. Such by-laws shall be adopted or amended by a majority of the members of the Consortium Board. The Consortium Board shall meet as determined by its members and consistent with applicable law.

Section 2. **Quorum.** A simple majority of the representatives of Member Jurisdictions (7 of 13 jurisdictions) shall constitute a quorum.

Section 3. **Voting.** Except as provided below or required by state or federal law, all votes shall be approved by a simple majority vote. With respect to the powers set forth in Article III, Section 2 of this Agreement, the affirmative vote of the Consortium Board consisting of at least four (4) members of the Mount Rogers planning district and three (3) members of the New River planning district will be required for the following actions:

- A. Issuance of long-term debt obligations (i.e., obligations with maturities exceeding one (1) year, such as lease purchase and borrowings).
- B. Sale, conveyance, mortgage, pledge, lease, exchanges and otherwise disposing of all or any part of its real property.
- C. Grants or other contractual obligations which require local matching funding from the Member Jurisdictions.
- D. Hiring and discharging the Executive Director.
- E. Designation of a Fiscal Agent.

Article V - Operational Provisions

Section 1. **Allocation of Funds.** Funds allocated under the Act shall be expended for the mutual benefit of the residents of the Member Jurisdictions without regard to place of residence or as required by applicable law, regulation or in the approved Local Plan.

The Representatives or their designees may execute an Operational Agreement to specify the use of general funds that each Member Jurisdiction may provide for services and administration under the Act.

Section 2. **Designation of Grant Recipient and Fiscal Agent.** The Consortium Board shall identify annually the Member Jurisdiction to serve as the Grant Recipient. The Consortium Board shall select a fiscal agent for all funds awarded by the federal government, the Commonwealth of Virginia, local jurisdictions, or other funding sources to the Member Jurisdictions for workforce development activities, including funds provided by the Act. The Consortium Board may in the future designate a different fiscal agent and/or grant recipient.

Section 3. **Responsibility for Funds.** The Member Jurisdictions shall be financially responsible for the expenditure of state or federal funds awarded to the Consortium Board under the Act.

Section 4. **Allocation of Financial Responsibility.** Disallowed costs shall be allocated to the Member Jurisdiction(s) on a pro-rata share for the services provided in their jurisdiction(s) in the prior fiscal year under the program(s) for which such costs were disallowed.

Section 5. **Return of Local Funds.** If Member Jurisdictions contribute funds, assets or resources to the programs of the Consortium Board other than funds obtained under the Act, each shall be entitled to the return of the pro rata portion of any remaining funds, assets and resources under the control of the Consortium Board in the event of the termination or expiration of this Agreement.

Section 6. Liability Insurance.

- A. The Consortium Board, or its authorized representatives, shall provide from eligible funds, liability insurance policies for itself and its affiliate entities, the Local Workforce Development Board and its representatives and its officers, members, employees, volunteers, and Member Jurisdictions ("the covered persons") as it deems appropriate and shall provide legal defense of claims in accordance with the terms of the policies of insurance.
- B. The liability insurance should be in such amounts as are sufficient to cover any and all claims resulting from the performance of the official duties and responsibilities of the covered person. The Consortium Board, or its authorized representatives, shall retain legal counsel to represent the covered persons to the extent deemed necessary to supplement legal counsel provided under said liability insurance policies.
- C. Nothing contained in this Agreement shall be construed to abrogate or waive any

defense of governmental or sovereign immunity on behalf of the covered persons or entities.

Article VI - Local Workforce Development Board

Section 1. **Membership.** The Consortium Board shall appoint the members of the Local Workforce Development Board in accordance with the criteria in the Act and State Policy, as they may be amended from time to time. The Consortium Board shall make every effort to appoint creative and visionary individuals to the Local Workforce Development Board. Each Member Jurisdiction shall recommend nominees to the Consortium Board. The Consortium Board shall coordinate with and consult with the Member Jurisdictions when necessary to ensure appropriate representation of the Member Jurisdictions, the regional labor market, the adult educational providers, economic development leaders, and the mandatory partner programs prescribed by the Act.

