AGENDA

Tuesday, January 10, 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

ELECTION OF OFFICERS:

Calendar year 2017

Chairman

Vice Chairman

Clerk

Deputy Clerk

Adopt Meeting Schedule

Adopt Rules of Procedures

Adopt holiday schedule as approved by the Governor and as may be amended throughout the year

MINUTES OF PREVIOUS MEETINGS

Request adoption of the December 13th, 2016 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

NEW BUSINESS

*BUDGET COMMITTEE RECOMMENDATIONS-MICHAEL CARTER

*BUDGET REQUEST DEADLINE-MICHAEL CARTER

*BZA APPOINTMENTS-MICHAEL CARTER

*GREEN HILL CIRCLE UPDATE-MICHAEL CARTER

*ADWOLFE SEWER UPDATE-SCOTT SIMPSON

Supervisor Comment Time

Meeting Reminders:

Joint Public Hearing, January 26, 2017 @ 7:00 P.M.

SMYTH COUNTY BOARD OF SUPERVISORS



RULES OF PROCEDURES

ADOPTED SEPTEMBER 9, 2003

Amended March 8, 2016

SMYTH COUNTY BOARD OF SUPERVISORS - RULES OF PROCEDURE

Be It Resolved, the Smyth County Board of Supervisors does hereby accept and adopt these Rules of Procedure in order to facilitate its powers and duties in accordance with the provisions of Title 15.2, Code of Virginia 1950, as amended. The official title of the governing body is "Smyth County Board of Supervisors" (Board).

ARTICLE 1 - Members

- 1.1 Members. The Smyth County Board of Supervisors consists of seven (7) members, one elected from each of the seven (7) election districts. Each member is elected for a term of four (4) years. Terms of office of the members run concurrently with the calendar year.
- 2.1 <u>Chairperson</u>. A Chairperson of the Board shall be elected from its members, by a plurality vote, at the first meeting of each calendar year. The Chairperson shall preside over all meetings, represent the Board at official functions and ceremonial events, and make such appointments as are not required by law to be made by the Board as a body.
- <u>Vice Chairperson</u>. A Vice Chairperson of the Board shall be elected from its members, by a plurality vote, at the first meeting of each calendar year. The Vice Chairperson shall preside in the absence of the Chairperson, and perform such other duties as may be assigned by the Board.
- 2.3 <u>Chairperson Pro-Tem</u>. A Chairperson Pro-Tem may be appointed by the Chairperson or Vice Chairperson in the absence of both, before he/she leaves the room. In the event no Chairperson Pro-Tem has been appointed, one shall be

selected by the members remaining. This person shall preside in the absence of the Chairperson and Vice Chairperson.

- 2.4 <u>Term of Office</u>. The Chairperson and Vice Chairperson shall each be elected for a one (1) year term. Either, or both, may be re-elected for one or more additional one year terms.
- 2.5 <u>Clerk and Deputy Clerks</u>. The County Administrator shall serve as Clerk to the Board. The Board may, at its first meeting of each calendar year, or as needed, designate one or more deputy clerks, who shall serve at the pleasure of the Board. Their duties shall be those set forth in Section 15.2-1538 and 15.2-1539, Title 15.2, Code of Virginia 1950, as amended, and by resolution of the Board adopted from time to time.

ARTICLE III - Meetings

- 3.1 Annual Meeting. The first meeting held after the newly elected members of the Board have qualified, and the first meeting held of each succeeding year shall be known as the annual meeting. At such annual meeting, the Board shall establish the days, times, and places for the regular meeting of the Board for the next twelve months. (§15.2-1416, Code of Virginia of 1950)
- Regular Meetings. The Board shall meet in regular session at least once each month upon such day or days as have been established. The Board may subsequently establish different days, times, or places for such regular meetings by passing a resolution to that effect and providing the notice required by § 15.2-1416. However, when the day established as a regular meeting day falls on a legal holiday, the meeting shall be held on the next following regular business day, without action

of any kind by the Board. (Section 15.2-1416, Code of Virginia 1950, as amended)

- Chairperson, and shall be called at the request of two or more members, which request shall be in writing addressed to the Clerk of the Board, specifying the time and place of the proposed special meeting and the matter to be discussed. Upon receipt of the request, the Clerk shall immediately notify in writing each member of the Board, the County Administrator, the Sheriff, and the County Attorney to attend the special meeting at the given time and place and for the given purpose. Such notice shall be sent by first class or served by the Sheriff, or both, at least five (5) days before the date of the special meeting, except in a declared emergency, in which instance the notice may conform to the necessity of the emergency. No matter other than those specified in the notice shall be considered at such meeting unless all members are present and agree to such action by unanimous vote. (Sections 15.2-1417 and 15.2-1418, et al, of the Code of Virginia of 1950, as amended.)
- 3.4 <u>Notices to Public</u>. The Clerk shall notify the general news media of the time and place of all such meetings, and the matters to be considered.
- 3.5 <u>Public Hearings</u>. Public hearings shall be held after proper notice has been given. (§ 15.2-2204, § 15.2-2506, etc., or special provisions or the Code of Virginia of 1950, as amended)
- 3.6 <u>Adjourned Meetings</u>. Any regular or special meeting may be adjourned by a majority of the members of the Board present to a date and time certain prior to the next meeting.

- 3.7 <u>Place of Meetings</u>. All meetings shall be held in the Smyth County Board of Supervisors' Board Room, 121 Bagley Circle, Suite 100, Marion, Virginia, unless a different meeting place shall have been established and notice given and published as required by the Code of Virginia of 1950, as amended.
- 3.8 Open Meetings. All meetings shall be open to the public, provided that the Board may, for the purpose provided for in the Virginia Freedom of Information Act, upon motion made, seconded, and duly adopted, meet in executive session. No resolution, ordinance, rule, contract, regulation, or motion adopted, passed, or agreed to in executive or closed meeting shall become effective unless following such meeting the Board reconvenes in open meeting and, by affirmative vote of the members, such action, ordinance, rule, contract, regulation, or motion is approved in open session.

ARTICLE IV - Quorum and Actions

- **4.1** Quorum. A majority of all the members of the Board shall constitute a quorum. The Chairperson shall be included and counted in determining the presence or absence of a quorum.
- A.2 Required Absence. No action shall be taken by the Board unless there shall be present at least a quorum, provided, however, that the temporary absence from the meeting room of members sufficient to constitute a quorum shall not be deemed to prevent the hearing of presentations of the discussion of matters submitted to the Board. The Clerk, County Administrator, or Deputy Clerk, shall suggest the absence of a quorum prior to taking of any action by the Board. Failure of the Clerk, County Administrator, or Deputy Clerk, or any other member to suggest the absence of a quorum shall not be deemed to alter the effect of this rule

requiring a quorum as a prerequisite to any action.

- 4.3 Actions of the Board. Actions of the Board shall be taken in one of the following ways:
- 1) Ordinances. Where required by law, action shall be by the adoption of ordinances. Ordinances shall be proposed for adoption, notice given, and adoption accomplished as provided for by general law.
- 2) <u>Resolutions</u>. Where it is not required by law, or it is desired by the Board to act without the adoption of an ordinance, action may be taken by the adoption of a resolution.
- 3) <u>Contracts</u>. In certain instances action may be required by contracts. Contracts shall be proposed in writing and a copy shall be delivered to the Clerk and all members of the Board, or a duly appointed committee of the Board, prior to proposing adoption by the Board. The County Attorney shall advise the Board on the legality of each contract prior to approval by the Board.
- 4) <u>Motions</u>. Where action of the Board is required on a matter simply stated, action may be taken by oral motion only.
- 4.4 <u>Voting</u>. Votes shall be taken on all motions made and seconded. However, a vote shall be taken if the question is called, unless a member objects, even if a motion to call the question has not been seconded.
- 4.5 Roll Call Vote. A voice roll call vote shall be taken at the request of any two or more members when such a request is made prior to the taking up of any other business, on any ordinance, or when required by law. A roll call vote by the recorded hand count of each member shall be taken on all other votes and contracts. *

^{*}This section amended on March 8, 2016 regular Board of Supervisors meeting.

