

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., Tuesday, January 9, 2018. 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:** Park District Supervisor M. Todd Dishner; Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (7)

**ABSENT:** None.

**STAFF:** County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Travis Lee; Administrative Assistant Kelly Woods (4)

**OTHERS:** Stephanie Porter-Nichols, Smyth County News and Messenger, Deputy with the Smyth County Sheriff's Office and several citizens.

 1/9/2018 4:00 PM Michael Carter, County Administrator called the meeting to order.

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


After consideration, the motion PASSED by the following vote:


**AYES:** Park District Supervisor M. Todd Dishner,  
Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

 1/9/2018 5:00 PM Michael Carter, County Administrator called the meeting back to order from Closed session.

 1/9/2018 5:00 PM It was moved by Rye Valley District Supervisor Rick K Blevins, seconded by North Fork District Supervisor Phil Stevenson, to adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION

CERTIFICATION OF CLOSED SESSION

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

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

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

After consideration, the motion PASSED by the following vote:

AYES: Park District Supervisor M. Todd Dishner,  
Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



1/9/2018 5:01 PM Kendra Hayden, Administrative Assistant gave the invocation and Lisa Richardson, Human Resource Manager led the Pledge of Allegiance.



1/9/2018 5:01 PM A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:

AYES: Park District Supervisor M. Todd Dishner,  
Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.  
ABSTAINERS: None.  
ABSENT: None.



1/9/2018 5:02 PM Michael Carter, County Administrator opened the floor for discussion and nominations for the Election of Officers for calendar year 2018.

Saltville District Supervisor Roscoe D. Call made a motion to nominate Park District Supervisor M. Todd Dishner as Chairman for calendar year 2018. The motion was seconded by Rye Valley District Supervisor Rick K. Blevins.

North Fork District Supervisor Phil Stevenson made a motion to close the nominations, seconded by Saltville District Supervisor Roscoe D. Call.

After consideration, the motion PASSED by the following vote:

AYES: Park District Supervisor M. Todd Dishner,  
Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.  
ABSTAINERS: None.  
ABSENT: None.

Michael Carter, County Administrator called for a vote on Park District Supervisor M. Todd Dishner's nomination for Chairman for calendar year 2018.

After consideration, the motion PASSED by the following vote:

AYES: Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.  
ABSTAINERS: Park District Supervisor M. Todd Dishner.  
ABSENT: None.

Chairman, Park District Supervisor M. Todd Dishner opened the floor for nominations of Vice Chairman for calendar year 2018. North Fork District Supervisor Phil Stevenson nominated Rye Valley District Supervisor Rick K. Blevins as Vice Chairman for calendar year 2018. The motion was seconded by Saltville District Supervisor Roscoe D. Call.

Saltville District Supervisor Roscoe D. Call made a motion to close the nominations for Vice Chairman.  
North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Chairman, Park District Supervisor M. Todd Dishner called for a vote on Rye Valley District Supervisor Rick K. Blevins's nomination for Vice Chairman for calendar year 2018.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

NAYS: None.

ABSTAINERS: Rye Valley District Supervisor Rick K. Blevins, Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

ABSENT: None.

Chairman, Park District Supervisor M. Todd Dishner opened the floor for nominations of Clerk for calendar year 2018. North Fork District Supervisor Phil Stevenson nominated Michael Carter for Clerk. Saltville District Supervisor Roscoe D. Call seconded the motion.

Saltville District Supervisor Roscoe D. Call made a motion to close the nominations for Clerk and North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



Chairman, Park District Supervisor M. Todd Dishner called for a vote on Michael Carter's nomination for Clerk for calendar year 2018.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Chairman, Park District Supervisor M. Todd Dishner opened the floor for nominations of Deputy Clerk for calendar year 2018. North Fork District Supervisor Phil Stevenson nominated Scott Simpson for Deputy Clerk. Saltville District Supervisor Roscoe D. Call seconded the motion.

Saltville District Supervisor Roscoe D. Call made a motion to close the nominations for Deputy Clerk and North Fork District Supervisor Phil Stevenson seconded the motion.

Chairman, Park District Supervisor M. Todd Dishner called for a vote on Scott Simpson's nomination for Deputy Clerk for calendar year 2018.


After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/9/2018 5:06 PM Michael Carter, County Administrator asked the Board their desired meeting schedule for calendar year 2018 and suggested the meeting stays as scheduled on the 2<sup>nd</sup> Tuesday of each month, with the exception of November's meeting to be held on Wednesday, November 14, 2018. A second meeting, as needed will be the fourth Thursday of each month. Saltville District Supervisor Roscoe D. Call made a motion to continue with the regular meeting schedule on the second Tuesday of each month, with closed session beginning at 4:00 p.m., and for November's meeting to be held on Wednesday the 14<sup>th</sup>, with a second meeting the fourth Thursday of each month as needed. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



1/9/2018 5:09 PM A motion was made by Vice Chairman, Rye Valley District Supervisor Rick K. Blevins to adopt the Board of Supervisors Rules of Procedures as Amended March 8, 2016, with the addition of the Resolution for Electronic Participation by a Board Member the Board of Supervisors approved on June 23, 2016. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



1/9/2018 5:10 PM A motion was made by Saltville District Supervisor Roscoe D. Call to adopt the 2018 state holiday schedule as approved by the Governor and amended throughout the year. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



1/9/2018 5:11 PM It was moved by Vice Chairman, Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call to approve the minutes from the December 12<sup>th</sup>, 2017 meeting, with a correction being made to page 8, concerning Susan Rutherford speaking as a citizen of Smyth County.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



1/9/2018 5:13 PM Michael Carter, County Administrator asked the Board to consider setting the budget deadline for the FY18-19 budget on February 23, 2018 at close of business. Saltville District Supervisor Roscoe D. Call made a motion to set the budget deadline for FY2018-2019 on February 23, 2018 at close of business. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



1/9/2018 5:15 PM Chairman, Park District Supervisor M. Todd Dishner opened citizens time.



1/9/2018 5:16 PM With no one wishing to speak, Chairman Park District Supervisor M. Todd Dishner closed citizens time.



1/9/2018 5:16 PM Michael Carter, County Administrator presented the Board with information on the current FY2017-2018 budget and a current month analysis for appropriations.



1/9/2018 5:27 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$1,580,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County	
Accounts Payable Listing:	\$ 920,764.71
Payroll:	\$ 664,327.66
Auto Draft Rural Development:	\$ 8,974.00
AEP/Century Link Bills:	\$ 25,000.00
County Administration Fund:	\$ 5,000.00
 Total County Appropriation (Plus Carryover):	 \$1,580,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$400,000.00 from the General Fund for the Department of Social Services. The following is an explanation of the appropriations approved:

Social Services	
(January 10-January 31, 2018)	\$ 340,000.00
(February 1-February 13, 2018)	\$ 60,000.00
Total Social Services:	\$ 400,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$4,120,000.00 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	\$2,800,000.00
Administration, Attendance, & Health	\$ 115,000.00
Transportation	\$ 175,000.00
Facilities	\$ 425,000.00
School Food Service	\$ 550,000.00
Technology	\$ 55,000.00
Total School Operating Fund:	\$4,120,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$385,000.00 from the General Fund for School Debt Service.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$6,581.73 from the Sheriff's Fund 748 for open invoices.

After consideration, the motion PASSED by the following vote:

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

Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$3,000.00 from the EDA Fund 4 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Vice Chairman, Rye Valley District Supervisor Rick K. Blevins to appropriate \$190,124.68 from Fund 307 for the Adwolfe Sewer Project.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$1,894.59 from the Commonwealth Attorney's Fund 760 for open invoices.

After consideration, the motion PASSED by the following vote:

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

Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Vice Chairman, Rye Valley District Supervisor Rick K. Blevins to appropriate \$100.00 from the Water/Sewer Deposit Refund account for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$56.63 from the Drug Recovery Court Fund 749 for open invoices.

After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.


NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/9/2018 5:31 PM Chairman, Park District Supervisor M. Todd Dishner called for recess.

 1/9/2018 5:33 PM Josh Lewis, Executive Director with Virginia's Industrial Advancement Alliance presented a slide show to the Board of Supervisors, updating them on the Economic Development process provided by VIAA in Southwest Virginia and the GO Virginia Initiative.

 1/9/2018 6:12 PM Atkins District Supervisor Charles Atkins brought forward a recommendation from the Insurance Committee. It is the Committee's recommendation to allow Ms. Lisa Richardson, Human Resource Manager, to inform the Virginia Department of Human Resource Management, the

County's decision to not move forward with the COVA program, which is a health care plan for localities similar to state agencies.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Royal Oak District Supervisor Judy Wyant made a motion to adopt a resolution as shown below, allowing Smyth County to provide Worker's Compensation benefits to acting Board of Supervisors members. Saltville District Supervisor Roscoe D. Call seconded the motion.

Be it Resolved the members of the Smyth County Board of Supervisors are hereby authorized to be included as employees for the purpose of the Workers' Compensation Act of the Commonwealth of Virginia and are entitled to coverage provided under said Act.

### **ADOPTED this 9<sup>th</sup> day of January, 2018.**

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



1/9/2018 6:17 PM Michael Carter, County Administrator updated the Board of Supervisors concerning the Bond Rating for Smyth County. Mr. Carter stated that according to Moody's rating services, the State Intercept Rating has been modified from an Aa3 to an Aa1.



1/9/2018 6:25 PM Michael Carter, County Administrator presented House Bill 222 for consideration by the Board of Supervisors and read aloud the following resolution for the record:



**JOINT RESOLUTION IN SUPPORT OF HOUSE BILL NUMBER :222**

**WHEREAS**, Delegate James W. Morefield has introduced House Bill Number 222 into the Virginia General Assembly for consideration in the 2018 session, which seeks to provide a state income tax incentive for Corporations who invest in Smyth County and create at least fifty jobs for County residents and provide state income tax breaks for the employees of such new businesses;

**WHEREAS**, such tax incentives will provide incentives for private persons, partnerships, and corporations to locate their enterprises in Smyth County, broaden the tax base with their investment, and improve the economy by creating employment opportunities for County residents; and

**WHEREAS**, the Smyth County Board of Supervisors desire to support said legislation by joining with the other affected localities in approving this joint resolution;

**NOW THEREFORE**, the Smyth County Board of Supervisors do hereby **RESOLVE** to support House Bill Number 222, sponsored by Delegate James W. Morefield, for the purposes of increasing economic development opportunities for the residents of Smyth County.

**Adopted this 9<sup>th</sup> day of January, 2018 in the County of Smyth, Virginia**

North Fork District Supervisor Phil Stevenson made a motion to adopt the Resolution as presented. Chilhowie District Representative R. Curtis Rhea seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



1/9/2018 6:30 PM Scott Simpson, Assistant County Administrator updated the Board concerning the Adwolfe Sewer project and stated the project is essentially complete with the field construction

work. The pump station portion of the contract is almost complete with the site work and fencing which is anticipated to be completed by the end of the month. Mr. Simpson stated that AEP has the Highway 11 electrical service scheduled for installation the last week of January. The Exit 39 pump station electrical service is still in easement acquisition, as there is one landowner who has not returned their easement despite repeated attempts to contact them. AEP and the County staff are following up on this on a consistent basis.

The gravity sewer portion of the project is lacking about 350 feet of pipe installation in order to be complete. This piping is planned to be installed January 16<sup>th</sup> through the 18<sup>th</sup>, at that time all piping installation will be completed. The remaining testing of these line segments of added work is expected to be complete by the end of January.

Mr. Simpson then informed the Board of Supervisors of the challenges that had been faced in recent weeks by the Water/Sewer Department due to the prolonged cold weather and the repairs that have been needed such as frozen water meters, burst meters, and water main breakage. Mr. Simpson commended the employees of the Water/Sewer Department for their dedication and ongoing work in these tough conditions.

