

# AGENDA

Wednesday, November 15, 2017  
4:00 PM

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

## **CLOSED SESSION**

Code of Virginia, Section 2.2-3711 **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 October 10<sup>th</sup> and October 26<sup>th</sup>, 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 Nuisance Complaint, Miller Property-Clegg Williams**

**5:45 Charlie Harrington-Update on Everbridge**

## **NEW BUSINESS**

**\*Planning Commission Recommendations-Clegg Williams**

**\*Committee Recommendations:**

- **Appointment Committee-Rick K. Blevins, Chair**
- **Budget Committee-Wade H. Blevins Jr., Chair**
- **Building and Grounds Committee-Roscoe D. Call, Chair**

- \*District Specific Appointments-Charles Atkins**
- **Area Beautification-Melissa Hall**
  - **Social Services Board-Norma Teaters**

**\*Adwolfe Sewer Project Update-Scott Simpson**

**Supervisor Comment Time**

**Meeting Reminders:**

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, October 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:** 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 (6)

**ABSENT:** North Fork District Supervisor Phil Stevenson (1)

**STAFF:** County Administrator Michael Carter;  
Assistant County Administrator Scott Simpson;  
County Attorney Jeff Campbell;  
Administrative Assistant Kendra Hayden (3)

**OTHERS:** Stephanie Porter Nichols, Smyth County News and Messenger and several citizens.

 10/10/2017 4:07PM – Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order.

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

**NAYS:** None.


**ABSTAINERS:** None.

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

 10/10/2017 4:13 PM – Royal Oak District Supervisor G. Blake Frazier arrived during closed session.

 10/10/2017 5:01 PM – Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting back to order from Closed session.

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

 10/10/2017 4:13 PM – Royal Oak District Supervisor G. Blake Frazier arrived during closed session.

## **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,  
Saltville District Supervisor Roscoe D. Call,  
Rye Valley District Supervisor Rick K. Blevins,  
Royal Oak District Supervisor G. Blake Frazier, and  
Atkins District Supervisor Charles Atkins.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

 10/10/2017 5:02 PM – Administrative Assistant, Kendra Hayden gave the Invocation and County Administrator; Michael Carter led the Pledge of Allegiance.

 10/10/2017 5:03 PM – A motion was made by Rye Valley District Supervisor Rick K. Blevins to adopt the agenda and additional agenda with the addition of an item regarding a pending litigation update. 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,  
Saltville District Supervisor Roscoe D. Call,  
Rye Valley District Supervisor Rick K. Blevins,  
Royal Oak District Supervisor G. Blake Frazier, and  
Atkins District Supervisor Charles Atkins.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

 10/10/2017 5:03 PM – It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor G. Blake Frazier to adopt the minutes of the September 12, 2017 meeting.

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

 10/10/2017 5:04 PM – Financial Update- Michael Carter, County Administrator presented the Board with information on the current FY2017-2018 budget and a current month analysis for appropriations.

 10/10/2017 5:11 PM – It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Vice Chairman, Park District Supervisor M. Todd Dishner to appropriate \$2,350,000.00 from the General Fund. The following is an explanation of the appropriations approved:

**General County**

Accounts Payable Listing:	\$1,621,136.56
Payroll:	\$ 669,137.87
Auto Draft Rural Development:	\$ 8,974.00
AEP/Century Link Bills:	\$ 25,000.00
Everbridge	\$ 9,000.00
County Administration Fund:	\$ 5,000.00

**Total County Appropriation (Plus Carryover):** **\$2,350,000.00**

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,  
Royal Oak District Supervisor G. Blake Frazier.

**NAYS:** None.

**ABSTAINERS:** Atkins District Supervisor Charles Atkins.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$397,000.00 from the General Fund for the Department of Social Services. The following is an explanation of the appropriations approved:

**Social Services**

(October 11-October 31, 2017) **\$ 337,000.00**

(November 1-November 14, 2017) **\$ 60,000.00**

**Total Social Services: \$ 397,000.00**

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,  
Royal Oak District Supervisor G. Blake Frazier.

**NAYS:** None.

**ABSTAINERS:** Atkins District Supervisor Charles Atkins.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$3,935,000.00 from the General Fund for the Smyth County School Board Operating Fund. The following is an explanation of the appropriations approved:

**Schools-Operating Fund**

Instruction **\$2,900,000.00**

Administration, Attendance, & Health **\$ 110,000.00**

Transportation **\$ 160,000.00**

Facilities **\$ 350,000.00**

School Food Service **\$ 350,000.00**

Technology **\$ 65,000.00**

**Total School Operating Fund: \$3,935,000.00**

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,  
Royal Oak District Supervisor G. Blake Frazier.

**NAYS:** None.

**ABSTAINERS:** Atkins District Supervisor Charles Atkins.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$90,000.00 from the General Fund for the Smyth County School Board's, School Debt Service.

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,  
Royal Oak District Supervisor G. Blake Frazier.

**NAYS:** None.

**ABSTAINERS:** Atkins District Supervisor Charles Atkins.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Royal Oak District Supervisor G. Blake Frazier to appropriate \$6,786.76 from the Sheriff's Fund 748 for open invoices.

After consideration, the motion PASSED by the following vote:

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$3,000.00 from the EDA Fund 4 for open invoices.

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

It was moved by Royal Oak District Supervisor G. Blake Frazier, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$405,597.93 from Fund 307 for the Adwolfe Sewer Project.

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

It was moved by Royal Oak District Supervisor G. Blake Frazier, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$36,884.57 from Fund 301 for the Courthouse Project.

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

 10/10/2017 5:15 PM – Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened Citizens Time.

Watson Gollehon, from the Adwolfe area, spoke regarding the Adwolfe Sewer Project and the service hook up at his property. Mr. Gollehon explained when he filled out the application, he indicated he wanted the hookup near the entrance of the property; instead the hookup is approximately 400 feet east of the entrance; which makes it unusable to Mr. Gollehon. Continuing, Mr. Gollehon stated that his hook up is currently residential and needs to be a commercial tap and that he would like the hookup to be near the entrance of his property and that he spoke with North Fork District Supervisor, Phil Stevenson and he told Mr. Gollehon to bring the issue before the Board for discussion. Assistant County Administrator, Scott Simpson replied to Mr. Gollehon by explaining, that the contractors are changing the tap from residential to commercial next week. Mr. Simpson continued, stating that putting the tap where Mr. Gollehon has requested it to be versus its current location of the nearest property line, would be approximately \$25,000.00 - \$30,000.00. It was moved by Vice Chairman, Park District Supervisor M. Todd Dishner, seconded by Royal Oak District Supervisor G. Blake Frazier, to recommend this item be discussed at the next Water/Sewer Committee.

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


**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

 10/10/2017 5:23 PM – With no one else wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed Citizens Time.

 10/10/2017 5:24 PM – Joseph Puckett from Sunset Digital introduced himself and explained their expansion operations into the Mount Rogers Planning District area and noted they are going through the process of initiating a cable franchise agreement between Sunset Digital and Smyth County. Sunset Digital and BVU have an October 31, 2017 target date for the closing of their purchase transaction. Rye Valley District Supervisor Rick K. Blevins asked if there would eventually be internet services offered; to which Mr. Puckett answered, there will be internet, phone, and cable services offered in most areas of the county. Mr. Puckett also explained to the Board that Sunset Digital specializes in rural broadband and the majority of their focus will be on rural hookups for internet services. Vice Chairman, Park District Supervisor M. Todd Dishner asked if the cost would be higher for those folks in the rural communities. Mr. Puckett replied that cost already exists in their current plan to absorb the additional money needed to serve those rural customers in smaller areas. In closing, Mr. Puckett explained that he will return when the franchise agreement has been completed, in order to update the Board with their expansion plans and schedule.

 10/10/2017 5:39 PM – Vice Chairman, Park District Supervisor M. Todd Blevins, brought forward a recommendation from the Animal Control Committee. It is the Committee's recommendation to pay the one animal damage claim of \$84.00 for twelve chickens.


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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

 10/10/2017 5:40 PM – Rye Valley District Supervisor Rick K. Blevins brought forward the following recommendations from the Appointment Committee.

It is the Committee's recommendation to table the appointment for the Private Provider representative on the Community Policy and Management Team for discussion at a later date.

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

It is the Committee's recommendation to reappoint Saltville District Supervisor, Roscoe D. Call to the Community Policy and Management Team and Assistant County Administrator, Scott Simpson as his designee for a one (1) year term beginning June 30, 2017 to June 30, 2018.