Restating the Question; Amending the Motion. If requested by one or more Board members, the Chairperson shall restate the question prior to the taking of a vote, provided, however, that the Chairperson may request that another member restate the question if in his or her opinion that will expedite the decision thereof. Upon the second of a motion, a member may move for an amendment or substitution of the motion for either clarification or substantive change of the motion. A vote shall be taken on the amended or substituted motion. The approved motion shall then be put up for a vote.*

*This section amended on April 14, 2015 at the Annual Board of Supervisors Meeting.

4.7 <u>Unanimous Consent.</u> Where no formal action is required, and no objection is heard, a request of a member shall be deemed a request of the Board without further action, when such a request is made at a meeting with a quorum present, and the Chairperson states that such a request shall be deemed a request of the Board.

4.8 Tie Votes. When a tie vote occurs:

- 1) If one or more Supervisors are absent, the question shall be passed by until the next meeting, regular or special, at which time it must be put to a vote again (even though all members may not be present). If the tie remains unbroken, the Clerk must record the vote and the question shall be recorded as failing to carry.
- 2) If all Supervisors are present when the tie vote first occurs, even if a Supervisor abstains, the Clerk must record the vote and the question shall be recorded as failing to carry.
- 4.9 Reconsideration. If all members are present for a meeting, action may be

reconsidered only upon a motion of a member voting with the prevailing side on the original vote, which motion must be made on the same or immediate subsequent regular meeting. A motion to reconsider may be seconded by any member. If a member was absent for the entire meeting when such action was taken, the absent member may make a motion to reconsider at the immediate subsequent regular meeting or a continuation of the present meeting, whichever next occurs. Action on a question pending reconsideration at the next meeting shall be taken only following notice to all members of the Board given prior to the action being reconsidered, unless such action is taken at the same meeting as the original action. In instances involving the reconsideration of the adoption of an ordinance, notice of the proposed option of a new ordinance shall be given in accordance with law prior to action on the reconsidered question.

4.10 Request for funds not budgeted: Request for funds not budgeted must be submitted in writing by filing the appropriate form, completely explaining the request for funds. This form can be obtained in the County Administrator's Office and is to be submitted to the County Administrator for review. The County Administrator will then forward the request to the Budget Committee which will make a recommendation to the Board.*

ARTICLE V - Order of Business

5.1 <u>Commencement of Meeting.</u> At 4:00 p.m. to hold closed session and return to open session at 5:00 p.m. for public meeting and at the specified hour for continued or special meetings, the presiding officer shall call the meeting to order, provide for the invocation, and direct the Clerk to note the presence or absence of

^{*} This section amended June 26, 2008, continued Board of Supervisors meeting.

^{*} This section amended April 14, 2015 at the Annual Board of Supervisors meeting.

members. A Quorum shall be required to commence the meeting at the appointed hour.*

*This section amended January 10, 2012, regular Board of Supervisors meeting.

5.2 Agenda. The Chairperson, with the County Administrator, shall prepare an agenda for each meeting. Any member having matters he or she desires to have considered at the next meeting shall submit these items to the County Administrator for inclusion in the agenda. After the invocation, the first order of business shall be the adoption by the Board of the agenda for the meeting. Any member may request an item added to the agenda, but if two members object to consideration at the meeting it shall be retained on the agenda until the next meeting of the Board.

The agenda may contain matters carried over from previous meetings, under continued Board matters. These items shall be considered at the conclusion of the agenda for the particular meeting day, except at the direction of the Chairman, or at the request of two members.

5.3 <u>Citizens' Time</u>. There shall be an agenda item known as "Citizens' Time", which shall be scheduled from 5:15 p.m. to 5:30 p.m. to allow citizens to address the Board regarding any matter that is not an agenda item previously considered in an advertised public hearing. This shall consist of a fifteen (15) minute period and shall be divided among the citizens who desire to speak.

5.4 Order on Agenda. After adoption of the agenda for the meeting, without requirement of suspension of the Rules or motion, the Chairperson may call items in the order of business in a different order than the order of business set forth on the agenda, provided that the Board may by adopted motion overrule such a decision by the

^{*}This section amended January 10, 2012, regular Board of Supervisors meeting.
*This section amended April 14, 2015 at the Annual Board of Supervisors meeting.

Chairperson. The Chairperson shall make every reasonable effort not to change the designated time for citizen's time as set forth on the agenda. All public hearings shall be held at the designed time as provided in required notices, or as soon thereafter as may be heard. *

*This section amended October 11, 2011, regular Board of Supervisor meeting.

At the request of any member, made at the time of said presentation of discussion, the minutes shall include a summary of the substance of the presentation or debate. The Clerk may also maintain one recording by means of an electronic device of the proceedings of all Board meetings except for Executive Sessions. A copy of the minutes of the transcribed proceedings shall be kept on file in the County Administrator's Office for the general public. Copies of documents or discs of recordings may be purchased under Smyth County's fee schedule pertaining to the Freedom of Information Act.*

- 5.6 Approval of Minutes. The Clerk or Deputy Clerk shall promptly transcribe the minutes following completion of the meeting and shall submit copies to the County Administrator for distribution on or before the Friday preceding the meeting at which their approval will be on the agenda. Approval of the minutes shall be the next item on each agenda following the invocation and approval of the agenda, and shall be approved, or corrected and approved without reading.
- 5.7 <u>Matters having to do with Agencies</u>. Matters involving agencies which are not under the administrative supervision of the County Administrator shall not be placed on the agenda or considered by the Board until the affected agency shall have

^{*} This section amended on April 14, 2015 at the Annual Board of Supervisors meeting.

been given a reasonable opportunity to furnish the members of the Board with background information or data on issues which involve these agencies. Such information shall be delivered to the Clerk at least seven (7) days prior to a regular, special, or continued meeting date.

<u>ARTICLE VI</u> - Order in Conduct of Business

- 6.1 Persons Addressing the Board. These persons shall limit their presentation to the time allotted by the Chairperson on the agenda, unless the Board, by majority consent, shall extend such time. The Chairperson, in fixing such time, shall take into account the complexity of the matter, its importance in relation to other business of the Board, and time available on the meeting date sought. Insofar as is practicable, persons addressing the Board shall furnish the Clerk and members of the Board with a written copy of their remarks.
- 6.2 <u>Public Hearings</u>. In instances in which persons address the Board, through the Chairperson, without having first been allotted a specific time on the agenda, they shall limit their remarks as follows, except in extraordinary circumstances:
- 1) Person speaking for himself or his immediate neighborhood three (3) minutes.
- 2) Person speaking for an organization whose membership is representative of an entire district five (5) minutes.
- 3) Person speaking for an organization whose membership is representative of the entire county ten (10) minutes.
- 4) Except in emergency circumstances, no action shall be taken by the Board following a public hearing, and the issue shall be continued until the next regular meeting.