North Fork District Supervisor Phil Stevenson made a motion to allow staff to send a letter to the employees of the Water/Sewer Department on behalf of the Board of Supervisors, thanking them for their hard work and dedication. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



1/9/2018 6:36 PM Supervisor Comment Time:

Chairman, Park District Supervisor M. Todd Dishner thanked all those in attendance of the Board meeting.

Saltville District Supervisor Roscoe D. Call thanked all those in attendance of the Board meeting and welcomed Mr. Curtis Rhea and Ms. Judy Wyant to the Board.

Atkins District Supervisor Charles Atkins thanked those in the attendance of the meeting as well and welcomed Mr. Curtis Rhea and Ms. Judy Wyant. Mr. Atkins also stated he would like to continue to see things moving in a more positive direction for Smyth County and urged everyone to concentrate on Economic Development.

Chilhowie District Supervisor R. Curtis also thanked everyone in attendance of the meeting and stated that he is looking forward to working with everyone to move the County forward in 2018.

Royal Oak District Supervisor Judy Wyant thanked everyone in attendance of the meeting and thanked those in the Royal Oak District for entrusting her to represent them.



1/9/2018 6:41 PM North Fork District Supervisor Phil Stevenson made a motion to adjourn the meeting. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.


The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., Tuesday, February 13, 2018. 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, Park District Supervisor M. Todd Dishner; Vice-Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (7)

**ABSENT:** None.

**STAFF:** County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Travis Lee; Administrative Assistant Kelly Woods (4)

**OTHERS:** Stephanie Porter-Nichols, Smyth County News and Messenger, Deputy with the Smyth County Sheriff's Office and several citizens.

 2/13/2018 4:07 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting to order. A motion was made by Vice Chairman, 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. Saltville District Supervisor Roscoe D. Call seconded the motion.


After consideration, the motion PASSED by the following vote:


**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

 2/13/2018 5:01 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from Closed session.

 2/13/2018 5:01 PM It was moved by Vice Chairman Rye Valley District Supervisor Rick K Blevins, seconded by Chilhowie District Supervisor R. Curtis Rhea, to adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION

CERTIFICATION OF CLOSED SESSION

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

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

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

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



2/13/2018 5:02 PM Kendra Hayden, Administrative Assistant gave the invocation and Diane Spence, Director of Information Technology led the Pledge of Allegiance.




2/13/2018 5:03 PM A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.


NAYS: None.  
ABSTAINERS: None.  
ABSENT: None.


 2/13/2018 5:03 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to approve the minutes from the January 9<sup>th</sup>, 2018 meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.  
ABSTAINERS: None.  
ABSENT: None.

 2/13/2018 5:03 PM Michael Carter, County Administrator presented the Board with information on the current FY2017-2018 budget and a current month analysis for appropriations.

 2/13/2018 5:13 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$1,575,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County	
Accounts Payable Listing:	\$ 896,581.52
Payroll:	\$ 673,430.88
Auto Draft Rural Development:	\$ 8,974.00
AEP/Century Link Bills:	\$ 25,000.00
County Administration Fund:	\$ 5,000.00
 Total County Appropriation (Plus Carryover):	 \$1,575,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.  
ABSTAINERS: None.  
ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$400,000.00 from the General Fund for the Department of Social Services. The following is an explanation of the appropriations approved:

Social Services	
(February 14-February 28, 2018)	\$ 340,000.00
(March 1-March 13, 2018)	\$ 60,000.00
Total Social Services:	\$ 400,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.  
ABSTAINERS: None.  
ABSENT: None.

It was moved by Vice Chairman, Rye Valley District Supervisor Rick K. Blevins seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$3,880,000.00 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	\$2,800,000.00
Administration, Attendance, & Health	\$ 110,000.00
Transportation	\$ 160,000.00
Facilities	\$ 410,000.00
School Food Service	\$ 315,000.00
Technology	\$ 85,000.00
Total School Operating Fund:	\$3,880,000.00

After consideration, the motion PASSED by the following vote:

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

Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$8,136.02 from the Sheriff's Fund 748 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$3,022.99 from the EDA Fund 4 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Vice Chairman, Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$294,227.94 from Fund 307 for the Adwolfe Sewer Project.

After consideration, the motion PASSED by the following vote:

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



North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$470.69 from fund 301 for the Courthouse Project.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.


NAYS: None.


ABSTAINERS: None.

ABSENT: None.

 2/13/2018 5:17 PM Chairman, Park District Supervisor M. Todd Dishner opened citizens time.

Ron Thomason, 408 Whitetop Road Chilhowie, spoke on behalf of the Smyth County Tourism Board in opposition of the discontinuation of the Assign-A-Highway program.

 2/13/2018 5:23 PM With no one else wishing to speak, Chairman Park District Supervisor M. Todd Dishner closed citizens time.

 2/13/2018 5:23 PM Conrad Hill, Virginia Department of Transportation presented an update to the Board on several road projects that are currently being completed within the County and allowed for any Board member to present concerns they may have within their respective districts.

Chairman, Park District Supervisor M. Todd Dishner stated he was glad to see the progress that VDOT has made with the six-year plan.

North Fork District Supervisor Phil Stevenson thanked Mr. Hill for his dedication to Smyth County and asked for an update on McMullan Bridge. Mr. Hill stated the bridge is under review and he would advise the Board if it became successful for funding.



2/13/2018 5:34 PM Harry Dean, member of Smyth-Washington Regional Industrial Facilities Authority Board, presented the Annual SWIFA Report. Mr. Dean thanked the Board for allowing him the time to present information. Mr. Dean stated the audit was conducted by an independent consultant and if the Board had any questions he would answer them to the best of his abilities.

Atkins District Supervisor Charles Atkins questioned if the figures in the report were projected figures.

Chilhowie District Supervisor R. Curtis Rhea questioned if there may be a conflict with the Chairman that currently serves on the SWIFA Board, whom is also the Chair of the Economic Development Authority for Washington County.

Royal Oak District Supervisor Judy Wyant asked Mr. Dean what progress had been made in the Industrial Park and if Smyth County was recovering the investment that has been made.



2/13/2018 5:46 PM Chairman, Park District Supervisor M. Todd Dishner called for a five-minute recess.



2/13/2018 5:52 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from recess.



2/13/2018 5:52 PM Atkins District Supervisor Charles Atkins brought forward a recommendation from the Animal Control Committee. It is the Committee's recommendation to deny an Animal Damage Claim submitted by Lewis Olinger for 2 female sheep, in the amount of \$300.00, due to the death of the animals being caused by coyotes and as recommend by Animal Control.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



2/13/2018 5:53 PM Michael Carter, County Administrator updated the Board of Supervisors on a nuisance extension that had been granted to Mr. Rocky Wilkinson for a property located at 5432 Sugar Grove Highway, in July 2017. Mr. Carter stated that Mr. Wilkinson had recently purchased the property and had requested more time to abate the nuisance.

Atkins District Supervisor Charles Atkins made a motion to grant an extension to the nuisance suspension previously granted on July 27, 2017 for a property located at 5432 Sugar Grove Highway,

Sugar Grove VA, for a period of six (6) months, expiring August 31, 2018. Vice Chairman, Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

 2/13/2018 5:59 PM Michael Carter, County Administrator presented a Resolution for consideration and read aloud for the record as shown below:

#### **RESOLUTION**

At a regular meeting of the Board of Supervisors of Smyth County held in Marion, Virginia this 13<sup>th</sup> day of February, 2018 it was duly moved and seconded that:

**WHEREAS**, State Route 604, Ramblewood Road, from U. S. Route 600 in an easterly direction to Route 800 in the Chilhowie Election District is traveled by motorists at a high rate of speed creating a hazard to the health, lives and property of citizens living in the area, as well as other motorists traveling through said area,

**NOW, THEREFORE, BE IT RESOLVED**, this Board requests that the Virginia Department of Transportation consider posting speed limits in the above-mentioned area.

Adopted this the 13<sup>th</sup> day of February, 2018.

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

After consideration, the motion PASSED by the following vote:


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

Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

 2/13/2018 6:02 PM Vice Chairman, Rye Valley District Supervisor Rick K. Blevins brought forward the following recommendations from the Appointment Committee.

It is the committee's recommendation to appoint R. Curtis Rhea, P.O. Box 2386, Chilhowie, to the Marion Downtown Revitalization Committee for a one (1) year term, beginning March 1, 2018 and ending on February 28, 2019.

After consideration, the motion PASSED by the following vote:

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

**NAYS:** None.

**ABSTAINERS:** Chilhowie District Supervisor R. Curtis Rhea.

**ABSENT:** None.

It is the Committee's recommendation to appoint Royal Oak District Supervisor Judy Wyant, 1494 Scratch Gravel Road, Marion, as a member to the New River/Mt. Rogers Workforce Investment Area Consortium Board under a (1) year term beginning January 1, 2018 and ending December 31, 2018, with Atkins District Supervisor Charles Atkins serving as an alternate.

After consideration, the motion PASSED by the following vote:

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

**NAYS:** None.

**ABSTAINERS:** Royal Oak District Supervisor Judy Wyant.

**ABSENT:** None.

Atkins District Supervisor Charles Atkins made a motion to recommend to the Judge of Smyth County Circuit Court, the re-appointment of Glen Wheeler, 175 Kiawana Road, Atkins, VA to represent the Atkins District on the Board of Zoning Appeals. Royal Oak District Supervisor Judy Wyant seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Saltville District Supervisor Roscoe D. Call made a motion to recommend to the Judge of Smyth County Circuit Court, the re-appointment of John DeBusk III, 1482 Cedar Branch Road, Saltville, VA to represent the Saltville District on the Board of Zoning Appeals. Royal Oak District Supervisor Judy Wyant seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Royal Oak District Supervisor Judy Wyant made a motion to appoint Tony Dean, 1686 Scratch Gravel Road, Marion, as the Royal Oak District Representative to the Planning Commission. Saltville District Supervisor Roscoe D. Call seconded the motion.


After consideration, the motion PASSED by the following vote:


**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

 2/13/2018 6:05 PM Michael Carter, County Administrator updated the Board regarding a question concerning the Smyth Wythe Airport contribution not being recorded in the FY17 audit. Mr. Carter stated the correction had been made by the auditing firm and a corrected copy was given to each Board member.

 2/13/2018 6:08 PM Scott Simpson, Assistant County Administrator presented the following recommendations from the Budget Committee.

It is the Committee's recommendation to approve the request for a tax refund in the amount of \$1,143.23 on tax map #48A1-3-14, due to the owner qualifying for a tax relief program offered by Smyth County.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to approve the budget transfer as shown below for the CSA Department.

**EXPENSE**

<b>From</b>	<b>TO</b>	<b>Amount</b>
502-012010-0242(Back of the Dragon)	001-083040-5701 (CSA Pool Funds)	\$305,564.00

**REVENUE**

<b>From</b>	<b>TO</b>	<b>Amount</b>
502-012010-0147 (Back of the Dragon)	001-022500-0001 (CSA Pool Funds)	\$305,564.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** Atkins District Supervisor Charles Atkins

**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to approve the budget amendment as shown below for the CSA Department. The Budget Amendment of \$93,137.00 will increase the FY2017-2018 from \$90,211,875.00 to \$90,305,012.00.

<b><u>EXPENSE</u></b>	<b><u>AMOUNT</u></b>
001-083040-5701 (CSA Pool Funds)	\$93,137.00

**REVENUE (New Line Item)**

001-022500-0005 (CSA Fund Balance)	\$93,137.00
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After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to approve the budget amendment as shown below for the Commonwealth Attorney's Office. The Budget Amendment of \$5,000.00 will increase the FY2017-2018 from \$90,305,012.00 to \$90,310,012.00.

<b><u>EXPENSE (New line item)</u></b>	<b><u>AMOUNT</u></b>
001-022010-8888-50 (Comm. Attorney Reimb. Training)	\$5,000.00

**REVENUE (New Line Item)**

001-023010-0005 (Comm. Attorney Reimb. Training)	\$5,000.00
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After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to approve the budget transfer as shown below for the Board of Supervisors FY2017-2018 budget.