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

**NAYS:** None.

**ABSTAINERS:** Saltville District Supervisor Roscoe D. Call.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

It is the Committee's recommendation to reappoint Manuel Street to Keep Southwest Virginia Beautiful for a one (1) year term beginning June 30, 2017 to June 30, 2018.

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

It is the Committee's recommendation to appoint Royal Oak District Supervisor, G. Blake Frazier to Mountain Community Action Program Board.

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

**NAYS:** None.



**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

 10/10/2017 5:39 PM – Michael Carter, County Administrator brought before the Board the unanimous recommendation from the Budget Committee to amend the FY2017-2018 budget to allow for an increase in Circuit Court part-time wages as follows:

Increase expense line item 021060-1003 (part time wages)	\$9,550.00
Increase revenue line item 011030-0001 (Personal Property)	\$9,550.00

After the above referenced increases are made the total FY2017-2018 budget will increase from \$89,831,021.00 to \$89,840,571.00.


After consideration, the motion PASSED by the following vote:

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

 10/10/2017 5:45 PM – Michael Carter, County Administrator presented the following recommendations from the Budget Committee:

After discussion regarding an additional microwave until for 911 services for the Walker Mountain site, reviewing the cost associated and timing of the installation as pertaining to weather conditions; it is the Committee's recommendation to revisit the request for purchasing said microwave unit for our emergency systems, in the third quarter. This will allow for the review of expenditures to recognize savings while still meeting the purchase and installation time window set forth of May-July.

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,  
Atkins District Supervisor Charles Atkins,  
Saltville District Supervisor Roscoe D. Call and  
Royal Oak District Supervisor G. Blake Frazier.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

 10/10/2017 5:48 PM – Scott Simpson, Assistant County Administrator brought forward the following recommendation from the Ordinance Committee:

In mid-2014, the County opted into the State Stormwater Program; this opt-in provided for the program to be locally administered and involves plan reviews, permitting, and inspections of active sites. The Stormwater Ordinance adopted by the Board of Supervisors facilitates the implementation of these and other activities and the collection of permitting fees. A significant reason for the County's decision to opt into administering its own program was to be able to have control of the timeframes involved in the review of proposed project plans. This discussion by the Committee was to determine if the program was working as anticipated, which it appears to be. The Committee still has apprehensions with the County losing control of the timelines involved with the plan review and approval processes if the Program were returned to the Commonwealth to administer.

It is the Committee's recommendation to make no change to the status of the County's administration of the Storm Water Management Program.

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,  
Atkins District Supervisor Charles Atkins,  
Saltville District Supervisor Roscoe D. Call and  
Royal Oak District Supervisor G. Blake Frazier.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

It is the Committee's recommendation is to take no action on the topic of prohibiting firearms and/or weapons in the County Administration Building. This recommendation was based on information provided by the County Attorney, Jeff Campbell in the form of an Opinion Letter which states; according to Virginia Code Section 15.2-915, the General Assembly prohibits localities from adopting policies that limit the ability of any person from possessing, carrying, storing or transporting a firearm, ammunition, or their components, unless it is expressly authorized by another statute.



10/10/2017 5:51 PM –Michael Carter, County Administrator brought forward the following recommendations from the Personnel Committee:

It is the Committee's recommendation to approve the job description for the position of Director of Community and Economic Development as presented. Following discussion, a motion was made by Royal Oak District Supervisor and seconded by Atkins District Supervisor Charlie Atkins to approve the job description as presented with the following changes; adding the verbiage to bullet point number seventeen (17), "and report to the Board".



# Board of Supervisors Meeting Minutes October 10, 2017

## DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Position Definition

Under the general direction of the County Administrator, acts as the County's primary business liaison and business creation and expansion advocate and community planner. The essential function of the position is to coordinate the County's efforts in its work with the County Administrator, County Administrator, and others to develop, implement, and manage an aggressive and comprehensive economic development program in order to diversify and grow the County's business base, job market, and tax base. This position oversees and coordinates with other local, regional and state economic development partners including the Virginia Economic Development Partnership, the Smith County Economic Development Authority, North County Planning Commission, and the Virginia Department of Housing and Community Development, among others. Division requires a focus on strategic marketing and ability to build strong relationships with both existing businesses, and potential new business prospects, with a strong emphasis on developing new, national customers. Position requires for ability and skills to facilitate new investment and jobs through activities targeting small businesses. Develops, implements, and implements effective strategies, plans and programs for economic growth within the County. Director oversees general supervision from the County Administrator on a day-to-day basis. Work is performed with a wide degree of latitude and requires the exercise of independent judgment and action. Promotes environmental range from routine to extremely complex in nature.

### Examples of Work

- Recruit business investment in Smith County. Assist potential businesses with the planning, zoning and building to prepare, secure, and professionalize. Obtain necessary permits and building permits, and their representatives to facilitate participation in development projects.
- Work as a liaison between property owners and prospective business tenants and developers to match available properties with desired commercial locations and other needs.
- Develop and maintain a database of vacant or underutilized commercial, industrial, and office space.
- Develop, implement and maintain a continuing program of attraction, retention, and support with existing businesses and industry in the County.
- Plans and implements operational programs for small business and entrepreneurs in support of planning development in the County.
- Responsible for planning and organizing the implementation of projects, administering economic development activities, and coordinating the implementation of public facility, engineering, public services and other related programs. The position also includes current and long range planning, and the ability to use and apply the County's Comprehensive Plan as necessary.
- Provide input into the development or updating of long-range planning including the municipal infrastructure.
- Works closely with the Planning Commission and other staff to review and update the County's Comprehensive Plan as necessary.
- Seeks out projects and grants to aid in the enhancement of quality of life for citizens of the County.
- Promotes, communicates and conducts the Board of Supervisor's goals and objectives to create growth and improve the community.

- Develop and execute a public relations media plan to produce and publish news coverage through press releases and marketing promotions.
- Handle and oversee online communications by maintaining and updating topics of community interest on the County website, Facebook, Twitter and other social media platforms to publicize improvements and successes in community development.
- Acts as a spokesperson at community events and with media outlets promoting the effective positive objectives of the Board of Supervisors.
- Represent the County at economic related meetings, appropriate boards, committees, or committees as assigned.
- Attends economic development related meetings, conferences, and educational programs to further knowledge and stay informed of changes in targeted industries and economic development.
- Assess the County's economic conditions and development needs, issues, activities, and patterns on an ongoing basis and reports to the Board of Supervisors.
- Monitors legislation and regulations related to economic development, reports findings to appropriate departments and agencies.
- Monitors, monitors, and reports performance metrics associated with economic development projects, projects and programs.
- Develops and manages incentive programs for attracting businesses to the County.
- Prepares and manages departmental and program budgets.
- Performs other duties as required.

### Qualifications

**Education:** Four year degree specializing in economic development, community planning or other closely related field from an accredited college. Master's Degree preferred.

**Experience:** Extensive knowledge of effective economic development programs and process ability to plan, develop and implement strategic business plans. A thorough knowledge of local, regional and state economic development organizations, officials and programs. Strong understanding of business and industry location factors, logistics, financial, labor and business service needs. Excellent interpersonal facilitation and negotiating skills. Ability to work independently and exercise independent judgment.

**Knowledge, Skills, and Abilities:** Ability to immediately establish and maintain rapport and cooperative and effective working relationships with economic development partners, business of all sizes and types, non-profits, elected officials, citizens, the media, civic groups and community organizations. Ability to gather, analyze, and evaluate economic, market, financial, statistical, and marketing studies. Excellent marketing skills and abilities, and excellent sales and business communication skills.

### Position Requirements

Must reside in Smith County to facilitate needs of successfully obtaining position.

After consideration, the motion PASSED by the vote:

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.



10/10/2017 5:58 PM – Saltville District Supervisor Roscoe D. call brought forward the following recommendation from the Water/Sewer Committee:

Approval of the following change orders, as noted below, with their status as indicated.