- 6.3 <u>Recognition</u>. Recognition shall be given only by the presiding officer. No person shall address the Board without having first been recognized. When all public testimony has concluded, and the Board is considering and discussing the matter, no person shall thereafter be recognized to address the Board.
- 6.4 <u>Cumulative or Repetitive Testimony</u>. Cumulative or repetitive testimony shall not be permitted on any matter, and persons of the same position as a previous speaker shall state their name and the positions with which they agree.
- **6.5** Questions. Questions by Board Members shall be reserved, insofar as possible, for the end of a presentation to avoid interrupting the speaker, disrupting the timekeeping process, and duplicating ground the speaker may cover.
- 6.6 Oaths and Affirmations. Oaths and Affirmations may be administered and taken by the Chairperson or person presiding in his stead, when a majority of the Board deems it appropriate to take sworn testimony. Such action may be taken by the adoption of a motion to place a specific individual under oath, or to place all of those who will speak to a given item of business under oath. The Chair may place an individual under oath at any time before or during his presentation. Any such person shall be deemed to remain under oath as to the matter with respect to which he was sworn, for the remainder of the duration of the meeting.
- 6.7 <u>Discussion and Debate by the Board</u>. Except at the conclusion of a public hearing, discussion and debate by the Board shall be conducted following the presentation of testimony on the item of business pending. Members shall not speak

to the item until recognized by the Chair. A member who has spoken to the item shall not again be recognized until each other member desiring to speak shall have an opportunity to speak. Except in matters considered at a public hearing, after the Board shall have acted, any member shall have the right to state a protest against the action, and his reasons therefore, for a time not to exceed two (2) minutes.

ARTICLE VII - Decorum

- 7.1 By Board Members. Decorum shall be maintained in order to expedite disposition of the business before the Board. Questions and remarks shall be limited to those relevant to the pending business. Members shall not converse with other members or with other persons in any manner having a disturbing effect on the conduct of business. Members shall address all remarks to the Chairperson as presiding officer.
- 7.2 By Other Persons. Decorum shall be maintained by the Chair, who may request such assistance as to the Chairperson appears necessary.
- Persons addressing the Board shall limit their remarks to those relevant to the pending items, and to answering questions. They shall address the Board as a whole, unless answering an individual member's questions. The presiding officer shall call the speaker to order, if out-of-order remarks, or other indecorous conduct persists, the residing officer shall order the speaker from the lectern. The order with gavel, if not heeded, will then cause the Sheriff or his designee to carry out the order.
- 2) Persons whose allotted time to speak has expired shall be warned by the presiding officer to conclude in one minute, after which such person shall leave the lectern, unless he is asked by Chairperson to remain to answer questions from the Board.

- 3) No persons in attendance shall be allowed to voice remarks except as recognized by the presiding officer after audibly stating their name and who they represent. Groups in the audience creating an atmosphere detrimental or disturbing the conduct of the meeting will be asked to leave by the presiding officer.
- 4) No person shall bring into the Board Room any firearm, sign, banner, or other such item; provided, that models, photos, maps, charts, drawings, and other such demonstrative materials intended for use in a presentation by a specific person shall be permitted.

ARTICLE VIII - Miscellaneous

8.1 Roberts Rules of Order. The newly revised Roberts Rules of Order shall govern the conduct of all meetings of the Board to the extent that they are not inconsistent with these rules and the laws of the Commonwealth of Virginia. The Clerk shall make available at all meetings a copy of the newly revised Roberts Rules of Order. The failure of the Board to strictly comply with Roberts Rules of Order shall not invalidate any action of the Board.*

*Amended on April 14, 2015 at the Annual Board of Supervisors meeting.

- 8.2 Amendment of the Rules. An amendment of the Rules may be accomplished by a majority vote of the entire membership, provided that such amendment may not be voted upon at any meeting unless the text of the proposed amendment has been presented to at least one previous meeting to which the date for a vote has also been established. Any proposed amendment shall be subject to further amendment at the meeting at which the vote is taken.
- 8.3 <u>Suspension of the Rules</u>. Suspension of the Rules may occur whenever the Board shall by a majority vote adopt a motion to suspend the rules. In such

event, the rules shall be deemed suspended only with respect to the specific matter of question not then in accordance with the rules.

BE IT RESOLVED BY THE SMYTH COUNTY BOARD OF SUPERVISORS:

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

Presented on January 13, 2015, amendments were duly considered and adopted by the Smyth County Board of Supervisors on April 14, 2015, the members voting:

AYES:

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NAYS:

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ABSENT: 0

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Commonwealth of Virginia 2017 Pay and Holiday Calendar

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The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, December 13, 2016**. The location of the meeting was in the First-Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Chilhowie District Supervisor Wade H. Blevins Jr.; Vice Chair,

Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K Blevins; Royal Oak District Supervisor G. Blake Frazier; Atkins District Supervisor Charles Atkins; Saltville District Supervisor Roscoe D

Call; North Fork District Supervisor Phil Stevenson (7)

ABSENT: None.

STAFF: County Administrator Michael Carter; Assistant County Administrator

Scott Simpson; County Attorney Jeff Campbell; Administrative Assistant Kelly Woods, Director of Community and Economic

Development Lori Deel (5)

12/13/2016 4:03 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order.

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

After consideration, the motion PASSED by the following vote:

AYES: 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.

12/13/2016 5:20 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting back to order.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Royal Oak District Supervisor G. Blake Frazier, to adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION

CERTIFICATION OF CLOSED SESSION

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

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

NOW, THEREFORE, BE IT RESOLVED 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,

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.

12/13/2016 5:21 PM Lori Deel, Director of Community and Economic Development gave the invocation and Manuel Street, GIS Coordinator led the Pledge of Allegiance.

12/13/2016 5:22 PM A motion was made by North Fork District Supervisor Phil Stevenson, seconded by Royal Oak District Supervisor G. Blake Frazier to adopt the agenda and the additional agenda as presented.

After consideration, the motion PASSED by the following vote:

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

Vice Chair, Park District Supervisor M. Todd Dishner.

Rye Valley District Supervisor Rick K. Blevins,

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.

12/13/2016 5:22 PM It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call to amend the minutes of the October 27, 2016 meeting to include the following:

"North Fork District Supervisor Phil Stevenson made a motion to remove the seven Smyth County Trustees from the Smyth Bland Regional Library Board on grounds of neglect of duty, pursuant to Virginia Code Section 42.1-39, and to appoint the Smyth County Board of Supervisors to take over the position of those trustees effective immediately. Royal Oak District Supervisor G. Blake Frazier seconded the motion."

After consideration, the motion PASSED by the following vote:

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

Vice Chair, Park District Supervisor M. Todd Dishner,

Rye Valley District Supervisor Rick K. Blevins, 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 Royal Oak District Supervisor G. Blake Frazier, seconded by North Fork District Supervisor Phil Stevenson to approve the minutes from the November 8th and November 18th, 2016 meetings.

After consideration, the motion PASSED by the following vote:

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

Vice Chair, Park District Supervisor M. Todd Dishner,

Rye Valley District Supervisor Rick K. Blevins. 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.

12/13/2016 5:26 PM Financial Update-Michael Carter, County Administrator presented the Board with information on the current FY16-17 Budget and a current month analysis for appropriations.

12/13/2016 5:38 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$1,575,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County

Accounts Payable Listing: \$848,546.51
Payroll: \$682,449.05
Auto Draft Rural Development: \$8,974.00
AEP/Century Link Bills: \$25,000.00
County Administration Fund: \$5,000.00

Total County Appropriation (Plus Carryover):

\$1,575,000.00

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.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$51,357.60 from the General Fund for the HVAC project at Northwood High School.

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.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$137,086.00 from the General Fund for payment of an invoice to Worldwide Equipment for the Solid Waste Roll-off Truck.

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.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$100,000.00 from the General Fund for the AFID Grant Pass Through for Woodgrain Millwork.

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.