**EXPENSE**

<b>From</b>	<b>Amount</b>
001-011010-8888-60 (Unassigned Fund Balance)	\$4,000.00
<b>TO</b>	
001-011010-8100 (Court Appointed Attorney Fees)	\$4,000.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to approve the budget transfer as shown below for the Smyth County Basic 911 Department.

**EXPENSE**

<b>From</b>	<b>Amount</b>
001-031040-1001 (Full Time Salaries and Wages)	\$2,300.00
<b>TO</b>	
001-031040-1003 (Part Time Salaries and Wages)	\$2,300.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.



**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to approve the budget amendment as shown below for the Smyth County School Board. The Budget Amendment of \$90,000.00 will increase the FY2017-2018 from \$90,310,012.00 to \$90,400,012.00.

<b><u>EXPENSE</u></b>	<b><u>AMOUNT</u></b>
009-099990-5804 (Co. School Operation-Facilities)	\$90,000.00

**REVENUE**

001-040000-0002 (Local Funds Transfer-Smyth Co. School Board)	\$90,000.00
009-022000-0001 (Local Funds Transfer-From General Fund)	\$-90,000.00

**New Revenue Line Item:**

001-040000-0005 (Local Funds Transfer-Use of Fund Balance)	\$90,000.00
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After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to approve the budget amendment as shown below for Fund 38 Dispatch Supplemental. The Budget Amendment of \$30,000.00 will increase the FY2017-2018 from \$90,400,012.00 to \$90,430,012.00.

<b><u>EXPENSE</u></b>	<b><u>AMOUNT</u></b>
038-011010-9005 (Specific Use)	\$30,000.00

**REVENUE (New Line Item)**

038-011010-0003 (Use of Fund Balance)	\$30,000.00
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After consideration, the motion PASSED by the following vote:


**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,


Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

 2/13/2018 6:35 PM North Fork District Supervisor Phil Stevenson updated the Board of Supervisors on the Building and Grounds Committee meeting that was held on Friday, January 19, 2018 and stated that a Security Officer was now present in the County Administration Building and will rotate each floor, parking lot and associated grounds, monitoring them accordingly.

 2/13/2018 6:37 PM North Fork District Supervisor Phil Stevenson brought forward a recommendation from the Courthouse Committee. It is the Committee's recommendation to allow for utilization of a room at the Courthouse, procurement for electrical work and the installation of the data cabling, and boxes to complete the project for use by the Supreme Court.


After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.


**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

 2/13/2018 6:39 PM Vice Chairman, Rye Valley District Supervisor Rick K. Blevins updated the Board of Supervisors on the Insurance Committee Meeting that took place on Monday, February 5, 2018 to discuss the renewal rate for the Anthem/Local Choice Employee Health Insurance. The Committee would like to allow for review of proposed budgets for FY18-19 before they make a recommendation.

Royal Oak District Supervisor Judy Wyant asked what the total cost to the County was for Health Insurance, and stated she felt it was a significant part of the budget. Ms. Wyant asked for the total number of employees that participate in the Health Insurance, and asked that a break down of each category be read into the meeting.

 2/13/2018 6:45 PM Chairman, Park District Supervisor M. Todd Dishner brought forward a recommendation from the Personnel Committee. It is the Committee's recommendation to discontinue with

the Assign-A-Highway Program and additionally remove the monetary incentive given to those employees identified within the program in accordance with the Board of Supervisors minutes dated June 28, 2007, to be effective immediately.

After consideration, the motion PASSED by the following vote:

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

**NAYS:** Atkins District Supervisor Charles Atkins and Royal Oak District Supervisor Judy Wyant.

**ABSTAINERS:** None.

**ABSENT:** None.



2/13/2018 7:07 PM Chilhowie District Supervisor R. Curtis Rhea brought forward a recommendation from the Solid Waste Committee. It is the Committee's recommendation to not continue with the current contract for Solid Waste Haul and Disposal Services and to place them out for new bids.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



2/13/2018 7:09 PM Saltville District Supervisor Roscoe D. Call brought forward the following recommendations from the Water/Sewer Committee.

It is the Committee's recommendation to test 22 wells at homes located along Spring Valley Road, for the presence or absence of bacteria. These results will provide backup documentation for a Virginia Department of Health Grant Application, which could provide up to \$12,500 per contaminated well towards the extension of public drinking water.

After consideration, the motion PASSED by the following vote:

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

Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to allow staff to pursue discussions with a landowner concerning a spring located along the Spring Valley Road section of Smyth County, to determine the feasibility of the site and to begin discussions regarding a possible option agreement on the site in order to perform the appropriate testing of the spring source.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to allow staff to prepare a request for proposals for services that would allow the use of debit/credit cards or ACH (Automated Clearing House) debits for payment of Water/Sewer bills by the citizens of Smyth County.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



2/13/2018 7:24 PM Chairman, Park District Supervisor M. Todd Dishner updated the Board concerning a recent trip that he attended with staff to Richmond. Mr. Dishner stated that he along with Mr. Carter and Mr. Simpson spoke to several Delegates and members of the Senate concerning several bills that could affect Smyth County.



2/13/2018 7:32 PM Supervisor Comment Time:

Chilhowie District Supervisor R. Curtis Rhea spoke and stated the County is currently dealing with several issues and would like to encourage everyone to look at the bigger picture.

Atkins District Supervisor Charles Atkins stated he is concerned with the way Smyth County is doing business and would like to make sure the correct information is being given to citizens. Mr. Atkins also asked Mr. Carter to clarify if Board members can engage with departments to obtain information they request.

Rye Valley District Supervisor Rick K. Blevins invited all his fellow Board Members to attend Committee meeting so each is informed.

North Fork District Supervisor Phil Stevenson also stated that he encourages everyone to focus on the big picture and stated he appreciated the leadership shown by Michael Carter, County Administrator.

Royal Oak District Supervisor Judy Wyant stated that it had been a long meeting and she appreciated everyone who attended. Ms. Wyant stated that as a representative, no issue is small and feels it's important to hear each one.

Park District Supervisor M. Todd Dishner also thanked those in attendance of the meeting and would like for everyone to look at the bigger picture, and be on the same page.



2/13/2018 7:46 PM Meeting adjourned.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., Tuesday, March 13, 2018. 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, Park District Supervisor M. Todd Dishner; Vice Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (7)

ABSENT: None.

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

OTHERS: Stephanie Porter-Nichols, Smyth County News and Messenger, Deputy with the Smyth County Sheriff's Office and several citizens.



3/13/2018 4:04 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting to order. A motion was made by Vice Chairman, Rye Valley District Supervisor Rick K Blevins to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.1; Personnel Matters**; Discussion, consideration, or interviews of prospective candidates for employment and contracts; **A.5; Industrial/Business Prospects**; discussion concerning a business or industry considering expansion with no previous announcement being made. **A.7** Legal; discussion with legal counsel and staff pertaining to actual or probable litigation. North Fork District Supervisor Phil Stevenson seconded the motion

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



3/13/2018 5:01 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from Closed session.

It was moved by Vice Chairman Rye Valley District Supervisor Rick K Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to adopt the following resolution certifying the

business conducted in closed session as follows:

## RESOLUTION

### CERTIFICATION OF CLOSED SESSION

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

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

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


After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/13/2018 5:02 PM Heather Street, IT System Specialist gave the invocation and Kelly Woods, Administrative Assistant led the Pledge of Allegiance.

 3/13/2018 5:02 PM A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:


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

Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/13/2018 5:03 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to approve the minutes from the February 13<sup>th</sup>, 2018 meeting.


Atkins District Supervisor Charles Atkins and Royal Oak District Supervisor Judy Wyant both stated they would like to see more details of each meeting placed in the minutes.

After consideration, the motion PASSED by the following vote:

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

NAYS: Atkins District Supervisor Charles Atkins and Royal Oak District Supervisor Judy Wyant.

ABSTAINERS: None.

 3/13/2018 5:11 PM Michael Carter, County Administrator presented the Board with information on the current FY2017-2018 budget and a current month analysis for appropriations.

 3/13/2018 5:20 PM Chairman, Park District Supervisor M. Todd Dishner opened citizens time.


Sarah Gillespie, spoke on behalf of the Smyth County Chamber of Chamber, presenting an update to the Board concerning all the programs that are currently being offered by the Chamber. Ms. Gillespie also presented information on the upcoming Small Business Boot Camp the Chamber will host. Ms. Gillespie stated the request for funding in the FY18-19 budget had been submitted and they are asking for an increase in the per capita rate, due to a decrease in funding that had been previously received by the Anthem Commission Program. With healthcare reform, the program is no longer available.


Scott Shumaker, 618 Orchid Street, Marion Virginia, spoke as the Co-owner on Hungry Mother Adventures, stated he would like assistance from the County concerning the inspections that are needed for the zip lines, etc. that are offered by Hungry Mother Adventures. Several Board members asked Mr. Shumaker about the boundary fence that was to be in place as an exception to the permit that was issued, and Mr. Shumaker stated he would make sure the fence was installed.

Michael Carter, County Administrator explained to Mr. Shumaker the process taken for the inspections and the changes that had been made in the Building and Zoning Department in order to accommodate the needs for Smyth County. Mr. Carter stated that although carnival ride inspections had been



reinstated by the County, the inspection for the zip lines that was needed by Mr. Shumaker has not been offered by Smyth County.


 3/13/2018 5:41 PM With no one else wishing to speak, Chairman Park District Supervisor M. Todd Dishner closed citizens time.

 3/13/2018 5:41 PM Mr. Stephen Clear, Superintendent with Southwest Virginia Regional Jail gave an update concerning the Jail and the increased costs associated. Mr. Clear informed the Board the level of inmates had increased approximately 30% over the last several years, which attributes to the high cost for Smyth County. Mr. Clear explained the process that is taken by the Regional jail when calculating the percentages, and the factors that go into determining the usage of the facility as a result of the population of each locality.


Several Board members asked Mr. Clear questions concerning the process of determining each localities cost and why the costs are high.

 3/13/2018 6:12 PM Chairman, Park District Supervisor M. Todd Dishner called for a five (5) minute recess.

 3/13/2018 6:26 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from recess.

 3/13/2018 6:26 PM Aaron Floyd-Blue Ridge Discovery Center introduced himself to the Board and presented an overview of the Blue Ridge Discovery Center, requesting support from the Board for a grant application. Mr. Floyd stated with the grant application, the County is being asked to be the fiscal agent for the project, and the grant does not require any local match.

Michael Carter, County Administrator informed the Board that a Resolution supporting this project is on the agenda to be considered during the Budget Committee Recommendations.

 3/13/2018 6:39 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$1,780,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County	
Accounts Payable Listing:	\$ 1,129,130.12
Payroll:	\$ 669,493.20
Auto Draft Rural Development:	\$ 8,974.00
AEP/Century Link Bills:	\$ 25,000.00
County Administration Fund:	\$ 5,000.00
Minus Beginning Appropriation:	\$ (178,956.23)
New Carryover for March:	\$ 121,358.91

Total County Appropriation: \$1,780,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$400,000.00 from the General Fund for the Department of Social Services. The following is an explanation of the appropriations approved:

Social Services	
(March 14-March 31, 2018)	\$ 340,000.00
(April 1-April 10, 2018)	\$ 60,000.00
Total Social Services:	\$ 400,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$4,090,000.00 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	\$3,000,000.00
Administration, Attendance, & Health	\$ 125,000.00
Transportation	\$ 260,000.00
Facilities	\$ 375,000.00
School Food Service	\$ 230,000.00

Technology	\$ 100,000.00
Total School Operating Fund:	\$4,090,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$1,120.60 from the Sheriff's Fund 748 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$3,194.60 from the EDA Fund 4 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$82,534.63 from Fund 307 for the Adwolfe Sewer Project.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$420.59 from fund 301 for the Courthouse Project.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



3/13/2018 6:43 PM Chairman, Park District Supervisor M. Todd Dishner brought forward the following recommendations from the Appointment Committee:

It is the committee's recommendation to appoint Heather Williams, P.O. Box 397, Chilhowie, Virginia, to the SWIFA Board, as the Member at large for a four (4) year term, beginning March 1, 2018 and ending February 28, 2022.