Approved to Keep Project Progress			
Item	Anticipated Funding		Source
	County	CHA	
PS Top Slab		\$ 2,551.88	CHA
15" CMP Culvert	\$ 1,344.07		County
Emergency Pump Connection	\$ 6,423.80		County
Plumbing Piping and Valves -PS		\$ 3,447.47	CHA
Guide Rails for PS		\$ 843.29	CHA
Retaining Wall Deduction	\$ (6,357.49)		County
<b>Total Amounts</b>	<b>\$ 1,410.38</b>	<b>\$ 6,842.64</b>	<b>\$ 8,253.02</b>

Set-Aside For Further Discussion			
Item	Anticipated Funding		Source
	Amount		
Additional Excavation	\$ 14,465.20		CHA
Pipe Color-Blue to Green	\$ 4,580.15		CHA
Stone for Access Road Stabilization	\$ 6,103.19		County
<b>Total Amounts</b>	<b>\$ 6,103.19</b>	<b>\$ 19,045.35</b>	<b>\$ 25,148.54</b>
<b>Grand Totals</b>	<b>\$ 7,513.57</b>	<b>\$ 25,887.99</b>	<b>\$ 33,401.56</b>

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,

Atkins District Supervisor Charles Atkins,  
Saltville District Supervisor Roscoe D. Call and  
Royal Oak District Supervisor G. Blake Frazier.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

It is the Committee's recommendation to deny Marty and Kimberly Neitch's request to waive the \$50.00 reconnect fee at the service address of 2239 Redstone Road, Marion, VA 24354 and follow the Department policy as established.


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,  
Atkins District Supervisor Charles Atkins,  
Saltville District Supervisor Roscoe D. Call and  
Royal Oak District Supervisor G. Blake Frazier.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

 10/10/2017 6:04 PM – Motion was made by Saltville District Supervisor Roscoe D. Call and seconded by Vice Chairman, Park District Supervisor Todd Dishner, to appoint Becky Pennington to the Virginia Highlands Community College Board.


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,  
Atkins District Supervisor Charles Atkins,  
Saltville District Supervisor Roscoe D. Call and  
Royal Oak District Supervisor G. Blake Frazier.

**NAYS:** None.


**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

 10/10/2017 6:04 PM – Scott Simpson, Assistant County Administrator provided an update to the Board of Supervisors regarding the Adwolfe Sewer Project. Mr. Simpson stated they are nearing the last month or two of construction. King Contractors sub-contracted to Crosspointe Contracting for the boring under the interstate which has been completed and tested with good results. The electrical services will follow in the next four (4) to six (6) weeks. The project is on budget and there will be funding left over to provide service to additional customers.

 10/10/2017 6:06 PM – Michael Carter, County Administrator presented an update regarding the Recovery Court grant. Mr. Carter stated the grant was awarded and identified Smyth County as the recipient of the grant funds in the amount of \$392,197.00. Mr. Carter continued by stating

Smyth County has provided office space, conference area, telephone and cable connections as a local in-kind contribution. The remaining funds will be from federal grant monies and funds the Commonwealth Attorney's Office has designated from the Abbott settlement. Mr. Carter noted, Michelle Ward will be heading up the project, a checking account has been established, and the process to establish the program is moving forward quickly.

 10/10/2017 6:10 PM – Michael Carter, County Administrator read aloud for the record, the Green Acres Lane/Evergreen Court Resolution. Mr. Carter then explained the next step is entry of the project into the VDOT Smart Scale portal after adoption of the resolution. He made note, there is a ranking system which identifies a project's worthiness and this project still has to go through that process. Motion was made by Royal Oak District Supervisors G. Blake Frazier and seconded by Rye Valley District Supervisor Rick K. Blevins to adopt the Green Acres Lane/Evergreen Court Resolution 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,  
Atkins District Supervisor Charles Atkins,  
Saltville District Supervisor Roscoe D. Call and  
Royal Oak District Supervisor G. Blake Frazier.


**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.



 10/10/2017 6:15 PM – Rye Valley District Supervisor Rick K. Blevins requested County Attorney, Jeff Campbell, to give an update regarding the litigation involving the Board of Supervisors and the former Library Board members. Mr. Campbell stated that he received a final ruling in the case that is favorable to the Board of Supervisors; granting a motion to dismiss the case. In addition, Mr. Campbell stated the court has ruled, there is no provision at law that awards

 10/10/2017 6:15 PM – Rye Valley District Supervisor Rick K. Blevins requested County Attorney, Jeff Campbell, to give an update regarding the litigation involving the Board of Supervisors and the former Library Board members. Mr. Campbell stated that he received a final ruling in the case that is favorable to the Board of Supervisors; granting a motion to dismiss the case. In addition, Mr. Campbell stated the court has ruled, there is no provision at law that awards the cost of legal fees to litigants. Mr. Campbell also noted the original opinion letter drafted by the judge was written on August 11, 2017 and his office did not receive it until mid-September, after the last Board meeting. Rye Valley District Supervisor Rick K. Blevins asked how the public could have access to a copy of that letter, to which Mr. Campbell explained that a copy of that letter is public record at the Clerk's Office. Mr. Campbell continued, noting counsel for the plaintiff has stated they would be willing to forego an appeal, presumable with the Supreme Court, in exchange for the payment of \$7,500.00. Mr. Campbell is requesting direction and authority to respond to the plaintiff's counsel. Motion was made by Royal Oak District Supervisor G. Blake Frazier and seconded by Saltville District Supervisor Roscoe D. Call to summarily reject the offer of settlement extended by the plaintiff's counsel.


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,  
Atkins District Supervisor Charles Atkins,  
Saltville District Supervisor Roscoe D. Call and  
Royal Oak District Supervisor G. Blake Frazier.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

 10/10/2017 6:22 PM – Motion was made by Saltville District Supervisor Roscoe D. Call and seconded by Vice Chairman, Park District Supervisor M. Todd Dishner, to appoint Loretta Hodgston to the Area Beautification Committee for the Saltville District.

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,  
Atkins District Supervisor Charles Atkins,  
Saltville District Supervisor Roscoe D. Call and  
Royal Oak District Supervisor G. Blake Frazier.


**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

Supervisor Comment Time:

Atkins District Supervisor Charles Atkins requested an update by County Administrator, Michael Carter, to give an update regarding the fire at the transfer station. Michael Carter, County Administrator, replied with a brief summary of the day's events. The cause was found to have begun in a tractor trailer that holds material for hauling to the Bristol, Virginia landfill. There was significant damage to the transfer station building along with damage to equipment. Mr. Carter explained his interim plan to keep the landfill operational until the insurance claim can be finalized, damages repaired and equipment replaced.

 10/10/2017 6:40 PM – Saltville District Supervisor Roscoe D. Call made a motion to continue the meeting until Thursday, October 26, 2017 for the Joint Public Hearing with Smyth County Planning Commission and any other business as necessary. 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,  
Atkins District Supervisor Charles Atkins,  
Saltville District Supervisor Roscoe D. Call and  
Royal Oak District Supervisor G. Blake Frazier.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson.

The Smyth County Board of Supervisors held its continued meeting at 7:00 p.m., **Thursday, October 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 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; North Fork District Supervisor Phil Stevenson; Atkins District Supervisor Charles Atkins (7)

Chilhowie District Planning Commissioner Graham Davidson Jr.; Rye Valley District Planning Commissioner Paul D. Shepherd; Atkins District Planning Commissioner Hazel Wagoner, Royal Oak District Planning Commissioner Robbie Doyle (5)

**ABSENT:** Chairman, North Fork District Planning Commissioner Norman Sparks and Park District Planning Commissioner Joel Pugh (2)

**STAFF:** County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Building & Zoning Administrator Clegg Williams; Administrative Assistant Kelly Woods; County Attorney Jeff Campbell (5)

**Others Present:** Stephanie Porter Nichols, Smyth County News and Messenger, and approximately 11 citizens were present.

 10/26/2017 7:00 PM Chairman of the Board of Supervisors, Wade H. Blevins Jr. and Robbie Doyle, Temporary Chairman of the Planning Commission, called the joint public hearing to order. Mr. Michael Carter, County Administrator read the advertisement as placed in the Smyth County News and Messenger.

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

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, October 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 Stephen and Tammy Bales for a Special Use Permit to construct and operate a Childcare Center next to 5773 Lee Highway in Atkins. The property is identified as Tax Map No. 48-A-26 and it is zoned Agricultural/Rural.*



*An application from Duane Witmer for a Special Use Permit to construct and operate a Meat Processing Facility next to 478 Tattle Branch Road in Chilhowie. The property is identified as Tax Map No. 54-A-18 and it is zoned Agricultural/Rural.*

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

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

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact 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 the application received from Alan and Tammy Bales, and the intention to construct and operate a childcare facility on a tract of land they own in Atkins. The property is identified as Tax Map #48-A-26 and is zoned Agricultural/Rural. Ms. Bales presented her business plan for the proposed center and answered questions from the Board of Supervisors and the Planning Commission.