It was moved by Royal Oak District Supervisor G. Blake Frazier, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$375,000.00 from the General Fund. The following is an explanation of the appropriations approved:

Social Services

(December 14-December 31, 2016)

\$ 315,000.00

\$ 60,000.00

(January 1-January 10, 2017)

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.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$3,905,000.00 from the General Fund. The following is an explanation of the appropriations approved:

Schools-Operating Fund

Instruction	\$2,800,000.00
Administration, Attendance, & Health	\$120,000.00
Transportation	\$185,000.00
Facilities	\$350,000.00
School Food Service	\$350,000.00
Technology	\$100,000.00
Total School Operating Fund:	\$3,905,000.00

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.

It was moved by Royal Oak District Supervisor G. Blake Frazier, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$166,613.60 for the Courthouse Project.

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.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$960.32 from the Sheriff's Fund 748 for open invoices.

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.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$103,505.00 from the EDA Fund 4 for open invoices and the Woodgrain Millwork AFID Grant Match.

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.

12/13/2016 5:41 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened citizen's time.

Michael Lampkins, 212 Flatwood Acres Road Chilhowie VA, spoke concerning the Green Hill Circle Revenue Share Project and stated that he has no ability to access to his property from Green Hill Circle and does not feel as if he should have to contribute towards the cost of the project.

12/13/2016 5:44 PM With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizens time.

12/13/2016 5:44 PM North Fork District Supervisor Phil Stevenson made a motion to exempt Mr. Lampkins from the Green Hill Circle Revenue Share Project and for the County to assume the cost for his Parcel and to release the lien encumbering Mr. Lampkins' property. Royal Oak District Supervisor G. Blake Frazier seconded the motion.

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.

12/13/2016 5:53 PM Corbin Stone, Robinson, Farmer and Cox Accounting Firm presented the Audit for the County for Fiscal Year ending June 30, 2016. He went over a few items from the bound information presented to the Board and asked if anyone had any questions.

North Fork District Supervisor Phil Stevenson asked about the recommendation concerning the segregation of duties in the Water Department.

Rye Valley District Supervisor Rick K. Blevins asked if all departments will be aware of findings in the audit and Michael Carter, County Administrator stated that each one would be notified.

12/13/2016 6:13 PM Michael Armbrister, Executive Director for the Mel Leaman Free Clinic presented an update to the Board and thanked the Board for supporting the Clinic.

12/13/2016 6:27 PM Michael Carter, County Administrator presented the following recommendation from the Budget Committee. It is the Committee's recommendation to accept the quote from Stanley, Hunt, DuPree and Rhine in the amount of \$10,430.00 for the OPEB (Other Post-Employment Benefits) Plan for Smyth County. This cost is split 70/30 with the School Board.

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.

Scott Simpson, Assistant County Administrator presented the following recommendations from the Budget Committee.

It is the Committee's recommendation to accept and execute the agreement for engineering services for the Back of the Dragon Overlook Project from Anderson and Associates in the amount of \$99,950.00.

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.

NAYS: North Fork District Supervisor Phil Stevenson.

ABSTAINERS: None. ABSENT: None.

It is the Committee's recommendation to adopt the resolution as shown below related to the interim financing required by Rural Development for the Adwolfe Sewer Project.

RESOLUTION OF THE BOARD OF SUPERVISORS

of

SMYTH COUNTY, VIRGINIA

MARION, VIRGINIA

WHEREAS, the above named entity (the "Borrower"), under its organizational documents (the "Organizational Documents"), has full power to borrow money, and to and to perform all obligations associated therewith.

WHEREAS, the Board of Supervisors of the Borrower (the "Board") has determined that it is in the best interest of the Borrower to borrow from CoBank, ACB ("Lender") and to enter into the transactions described in this Resolution.

WHEREAS, all prerequisite acts and proceedings preliminary to the adoption of this Resolution have been taken and done in due and proper form, time and manner, with the Board having full power and

authority under the Organizational Documents to adopt this Resolution and legally bind the Borrower to the terms hereof.

NOW, THEREFORE, BE IT RESOLVED, that each of the following persons or positions

(line out any not to be authorized under this Resolution) Chairperson, Clerk, County Administrator,

Assistant County Administrator and any others to be authorized under this Resolution (insert titles only)

(the "Authorized Signatories") of the Borrower are hereby jointly and severally authorized and empowered to obtain for and on behalf of the Borrower from time to time, from Lender, a loan or loans or other financial

accommodations (including, without limitation, interest rate swaps, hedges, caps, collars or similar arrangements designed to protect against fluctuations in interest rates (the "Hedging Transactions"), letters of credit, note purchase agreements and banker's acceptances) (each, a "Loan") and for such

purposes: (1) to execute and deliver such application or applications (including exhibits, amendments or notes thereto) as may be required for such Loan and all borrowings thereunder; (2) to obligate the Borrower to repay all amounts borrowed and pay such rate or rates of interest as the Authorized Signatories so acting shall deem proper, and in connection therewith to purchase such interest rate risk management products as may be offered from time to time by Lender; (3) to obligate the Borrower to such other terms and conditions as the Authorized Signatories so acting shall deem proper; (4) to execute

and deliver to Lender or its nominee all such written loan agreements, and such other documents and instruments as may be required by Lender in regard to or as evidence of any Loan made pursuant to the terms of this Resolution, and such Loan Documents shall include the Borrower's consent to suit for enforcement of the Loan Documents and all appropriate judicial remedies available at law or equity, even

though sovereign immunity may otherwise bar such suit; (5) from time to time to extend, amend, renew or refinance any such Loan and to execute and deliver all agreements, notes, instruments and other documents as may be required in connection therewith; (6) to reborrow from time to time all or any part

of the amounts repaid to Lender on any Loan made pursuant hereto (whether for the same or a different

purpose); (7) to execute and deliver to Lender such agreements, addenda, documents or instruments as may be required by Lender in the event that the Borrower elects to use Lender's electronic banking system (the "System"); (8) to execute and deliver to Lender any agreements, addenda, authorization forms

and other documents or instruments as may be required by Lender in the event that the Borrower elects to

use any services or products related to a Loan that are offered by Lender now or in the future, including without limitation, an automated clearing house (ACH) service; (9) to direct and delegate to designated employees of the Borrower the authority to direct, by written or telephonic instructions or

electronically, if the Borrower has agreed to use the System for such purpose, the disposition of the proceeds of any

Loan authorized herein, and to direct Lender to deliver any property of the Borrower at any time held by Lender; and (10) to delegate to designated employees of the Borrower the authority to request by telephonic or written means or electronically, if the Borrower has agreed to use the System for such purpose, loan advances and/or other financial accommodations, and in connection therewith, to fix rates

and agree to pay fees and to direct the proceeds of advances to authorized accounts. In the absence of any

direction or delegation authorized in (9) or (10) above, all existing directions and/or delegations shall remain in full force and effect and shall be applicable to any Loan authorized herein.

RESOLVED FURTHER, that each of the Authorized Signatories is hereby jointly and severally authorized to: (1) establish a Cash Investment Services Account with Lender; (2) make such investments therein as any Authorized Signatory shall deem proper; (3) direct by written or telephonic instructions or electronically, if the Borrower has agreed to use the System for such purposes, the disposition of the proceeds therein; (4) delegate to designated employees of the Borrower the authority set forth in (2) and

(3) above; and (5) execute and deliver all documents and agreements necessary to carry out this authority.

RESOLVED FURTHER, that each of the Authorized Signatories is hereby jointly and severally authorized and directed to do or cause to be done, from time to time, all things which may be necessary or

proper to carry out the terms and intent of this Resolution.

RESOLVED FURTHER, that every act and action of any person heretofore executing any document or instrument delivered to Lender or its designee or required to create, make, enter into, perform, amend or confirm any obligation of the Borrower to or in favor of Lender, is hereby ratified, approved, adopted and confirmed as if it had been validly and lawfully authorized upon and as of the date

of such act or action, notwithstanding any invalidity, defect or insufficiency that may exist or may have existed in the power or authority of such person then executing such document or instrument, and every

such person and each of the Authorized Signatories are hereby jointly and delegated all necessary power

and authority to affect the foregoing.