Atkins District Supervisor Charles Atkins expressed his concern with the process of obtaining recommendations for vacancies to various Boards.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Several Board members spoke concerning the Smyth County Public Library Board appointments, stating they would like to see equal district representation. Chairman, Park District Supervisor M. Todd Dishner stated that due to the current organization of the Library Board, it may take some time to achieve equal representation. Discussion continued on this item, with most Board members stating that further discussion would continue once the litigation with the Friends of the Library was resolved.

Rye Valley District Supervisor Rick K. Blevins made a motion to allow County Attorney, Jeff Campbell to seek the opinion of Smyth County Commonwealth Attorney Roy Evans, concerning the position of a current Board of Supervisor member who is also an employee of the Smyth County Public Library. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



3/13/2018 6:57 PM Chairman, Park District Supervisor M. Todd Dishner brought forward the following recommendations from the Budget Committee:

It is the Committee's recommendation to approve the budget amendment as shown below for the Smyth County Sheriff's Office in the amount of \$5,000.00. This amendment will change the current FY2017-2018 budget from \$90,430,012.00 to \$90,435,012.00

**EXPENSE**

	<b>Amount</b>
739-021070-8888-5(Sheriff Dept. Dare Fund)	\$5,000.00

**REVENUE: (NEW LINE ITEM)**

739-010000-0003 (Dare Fund Balance)	\$5,000.00
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After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,

Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Michael Carter, County Administrator brought forward the following Resolution for consideration in support of the Blue Ridge Discover Center and read it aloud for the record.

*A RESOLUTION IN SUPPORT OF A GRANT APPLICATION FOR DHCS IRF FUNDS FOR THE BLUE RIDGE DISCOVERY CENTER*

**WHEREAS,** the County of Smyth has previously participated in Department of Housing and Community Development programs, to apply for funds to complete projects throughout the County;

**WHEREAS,** the County of Smyth has determined there is a need for economic development, job creation, and enhanced youth education resources; and

**WHEREAS,** the County of Smyth is acting according to the desires of County residents in supporting the renovation of the historic Konnarock Girls Training School; and

**WHEREAS,** the Department of Housing and Community Development has made available Industrial Redevelopment Fund grants of up to \$600,000 for the revitalization and reuse of vacant properties that will provide a measurable economic benefit to their local community and the region.

**NOW THEREFORE, BE IT RESOLVED,** the County of Smyth hereby agrees to submit a grant application for up to \$600,000 in DHCD IRF Funds to be used with ARC and other funding to renovate, revitalize, and reopen the Historic Konnarock Girls Training School building as the Blue Ridge Discovery Center, a major economic attraction and residential education facility for our communities within the County and the region.

Vice Chairman, Rye Valley District Supervisor Rick K. Blevins made a motion to adopt the resolution as presented. Chilhowie District Supervisor R. Curtis Rhea seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Chairman, Park District Supervisor brought forward the following recommendations from the Budget Committee.

It is the Committee's recommendation to approve the RFP as shown below for Attorney Services for Smyth County.

*The Smyth County Board of Supervisors will receive proposals from qualified Attorneys-at-Law to provide legal services for the Smyth County Board of Supervisors, Economic Development Authority, the Smyth County Planning Commission, and any other Public Body, as required for the position of County Attorney; proposals must be received by, March 30, 2018 at 4:00pm.*

*Please mail proposals to the following:*

*Smyth County Board of Supervisors*

*ATTN: Michael Carter*

*121 Bagley Circle, Suite 100*

*Marion, VA 24354*

*Proposals will be for fiscal year 2018-2019 with a contract option to renew for an additional two (2) years of services contingent upon successful renegotiations each additional year.*

*Proposals are being solicited under authority of §2.2-4302.2 of the Code of Virginia and will not include numerical scoring to be used in the evaluation of the proposal.*

*The following factors will be considered in the evaluation of each proposal and candidates are encouraged to provide definitive information:*

- 1. Previous experience or training in government related law.*
- 2. Educational background and experience.*
- 3. Professional competence in the field.*
- 4. General legal experience.*
- 5. Availability of service.*
- 6. Familiarity with Federal rules and regulations with regard to grant applications and grant procedures.*
- 7. Cost of services.*

After consideration, the motion PASSED by the following vote:

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

North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to approve a real estate tax refund request in the amount of \$1,593.47, for tax map number 42-1-4D, due to the miscalculation of square footage.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Chilhowie District Supervisor R. Curtis Rhea spoke concerning a request he had made during the Budget Committee Meeting on March 6, 2018. Mr. Rhea stated he would like to see the Board of Supervisors support the Small Business Boot camp that is offered by the Smyth County Chamber of Commerce.

Discussion continued on this matter between several Board members, with Chilhowie District Supervisor R. Curtis Rhea making a motion to request the Board of Supervisors allocate \$5000.00 in support of the Smyth County Chamber of Commerce Small Business Boot Camp. Atkins District Supervisor Charles Atkins seconded the motion.

Discussion continued by the Board of Supervisors considering this matter and many members stated they felt as if they didn't have enough information to vote appropriately on the matter.

Before the recording of the vote, County Attorney Jeff Campbell identified to the Board that if a member was uncertain or felt as if they didn't have enough information to vote on the issue, the Board member could consider voting no, which would allow a member of the prevailing side to bring the issue back for reconsideration at the next regular scheduled meeting of the Board.

After consideration, the motion FAILED by the following vote:

**AYES:** Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.


**NAYS:** Chairman, Park District Supervisor M. Todd Dishner,



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

**ABSTAINERS:** None.

**ABSENT:** None.

 3/13/2018 7:19 PM Rye Valley District Supervisor Rick K. Blevins brought forward a recommendation from the Building and Grounds Committee. It is the Committee's recommendation to renew the agreement with Cook's Mechanical for HVAC services for an additional one-year term from April 1, 2018 through March 31, 2019.


After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

 3/13/2018 7:22 PM Rye Valley District Supervisor Rick K. Blevins brought a recommendation before the Board of Supervisors from the Insurance Committee. It is the Committee's recommendation to accept the renewal for the Anthem/Local Choice employee health insurance plan for July 1, 2018 through June 30, 2019 at an increase of 4.1%, with the contribution rate from the County to the Employee at 80% and 79% for spouse and/or dependents.

Mr. Blevins also informed the Committee that a voluntary survey had been taken concerning spousal insurance coverage and relayed that information to the Board.

Royal Oak District Supervisor Judy Wyant stated she was astounded to see the number of spouses that have insurance available through their respective employers. As a cost saving measure, Ms. Wyant would like to see the County require the spouse to utilize the benefits that are available to them, stating she feels the Board has been very negligent with tax payer dollars concerning the Health Insurance.

Several Board members spoke stating that due to the compensation package the County offers, the benefits are often the reason an employee continues to work for Smyth County and do not want to see any additional benefits taken from employees or their family.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,

Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea.

**NAYS:** Royal Oak District Supervisor Judy Wyant.

**ABSTAINERS:** None.

**ABSENT:** None.



3/13/2018 7:31 PM Chilhowie District Supervisor R. Curtis Rhea brought forward a recommendation from the Solid Waste Committee. It is the Committee's recommendation to approve the RFP's as shown attached (#1&#2) for Solid Waste Transportation and Disposal Services.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



3/13/2018 7:32 PM Chairman, Park District Supervisor M. Todd Dishner updated the Board concerning a Personnel Committee meeting that took place on Tuesday, February 27, 2018. Mr. Dishner stated the committee met to discuss the current opening for the Director of Community and Economic Development. The position has been advertised again, with the County receiving five (5) applications. Out of the five (5) applications received, two (2) candidates were selected for further consideration, and the Committee concurred with interviewing two (2). After the interviews take place, the Committee and staff will report a summary to the full Board of Supervisors.



3/13/2018 7:35 PM Supervisor Comment Time

Royal Oak District Supervisor Judy Wyant thanked everyone for attending the meeting and their interest in local government. Ms. Wyant clarified her concern with the employee health insurance stating she does not want to see any employee lose a benefit, however if there is a cost savings to the County she feels compelled to look into and identify the information.

Rye Valley District Supervisor Rick K. Blevins stated he had enjoyed the meeting and stated Chairman, Park District Supervisor M. Todd Dishner was doing a good job.

Atkins District Supervisor Charles Atkins stated he felt the Board had accomplished a lot at the meeting tonight and hopes everyone can go home as friends. Mr. Atkins thanked the citizens for attending the meeting.

Saltville District Supervisor Roscoe D. Call thanked everyone for attending the meeting and stated the employees and citizens that visit the Saltville branch of the Smyth County Public Library were very pleased with the way Library is being operated.

Chairman, Park District Supervisor M. Todd Dishner thanked the citizens for attending the meeting and stated that it takes different views on each matter to make everything work for the County.



3/13/2018 7:38 PM The meeting was continued to Thursday, March 22, 2018, at 7:00 P.M.

The Smyth County Board of Supervisors held its continued meeting at 7:00 p.m., **Thursday, March 22, 2018**. 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, Park District Supervisor M. Todd Dishner; Vice-Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; Chilhowie District Supervisor R. Curtis Rhea; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (6)

North Fork District Planning Commissioner Norman Sparks; Park District Planning Commissioner Joel Pugh; 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 Tony Dean; Saltville District Supervisor David Spence (7)

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

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

**Others Present:** Stephanie Porter Nichols, Smyth County News and Messenger, Smyth County Sheriff's Department Deputy and several citizens were present.

 10/26/2017 7:00 PM Chairman of the Board of Supervisors, M. Todd Dishner and Norman Sparks Chairman of the Planning Commission, called the joint public hearing to order. Mr. Michael Carter, County Administrator read the advertisement as placed in the Smyth County News and Messenger and the rules for Public Hearings.

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

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

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, March 22, 2018, 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 Debusk Farms LLC for a Special Use Permit for a Recreational Vehicle Park. The property is located between 1528 & 1366 Buckeye Hollow Road in Saltville, identified as Tax Map No. 41-A-109B and zoned Agricultural/Rural.*

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

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

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

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

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

Clegg Williams, Building and Zoning Administrator explained John DeBusk's intention to construct and operate a recreational vehicle park on a tract of land he owns in Saltville. The property is located between 1528 and 1366 Buckeye Hollow Road, identified as tax map #41-A-109B, and is zoned Agricultural/Rural. Mr. Williams stated notice of the public hearing was advertised in the Smyth County News & Messenger on March 10 and March 17, 2018, along with a first class mailing to each of the applicants adjoining property owners.

Mr. DeBusk presented his business plan for the proposed recreational vehicle park (12 units) and answered questions from the Board of Supervisors and the Planning Commission.

Blaine Ward, 1371 Buckeye Hollow Road, Saltville spoke and stated he had concerns with security, increased traffic and the length of time the workers would be staying.

Tom and Janet Duchac, 1396 Buckeye Hollow Road, Saltville also spoke concerning the increased traffic and the noise at their driveway.

John DeBusk III, 1482 Cedar Branch Road, Saltville stated the property would only be used by Appalachian Power employees and their sub-contractors.

Tiffany Evans 209 Timberbrook Drive, Saltville expressed her concern about the potential impact the RV park would have on her water pressure, and asked if the County would provide support for the water. She also stated concerns about the security.

No one else chose to speak on this application.

Board of Supervisors Chairman, Park District Supervisor M. Todd Dishner and Planning District Commission Chairman Norman Sparks 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, Park District Supervisor M. Todd Dishner called the Board of Supervisors meeting back to order.

Chairman, Park District Supervisor M. Todd Dishner opened citizens time. With no one wishing to speak, Chairman, Park District Supervisor M. Todd Dishner closed citizens time.

Michael Carter, County Administrator brought forward a recommendation from the Budget Committee. It is the Committee's recommendation to approve a budget transfer request as shown below for the Commonwealth Attorney's Office in the amount of \$5,596.00.