No one else chose to speak concerning this application.

Mr. Williams then explained the application received from Duane Witmer for the desire to construct and operate a Meat Processing Facility on a tract of land he currently owns in Chilhowie. The property is identified as Tax Map #54-A-18 and is zoned Agricultural/Rural. Mr. Witmer presented a brief explanation of his proposal and addressed questions from the Board and Commission.

3 citizens spoke concerning this application and all are opposed to the proposed site for the Meat Processing Facility.

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

The Board of Supervisors meeting relocated to the Fourth Floor Conference Room, therefore the remainder of the minutes will not contain a time stamp.

Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the Board of Supervisors meeting back to order.

Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. opened citizens time. With no one wishing to speak, Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. closed citizens time.

Royal Oak District Supervisor G. Blake Frazier made a motion to release a judgement in the amount of \$138.28 for the property located at 134 Deerfield Lane, Marion, Virginia. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Royal Oak District Supervisor G. Blake Frazier made a motion to release the special assessment in the amount of \$2,628.00 for the property located at 322 Green Hill Circle, Chilhowie, Virginia. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Michael Carter, County Administrator presented a Resolution as shown below for consideration.

#### **Resolution**

**WHEREAS**, the Counties of Buchanan, Dickenson, Lee, Russell, Scott, Smyth, Tazewell, Washington, and Wise, and the City of Norton, Virginia, created by concurrent Resolutions the Southwest Virginia Regional Jail Authority, pursuant to the provisions of 53.1-95.2, the Code of Virginia, 1950;



**WHEREAS**, the Southwest Virginia Regional Jail Authority members studied and considered the advantages of an Authority, including, but not limited to, economies of scale and consolidation of services and resources;

**WHEREAS**, the Southwest Virginia Regional Jail Authority maintains the highest daily jail population in the Commonwealth of Virginia;

**WHEREAS**, the 2010 General Assembly changed the definition of state responsible inmates from inmates with sentences of one (1) year or more to inmates with sentences of two (2) years or more;

**WHEREAS**, the 2010 General Assembly made significant changes to the per diem rates for local responsible inmates (from \$8.00 to \$4.00), state responsible inmates (from \$14.00 to \$12.00), and discontinued the Jail Contract Bed Program, which provided an additional \$14.00 per day for state responsible inmates;

**WHEREAS**, the two (2) actions of the 2010 General Assembly have created a significant economic burden on the participating jurisdictions of the Southwest Virginia Regional Jail Authority equivalent to \$2.4 million per year, or a total of \$16.7 million, accumulative since 2011;

**BE IT RESOLVED**, the Southwest Virginia Regional Jail Authority Board requests that the 2018 General Assembly recognize the increased economic burden placed on the localities as a result of the 2010 General Assembly's action and that the 2018 General Assembly enact legislation either to restore per diems to 2009 levels or increase the per diems paid to the localities for housed inmates.

Park District Supervisor M. Todd Dishner made a motion to adopt the resolution as presented. Royal Oak District Supervisor G. Blake Frazier seconded the motion.

After consideration, the motion PASSED by the following vote:

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Michael Carter, County Administrator then presented a Resolution as shown below for consideration.

**RESOLUTION**

**Mental Health Transportation Strain**

WHEREAS, the Smyth County Board of Supervisors has recognized many difficulties with the transportation of Mental Health Patients; and

WHEREAS, Smyth County believes that due to continued unfunded mandates passed down by the Commonwealth of Virginia, lack of accessible mental health hospitals and the unsatisfactory practice of having local law enforcement officers handle non-enforcement-related transportation of patients, falls solely on localities to pick up the additional expense created by the Commonwealth; and

WHEREAS, law enforcement officers who deliver patients often must work overtime to complete their mission, and while they are away, the locality they serve may be left without adequate law enforcement coverage; and

WHEREAS, the Smyth County Board of Supervisors strongly believes the responsibility for transporting patients should not fall on the localities, therefore the implementation of a special transportation system funded entirely by the Commonwealth could help alleviate the problem associated with transporting patients; and

NOW THEREFORE BE IT RESOLVED, the Smyth County Board of Supervisors hereby requests any and all support from the Commonwealth of Virginia to relieve localities of the unfunded mandate, requiring the transportation of mental health patients to an appropriate treatment facility, and if need be, provide full reimbursement to the locality for such service.

After discussion, Atkins District Supervisor Charles Atkins made a motion to adopt the resolution as presented. Royal Oak District Supervisor G. Blake Frazier seconded the motion.

After consideration, the motion PASSED by the following vote:

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

**NAYS:** North Fork District Supervisor Phil Stevenson.

**ABSTAINERS:** None.

**ABSENT:** None.

Scott Simpson, Assistant County Administrator presented an appropriation request from Fund 749 for Drug Recovery Court in the amount of \$41,900.00.

Royal Oak District Supervisor G. Blake Frazier made a motion to approve and appropriate \$41,900 from Fund 749 for Drug Recovery Court for open invoices. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Scott Simpson, Assistant County Administrator presented a request to amend the FY2017-2018 budget as follows:

**Expense:**

001-021010-1001 (Salaries and Wages)	\$57,326.00
001-021010-2001 (FICA Ins.)	\$4,386.00
001-021010-2002 (Retirement-VRS)	\$5,745.00
001-021010-2005 (Hospital/Medical Plans) *new line item	\$13,633.00
001-021010-2006 (Group Insurance Plans)	<u>\$751.00</u>
Total:	\$81,841.00

**Revenue:**

001-024040-0043 (Fund 749 Reimb. For Employees) *new line item	\$81,841.00
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After the above referenced increases are made the total FY2017-2018 budget will increase from \$89,840,571.00 to \$89,922,412.00.

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Scott Simpson, Assistant County Administrator brought forward the following recommendations from the Water/Sewer Committee:

Mr. Simpson explained the Committee had met on October 23, and discussed several grants from the Mount Rogers Planning District Commission Smyth County had received as shown below.

Technical Assistance projects (100 % Grant):  
\$20,000 for Cleghorn and Walker Creek testing  
\$20,000 for Engineering for Grubmore, Daywood project

Construction Projects (dollar for dollar match):  
\$50,000 for Adwolfe Sewer  
\$75,000 for Sewer Plant improvements

It is the Committee's recommendation to accept the grants awarded and to allow execution of the documents as needed.

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

The Committee then discussed results received from water sampling tests that were conducted along Grubmore Road, Daywood Lane and Little Walker Way. There were 18 residential wells sampled and 14 tested positive for Total Coliform, which would make them eligible for grant funding from certain sources including the Virginia Department of Health.

It is the Committee's recommendation to apply for funding and to begin the planning activities for two (2) water mains on Grubmore Road and Daywood Lane.

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to deny a request that had been received by Antoinette Goodrich, 729 Railroad Drive, Marion, Virginia to cancel her sewer services.

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Mr. Simpson then explained the available funding remaining in the Adwolfe Sewer project. There is approximately \$328,000 remaining in contingency and available from the MRPDC Grant. Mr. Simpson presented a listing of line segments to be considered being added to the project (See attachment #1). The listing indicates, total cost, available connections, committed user agreements, and a calculated cost per connection. The committee discussed several combinations of these line segments as well as the request from Mr. Gollehon that was made during the Board of Supervisors meeting on October 10, 2017 regarding an extension of approximately 375 feet of 8" sewer main to reach his property driveway.

It is the Committee's recommendation to include lines 1-5 and 7 from the attached listing, as well as to include the request from Mr. Gollehon.

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Scott Simpson, Assistant County Administrator then went on to explain line section 7 (Alternate C.1) requires the County to obtain an easement and to date staff has been unsuccessful communicating with the owners who live outside of the area and travel extensively. The only remaining option is Condemnation and the Certificate of Take Process.

It is the Committee's recommendation to authorize staff to begin the property appraisal process and direct the County Attorney to begin the process to acquire the right of entry to the property due to the County not being able to obtain an easement.

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Supervisor Comment Time:

Royal Oak District Supervisor G. Blake Frazier thanked all of the Board and Staff for their hard work.

Park District Supervisor M. Todd Dishner wished those up for election good luck.

Saltville District Supervisor Roscoe D. Call updated the Board concerning the Lick Skillet Phase 2 Project and stated at this point the project is on hold.