RESOLVED FURTHER, that this Resolution shall remain in full force and effect until a certified copy of a duly adopted resolution effecting a revocation or amendment, as the case may be, shall

have been received by Lender; provided that no such revocation or amendment shall affect the validity of

any action or actions made or taken in reliance on such resolution(s) prior to the effective date of revocation. In addition, all authorities herein granted shall apply with equal force and effect to the successors in office of the Authorized Signatories herein named.

RESOLVED FURTHER, that effective on the date when this Resolution is delivered to Lender, any and all prior resolutions authorizing and empowering Authorized Signatories of the Borrower to take actions as described herein are hereby revoked; provided that no such revocation shall affect the validity

of any action or actions made or taken by Lender prior to the effective date of revocation.

and directed to certify to Lender a copy of this Resolution, the names and specimen signatures of the Authorized Signatories, and if and when any change is made in the personnel of any Authorized Signatories, the fact of such change and the name and specimen signatures of the new Authorized Signatories. Lender shall be entitled to rely on any such certification until a new certification is actually received by Lender.

CERTIFICATE

The undersigned, an Authorized Signatory of the Borrower, hereby certifies that: (a) the Board of

Supervisors of the Borrower, at a meeting duly called, noticed, convened and held on the day of
, 20, did adopt the foregoing resolutions in accordance with the
Organizational Documents of the Borrower; (b) all approvals and authorizations required to affect the
foregoing resolutions have been obtained and remain in full force and effect; and (c) said resolutions are
in full force and effect on the date hereof and have not been revoked or amended in any way.
Dated this day of, 20
Ву:
Printed Name:
Title:
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.
Kelly Woods, Administrative Assistant 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 744-010000-1003 (Part Time Wages) \$4,000.00
To: *Fund 744-010000-5410 (Uniforms & Apparel) \$4,000.00
After consideration, the motion PASSED by the following vote: AYES: Chairman, Chilhowie District Supervisor Wade H. Blevins, Jr., Vice Chair, Park District Supervisor M. Todd Dishner, Saltville District Supervisor Roscoe D. Call, Rye Valley District Supervisor Rick K. Blevins, North Fork District Supervisor Phil Stevenson,

13

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

NAYS: None.

ABSTAINERS: None.
ABSENT: None.

Kelly Woods, Administrative Assistant brought forward a recommendation from the Budget Committee. It is the Committee's recommendation to deny the request from the Sheriff's Department to transfer and reimburse \$14,000.00 from line 744-010000-9007 (Local Aid to the Commonwealth) to a newly created line item 744-010000-5503 (Travel-Subst.&Lodging).

After consideration, the motion PASSED by the following vote:

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

Vice Chair, Park District Supervisor M. Todd Dishner, North Fork District Supervisor Phil Stevenson and

Rye Valley District Supervisor Rick K. Blevins.

NAYS: Saltville District Supervisor Roscoe D. Call,

Atkins District Supervisor Charles Atkins, and

Royal Oak District Supervisor G. Blake Frazier.

ABSTAINERS: None.
ABSENT: None.

Kelly Woods, Administrative Assistant brought forward a recommendation from the Budget Committee. It is the Committee's recommendation to delay the request from the Sheriff's Department to transfer \$9,400.00 from line 001-021070-5406 (Fuel) to line item 001-021070-8888-81 (Meth Lab Cleanup costs), to allow staff to gather more information.

After consideration, the motion PASSED by the following vote:

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

Vice Chair, Park District Supervisor M. Todd Dishner,

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

Royal Oak District Supervisor G. Blake Frazier.

NAYS: Atkins District Supervisor Charles Atkins.

ABSTAINERS: None.
ABSENT: None.

Kelly Woods, Administrative Assistant brought forward a recommendation from the Budget Committee. It is the Committee's recommendation to approve the budget amendments to the FY16-17 budget as shown below.

Revenue	Expense	Amount
Sheriff 001-019010-0002 Jail Miscellaneous	001-021070-5505 Travel (Extradition)	\$ 7,000
Circuit Clerk-770-010000-0001 Excess Copy Fees	770-010000-0001 Excess Copy Fee Expenditures	\$ 3,000
Sheriff/CWA-761-010000-0001 CWA Fed.Share Fund	761-010000-0001 CWA Federal Shared Funds	\$ 8,570

E911 38-011010-0001 Wireless Income 38-011010-9005 Specific Use

\$ 30,300

Total Amendment \$ 48,870

Current FY16-17 Adopted Budget \$ 90,517,116

Amended FY16-17 Budget Amount \$ 90,565,986

After consideration, the motion PASSED by the following vote:

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

Vice Chair, Park District Supervisor M. Todd Dishner,

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

NAYS: None.

ABSTAINERS: None.
ABSENT: None.

North Fork District Supervisor Phil Stevenson made a motion to appropriate \$30,300.00 for payment of a Microwave replacement for the County wide communications system. Royal Oak District Supervisor G. Blake Frazier seconded the motion.

After consideration, the motion PASSED by the following vote:

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

Vice Chair, Park District Supervisor M. Todd Dishner,

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

North Fork District Supervisor 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 delay the request to pave the Sheriff's Department Parking Lot.

After consideration, the motion PASSED by the following vote:

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

Vice Chair, Park District Supervisor M. Todd Dishner,

Saltville District Supervisor Roscoe D. Call,

Rye Valley District Supervisor Rick K. Blevins, North Fork District Supervisor Phil Stevenson, Atkins District Supervisor Charles Atkins, and Royal Oak District Supervisor G. Blake Frazier.

NAYS: None.

ABSTAINERS: None.
ABSENT: None.

12/13/2016 7:30 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called for a recess.

12/13/2016 7:38 PM Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting back to order.

12/13/2016 7:39 PM Michael Carter, County Administrator presented a recommendation from the Personnel Committee. It is the Committee's recommendation to allow departments to designate either a 30 minute or an hour lunch break for employees, as long as operating hours for the department stay the same.

After consideration, 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.

12/13/2016 7:44 PM Michael Carter, County Administrator updated the Board concerning the Burn Ban and stated it had been lifted effective December 1, 2016.

12/13/2016 7:44 PM Saltville District Supervisor Roscoe D. Call presented a recommendation from the Water/Sewer Committee. It is the Committee's recommendation to approve the Water Purchase Contract with the Town of Chilhowie as shown below.

WATER PURCHASE CONTRACT

This contract for the sale and purchase of water is entered into as the 1st day of July. 201 between the County of Smyth a political subdivision of the Commonwealth of Virginia, hereinafte referred to as the "County" or "Purchaser", and the TOWN OF CHILHOWIE a municipal corporation hereinafter referred to as the "Town" or "Seller".