**EXPENSE**

<b>From</b>	<b>TO (NEW LINE ITEMS)</b>	<b>Amount</b>
737-022010-8888-21	737-022010-1003(Part Time Salaries)	\$5,200.00
737-022010-8888-21	737-022010-2001 (FICA)	\$396.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

Supervisor Comment Time:

Atkins District Supervisor Charles Atkins asked for a clarification concerning the budget transfer request letter from the Commonwealth Attorney's, stating the line item to be used for the FICA appeared to be incorrect. Mr. Carter informed Mr. Atkins the correct line item would be used when making the transfer.

Chairman, Park District Supervisor M. Todd Dishner stated he would like to address the full Board of Supervisors concerning conduct of recent meetings at the April 10, 2018 regular scheduled meeting.

Meeting adjourned at approximately 7:45 P.M.


The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., Tuesday, April 10, 2018. 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, Park District Supervisor M. Todd Dishner; Vice Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (7)

ABSENT: None.

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

OTHERS: Stephanie Porter-Nichols, Smyth County News and Messenger, Deputy with the Smyth County Sheriff's Office and several citizens.

 4/10/2018 4:06 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting to order. A motion was made by Vice Chairman, Rye Valley District Supervisor Rick K Blevins to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.1; Personnel Matters**; Discussion, consideration, or interviews of prospective candidates for employment and contracts; **A.5; Industrial/Business Prospects**; discussion concerning a business or industry considering expansion with no previous announcement being made. **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, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 4/10/2018 5:00 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from Closed session.

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

## RESOLUTION

### CERTIFICATION OF CLOSED SESSION

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

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

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

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



4/10/2018 5:00 PM Sandy Elswick, Voter Registrar gave the invocation and Shannon Williams, 911 Coordinator led The Pledge of Allegiance.



4/10/2018 5:01 PM A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,




Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 4/10/2018 5:02 It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to approve the minutes from the March 13<sup>th</sup> and March 22<sup>nd</sup> meeting, with correction being made to page 13 of the March 13<sup>th</sup> minutes, identifying the ongoing litigation with the Friends of the Library and not Smyth Bland Regional Library as previously recorded.

After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea and  
(\*)Royal Oak District Supervisor Judy Wyant.


NAYS: Atkins District Supervisor Charles Atkins and (\*)Royal Oak District Supervisor Judy Wyant.

ABSTAINERS: None.

ABSENT: None.

(\*)After review of the notes and video from the meeting, record shows Royal Oak District Supervisor Judy Wyant voted twice on the matter stated above.

 4/10/2018 5:03 PM Michael Carter, County Administrator presented the Board with information on the current FY2017-2018 budget and a current month analysis for appropriations.

 4/10/2018 5:12 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$1,895,000.00 from the General Fund. The following is an explanation of the appropriations approved:

**General County**

Accounts Payable Listing:	\$ 1,201,149.51
Payroll:	\$ 670,018.30
Auto Draft Rural Development:	\$ 8,974.00
AEP/Century Link Bills:	\$ 25,000.00
County Administration Fund:	\$ 5,000.00
Minus Beginning Appropriation:	\$ (138,582.15)
New Carryover for April:	\$ 123,440.34

Total County Appropriation: \$ 1,895,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Vice Chairman, Rye Valley District Supervisor Rick K. Blevins to appropriate \$400,000.00 from the General Fund for the Department of Social Services. The following is an explanation of the appropriations approved:

**Social Services**

(April 11-April 30, 2018) \$ 340,000.00

(May 1-May 8, 2018) \$ 60,000.00

Total Social Services: \$ 400,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$3,875,000.00 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	\$2,850,000.00
Administration, Attendance, & Health	\$ 115,000.00
Transportation	\$ 200,000.00
Facilities	\$ 300,000.00
School Food Service	\$ 300,000.00

Technology	\$ 110,000.00
Total School Operating Fund:	\$3,875,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Vice Chairman, Rye Valley District Supervisor Rick K. Blevins to appropriate \$63,000.00 from the General Fund for School Debt Service.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$1,120.48 from the Sheriff's Fund 748 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$3,000.00 from the EDA Fund 4 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Vice Chairman, Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$14,088.90 from Fund 307 for the Adwolfe Sewer Project.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.


NAYS: None.


ABSTAINERS: None.

ABSENT: None.

 4/10/2018 5:16 PM Chairman, Park District Supervisor M. Todd Dishner opened citizens time.

Reverend Emily Edminston, 37367 Rafferty Road, Chilhowie spoke concerning the Remote Area Medical Clinic that is scheduled to be held on May 4-6, 2018 at the Mtn. Empire Airport, stating the RAM Clinic is a mobile clinic that will be set up for residents to receive medical services free of charge. Ms. Edminston explained the services offered and the benefits of the clinic to the public. Ms. Edminston thanked the Board of Supervisors for their continued support of the clinic.

 4/10/2018 5:22 PM With no one else wishing to speak, Chairman Park District Supervisor M. Todd Dishner closed citizens time.

 4/10/2018 5:22 PM Jeff Campbell, County Attorney updated the Board regarding the Conflict of Interest request which had been made at the last Board Meeting, concerning Royal Oak District Supervisor Judy Wyant's position on the Board of Supervisors, while also serving as an employee of the Smyth County Public Library. Mr. Campbell stated each Board member had received a copy of the Letter of Opinion from Smyth County Commonwealth's Attorney Roy Evans which stated that Ms. Wyant had

received an opinion from the Ethics Council and should be governed by that or may risk prosecution for a violation of the Act.



4/10/2018 5:26 PM Dr. Gene Couch, President, Virginia Highlands Community College and Cindy Fields, Director of the Virginia Highlands Small Business Development Center, spoke concerning the programs that are offered by the Center. Ms. Fields stated the center is one of the most effective providers of customized counseling and education for small businesses in the Commonwealth, offering services to help aspiring business owners start their own business, or help those experienced to grow their business.



4/10/2018 5:33 PM Michael Carter, County Administrator presented the following recommendation from the Planning Commission:

*Commissioner David Spence made a motion to recommend approval of Debusk Farms, LLC's request for a Special Use Permit for a Recreational Vehicle Park on Buckeye Hollow Road, Saltville (Tax Map #41-A-109B) with the stipulations that only Appalachian Power employees and their sub-contractors can use the park and the permit will expire in six years. Commissioner Paul Shepherd seconded the motion.*

*After consideration, the motion passed by the following vote:*

**AYES:** Sparks, Spence, Wagoner, Shepherd, Pugh, Davidson Jr., and Dean.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Saltville District Supervisor Roscoe D. Call made a motion to accept the recommendation as presented from the Planning Commission. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner, Vice Chair, Rye Valley District Supervisor Rick K. Blevins, Saltville District Supervisor Roscoe D. Call, North Fork District Supervisor Phil Stevenson, Atkins District Supervisor Charles Atkins, Chilhowie District Supervisor R. Curtis Rhea and Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



4/10/2018 5:40 PM Michael Carter, County Administrator brought forward the following recommendations from the Budget Committee:

It is the Committee's recommendation to approve the budget transfer as shown below for the Maintenance Department in the amount of \$3,742.00.

**EXPENSE**

<b>From</b>	<b>To</b>	<b>Amount</b>
001-043020-5101(Courthouse Electricity)	001-043040-5407(County Bldg.Repair)	\$3,742.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to approve a payment to Auto World of Big Stone Gap in the amount of \$22,145.00 for the replacement of a Sheriff Department vehicle.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to approve the purchase and installation of a Hot- Standby Indoor Replacement Single Link Microwave Unit at a cost of \$99,844.80. To ensure proper payment in FY17-18, invoices need to be received by June 5, 2018.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Michael Carter, County Administrator brought forward the following recommendation from the Budget Committee. The Committee met on March 20, 2018 and discussed bids that were received for the purchase of a 2018 extended cab pickup truck for use by the Animal Control Department. After discussion, it is the Committee's recommendation to award the bid to Empire Ford in Abingdon in the amount of \$23,625.00.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Michael Carter, County Administrator brought forward the following recommendation from the Budget Committee. It is the Committee's recommendation to approve the budget transfer as shown below for the Maintenance Department in the amount of \$2,600.00.

**EXPENSE**

<b>From</b>	<b>To</b>	<b>Amount</b>
001-043040-5408(Vehicle Repair)	001-043040-5405 (Jant.Supplies)	\$1,000.00
001-043020-5101(Electrical)	001-043020-3004(Repair and Maint.)	\$800.00
001-043020-5101(Electrical)	001-043020-5101-1(Parking Garg.)	\$400.00
001-043030-5103(Water&Sewer)	001-043030-5407(Repairs&Maint.)	\$400.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Michael Carter, County Administrator brought forward the following recommendation from the Budget Committee. It is the Committee's recommendation to approve the leases on the Emergency Communication Towers that are located on Walker Mountain and Sugar Grove Mountain that Smyth County currently has with Appalachian Power. The lease amount for the tower on Walker Mountain will

be paid annually, over the next ten (10) years in the amount of \$1,725.00 per year. The lease amount for the tower on Sugar Grove Mountain will also be paid annually, over the next ten (10) years in the amount of \$7,590.00 per year. The new leases will begin on October 1, 2018 and run through September 30, 2018.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Michael Carter, County Administrator brought forward the following recommendation from the Budget Committee. The Committee met on April 3, 2018 and reviewed bids received for Attorney Services. After discussion, it is the Committee's recommendation to interview both firms that submitted proposals, and to enter into competitive negotiations during the interview process.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Michael Carter, County Administrator brought forward the following recommendation from the Budget Committee. It is the Committee's recommendation to approve the budget transfer as shown below for the Sheriff Department in the amount of \$5,117.00.

**EXPENSE**

<b>From</b>	<b>To</b>	<b>Amount</b>
001-021070-1001(Salaries)	001-021070-5408(Vehicle Repair)	\$5,117.00

After consideration, the motion PASSED by the following vote:

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



North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



4/10/2018 5:54 PM Heather Lewis and Helen Holman, representatives for the Smyth County Department of Social Services presented a resolution as shown below, asking the Board to declare April as Child Abuse prevention month. Michael Carter, County Administrator read the Resolution for the record.

## **RESOLUTION**

### **TO PROCLAIM THE MONTH OF APRIL AS CHILD ABUSE PREVENTION MONTH**

**WHEREAS,** The Smyth County Board of Supervisors recognizes that nearly 7,000 children in Virginia were determined to be abused and neglected in 2017; and

**WHEREAS** child abuse and neglect has been demonstrated to impact a victim's physical, mental and emotional health in ways that can have lifelong consequences; and

**WHEREAS** Effective child abuse prevention programs succeed because of partnerships among citizens, agencies, schools, religious organizations, law enforcement agencies, and the business community; and

**WHEREAS** Child abuse prevention is a community responsibility and finding solutions depends on involvement among all residents of Smyth County.

**NOW, THEREFORE, BE IT RESOLVED** that The Smyth County Board of Supervisors proclaims April as Child Abuse Prevention Month in Smyth County and urges all citizens to work together to reduce child abuse and neglect and insure the health and safety of its youngest citizens.

Adopted this the 10<sup>th</sup> day of April 2018.

ATTEST:

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Michael L. Carter, Smyth County Administrator

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


After consideration, the motion PASSED by the following vote:


**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.


**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

 4/10/2018 5:59 PM Jeff Campbell, County Attorney introduced representatives of Wagstaff & Cartmell Law Firm. Mr. Campbell stated that he, along with other Attorneys, have been working with the firm concerning the opioid epidemic and the financial burden that several localities are experiencing due to this concern. The law firm of Wagstaff and Cartmell is requesting the Smyth Board of Supervisors, in addition to several adjoining Counties to consider retaining their firm in order to join in the multi-district litigation bringing action against manufacturers and distributors of prescription opiates.

 4/10/2018 6:50 PM Chairman, Park District Supervisor M. Todd Dishner called for a five-minute recess.

 4/10/2018 7:05 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from recess.