North Fork District Supervisor Phil Stevenson made a motion to adjourn the meeting. 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,  
Royal Oak District Supervisor G. Blake Frazier and  
Atkins District Supervisor Charles Atkins.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



#1

Alt. Item	Cost	Potential Connections	User Agreement	\$/Conn.	Cumulative	Potential Ranking
Doyle Line	\$60,270.00	8	6	\$10,045.00	\$60,270.00	1
B.1 Extension - Rolling Hills	\$43,530.00	7	4	\$10,882.50	\$103,800.00	2
Schwartz Line	\$15,674.00	2	1	\$15,674.00	\$119,474.00	3
Hall Line	\$21,180.00	1	1	\$21,180.00	\$140,654.00	4
Grinder Station Line	\$21,200.00	3	2	\$10,600.00	\$161,854.00	5
B.2 - Adwolve Road	\$239,594.50	11	8	\$29,949.31	\$401,448.50	6
C.1 (Likely Condemnation)	\$80,278.00	3	2	\$15,139.00	\$431,726.50	7
A.3 - Daywood Lane	\$138,345.00	7	2	\$69,172.50	\$570,071.50	8
C.2 - Palmer Location	\$58,000.00	1	0	\$58,000.00	\$628,071.50	9
A.2 - Old Highway 11	\$330,287.50	19	5	\$66,057.50	\$958,359.00	10

## Recommended Add Alts

Available	\$328,158.75	\$/Potential	\$/Real
Remaining	\$166,304.75	\$7,707.33	\$11,561.00

- Hall line off of and beside R&M.
- short lateral line to Mrs. Schwartz from MH A-6 to A-7 but in 4" lateral pipe.
- Remaining lines on Doyle property behind Pond Hollow and church area (on sketch )
- Remaining lines behind houses on Rolling Hills (Alt B.1 plus extension)
- Grinder station and short 6" lateral main to 3 homes at curve in rolling hills - \$5,000 for pump and service
- Alt B.2 with adjusted route and depth.
- Daywood Alternate with new route - Alt A.3.
- Fairfield short line Alt C.1 (add \$2,000 for condemnation process)
- Alternate C.2
- any other lines or alternates remaining, but I think we are well out of money at this point.





## Smyth County Building and Zoning Department

121 Bagley Circle, Suite 120, Marion, VA 24354  
Phone (276) 783-3298 Ext. 2 Fax (276) 783-9314  
[buildingandzoning@smythcounty.org](mailto:buildingandzoning@smythcounty.org)

Zoning Ordinance  
Floodplain Ordinance  
Subdivision Ordinance  
Erosion Control Ordinance  
Manufactured Home Ordinance  
Virginia Uniform Statewide Building Code

October 31, 2017

**REGULAR FIRST CLASS & CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
7015 1730 0001 6538 0674**

Steve and Karen Miller  
450 Adwolfe Road  
Marion, Virginia 24354

Re: Nuisance Complaint - 450 Adwolfe Road, Marion (Tax Map No. 56B-2-12)

Dear Mr. and Mrs. Miller:

We received a written complaint that the property referenced above is a public nuisance. The complaint filed and the tax map records in the Commissioner of the Revenue's Office indicate you are the property owner. We wrote you on July 31, 2017 concerning this matter and to date, we have not heard from you. Consequently, I have requested this matter be placed on the Board of Supervisors' agenda for their November 15, 2017, meeting at 5:30 p.m., in the Smyth County Office Building, at 121 Bagley Circle, Marion, Virginia. At that time, or as soon after 5:30 p.m. as this matter may be heard, I will request the Board declare your property a public nuisance and they authorize legal action against you. At this meeting, the Board will review the information gathered. You, as the property owner, may address the Board. Please contact me immediately to discuss this matter in order to avoid further action.

Sincerely,

Clegg Williams

cc: Wade Blevins Jr., Chilhowie District Supervisor  
Michael Carter, County Administrator  
Jeff Campbell, County Attorney

Clegg Williams  
Department Administrator

Gary "Bud" Owens  
Building Official

Betty Tilson  
Secretary



## Smyth County Building and Zoning Department

121 Bagley Circle, Suite 120, Marion, VA 24354  
Phone (276) 783-3298 Ext. 2 Fax (276) 783-9314  
[buildingandzoning@smythcounty.org](mailto:buildingandzoning@smythcounty.org)

Zoning Ordinance  
Floodplain Ordinance  
Subdivision Ordinance  
Erosion Control Ordinance  
Manufactured Home Ordinance  
Virginia Uniform Statewide Building Code

July 31, 2017

Steve & Karen Miller  
450 Adwolfe Road  
Marion, VA 24354

**Re: 450 Adwolfe Road, Marion (Tax Map No. 56B-2-12)**

Dear Mr. and Mrs. Miller:

We received a complaint that the conditions at 450 Adwolfe Road constitute a public nuisance. Tax records indicate you are the owner. With the complaint, the attached pictures were submitted.

Section 2-1 (b) of the Smyth County Nuisance Ordinance describes the following as a nuisance:

*The accumulation of any and all ashes, trash, garbage, refuse, litter, scrap metal, debris, and other substances which might endanger the health or safety of other residents of the County.*

Please contact me to discuss your plans on how you can comply with the county's ordinance.

Sincerely,

A handwritten signature in cursive script that reads "Clegg Williams".

Clegg Williams

Enclosure

cc: Michael Carter, County Administrator  
Wade Blevins, Chilhowie District Supervisor

Clegg Williams  
Department Administrator

Gary "Bud" Owens  
Building Official

Betty Tilson  
Secretary

**SMYTH COUNTY ORDINANCE ON NUISANCES  
COMPLAINT FORM**

**TO:** Smyth County Nuisance Ordinance Agent  
121 Bagley Circle, Suite 120, Marion, VA 24354

**Information about property against which the complaint is made:**

**Street Address.** If it does not have a street address, give the location of the site and the next door or across the street address. \_\_\_\_\_

450 Adwoife Road, Marion, VA 24354

**Name of property owner:** Steve and Karen Miller

**Address of property owner, if different from the above site:** \_\_\_\_\_

See attached.

**Phone #** 276-262-0651 / 780-7873

**Description of Nuisance(s):**

Under Article 2 of the Nuisance Ordinance, the following may be considered nuisances. Please mark the one(s) that apply to this site:

☒ (a) Unsafe, dangerous, or unsanitary public or private buildings, walls, or structures which constitute a menace to the health and safety of the occupants or the public.

☒ (b) The accumulation of any and all ashes, trash, garbage, refuse, litter, scrap metal, debris, and other substances which might endanger the health or safety of other residents of the County.

☒ (c) Dangerous or unhealthy substances which have escaped, spilled, been released, or allowed to accumulate.