WITNESSETH:

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

WHEREAS, the seller owns and operates a water production and supply distribution system with the capacity currently capable of serving the present customers of the Seller's system and supplying a quantity of the water to Purchaser, and,

WHEREAS, by resolution enacted on the _____ day of _____ by the Seller, that sale of water to the Purchaser in accordance with the provisions of this contract was approved, and execution of this contract carrying out the said agreement by the Mayor and attested by the Clerk was duly authorized, and

WHEREAS, by resolution of the Board of Supervisors of the Purchaser, enacted on the 13th day of December, 2016, the purchase of water from the Seller, in accordance with the terms set forth in the agreement was approved, and execution of this contract by the Chairman, and attested by the Clerk was duly authorized:

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

- The Seller shall furnish to the Purchaser at the specified delivery points, potable treated water meeting applicable purity standards of the Commonwealth of Virginia and such other regulatory agencies as may, from time to time, be authorized to regulate public water systems in such quantities as may be required by the Purchaser.
- 2. Water will be furnished to the Purchaser at a reasonably constant pressure calculated at the point of delivery. If greater than is normally available at the points of delivery is required by the Purchaser, the Purchaser shall bear the costs of providing such greater pressure. Emergency failures of pressure or supply due to main supply line breaks, powers failure, flood, fire, and use of water to fight fire, earthquake or other catastrophe shall excuse Seller from this provision for such reasonable period of time as may be necessary to restore service.
- 3. The Seller and Purchaser shall establish mutually agreeable points at which Seller shall deliver water to Purchaser's water lines. On new systems the Purchaser shall install a meter and vault that meets Seller's specifications. The Seller shall operate and maintain all meters, at each point of delivery, and the necessary metering equipment, including a meter house or pit and required devices of standard types properly measuring the quality of water delivered to the Purchaser and to calibrate such metering equipment whenever requested by the purchaser but not metering equipment.

two-percent (2%) above or below the test result shall be deemed to be accurate. An meter found to be inaccurate (i.e. registering more than 2% above or below the test result shall be replaced and the cost of such replacement meter shall be borne by the Selle. The previous readings of any meter disclosed by test to be inaccurate shall be correcte for the three (3) months previous to such test in accordance with the percentage of inaccuracy found by such tests. If any meter fails to register for any period, the amour of water delivered in the corresponding period immediately prior to the failure, unless the Seller and Purchaser shall agree upon a different amount. The metering equipment shall be read on a monthly basis. An appropriate official of the Purchaser shall have access to the meter for the purpose of verifying its readings at all reasonable times. The Purchase shall also provide a similar meter for any by-pass line and allow inspection and reading of the meter by Seller.

- 4. The Seller shall furnish to the Purchaser at its address, specified herein, a bill not later than the 5th of each month with an itemized statement for the amount of water furnished to the Purchaser during the preceding month at all points of delivery. The Purchaser shall pay the Seller, not later than the 15th day of each month for water delivered in accordance with this agreement. The rate of \$3.80 per 1,000 gallons shall be the effective rate on July 1, 2017. Furthermore the rate shall be only increased when the Seller's water rate is increased to its own customers. The rate shall not be raised more than the rate the Seller charges its own customers.
- The initial term of this contract shall be five (5) years commencing on the date of this agreement.
- 6. The points of delivery provided for by the contract shall be on existing water distribution lines of the seller at the time the proposed tapping is done. The cost of tapping that line and installing a point of delivery shall be at the sole expense of the Purchaser. Additional points of delivery may be agreed upon from time to time by the Purchaser and Seller subject to the other provisions of this Contract.
- In order to prevent contamination from other sources of water, the Purchaser shall not connect any line served by water purchased from Seller to any other line transmitting water from any other source without the written consent of Seller.
- 8. The delivery of water by the Seller to the Purchaser shall be subject to the rules and regulation of the water department of the Seller, provided that such rules and regulations shall be uniformly applied to all customers of the Seller. In the event of an extended shortage of water, or if the supply of water available to the Seller is otherwise diminished over an extended period of time, the supply of water to the Purchaser shall be reduced, diminished, or limited in the same ratio or proportion and on the same terms and conditions as the supply to the Seller's residential customers is reduced, diminished, or limited. The Seller shall exercise reasonable care and diligence to furnish water service to the Purchaser hereunder. Regardless of all other provisions of this contract. Seller shall not be required to furnish water to Purchaser such that insufficient water remains for the citizens of the Town of Chilhowie and other customers in the Chilhowie service area. Neither the Seller nor the Purchaser shall be liable to one another for any damage resulting from curtailment,

maintenance of the water distribution system, threatened or actual water shortage, ϵ other shortages beyond either party's control.

9. The current expected points of delivery and not to exceed volume are as follows:

Route 107/Apple Valley Road	200,000 gpd
St. Clair's Creek Road	20,000 gpd
St. John's Crossing Vance Drive	15,000 gpd
Fox Valley Road	15,000 gpd
Pioneer Road	1,000 gpd
Seven Mile Ford/Spring Branch Road	5,000 gpd Emergency Only

Points of delivery and volumes may be amended at the mutual agreement of the Purchaser's and Seller's Executive Staff based on hydraulic demands.

- This contract shall nullify and replace any and all other Water Agreements between the Purchaser and Seller and is intended to consolidate all water sales and purchases under this one agreement.
- 11. This contract shall be binding upon and inure to the benefit of the successors and assigns the parties hereto.
- 12. If any provision of this Contract of the application thereof to any person or circumstance shall to any extent be held void, unenforceable or invalid, then the remainder of this Contract or the application of such provision to persons or circumstances other than those as to which it is held void, unenforceable or invalid shall not be affected thereby, and each provision of this Contract shall be valid and enforced to the fullest extent permitted by law.
- 13. This Contract represents the entire understanding between the parties, and there are no collateral or oral agreements or understandings not contained herein. This Contract shall not be modified, changed or terminated unless in writing of equal dignity signed by both parties.

IN WITNESS WHEREOF the parties, acting under authority of their respected bodies, have caused this contract to be executed in duplicate each of which shall constitute an original.

TOWN OF CHILHOWIE	
By:	Attest by:
Gary L. Heninger, Mayor	Marlene L. Henderson, Clerk

SMYTH COUNTY By;	Attest by:
Wade Blevins, Jr. Chairman	Michael A. Gut
As to the Town of Chilhowie:	
COMMONWEALTH OF VIRGINIA County of Smyth, to-wit:	
The foregoing instrument was acknowledged before me thi Gary L. Heninger, Mayor, after proper approval by the Tow Virginia.	sday of, by n Council of the Town of Chilhowie,
My Commission Expires:	
NOTARY PUBLIC	
As to Smyth County:	
COMMONWEALTH OF VIRGINIA County of Smyth to-wit:	
The foregoing instrument was acknowledged before me this 19 Wade Blevins, Jr. Chairman, after proper approval by the Board of Virginia.	day of Deamhor, 2016, by Supervisors for the County of Smyth,
My Commission Expires: June 30, 2018	DAWN WOO
KULLI WOTHD NOTARY RUBLIC	NOTARY PUBLIC REG. #7582825 MY COMMISSION EXPRISED WEALTH OF

After consideration, 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.

12/13/2016 7:46 PM Adwolfe Sewer Update-Scott Simpson revisions to plans have been sent to Rural Development for their review and concurrence. Advertisement for bids will be in the Bristol Herald Courier on Sunday, January 1, 2017 and a pre-bid meeting will be held on January 24, 2017. Mr. Simpson stated that bids are to be received by February 7, 2017 with the anticipation of approval and award at the February 14, 2017 Board of Supervisors meeting. Mr. Simpson informed the Board that portions of the project were adjusted and modified to assist in getting the project bids under budget.

12/13/2016 7:48 PM Supervisor Comment Time:

All Board members wished everyone a Merry Christmas and thanked the Staff for all of the work they do.

12/13/2016 7:57 PM Rye Valley District Supervisor Rick K. Blevins made a motion to adjourn the meeting. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

A meeting of the Smyth County Budget Committee was held at the County Office Building on Monday, December 19, 2016 at 3:30 P.M.

Committee Members Present:

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

Staff Members Present:

Michael Carter, County Administrator Scott Simpson, Assistant County Administrator Kelly Woods, Administrative Assistant Johnny Joannou, Smyth County Sheriff Department

The meeting was called to order at 3:45 P.M.