4/10/2018 7:05 PM Eddie Bosley with the Atkins Volunteer Fire Department presented a Resolution to the Board of Supervisors for consideration, which would allow for financing that is needed to purchase a new fire truck for the Department become tax exempt. Mr. Bosley informed the Board of Supervisors the Atkins Volunteer Fire Department held a Public Hearing on April 9, 2018 and had no one to speak for or against the financing or purchase. As part of the process, a representative of the Fire Department was required to present the activity of the Public Hearing to the Board. Mr. Bosley is requesting the Board of Supervisors approval of the financing and adoption of the Resolution as shown below.

Michael Carter, County Administrator read the Resolution for the record.

Resolution Approving the Financing by the Atkins Volunteer Fire Department

Of up to \$186,500.00 for a new fire truck

**WHEREAS**, Atkins Volunteer Fire Department has determined to finance an amount of up to \$186,500.00 for the purchase of new fire truck;

**WHEREAS**, the United States Internal Revenue Code requires that for such financing to be carried out on a tax-exempt basis, the Board must first approve the financing;

**WHEREAS**, the Atkins Volunteer Fire Department has held a public hearing on the financing after published notice, as required by the Code;

**WHEREAS**, the Atkins Volunteer Fire Department has reported the proceedings of the hearing to this Board;

**NOW, BE IT THEREFORE RESOLVED**, the Smyth County Board of Supervisors approve the Atkins Volunteer Fire Departments entering into the financing, as required by the Code for the financing to be carried out on a tax-exempt basis. The Volunteer Fire Department's conduct of the required public hearing is approved.

I hereby certify the foregoing Resolution was duly adopted at a meeting of the Smyth County Board of Supervisors held on \_\_\_\_\_, 2018, and that a quorum was present and acting throughout such meeting.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Clerk, Smyth County Board of Supervisors

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

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



4/10/2018 7:12 PM Michael Carter, County Administrator reviewed the minutes of the Personnel Committee meeting that was held on Monday, April 2, 2018, noting there was no action or recommendations as a result of the meeting.



4/10/2018 7:13 PM Scott Simpson, Assistant County Administrator brought forward the following recommendations from the Water/Sewer Committee. Mr. Simpson stated the Committee met on Monday, April 2, 2018 and discussed several items.

It is the Committee's recommendation to adopt the following Resolution as shown below regarding an interconnection of the Smyth County and Wythe County water systems to potentially serve the Atkins area. The resolution will allow staff to submit a joint funding application to the Virginia Department of Health for a maximum Grant amount of \$35,000.00 for a preliminary engineering report. Scott Simpson, Assistant County Administrator read the Resolution for the record.

## **VDH PLANNING GRANT PROGRAM**

### **RESOLUTION - 2018**

**WHEREAS,** Smyth County and Wythe County has a specific need to work to establish an interconnection of their drinking water systems in order to provide water service to additional County residents, redundant water sources, and to allow for more stable long term financial planning of both Organizations;

**WHEREAS,** the Virginia Department of Health-Office of Drinking Water Planning Grant Funding Program fits the needs of these types of projects, and

**WHEREAS,** the Counties of Smyth and Wythe desire to compile a Preliminary Engineering Report which will outline the feasibility, benefits, and financial impacts and considerations of a regional interconnection;

**THEREFORE, BE IT RESOLVED**, the Smyth County Board of Supervisors and the Wythe County Board of Supervisors hereby agree to jointly and regionally seek grant funding from the Office of Drinking Water for the Preliminary Engineering Report of this regional interconnection in the following amount:

Smyth-Wythe Interconnection Preliminary Engineering Report   \$ 35,000

**THEREFORE, BE IT FURTHER RESOLVED** the Administrations of both localities shall immediately begin to process a funding application for this project and the County Administrators of the respective Counties be authorized to sign any and all documents to apply for and accept such funding contingent upon review and concurrence by the County Attorneys.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to direct Staff to place an advertisement in the Smyth County News and Messenger asking for public input about private water sources that may be available.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It is the Committee's recommendation to request the EDA of Smyth County for access and the ability to evaluate the existing well located on the property at Pathway Park as a potential public water source.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,

Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Mr. Simpson stated the Committee then discussed results of Water Testing related to private wells along Grubmore Road, Daywood Lane, Little Walker Way and Spring Valley Road. After discussion, it is the Committee's recommendation to allow staff to submit the grant applications needed for the combined projects on Daywood Lane and Grubmore Road. Scott Simpson, Assistant County Administrator read the resolution for the record, which will allow for Grand Funding Applications.

## **VDH PLANNING GRANT PROGRAM CONSTRUCTION ASSISTANCE PROGRAM RESOLUTION - 2018**

**WHEREAS,** Smyth County has a specific need to work to establish County owned water sources in order to operate the primary source for our systems, as well as provide water service to additional County residents, establish redundant water sources, and to allow for more stable long term financial planning of the County;

**WHEREAS,** the Virginia Department of Health-Office of Drinking Water Planning Grant Funding Program fits the needs of these types of projects, with Planning Grants and Small Construction Project Grants; and

**WHEREAS,** the County of Smyth desires to compile Preliminary Engineering Reports which will outline the feasibility, benefits, and financial impacts and considerations of new and additional water sources on each end of the County; and extend public water service to approximately 12 homes which have contaminated private wells;

**THEREFORE, BE IT RESOLVED,** the Smyth County Board of Supervisors hereby agree to seek grant funding from the Office of Drinking Water for the much-needed projects in the following amounts:

New Water Source Preliminary Engineering Report	- East End	\$ 35,000
New Water Source Preliminary Engineering Report	- West End	\$ 35,000

Small Projects Construction Grant – Daywood/Grubmore

\$ 150,000

**THEREFORE, BE IT FURTHER RESOLVED** the Administration of Smyth County shall immediately begin to process funding applications for these projects and the County Administrator is authorized to sign any and all documents to apply for and accept such funding contingent upon review and concurrence by the County Attorney.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



4/10/2018 7:24 PM Supervisor Comment Time:

Royal Oak District Supervisor Judy Wyant made a motion to appoint Justine Bradley, 389 Laurel Springs Road, Marion, Virginia, as the Royal Oak District Representative to the Department of Social Services Board, filling the remainder of the term for Blake Frazier. The term will end February 6, 2020. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Saltville District Supervisor Roscoe D. Call thanked everyone for thoughts during recovery from a recent surgery.

Park District Supervisor M. Todd Dishner stated he will be out of town during the May Board of Supervisors Meeting.

Meeting adjourned.

DRAFT




The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., Tuesday, May 8, 2018. The location of the meeting was in the First-Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Vice Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; Chilhowie District Supervisor R. Curtis Rhea; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (5)

ABSENT: Chairman, Park District Supervisor M. Todd Dishner  
North Fork District Supervisor Phil Stevenson (2)

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

OTHERS: Stephanie Porter-Nichols, Smyth County News and Messenger, Deputy with the Smyth County Sheriff's Office and several citizens.

 5/8/2018 4:03 PM Vice Chairman, Rye Valley District Supervisor Rick K. Blevins called the meeting to order. A motion was made by Saltville District Supervisor Roscoe D. Call 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. **A.7 Legal**; discussion with legal counsel and staff pertaining to actual or probable litigation and to invite representative with Wagstaff and Cartmell Law Firm to participate in closed session. Chilhowie District Supervisor R. Curtis Rhea seconded the motion.


After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner and North Fork District Supervisor Phil Stevenson.

 5/8/2018 5:05 PM Vice Chairman, Rye Valley District Supervisor Rick K. Blevins called the meeting back to order from Closed session.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins, to adopt the following resolution certifying the business conducted in closed session as follows:

## RESOLUTION

### CERTIFICATION OF CLOSED SESSION

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

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

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

After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: North Fork District Supervisor Phil Stevenson.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.



5/8/2018 5:05 PM North Fork District Supervisor Phil Stevenson entered the meeting.



5/8/2018 5:06 PM Justin Hall, Pastor with Cedar Bluff Baptist Church, Atkins gave the invocation and Cathy Goins, Assistant Voter Registrar led the Pledge of Allegiance.



5/8/2018 5:07 PM A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:


AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,

North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.

 5/8/2018 5:08 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to approve the minutes from the April 10<sup>th</sup>, 2018 meeting, with correction being made to the code section identified by Royal Oak District Supervisor Judy Wyant concerning the Conflict of Interest update located on page six (6).


After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.


NAYS: Atkins District Supervisor Charles Atkins and Royal Oak District Supervisor Judy Wyant.


ABSTAINERS: None.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.

 5/8/2018 5:10 PM Michael Carter, County Administrator presented the Board with information on the current FY2017-2018 budget and a current month analysis for appropriations.

 5/8/2018 5:17 PM Vice Chairman, Rye Valley District Supervisor Rick K. Blevins opened Citizens Time.

 5/8/2018 5:17 PM With no one wishing to speak, Vice Chairman, Rye Valley District Supervisor Rick K. Blevins closed Citizens Time.

 5/8/2018 5:18 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$1,610,000.00 from the General Fund. The following is an explanation of the appropriations approved:

**General County**

Accounts Payable Listing:	\$ 900,351.49
Payroll:	\$ 677,693.51
Auto Draft Rural Development:	\$ 8,974.00
AEP/Century Link Bills:	\$ 25,000.00
County Administration Fund:	\$ 5,000.00
Minus Beginning Appropriation:	\$ (34,537.11)
New Carryover for April:	\$ 27,518.11

Total County Appropriation: \$ 1,610,000.00

After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$400,000.00 from the General Fund for the Department of Social Services. The following is an explanation of the appropriations approved:

**Social Services**

(May 9-May 31, 2018) \$ 340,000.00

(June 1-June 12, 2018) \$ 60,000.00

Total Social Services: \$ 400,000.00

After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$4,050,000.00 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	\$3,000,000.00
Administration, Attendance, & Health	\$ 100,000.00
Transportation	\$ 175,000.00
Facilities	\$ 350,000.00
School Food Service	\$ 385,000.00
Technology	\$ 40,000.00

Total School Operating Fund: \$4,050,000.00

After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$400,000.00 from the School Textbook Fund.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$245,000.00 from the General Fund for School Debt Service.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$1,986.51 from the Sheriff's Fund 748 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,

Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$15,000.00 from the EDA Fund 4 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$19,779.79 from Fund 307 for the Adwolfe Sewer Project.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$30,996.90 from Fund 749 for Drug Recovery Court.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.



5/8/2018 5:22 PM Chilhowie District Supervisor R. Curtis Rhea made a motion to approve a tax assessment settlement with a not to exceed amount of \$5,000.00. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: North Fork District Supervisor Phil Stevenson.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.



5/8/2018 5:22 PM Dr. Karen Shelton, District Director, Mt. Rogers Health District and Breanne Forbes Hubbard, Population Health Coordinator, Mt. Rogers Health District gave an update to the Board of Supervisors and the services the Health Department currently provides to the citizens of Smyth County. Dr. Shelton presented information concerning the Smyth County Community Health Assessment and the goals in which the Health Department are aiming to achieve to make Smyth County a healthier community.



5/8/2018 5:33 PM James Tyler Smyth, CEO, Smyth County Community Hospital presented a Resolution as shown below for consideration by the Board that would consent to a tax-exempt bond issue that allows for refinance of certain costs incurred at Smyth County Community Hospital.