**Describe the Nuisance:** (Attach a description if more room is needed) \_\_\_\_\_

See attached

**Have you contacted the owner and asked him/her to correct the problem?** Yes

**Name of person filing the complaint:** See attachments.

**Address** \_\_\_\_\_ **Phone #** \_\_\_\_\_

**Signature** See attached for signatures **Date** \_\_\_\_\_

Name of person filing the complaint: Mrs. James T. Moore

Address 426 Adwolfe Road, Marion, VA 24354 Phone # 276-783-8791

Signature Mrs. James T. Moore Date 7-26-17

Name of person filing the complaint: Faye Henderson

Address 440 Adwolfe Road Phone # 276-783-4987

Signature Faye Henderson Date 7-26-17

Name of person filing the complaint: Donald Musser

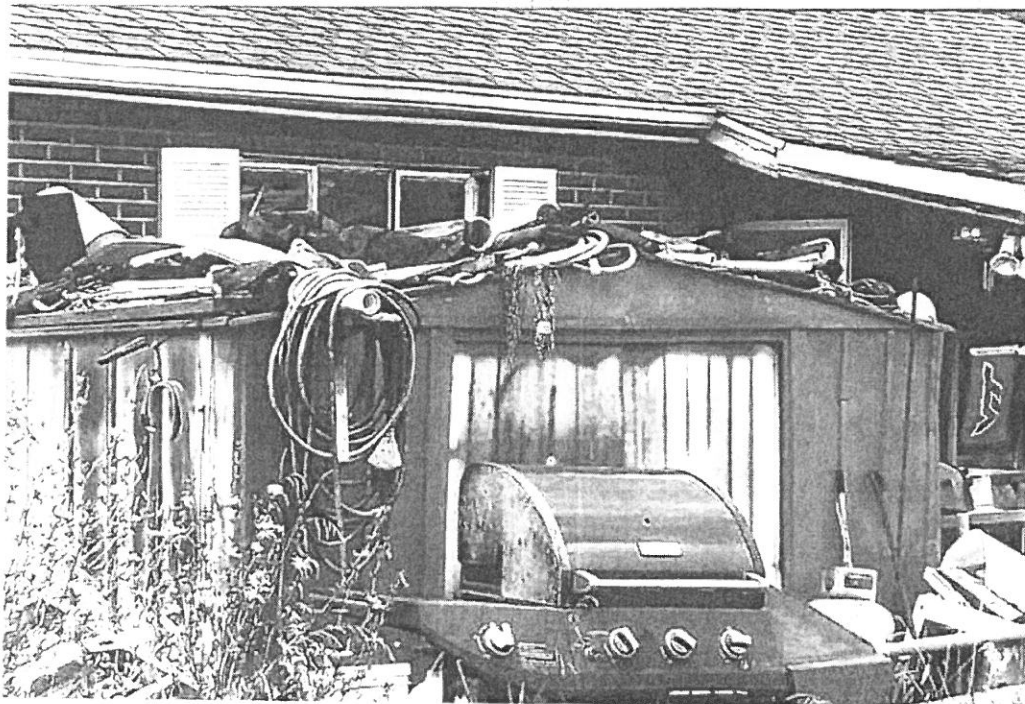
Address 456 Adwolfe Road, Marion, VA 24354 Phone # 276-782-3677

Signature Donald Musser Date 07-26-17

Name of person filing the complaint: Mabel Young

Address 462 Adwolfe Road, Marion, VA 24354 Phone # 276-780-1614

Signature Mabel A. Young Date 7-25-17



## Complaint Forms: To Smyth County Nuisance Ordinance Agent

Steve Miller and his wife, Karen Miller, occupied the residence at 450 Adwolfe Road, Marion, VA for several years. Mr. Miller left the residence some 2 – 3 years ago as he and his wife apparently separated. Mrs. Karen Miller remained in the home with Mr. Miller's mother, Janet Miller, who died on 12/18/2015. The electric service was terminated over one month ago and Mrs. Karen Miller left the residence. The current physical addresses for Mr. & Mrs. Miller are not known to the complainants. However, Mrs. Miller frequently checks her mail at 450 Adwolfe Road, Marion, VA.

Shortly after Mr. Miller moved into the residence at 450 Adwolfe Road, he built an addition to the home, which is very close to the property line of Don Musser. It was not inspected by the appropriate officials of Smyth County and certainly not built to code. He used the addition initially to keep goats. It is unknown as to what is stored in the addition at this time.

Mrs. Miller has been keeping dogs in the home, likely in the basement, but they could have full access to the house. She has been seen on the property several times each week, apparently bringing food to the dogs, which do not have access to the outside for fresh air, exercise, and excretion of body waste. As noted above, electric service to the residence has been terminated and there is no air conditioning in the home and likely very little air circulation. During the week of 07/17/17 – 07/21/17, temperatures exceeded 90 degrees and the temperature inside the home had to be substantially higher. A complaint has been filed with the Smyth County Animal Control Office and on 07/25/17, a notice was placed on the door asking that the Millers contact the Animal Control Office. The Animal Control Officer thinks that there could also be snakes on the property. If the Millers fail to contact that office within 5 days, it will result in the issuance of a warrant to search and seizure of the dogs for their protection.

Mr. Miller has been self employed for several years; doing roofing and other odd jobs. He used the above referenced property to dump any excess materials from his jobs.

Debris currently on the property include:

- gas grills
- canister for gas grills
- paint cans: unknown as to which containers still has liquids. At least one is marked flammable.
- abandoned propane tanks
- plastic containers likely for kerosene
- plastic containers for gasoline
- tires
- garden hoses
- old commode
- sprayer: likely used in spraying insecticide {with some type of liquid inside}
- Buckets of various sizes, some of which are labeled driveway seal. Unknown as to which buckets still contains materials.
- Ladders
- Trash bags: some of which are open with unknown contents.
- Beer bottles



There are two - {2} metal outbuildings, which are rusting. Unknown as to what is stored in the buildings but various junk items have been thrown on top of the buildings.

Rats have been seen on the property by both Mrs. Henderson and her daughter, Susan Henderson Reinholz; and Don and Betty Musser. The rats have run into the yard at 456 Adwolfe Road and onto Mrs. Henderson's property. Mrs. Henderson has shot and killed several rats and has placed rat poison in her outbuilding in the event the rats enter the structure.

The rats are not only a nuisance but could be carrying diseases, which is a concern to the listed complainants, most of whom are over age 65; but especially to Don and Betty Musser, as we keep our 3 year old grandson, who plays daily in the yard. He could be bitten at any time and exposed to the diseases carried by the rodents. Because of the obvious unsanitary conditions we feel that there is a great danger especially to our grandson and other elderly neighbors.

See attached list of diseases transmitted directly by rodents as copied from the following website: <http://www.cdc.gov/rodents/diseases/direct.html>. Examples of diseases and descriptions as copied from the aforementioned website are listed below:

#### **1. Hantavirus Pulmonary Syndrome**

How the disease spreads

- a. Breathing in dust that is contaminated with rodent urine or droppings
- b. Direct contact with rodents or their urine and droppings
- c. Bite wounds, although this does not happen frequently

#### **2. Leptospirosis**

How the disease spreads

- a. Eating food or drinking water contaminated with urine from infected animals
- b. Contact through the skin or mucous membranes (such as inside the nose) with water or soil that is contaminated with the urine from infected animals

#### **3. Rat-Bite Fever**

How the disease spreads

- a. Bite or scratch wound from an infected rodent, or contact with a dead rodent
- b. Eating or drinking food or water that is contaminated by rat feces.

#### **4. Tularemia**

How the disease spreads

- a. Handling infected animal carcasses
- b. Being bitten by an infected tick, deerfly or other insect
- c. Eating or drinking contaminated food or water
- d. Breathing in the bacteria, *F. tularensis*

Another concern is the danger of a fire on the Miller property. The containers with unknown materials stored could explode and the tires and other debris could act as an accelerant to the fire and spread to neighboring houses. It is unlikely that Miller has any

homeowners insurance {fire coverage}, which could lead to a tangled legal issues for all of the adjacent property owners.

Not only is the property dangerous as noted above; it is also an eyesore and detracts from the appearance and market value of other property in the neighborhood.

It is the position of the complainants that Mr. & Mrs. Miller are in violation of **Sec. 20-64. - Prohibited nuisances** of the County Code as noted:

"The following acts when committed, or conditions when existing, within the county are hereby declared to be nuisances. The nuisances described in this section shall not be construed as exclusive, and any act of commission or omission and any condition which constitutes a nuisance by the statutes or common laws of the Commonwealth, when committed, omitted or existing within the county, is declared to constitute a nuisance.

{1}. Unsafe, dangerous, or unsanitary public or private buildings, walls, or structures which constitute a menace to the health and safety of the occupants or the public.

{2}. The accumulation of any and all ashes, trash, garbage, refuse, litter, scrap metal, debris, and other substances which might endanger the health or safety of other residents of the county.

{3}. Dangerous or unhealthy substances which have escaped, spilled, been released, or allowed to accumulate.

(Code 1978, §§ 12-3, 12-4; Code 1995, §§ 58-3, 58-4; Ord. of 10-22-2005, § 2-1)"

Mr. Miller has told Don Musser on several occasions that he needs to clean up the property and Musser advised him that he has seen rats on the property. Mrs. Henderson has spoken with Miller on several occasions about the need for cleanup and Miller told her that he needs to carry off the junk and clean it up and that a "man has to have something to trade on". He had 3 or 4 old riding lawnmowers and an old Ford Tractor, all of which have been removed from the property in the last few months. This is likely the items that he referenced about trading. It is our contention that none of the remaining junk has any viable trade value and is a nuisance.

The complainants are asking for assistance from the Smyth County Nuisance Ordinance Agent to seek cooperation from Mr. & Mrs. Miller for the immediate cleanup and removal of all debris from the property; to cease to discard additional junk on the property, and to properly maintain the property, including mowing the grass, until at such time they can sell or occupy the property.

Pictures of the property are attached with this complaint.