In making appointments, the Consortium Board shall ensure that resources and programs, although regional in nature, will address the critical workforce needs present and future of each Member Jurisdiction.

Section 2. **Duties Under the Act.** The Local Workforce Development Board (the "Local Board") shall enter into an agreement with the Consortium Board clearly detailing the partnership between the two entities for the governance and oversight of activities under the WIOA, including but not limited to budgeting, development of goals and objectives, reporting to state and federal authorities as required by law or regulation, and any and all other activities as required by the Workforce Innovation and Opportunity Act, Section 107 (d) or by the Governor.

Section 3. **Joint Exercise of Functions.** In partnership with the Consortium Board, the Local Workforce Development Board shall perform such planning, oversight, and program implementation functions as required by law and state policy, and as detailed in the Agreement between the Consortium Board and the Local Board. The Local Board shall at all times be accountable to the Consortium Board for its activities.

Article VII - Conflict of Interest

Section 1. **Certain Votes Prohibited.** No member of the Consortium Board, or Local Workforce Development Board:

- A. Vote on a matter under consideration by the respective Board
 - 1. regarding the provision of services by such member (or by an entity that such member represents); or
 - 2. that would provide direct financial benefit to such member or the immediate family of such member; or
- B. Engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State plan.

Section 2. **Virginia Conflict of Interest Act.** The provisions of the Virginia Conflicts of Interest Act, Va. Code §2.2-3100 et. seq. apply to the officers, members and employees of the Consortium Board and the Local Workforce Development Board.

Article VIII - Dissolution

Section 1. **Dissolution of Consortium.** This Agreement may be terminated and the Consortium dissolved upon the occurrence of any of the following events:

- A. The Governor's re-designation of the Area that excludes any of the Member Jurisdictions, or includes any localities that are not Member Jurisdictions.
- B. The cessation of funding under the Act.
- C. Approval by ordinance of an agreement which supersedes or rescinds this Agreement by all Member Jurisdictions. If the new agreement alters the boundaries of the Area, it shall not become effective prior to approval by the Governor of Virginia.

Article IX - Miscellaneous

Section 1. **Effective Date of Agreement.** This Agreement shall be effective upon approval by ordinance by the governing bodies of all of the Member Jurisdictions and execution by the Chief Elected Officials thereof.

Section 2. **Amendments.** The Member Jurisdictions may amend this Agreement by ordinance upon approval of a written amendment by all of their governing bodies and execution by the chief elected officials thereof.

Section 3. **Repeal of Prior Agreements.** This Agreement shall repeal and supersede any and all prior written or oral agreements including but not limited to the Charter Chief Local Government Officials Agreement of February 15, 2000 and agreements under P.L. 102-367 (the Job Training Partnership Act) and P.L. 105-220 (the Workforce Investment Act). On the effective date of this Agreement all the duties and responsibilities of any Board or Council operating under such prior agreements shall immediately and simultaneously cease operating and the responsibilities under the Act shall vest in the Consortium Board created in this Agreement. This Agreement supersedes and replaces the New River/Mount Rogers Workforce Investment Consortium Agreement of 2009.

Section 4. **Effective.** This Agreement shall be effective on April 1, 2017 or on the day that the last Member Jurisdiction adopts the ordinance, whichever date comes first, authorizing entering into this Agreement between the Member Jurisdictions.

Section 5. **Severability.** Should any part of this Agreement be invalidated or otherwise rendered null and void, the remainder of this Agreement shall remain in full force and effect.

Section 6. **Duplicate Originals.** This Agreement may be entered into by each Member Jurisdiction as an original document. The signature on such Agreement shall bind the Member Jurisdiction.