#### **RESOLUTION OF THE BOARD OF SUPERVISORS**

##### **OF SMYTH COUNTY, VIRGINIA**

**WHEREAS**, Ballad Health, a Tennessee nonprofit corporation (“Ballad”), which was created as a result of the affiliation of Mountain States Health Alliance, a Tennessee nonprofit corporation (“MSHA”), Wellmont Health System, a Tennessee nonprofit corporation (“Wellmont”), and certain affiliates of thereof, has requested The Health and Educational Facilities Board of the Town of Greeneville, Tennessee (the “Issuer”) to issue up to \$1,160,000,000 of its qualified 501(c)(3) tax-exempt revenue bonds (the “Bonds”), the proceeds of which, if issued, will be loaned to Ballad to finance and/or refinance the costs associated with the acquisition, constructing and equipping of certain facilities owned or operated by the Borrower, MSHA, Wellmont or an affiliate thereof;

**WHEREAS**, a portion of the proceeds of the Bonds, not expected to exceed \$350,000,000, will, if issued, be loaned to Ballad to finance and/or refinance the costs associated with the acquisition,

constructing and equipping of facilities located at 245 Medical Park Drive, Marion, Virginia, and commonly known as Smyth County Hospital;

**WHEREAS**, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), require that the governmental unit having jurisdiction over the area in which any facility financed with the proceeds of the Bonds is located approve the issuance of such Bonds;

**WHEREAS**, Section 147(f) of the Code requires that any such approval by the applicable governmental unit be given after a public hearing following reasonable public notice;

**WHEREAS**, on May 7, 2018, in accordance with the requirements of Section 147(f) of the Code, the Issuer or its designee held a public hearing following publication of notice of such public hearing in the Smyth County News & Messenger on April 21, 2018; and

**WHEREAS**, Ballard has requested that the Board of Supervisors of Smyth County, Virginia (the “Board”) approve the issuance of the Bonds to comply with Section 147(f) of the Code.

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

1. The Board hereby approves the issuance of the Bonds by the Issuer for the benefit of Ballard, as required by Section 147(f) of the Code.

2. The approval of the issuance of the Bonds does not constitute an endorsement of the Bonds or the creditworthiness of Ballard. Smyth County, Virginia, does not have any obligation to pay the Bonds or the interest thereon or other costs incident thereto.

3. All acts and doings of the officers and members of the Board that are in conformity with the purposes and intent of this resolution shall be, and the same hereby are, in all respects approved and confined.

or

4. This resolution shall take effect immediately upon its adoption.

Adopted this 8th day of May, 2018; Smyth County, Virginia.

A Copy Teste:

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Michael L. Carter, County Administrator



Saltville District Supervisor Roscoe D. Call made a motion to adopt the Resolution as presented.  
Chilhowie District Supervisor R. Curtis Rhea seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.



5/8/2018 5:40 PM Saltville District Supervisor Roscoe D. Call made a motion to schedule the Public Hearing for the VDOT 6-year plan on Tuesday, June 12, 2018 at 5:30 P.M. Chilhowie District Supervisor R. Curtis Rhea seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Chairman, Park District Supervisor M. Todd Dishner.



5/8/2018 5:41 PM Michael Carter, County Administrator presented information concerning the Opportunity Zone Designation, explaining that Smyth County had 9 census tracts that qualified. Mr. Carter stated the Opportunity Zone nominations help to focus on local, regional, and state priorities with different types of needs and development opportunities. This is a tool to spur economic growth in communities across Virginia.

Atkins District Supervisor Charles Atkins questioned who submitted the information to the State of Virginia and asked why the Board of Supervisors just received the information. Mr. Atkins stated he felt the Board should have been notified during the process and not after.



5/8/2018 5:51 PM Chilhowie District Supervisor R. Curtis Rhea made a motion to enter into a contract with Wagstaff and Cartmell Law firm, allowing Smyth County to be represented in the Federal Opioid Litigation, clarifying there is no fee for the representation unless a recovery is obtained in favor

of Smyth County. At that point the County agrees to pay a 25 % contingent fee. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins and  
Chilhowie District Supervisor R. Curtis Rhea.

**NAYS:** Royal Oak District Supervisor Judy Wyant.

**ABSTAINERS:** None.

**ABSENT:** Chairman, Park District Supervisor M. Todd Dishner.



5/8/2018 5:54 PM Michael Carter, County Administrator presented the following recommendations from the Budget Committee:

It is the Committee's recommendation to approve the budget transfer as shown below for Circuit Court in the amount of \$152.00.

**EXPENSE**

<b>From</b>	<b>To</b>	<b>Amount</b>
001-021010-5201 (Postal Services)	001-021010-5411 (Books and Sub.)	\$152.00

After consideration, the motion PASSED by the following vote:

**AYES:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Chairman, Park District Supervisor M. Todd Dishner.

It is the Committee's recommendation to approve the budget amendment as shown below in the amount of \$125,300.00, allowing for the reconciliation of the Operations and Inmate Count for the Regional Jail. This amendment will change the current FY2017-2018 budget from \$90,435,012.00 to \$90,560,312.00.

**Expense (Increase Line Item)**

001-033010-7001	Regional Jail Operations	\$60,000.00
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**Revenue (Increase Line Item)**

001-011050-0001	Merchants Capital	\$20,000.00
001-013030-0008	Building Permits	\$26,000.00
001-015010-0002	Interest on Investments	\$14,000.00

Expense (Increase Line Item)

001-033010-7003	Regional Jail Reconciliation	\$65,300.00
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Revenue (Increase Line Item)

001-011030-0001	Personal Property	\$11,100.00
001-011040-0001	Machinery and Tools	\$52,200.00
001-015010-0002	Interest on Investments	\$ 2,000.00

After consideration, the motion PASSED by the following vote:

**AYES:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Chairman, Park District Supervisor M. Todd Dishner.

It is the Committee's recommendation to approve a real estate tax refund request in the amount of \$1,215.82, for tax map number 28A12-7-43, owned by Jerry Whitaker III. Mr. Whitaker qualifies for a tax relief program offered by Smyth County.

The County Administrator's Office will process the refund and mail to the address identified on the request for refund application.

After consideration, the motion PASSED by the following vote:

**AYES:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Chairman, Park District Supervisor M. Todd Dishner.

It is the Committee's recommendation to approve the budget transfer as shown below for the Smyth County School Board in the amount of \$191,284.00.

**REVENUE**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
009-021010-0006 (Basic Aid)	009-022000-0001 (Local Funds Trans.)	\$191,284.00

After consideration, the motion PASSED by the following vote:

**AYES:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins,

Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Chairman, Park District Supervisor M. Todd Dishner.

It is the Committee's recommendation to approve the budget transfer as shown below for the Solid Waste Department/Transfer Station in the amount of \$23,420.00.

**EXPENSE**

<b>From</b>	<b>To</b>	<b>Amount</b>
001-042030-3021 (Escrow for Equipment)	001-042030-8888-51 (Ground Water Mont.)	\$3,900.00
001-042030-8888-13(Scales-Serv&Repair)	001-042030-8888-51 (Ground Water Mont.)	\$3,000.00
001-042030-1001 (Salaries and Wages)	001-042030-8888-51 (Ground Water Mont.)	\$720.00
001-042030-8888-27 (Haul and Disp.)	001-042030-5408 (Vehicle Maint & Repair)	\$7,500.00
001-042030-1001 (Salaries and Wages)	001-042030-5406 (Fuel)	\$8,300.00

After consideration, the motion PASSED by the following vote:

**AYES:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Chairman, Park District Supervisor M. Todd Dishner.

It is the Committee's recommendation to approve the budget transfer as shown below for the Solid Waste Department/Convenience Stations in the amount of \$3,215.00.

**EXPENSE**

<b>From</b>	<b>To</b>	<b>Amount</b>
001-042050-3004 (Repair and Maint.)	001-042050-5101 (Electricity)	\$1,250.00
001-042050-3004 (Repair and Maint.)	001-042050-5103 (Water and Sewer)	\$450.00
001-042050-3004 (Repair and Maint.)	001-042050-8002 (Lease Rent Sites)	\$1,350.00
001-042050-3004 (Repair and Maint.)	001-042050-3005 (Service Contracts)	\$165.00

After consideration, the motion PASSED by the following vote:

**AYES:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Chairman, Park District Supervisor M. Todd Dishner.

It is the Committee's recommendation to enter into an agreement with Campbell Law Firm for Attorney Services for Smyth County as shown below. The agreement will run for a period of one (1) year, with an option to renew for two (2) successive one-year terms. An initial retainer of \$5,000.00 will be assessed, with a monthly rate of \$100.00 per hour, capped at \$100,000.00 annually.

### LEGAL SERVICES AGREEMENT

This document (the "agreement") is the legal services agreement between the Smyth County Board of Supervisors and Campbell Law Firm, P.C., dated this \_\_\_\_ day of May, 2018.

1. IDENTIFICATION OF PARTIES. This agreement is made between the Campbell Law Firm, P.C., hereafter referred to as "Law Firm", and the Smyth County Board of Supervisors, hereafter referred to as "Client."

2. CONDITIONS. This agreement will not take effect, and Law Firm will have no obligation to provide legal services, until Client returns a signed copy of this agreement.

3. RESPONSIBILITIES OF LAW FIRM AND CLIENT. Law Firm will perform the legal services called for under this agreement, keep Client informed of progress and developments, and respond within a reasonable time to Client's inquiries and communications. Client will be truthful and cooperative with Law Firm, provide on a timely basis all information and documents necessary to Law Firm's effective representation of Client's interests, keep Law Firm reasonably informed of developments and of Client's address, telephone number, and whereabouts, timely make any payments required by this agreement and abide by this agreement. Client should keep in mind that Law Firm's ability to adequately represent and advise Client is dependent upon Client keeping Law Firm fully informed. It is, therefore, important that Law Firm be fully apprised of all facts and circumstances concerning Client's assets and Client's family as well as Client's desires with respect to the disposition of Client's property.

4. RETENTION OF FIRM RATHER THAN PARTICULAR ATTORNEY. Although it is the understanding of the parties hereto that Client is primarily retaining Jeffrey L. Campbell, it is further understood that Client is retaining Campbell Law Firm, and the attorney services to be performed for client may be assigned to other attorneys and/or legal professionals employed by the Law Firm as may be determined in the discretion of Jeffrey L. Campbell.

5. **DELEGATION OF SERVICES.** Client understands that Law Firm includes more than one attorney, and that one or more attorneys may be utilized in the proceedings involving Client's case. Client further understands that support personnel from Law Firm may also do work in connection with Client's case.

6. **LEGAL SERVICES TO BE PROVIDED.** The legal services to be provided by Law Firm to Client are as follows: Attend board meetings as required by the Client, perform legal research, prepare legal opinions and briefs, conduct general litigation in behalf of the County as directed by the Board of Supervisors with the consent of the undersigned counsel, review bonds, contracts and planning documents; and provide legal advice to various County departments, advise and handle land use acquisition and dispositional transactions and other matters as specifically assigned by the Client.

If Client wishes that Law Firm provide any legal services not covered by this agreement, a separate written agreement between Law Firm and Client will be required. In the event Law Firm provides services at Client's request on any matter other than that specified in this agreement, Client agrees that the terms of this agreement shall govern our relationship for that matter in the absence of a separately signed written fee agreement. However, any additional services will be billed according to the Rate Schedule attached hereto.

7. **FEES/DEPOSIT.** Client agrees to pay the Law Firm on a monthly basis at the rate of \$100.00 per hour. Client agrees to pay an initial retainer of \$5,000.00 against which all monthly billable hours shall be assessed. Law Firm agrees to provide Client with a monthly invoice detailing all billable hours and assessable costs against said retainer. Client agrees that the retainer shall be replenished each month subsequent to its receipt of the monthly invoice provided by the Law Firm. Law Firm agrees that the total of all fees, costs and expenses Client will incur during the duration of this Agreement shall be capped at \$100,000.00 annually.

8. **EXTRA COSTS.** Law Firm may incur various costs and expenses in performing legal services under this agreement. Client agrees to pay reasonable costs associated with the services.

9. **TERM OF CONTRACT AND DISCHARGE OF LAW FIRM.** This Representation Agreement shall run for a period of one (1) year from the date of execution by the Client. This Contract shall be renewable, at the election of both parties, upon its terms and conditions for two successive one-year terms. Any intent to renew shall be evidenced, in a writing signed by both parties at least sixty-days prior to the expiration of the initial term or any renewed term hereunder. Client may, however, discharge Law Firm at any time by written notice effective when received by Law Firm. Unless specifically agreed by Law Firm and Client, Law Firm will provide no further services and advance no further costs on Client's behalf after receipt of the notice unless Law Firm is required by ethical or legal reasons to continue representing Client.