Michael Carter, County Administrator explained the Committee Meeting was a follow up to the previous Board of Supervisors meeting where budget concerns were expressed by the Sheriff's Department. Much Discussion continued on the overall budget for the Sheriff's Department and their future expenditures. At the conclusion, the following reconsiderations were made:

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 001-021070-1003 (Part time Salaries&Wages), and \$2,400.00 from line item 001-021070-5101 (Electrical Service) to line item 001-021070-8888-81 (Meth lab Cleanup Costs), for the purchase of gas masks. Park District Supervisor M. Todd Dishner seconded the motion. All agreed unanimously.

Rye Valley District Supervisor Rick K. Blevins made a motion to recommend the full Board approve a transfer of \$6,000.00 from line 744-010000-9007 (Local Aid to the Commonwealth) to a newly created line item 744-010000-5503 (Travel-Subst.&Lodging), reiterating it is understood by the Sheriff's Department that no more transfers for these line items will be considered for this fiscal year's budget. Park District Supervisor M. Todd Dishner seconded the motion. All agreed unanimously.

Michael Carter, County Administrator then discussed the line item in the current FY2016-2017 budget for use by Tourism, EDA and the Chamber of Commerce. Requests have been made by those departments for utilization of the funds. Discussion continued on this item.

Rye Valley District Supervisor Rick K. Blevins made a motion to recommend approving the use of funds for the branding of Smyth County with the remainder of the budgeted funds made available to purchase brochures for Tourism. Park District Supervisor M. Todd Dishner seconded the motion and all agreed unanimously.

All recommendations will be presented to the full Board at their next scheduled meeting on

January 10, 2017. With nothing further to discuss, the meeting was adjourned at 5:09 P.M.



Smyth County Brand Presentation

December 8, 2016





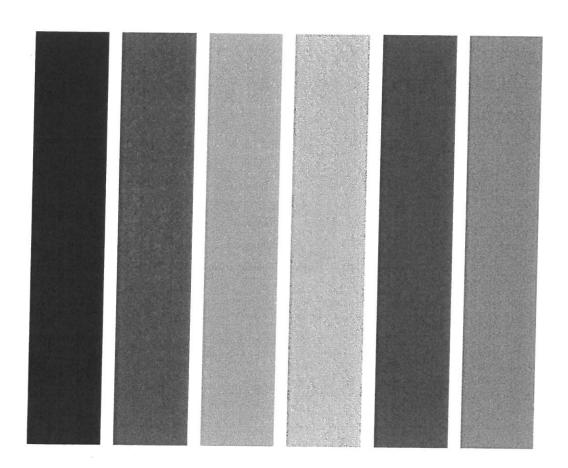
What we heard.