## Diseases directly transmitted by rodents

- › Hantavirus Pulmonary Syndrome
- › Hemorrhagic Fever with Renal Syndrome
- › Lassa Fever
- › Leptospirosis
- › Lymphocytic Chorio-meningitis (LCM)
- › Omsk Hemorrhagic Fever
- › Plague
- › Rat-Bite Fever
- › Salmonellosis
- › South American Arenaviruses (Argentine hemorrhagic fever, Bolivian hemorrhagic fever, Sabiá-associated hemorrhagic fever, Venezuelan hemorrhagic fever)
- › Tularemia

Page last reviewed: July 5, 2017

Page last updated: July 5, 2017

Content source: Centers for Disease Control and Prevention (<http://www.cdc.gov/>)

National Center for Emerging and Zoonotic Infectious Diseases (NCEZID) ([/ncezid/dw-index.html](http://www.cdc.gov/ncezid/dw-index.html))

Division of High-Consequence Pathogens and Pathology (DHCPP) ([/ncezid/dhcpp/index.html](http://www.cdc.gov/ncezid/dhcpp/index.html))



## 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., Chillhowie 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: October 31, 2017  
Subject: Bales, Alan and Tammy – Application for a Special Use Permit

After the joint public hearing on Thursday, October 26, 2017, the following motion was rendered:

**Recommendation on Alan and Tammy Bales' request for a Special Use Permit:**  
Commissioner David Spence made a motion to recommend approval of Alan and Tammy Bales request for a Special Use Permit to construct and operate a Childcare Center. Commissioner Graham Davidson Jr. seconded the motion and the following vote was recorded.

Vote: 5 yeas	Davidson Jr., Doyle, Spence, Wagoner, Shepherd
2 absent	Sparks, Pugh



## 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: October 31, 2017  
Subject: Witmer, Duane – Application for a Special Use Permit

After the joint public hearing on Thursday, October 26, 2017, the following motion was rendered:

**Recommendation on Duane Witmer's request for a Special Use Permit:** After discussion, Commissioner David Spence made a motion to recommend approval of Duane Witmer's application for a Special Use Permit to construct and operate a Meat Processing Facility with two conditions. First, Commissioner Spence suggested Mr. Witmer be limited to one cow per day. Second, a privacy fence must be constructed around any portion of the facility located outside the building. Commissioner Graham Davidson Jr. seconded the motion and the following vote was recorded.

Vote: 5 yeas	Davidson Jr., Doyle, Spence, Wagoner, Shepherd
2 absent	Sparks, Pugh

October 26, 2017

A meeting of the Smyth County Appointment Committee was held at the County Office Building on Thursday, October 26, 2017 at 6:30 P.M.

**Committee Members**

**Present:**

Chilhowie District Supervisor Wade H. Blevins, Jr., Acting Chair  
Park District Supervisor M. Todd Dishner

**Staff Members:**

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

Acting Chairman, Chilhowie District Supervisor Wade H. Blevins Jr. called the meeting to order at 6:36 pm.

Kelly Woods, Administrative Assistant informed the committee of an appointment that needed to be made for the Community Policy Management Team.

Park District Supervisor M. Todd Dishner made a motion to appoint Lisa Bourne, TDT Director with Family Preservation Services, as the Private Provider Representative to the Community Policy Management Team. Ms. Bourne will fill the remainder of the term for Josh Carter, which expires June 30, 2018.

This recommendation will be brought before the Board of Supervisors at the next scheduled meeting for November 15, 2017.

With nothing further to discuss, Chairman Rye Valley District Supervisor Rick K. Blevins adjourned the meeting at 6:36 P.M.

A meeting of the Smyth County Budget Committee was held at the County Office Building on Tuesday, October 31, 2017 at 4:00 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  
Wally Blevins, Solid Waste Foreman  
Lisa Richardson, Human Resource Manager  
Kelly Woods, Administrative Assistant

Chairman, Chilhowie District Supervisor Wade H. Blevins called the meeting to order at 4:00 P.M.

Michael Carter, County Administrator explained the purpose of the meeting and informed the Committee that due to a fire at the transfer station, there were several items that needed to be taken care of in order to get it operational again. VACO, who is the insurance provider for Smyth County has approved a claim in the amount of \$246,712.40 for the building. A claim was also approved in the amount of \$43,000.00 for equipment.

Mr. Carter explained that all information received for repairs were strictly quotes and some costs may vary once work has begun. VACO will reimburse the County should there be a need to add any item not listed on the appraisal. After lengthy discussion by the Committee, Rye Valley District Supervisor Rick K. Blevins made a motion to award the following bids (As shown attached). Park District Supervisor M. Todd Dishner seconded the motion and all agreed unanimously.

Fab-N-All, Saltville, Virginia, in the amount of \$8,800.00.  
Friendship Electric, Chilhowie, Virginia, in the amount of \$19,500.00.  
The Scale Works, Blountville, Tennessee, in the amount of \$57,200.00.  
A Frame Contracting, Saltville, Virginia, in the amount of \$96,798.00.

Michael Carter, County Administrator then discussed the need to replace a loader that was destroyed in the fire. The insurance company approved a claim in the amount of \$43,000.00, which is not enough to cover the purchase of a new loader. Quotes were received from two (2) companies to lease or purchase a new loader for use at the transfer station. After discussion, Park District Supervisor M. Todd Dishner made a motion to recommend entering into a 60-month lease with Meade Tractor for a M544K, 2017 John Deere. Payments will be \$2,469.00 per month for 60 months, with the option to purchase for \$54,600.00 once the lease has expired. Rye Valley District Supervisor Rick K. Blevins seconded the motion and all agreed unanimously.

In order to accommodate the receipt of the insurance claim check, there will need to be a budget amendment to the FY2017-2018 budget as shown below:

Expense:

001-011010-8901 (Insurance Recoveries-SW Fire)	\$289,463.00
--	--------------

Revenue:

001-018030-0008 (Insurance Recoveries-SW Fire)	\$289,463.00
--	--------------

Park District Supervisor M. Todd Dishner made a motion to recommend approving the budget amendment as presented. Rye Valley District Supervisor Rick K. Blevins seconded the motion and all agreed unanimously.

Scott Simpson, Assistant County Administrator presented a budget transfer request from the Water/Sewer Department as shown on attachment #6.

Park District Supervisor M. Todd Dishner made a motion to recommend approving the budget transfer as presented. Rye Valley District Supervisor Rick K. Blevins seconded the motion and all agreed unanimously.

All recommendations will be presented to the full Board at their next scheduled meeting on November 15, 2017. With nothing further to discuss, the meeting was adjourned at 4:50 P.M.

#1

**FAB-N-ALL  
FABRICATION AND WELDING  
SALTVILLE, VA**

**Federal Identification Number: 80-0540596**

**MSHA Identification Number: Z220**

**DMM Identification Number: 0003534**



Fab-N-All agrees to supply all materials and labor for the fabrication of wall plate with gussets and top slide plates for the total sum of \$8,800.00.

- Top slide plates will be welded on after mounting.
- Plates will be mounted on to the wall with  $\frac{3}{4}$ " epoxy anchor bolts.
- Fabrication will be done on and off site.

The client also agrees to remit payment to: Fab-N-All Fabrication and Welding, 208 Harleyville Lane, Saltville, VA 24370 at the terms and conditions of Net 15 days from the date of invoice.

Sincerely

*Derek Cardwell*

Derek Cardwell

Owner

C: 276-780-3753

O: 276-496-4543





#2

# FRIENDSHIP ELECTRIC

37021 Loves Mill Road • Chilhowie, VA 24319-3407 • (276) 646-5213 or (276) 780-5213

INVOICE

*Estimate*

Date:

*10/27/17*

Customer:

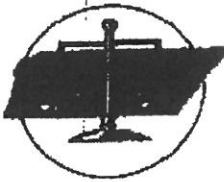
*Smith Co. Sandfill***Thank You!**

Address:

*Chilhowie VA*

Description	Cost
	\$
<i>Quote for electrical rewiring + repair</i>	
<i>at Sandfill office</i>	
<i>Labor and material</i>	<i>19,500.00</i>
Subtotal	\$
Tax	
Total	\$ <i>19,500.00</i>

All accounts are due and payable upon receipt of services. Acceptance of material and services infers agreement that all matters of delinquent payments will fall under jurisdiction of the Washington County, Virginia, court system.



# THE SCALE WORKS

3711 Hwy 126, Blountville TN 37617  
 10000 Martel Road, Lenoir City, TN 37771  
 Phone: (423) 323-2906 Toll Free: (800) 726-0161  
 Fax: (423) 323-3583



6707

ISO/IEC 17025:2005  
 Accredited

Date: October 11, 2017

To: Wally, Smyth County Transfer Station

From: Randall Hardin

Re: Replacement of lost equipment

We are very sorry about the fire that occurred at your location and are really glad than no one got hurt. Sounds like a good job was done by you and your staff.