IN WITNESS WHEREOF, the Chief Elected Officials of the Member Jurisdictions execute this Agreement pursuant to an ordinance enacted by each of the Member Jurisdiction.

BLAND COUNTY

Chair, Board of Supervisors
Printed Name: _____
Date: _____

CARROLL COUNTY

Chair, Board of Supervisors
Printed Name: _____
Date: _____

FLOYD COUNTY

Chair, Board of Supervisors
Printed Name: _____
Date: _____

GILES COUNTY

Chair, Board of Supervisors
Printed Name: _____
Date: _____

GRAYSON COUNTY

Chair, Board of Supervisors
Printed Name: _____
Date: _____

MONTGOMERY COUNTY

Chair, Board of Supervisors
Printed Name: _____
Date: _____

PULASKI COUNTY

Chair, Board of Supervisors
Printed Name: _____
Date: _____

SMYTH COUNTY

Chair, Board of Supervisors
Printed Name: _____
Date: _____

WASHINGTON COUNTY

Chair, Board of Supervisors
Printed Name: _____
Date: _____

WYTHE COUNTY

Chair, Board of Supervisors
Printed Name: _____
Date: _____

CITY OF BRISTOL

Chair, City Council
Printed Name: _____
Date: _____

CITY OF GALAX

Chair, City Council
Printed Name: _____
Date: _____

CITY OF RADFORD

Chair, City Council
Printed Name: _____
Date: _____

AN ORDINANCE REFORMING, AMENDING, AND RE-ESTABLISHING THE
WORKFORCE INVESTMENT AREA CONSORTIUM AS THE WORKFORCE
DEVELOPMENT AREA CONSORTIUM, A JOINT ENTITY BETWEEN THE COUNTIES
OF BLAND, CARROLL, FLOYD, GILES, GRAYSON, MONTGOMERY, PULASKI,
SMYTH, WASHINGTON, AND WYTHE AND THE CITIES OF BRISTOL, GALAX, AND
RADFORD, VIRGINIA AND BESTOWING ON SUCH ENTITY ALL POWERS
NECESSARY AND PROPER FOR THE PERFORMANCE OF ITS DUTIES UNDER THE
WORKFORCE INNOVATION AND OPPORTUNITY ACT

WHEREAS, the Workforce Innovation and Opportunity Act (Public Law 113-128, Title 1, Subtitle B, Chapter 2, Section 106) (hereinafter the "Act"), updates and amends previous federal law, providing federal funding to states for the delivery of workforce training and other services; and

WHEREAS, the Act permits the governor to designate local workforce development areas to deliver workforce development services within the state; and

WHEREAS, Va. Code §15.2-1300 provides that local governments may enter into agreements for the joint or cooperative exercise of any power, privilege or authority which each is capable of exercising individually; and

WHEREAS, the Member Jurisdictions have formed a joint entity under Va. Code § 15.2-1300, designated as the New River/Mount Rogers Workforce Investment Area Consortium (the "Consortium") and recognized as Virginia's Area II Local Workforce Development Area, to facilitate the delivery and oversight of workforce services in a manner that ensures accountability to the governing bodies of the Member Jurisdictions; and

WHEREAS, the Member Jurisdictions wish to continue to jointly perform the responsibilities prescribed for them under the Act; and

WHEREAS, the Member Jurisdictions wish to enter into an amended and updated Consortium Agreement to account for the changes in federal law and to increase flexibility of the Consortium in serving the local Workforce Development Area.

NOW WHEREFORE, the Board of Supervisors of _____ County hereby

1. Approves entering into the New River/Mount Rogers Workforce Development Area Consortium Agreement (the "Agreement") which is attached hereto and made a part of this Ordinance; and

2. Authorizes the Chair of the Board of Supervisors of _____ County to execute the Agreement on behalf of the Board of Supervisors.

This Ordinance shall be effective immediately.

Adopted this the ____ day of _____, 2017.

Attest:

Clerk, _____ County Board of Supervisors