BRANDING TOOLBOX

Color Palette
Uniform Typefaces
Consistent Message
Graphics





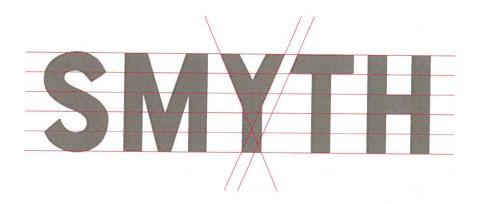
I AM YOUR PRIMARY TYPEFACE

I am your Accent Typeface

Wordtype

SMYTH COUNTY

Wordtype



Brand Values

Mountains

Small Towns

Opportunity

Outdoors

Beauty

Momentum

Graphic





















Community Destination Brand







































County Government Brand

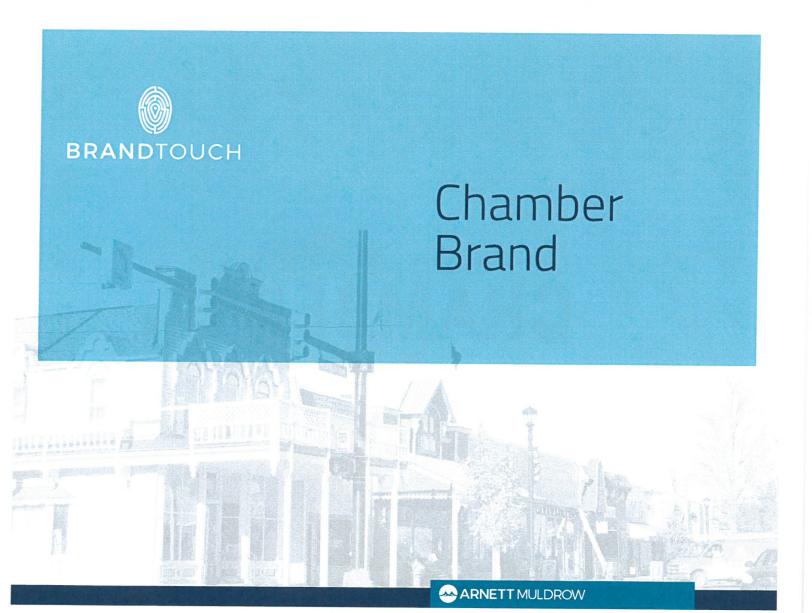
ARNETT MULDROW





SUGAR & GROVE Smyth County. Virginia





































HURGRY MOTHER MININGS MINING





















COALITY OF LIFE, BUSINESS BROWTH & OUTDOOR ESCAPE IN SMITH COUNTY, VIRGINIA

SMYTH

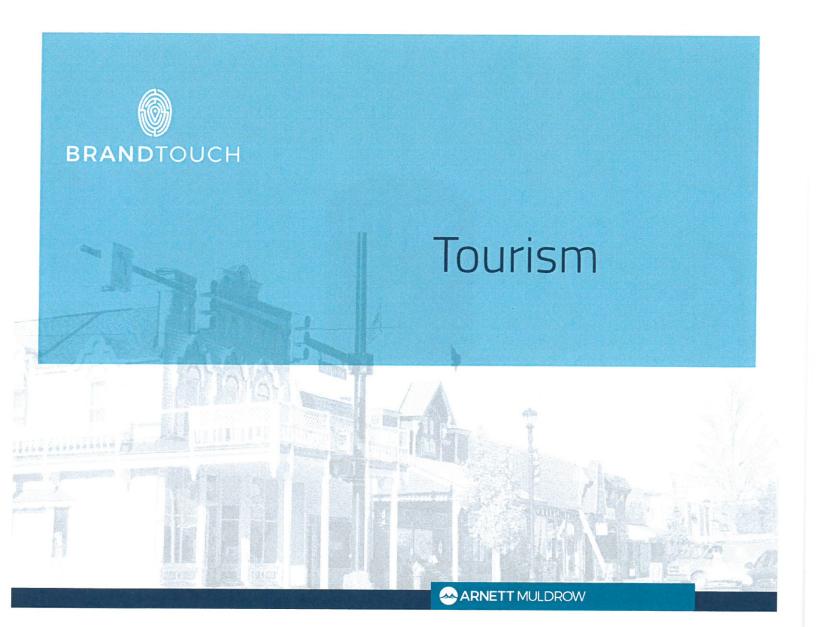
2017 EDITION

HUNGRY MOTHER ULTRA MARATHON WILL EAT YOU FOR LUNCH



CHAMBER OF COMMERCE





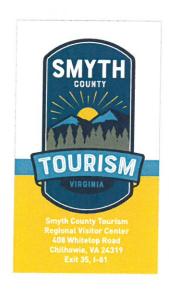




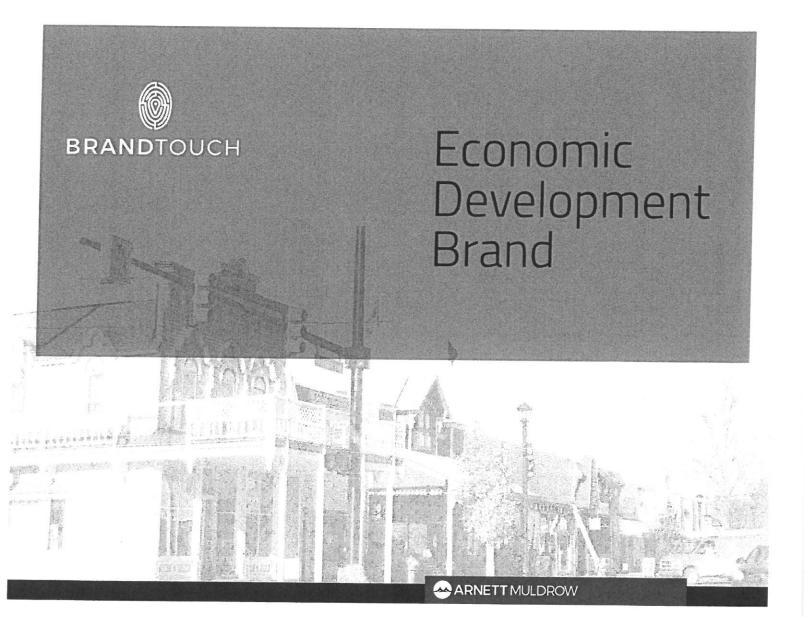




















"To ensure the financial stability and economic vitality of Smyth County by preserving and enhancing the County's business climate, while partnering with the community to enhance the quality of living."



SAY YES. WE DO.











Big Opportunities. By Nature.

Answers are Our Business

Get to Know Smyth

By Name.

Business. On a First Name Basis.





Smyth County Board of Zoning Appeals

121 Bagley Circle, Suite 120, Marion, VA 24354
Phone (276) 783-3298 Ext. 210 Fax (276) 783-9314
Clegg Williams, Zoning Administrator
Becca Kirk, Administrative Assistant

Erwin Rowland, Atkins District Kim Davidson, Chilhowie District Tim Widener, North Fork District John Saunders, Park District Newell Johnson, Royal Oak District Daniel Sturgill, Rye Valley District John DeBusk III, Saltville District Alternates: R. B. Henderson, Bill Moss and Robert Shults

January 3, 2017

Smyth County Circuit Court John H. Graham, Clerk 109 West Main Street Marion, Virginia 24354

The Honorable John H. Graham,

As required by §15.2-2308(A) of the Code of Virginia, this is notice of Board of Zoning Appeals (BZA) members who expire on January 31, 2017.

North Fork District Representative:

Tim Widener 841 Middle Fork Road Marion, Virginia 24354

Atkins District Representative:

Erwin Rowland 739 Park Boulevard Marion, Virginia 24354

A petition and Order for the Judge's signature will be presented to your office in the near future. In the meantime, should you have any questions, please feel free to contact Clegg Williams 706-8315 or Becca Creasy at 706-8316.

Sincerely,

of DeBuse us

BZA Secretary

CC:

Michael Carter, County Administrator Jeff Campbell, County Attorney Tim Widener Erwin Rowland

80mg

SATFISFACTION OF SPECIAL ASSESSMENT RELATED TO GREEN HILL CIRCLE IMPROVEMENTS AND RELEASE OF LIEN

Property Owner:

Michael L. & Sheila E. Lampkins

Property Tax Ma p No.: 64A-4-2 Deed Book 700, Page 148 Assessment Amount: \$2,628.00

TO ALL WHOM IT MAY CONCER N:

This 13 day of December, 2016, came the Smyth County Board of Supervisors, by and through its duly authorized agents, and hereby releases the lien arising from a Special Assessment in the amount of \$2,628.00 for improvements made to the property located at Green Hill Circle, Chilhowie, Virginia, and more particularly described in Deed Book 700, Page 148, of the Smyth Circuit Court Clerk's Office.

Witnesseth the following signatures and seals:

Smyth County Board of Supervisors

Wade H. Blevins, Jr. Chairman

Michael L. Carter, County Administrator

COMMONWEALTH OF VIRGINIA: COUNTY OF SMYTH, to-wit:

The foregoing Instrument was duly acknowledged before me on this 21 day of December, 2016, by Wade H. Blevins, Jr. and Michael L. Carter.

My commission expires: June 30,2018

Setty L Words
(NOTARY PUBLIC)

ADVERTISEMENT FOR BIDS

SMYTH COUNTY, VIRGINIA

ADWOLFE SEWER EXTENSION - PHASE 1

Sealed Bids for the construction of the Adwolfe Sewer Extension – Phase 1 will be received by the Smyth County Board of Supervisors, at the Office of the County Administrator, 121 Bagley Circle, Suite 100, Marion, VA 24354, until 2:00 p.m. local time on **Tuesday, February 7, 2017**, at which time the Bids received will be publicly opened and read aloud. The Project consists of the construction of the following:

Contract 1 – Pump Stations and Sanitary Sewer Forcemains:

Relocation of the existing Elementary School Sanitary Pump Station including structure, site work, yard piping, power, instrumentation, mechanical, etc., approximately 500-feet of directionally drilled 10" HDPE casing pipe beneath Interstate 81, 340-feet of trenched 6-inch forcemain and 500-feet of 6" forcemain through 10" casing. Relocation work also includes placement of small submersible pump inside existing Elementary School Pump Station wet well and approximately 285-feet of 2-inch forcemain piping and any necessary appurtenances for connection to existing system.

Proposed Exit 39 Sanitary Pump Station consists of one (1) sanitary sewer pump station including wet well structure, site work, yard piping, power, instrumentation, mechanical, etc., and approximately 8,800-feet of 6-inch forcemain piping and any necessary appurtenances.

Contract 2 – Gravity Collection System:

Sanitary sewer gravity collection system consists of approximately 26,000 L.F. of 8-inch gravity sewer collection pipe and appurtenances.

Bids will be received for two prime Contracts -1.) Pump Station / Forcemain and 2.) Gravity Collection System. Bids shall be on a unit price basis as indicated in the Bid Forms.

The Issuing Office for the Bidding Documents is: CHA Consulting, Inc., 1901 Innovation Drive, Suite 2100, Blacksburg, VA; Phone: (540) 552-5548, attn.: Libby Long at Ilong@chacompanies.com. Prospective Bidders may examine the Bidding Documents at the Issuing Office on Mondays through Fridays between the hours of 8:00 a.m. and 5:00 p.m. and may obtain copies of the Bidding Documents from the Issuing Office as described below.

Bidding Documents also may be examined at the following locations:

- McGraw-Hill Construction (online only at www.construction.com)
- Valley Construction News, Roanoke, VA
- Builder's Exchange, Richmond, VA
- Knoxville Builder's Exchange, Knoxville, TN
- · Reed Construction Data, Norcross, GA

I Square Foot Plan Room, Cincinnati, OH

Printed copies of the Bidding Documents may be obtained from the Issuing Office, during the hours indicated above, upon payment of a non-refundable deposit of \$75, including shipping, for each set. Bidding Documents are available on compact disc (as portable document format (PDF) files) for a non-refundable charge of \$25, including shipping. Partial sets of Bidding Documents will not be available from the Issuing Office. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including Addenda if any, obtained from sources other than the Issuing Office.

There will be a non-mandatory pre-bid conference held at the Office of the County Administrator, Smyth County Office Building on Tuesday, January 24, 2017 at 2:00 p.m.

Bid security shall be furnished in accordance with the Instructions to Bidders.

Owner:

Smyth County

Engineer:

CHA Consulting, Inc.

Contact:

Scott R. Simpson, P.E.

Contact:

Stevie Steele, P.E.

Title:

Assistant County Administrator

Title:

Project Manager

+ + END OF ADVERTISEMENT FOR BIDS + +