We have evaluated your equipment and as you know all is lost in the fire. You will need to replace every piece and the cabling as nothing was left untouched. Below I have listed the equipment needed along with our labor to remove and install and get things back to as close to normal as possible.

- 2 Axle truck scales, designed to take the pressure from your operation
- 2 Remote displays with communication features
- 2 Digital indicator

Labor for the removal, installation and calibration of equipment

You wanted to take care of the concrete work yourself, so none of that is included with this price.

Pricing for above job	\$53,400.00
Freight from factory to your facility	\$ 3,800.00

Give to  
 Michael Carter  
 3 pages

## THE SCALE WORKS

The only Weigh to go.

#4

A Frame Contracting Inc.  
2619 Valley Rd  
Saltville Va. 24319  
Phone: 276-759-6532  
276-706-6676

10/25/17

Estimate  
Smyth County Convenience Station  
Chilhowie, Va.

Description

**Repair Fire Damage**

- Replace metal on three walls
- Remove and replace metal roof
- Install new 2-24x20 garage doors
- Install new 1-14x16 garage door
- Remove and replace one door header
- Remove and replace 1- 4X4 exhausts fan
- remove and replace 3 purlins
- remove and replace 1 eave strut
- Replace guttering and down spouts for entire building

Total: \$96,798.00



## **FINANCE OPTIONS**

### **Governmental 60 Month Lease with Purchase Option**

**924K**

**2,000 Hour usage per year**

**Payment: \$2,401.00**

**Purchase Option: \$46,500.00**

**944K**

**2,000 Hour usage per year**

**Payment: \$2,469.00**

**Purchase Option: \$54,600.00**

**\*John Deere Financial lease includes an a non-appropriation clause for the protection of government purchases. (If funds aren't allocated for the lease in future budgets, they can return the equipment and terminate the lease with no penalty.)**

**\*\*Payments can be made monthly, quarterly, semi-annually and annually for up to 72 months.**

# Meade Equipment

632 Eastern Star Road  
Kingsport, TN 37663



## PRICE QUOTATION

COMPANY NAME:	DATE:	QUOTE ID #
TO: <b>SMYTH COUNTY BOARD OF SUPERVISORS</b>	<b>October 18, 2017</b>	<b>4733</b>
ADDRESS:	MODEL NUMBER:	STOCK NUMBER:
<b>121 Begley Circle, Suite 100</b>	<b>544K-II</b>	<b>4750</b>
CITY, STATE, ZIP:	PROPOSED SHIPPING DATE:	TERMS:
<b>Marion, VA 24354</b>	<b>45 days</b>	<b>Net Due Upon Receipt of Products</b>
CONTACT:	SALESPERSON:	EQUIPMENT SERIAL NUMBER:
<b>Wally Blevins</b>	<b>Greg Ringley</b>	<b>1DW544KZKHF683573</b>

THIS IS OUR QUOTATION ON THE PRODUCTS NAMED, SUBJECT TO THE CONDITIONS BELOW. QUOTE VALID FOR 30 DAYS

YEAR:	MAKE:	MODEL:	HOURS:	WARRANTY:
<b>2017</b>	<b>JOHN DEERE</b>	<b>544K-II</b>	<b>2</b>	

## MACHINE CONFIGURATION

FT4 ENGINE  
STD 544K LOADER  
W/O AXLE DISC W/LUP  
130AMP ALTERNATOR  
MUFFLER WITH CHROME EXHAUST  
AIR INTAKE W PRECLEANER  
REVERSE FAN DRIVE  
FUEL TANK W STD FILTER  
JD LINK ULT 5 YEAR SERVICE  
STEERING CYLINDERS NG  
STD ZB BOOM W STD LINKAGE  
CONVENTIONAL STEERING  
SEAT, DELUXE W/O LH STEERING  
3FNL/JYSTK/1AUX/STR CL FNR  
RIDE CONTROL SYSTEM  
ENGLISH DECALS  
15 AMP CONVERTER  
NO PAYLOAD SCALE  
AXLE, STD REAR & HYD FRONT  
AXLE AUTO DIFF LOCK  
20.5x25 SETCO SOLID RUBBER TIRES & RIMS  
STD FRT FNDRS/R PLATFORM  
LEFT & RIGHT SIDE STEPS  
HD LED MARKER/TURN LIGHTS  
CAST HITCH  
OUTSIDE MIRRORS  
CAB WITH AIR  
AC CHARGE  
BUCKET PINS  
CAT STYLE QUICK COUPLER  
5 YD TRASH TRANSFER BUCKET WITH BOLT-ON SETCO RUBBER EDGE  
ENVIRONMENTAL DRAIN  
AXLE COOLER  
PREM RADIO AM/FM/WB/CD/XM  
CAB FRESH AIR PRECLEANER  
REAR CAMERA ONLY (SAFETY)  
BOTTOM GUARDS

\*\* In-Stock Products Subject to Prior Sale \*\*

TOTAL SALES PRICE : \$ 168,425.00

### WARRANTY INFORMATION:

- 5 YRS.- 6,000 HRS POWERTRAIN PLUS HYDRAULIC WARRANTY
- 3 YR. - 10,000 HR. STRUCTURE WARRANTY
- 5 YR. - 3,000 HR. EMISSIONS WARRANTY

CONDITIONS: The prices and terms on this quotation are not subject to verbal changes or other agreements unless approved in writing by the home office of the seller. All quotations and agreements are contingent upon accidents, fires, availability of materials and all other causes beyond our control. Prices are based on costs and conditions existing on date of quotation and are subject to change by the seller before final acceptance. Conditions not specifically stated herein shall be governed by established trade customs. Typographical errors subject to correction. Purchaser assumes liability for patent and copyright infringement when goods are made to purchasers specification. Terms inconsistent with those stated herein which may appear on Purchasers formal order will not be binding on the seller.

#6

October 30, 2017

To: Michael L. Carter, County Administrator

From: Scott R. Simpson, Engineer / Assistant County Administrator

RE: Budget Transfer – Water-Sewer Department

At the beginning of the 2017-2018 Fiscal Year, the Town of Chilhowie experienced a significant need to rehabilitate their large water tank above the Town, this need was not anticipated nor was the County made aware of the need when preparing and planning the water sewer budget for this current year. In order to perform the work, the Town of Chilhowie had to remove the tank from operation, thus not allowing for sufficient water volume to be sold to the County at the Apple Valley Road point of connection. The County water staff re-routed water flows and purchased water from the Town of Marion for the 3 months required for Chilhowie to perform the work. The work was completed in the middle of September and water flows were changed back to normal operation, purchasing from the Town of Chilhowie.

The purchase of water from Marion was not budgeted for and requires a transfer of \$ 41,000 to the HMSP Walker Ebenezer line from the Chilhowie Apple Valley Line where it was originally budgeted. The difference in price of the water from the two sources is \$1.20 per thousand gallons and equates to an additional \$9,500 in expense for this required re-routing, which we will attempt to absorb within the budget.

I respectfully request the following Expense Budget Line transfer.

**From:**

- \$ 41,000.00 501-085020-0205 Apple Valley Road Meter

**To:**

- \$ 41,000.00 501-085020-0104 HMSP Walker's Ebenezer

A meeting of the Smyth County Board of Supervisors Building and Grounds Committee was held at the County Office Building on Thursday, October 26, 2017 at 6:00 p.m.

**Committee Members Present:**

Saltville District Supervisor Roscoe D. Call, Chairman  
North Fork District Supervisor Phil Stevenson

**Staff Members Present:**

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

Saltville District Supervisor Roscoe D. Call, Chairman called the meeting to order at 6:00 p.m.

Michael Carter, County Administrator updated the Committee concerning the lease for the Riverside Community Building the County has with the Riverside Ruritan Club, which expires in January 2018. Mr. Carter informed the Committee the Building was being taken care of and would recommend the Committee allow Jeff Campbell, County Attorney to revise the lease as needed. After discussion, North Fork District Supervisor Phil Stevenson made a motion to allow Mr. Campbell to revise the lease and extend a new lease to Riverside Ruritan Club. All agreed unanimously.

Having no other business to discuss, Chairman, Saltville District Supervisor Roscoe D. Call adjourned the meeting at 6:12 pm.