10. **WITHDRAWAL OF LAW FIRM.** Law Firm may withdraw at any time as permitted under the Rules of Professional Conduct of the Virginia State Bar. The circumstances under which the Rules permit such withdrawal include, but are not limited to, the following: (a) Client consents to withdrawal, (b) Client's conduct renders it unreasonably difficult for Law Firm to carry out the employment effectively, or (c) Client fails to pay attorneys' fees or costs as required by his or her

agreement with Law Firm. Notwithstanding Law Firm's withdrawal, Client will remain obligated to pay Law Firm the agreed fee for services provided, and to reimburse Law Firm for all costs advanced, before the withdrawal.

11. **RELEASE OF CLIENT'S PAPERS AND PROPERTY.** In the event that Client requests that Law Firm relinquish Client's original documents in his or her file, Client agrees to give Law Firm at least five (5) working days written notice of Client's request in order to provide Law Firm's staff sufficient time to make a copy for Law Firm's records. In the event expedited service is requested, Client agrees to pay for clerical staff overtime for Law Firm to accommodate Client's request.

12. **MALPRACTICE COVERAGE.** Law Firm agrees to maintain malpractice liability insurance in an amount sufficient to cover any anticipated loss occasioned to client as a result of negligent acts of the Law Firm.

13. **ENTIRE AGREEMENT.** This agreement contains the entire agreement of the parties. No other agreement, statement, or promise made on or before the effective date of this agreement will be binding on the parties.

14. **SEVERABILITY IN EVENT OF PARTIAL INVALIDITY.** If any provision of this agreement is held in whole or in part to be unenforceable for any reason, the remainder of that provision will be severable and remain in effect.

15. **MODIFICATION BY SUBSEQUENT AGREEMENT.** This agreement may be modified by subsequent agreement of the parties only by an instrument in writing signed by both of them or an oral agreement to the extent that the parties carry it out.

16. **DOCUMENT RETENTION.** It is Law Firm's policy to retain Client's file in Law Firm's storage facility for a period of not more than seven (7) years. Thereafter, Law Firm will ultimately destroy all files, documents, records, and writings related to each engagement for which Law Firm has been retained without notifying Client of the destruction of these items. Therefore, to be certain that Law Firm has not retained any material that Client may need or desire, Law Firm will return to Client all original documents Client has made available to Law Firm if Client so instructs Law Firm in writing within thirty (30) days after Law Firm mails to Client a letter informing Client that Law Firm has completed the services agreed to be provided under this agreement. After the thirty (30) day period has expired, Law Firm will charge a \$25.00 fee for obtaining Client's file from Law Firm's storage facility. Law Firm will not obtain Client's file from its storage facility until such sum has been received by Law Firm.

17. **EFFECTIVE DATE OF AGREEMENT.** The effective date of this agreement will be the date when, having been executed by Client, the agreement is received by Law Firm.

Once effective, this agreement will, however, apply to services provided by Law Firm on this matter before its effective date. Even if this agreement does not take effect, Client will be obligated to pay Law Firm the reasonable value of any services Law Firm may have performed for Client.

SMYTH COUNTY BOARD OF SUPERVISORS    CAMPBELL LAW FIRM, P.C.

BY: \_\_\_\_\_  
ITS: CHAIRMAN

BY: \_\_\_\_\_  
ITS: PRINCIPAL

COMMONWEALTH OF VIRGINIA:

AT LARGE:

The foregoing Agreement was acknowledged before me this the \_\_\_\_ day of May, 2018, by M. Todd Dishner, Chairman, Smyth County Board of Supervisors and Jeffrey L. Campbell, Principal, in behalf of Campbell Law Firm, PC.

\_\_\_\_\_(NOTARY)

My Commission expires: \_\_\_\_\_

After consideration, the motion PASSED by the following vote:

**AYES:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Chairman, Park District Supervisor M. Todd Dishner.

It is the Committee's recommendation to schedule the Public Hearing for the Smyth County School Board FY18-19 Budget on Tuesday, June 12, 2018 at 6:00 P.M.

After consideration, the motion PASSED by the following vote:

**AYES:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Chairman, Park District Supervisor M. Todd Dishner.



It is the Committee's recommendation to schedule the Public Hearing for Smyth County's FY18-19 Budget on Tuesday, June 12, 2018 at 6:30 P.M.

After consideration, the motion PASSED by the following vote:


**AYES:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Chairman, Park District Supervisor M. Todd Dishner.

Michael Carter, County Administrator presented the 2018 Salary Survey published by VACO annually, which identifies what each County's pay scale is for County Administrators, Chairman of the Board and Board of Supervisors members.

 5/8/2018 6:11 PM Scott Simpson, Assistant County Administrator presented information from the Courthouse Committee meeting that took place on Monday, April 30, 2018. Mr. Simpson, explained that two (2) separate requests had been received from the Architecture firm and General Contractor from the Courthouse project to allocate the IRS Section 179D tax deduction. Mr. Simpson explained the federal government allows owners of commercial buildings that incorporate energy efficient design strategies certain tax deductions. Since government entities do not pay taxes, the deduction can be allocated to the entity which created the technical specifications of the building that incorporates energy efficient design.

Discussion continued by the Board of Supervisors, with North Fork District Supervisor Phil Stevenson making a motion to continue this item until the next scheduled Board meeting to allow staff to gather more information as requested. Atkins District Supervisor Charles Atkins seconded the motion.


After consideration, the motion PASSED by the following vote:

**AYES:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Chairman, Park District Supervisor M. Todd Dishner.

 5/8/2018 6:21 PM Chilhowie District Supervisor R. Curtis Rhea reviewed the minutes from two (2) previous Solid Waste Committee meetings.



5/8/2018 6:27 PM Supervisor Comment Time:

North Fork District Supervisor Phil Stevenson asked why the Board had not been given the Water loss reports for the past couple months.

Atkins District Supervisor Charles Atkins stated that, in his opinion, the Board of Supervisors are not being informed about what is going on in Smyth County.

Chilhowie District Supervisor R. Curtis Rhea stated he would like to see the Board focus on the positive things that need to happen to allow for economic growth in Smyth County.

Saltville District Supervisor Roscoe D. Call stated that he appreciated everyone on the Board.

Rye Valley District Supervisor Rick K. Blevins stated the he appreciates everyone's cooperation during the meeting with Chairman, Park District Supervisor M. Todd Dishner being absent.



5/8/2018 6:34 PM Saltville District Supervisor Roscoe D. Call made a motion to adjourn the meeting. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Chairman, Park District Supervisor M. Todd Dishner.


The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., Tuesday, June 12, 2018. 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, Park District Supervisor M. Todd Dishner; Vice Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea; Royal Oak District Supervisor Judy Wyant (6)

ABSENT: Atkins District Supervisor Charles Atkins (1)

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

OTHERS: Deputy with the Smyth County Sheriff's Office and several citizens.

 6/12/2018 4:04 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting to order. A motion was made by Vice Chairman, 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. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Atkins District Supervisor Charles Atkins.

 6/12/2018 4:41 PM Atkins District Supervisor Charles Atkins entered the meeting.

 6/12/2018 5:01 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from Closed session.

It was moved by Vice Chairman Rye Valley District Supervisor Rick K Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to adopt the following resolution certifying the

business conducted in closed session as follows:

## RESOLUTION

### CERTIFICATION OF CLOSED SESSION

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

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

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

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: Atkins District Supervisor Charles Atkins.

ABSENT: None.

Called meeting back to order



6/12/2018 5:01 PM Heather Street, IT System Specialist gave the invocation and JoAnna Bryant, Water Department Administrative Assistant led the Pledge of Allegiance.



6/12/2018 5:02 PM A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:


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

Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 6/12/2018 5:03 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to approve the minutes of the May 8<sup>th</sup>, 2018 meeting with a correction being made to the date recorded on the first page.


After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.


NAYS: None.


ABSTAINERS: None.

ABSENT: None.

 6/12/2018 5:03 PM Michael Carter, County Administrator presented the Board with information on the current FY2017-2018 budget and a current month analysis for appropriations.

 6/12/2018 5:17 PM Chairman, Park District Supervisor M. Todd Dishner opened citizens time.

 6/12/2018 5:17 PM With no one wishing to speak, Chairman Park District Supervisor M. Todd Dishner closed citizens time.

 6/12/2018 5:18 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$1,795,000.00 from the General Fund. The following is an explanation of the appropriations approved:

**General County**

Accounts Payable Listing:	\$ 1,077,709.53
Payroll:	\$ 679,503.50
Auto Draft Rural Development:	\$ 8,974.00
AEP/Century Link Bills:	\$ 25,000.00
County Administration Fund:	\$ 5,000.00
Minus Beginning Appropriation:	\$ (14,942.73)
New Carryover for June:	\$ 13,755.70
Total County Appropriation:	\$ 1,795,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/12/2018 5:21 PM Chilhowie District Supervisor R. Curtis Rhea made a motion to continue the meeting to Tuesday, June 26, 2018 at 5:00 P.M. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/12/2018 5:22 PM Michael Carter, County Administrator brought forward the following recommendation from the Budget Committee. It is the Committee's recommendation to approve the budget transfer as shown below for the Smyth County School Board in the amount of \$602.00.

#### **REVENUE**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
009-021010-0006 (Basic Aid)	009-022000-0001 (Local Funds Trans.)	\$602.00

After consideration, the motion PASSED by the following vote:

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

Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



6/12/2018 5:26 PM Scott Simpson, Assistant County Administrator presented more information concerning a 179D tax deduction that has been requested by the Architect and Building Contractor for the Courthouse expansion. Discussion continued on this item, with several Board members stating they felt the deduction should be given to the architect for the design of the energy-efficient building improvements.

Rye Valley District Supervisor Rick K. Blevins made motion to allocate the 179D tax deduction to the Architect for the Courthouse expansion. Chilhowie District Supervisor R. Curtis Rhea seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

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

**ABSTAINERS:** None.

**ABSENT:** None.



6/12/2018 5:33 PM Chairman of the Board of Supervisors, Park District Supervisor M. Todd Dishner, called the public hearing for VDOT 6 Year Plan to order. Michael Carter, County Administrator read the advertisement as placed in the Smyth County News and Messenger.

#### Public Hearing Notice

The Virginia Department of Transportation and the Board of Supervisors of Smyth County, in accordance with Section 33.1-70.01 of the Code of Virginia, will conduct a joint public hearing in the Board Meeting Room of the Smyth County Government Center Building, 121 Bagley Circle, Marion, Virginia 24354 at **5:30 p.m. or as soon thereafter as possible on June 12<sup>th</sup>, 2018**. The purpose of this public hearing is to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2018/19 through 2023/24 in Smyth County and on the Secondary System Construction Budget for Fiscal Year 2018/19. Copies of the proposed Plan and Budget may be reviewed at the Abingdon Residency Office of the Virginia Department of Transportation, located at 700 [East Main Street, Abingdon, Virginia 24210](#) or at the Smyth County offices located at 121 Bagley Circle, Marion, Virginia 24354.

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

Persons requiring special assistance to attend and participate in this hearing should contact the Virginia Department of Transportation at (276) 676-5582.

Rye Valley District Supervisor Rick K. Blevins made a motion to waive the reading of rules relating to Public Hearings. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

No one chose to speak.



6/12/2018 5:41 PM Chairman, Park District Supervisor M. Todd Dishner closed the Public Hearing.



6/12/2018 5:41 PM Several members of the Board of Supervisors expressed concerns about road conditions they have within their districts to John Bechtold with VDOT.



6/12/2018 5:52 PM Scott Simpson, Assistant County Administrator presented a Bond Refinance Resolution as shown below for consideration by the Board.

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL  
OBLIGATION AND SEWER REVENUE BONDS OF SMYTH COUNTY,  
VIRGINIA, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED  
\$2,044,000, AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT  
OF THE BONDS**

Smyth County, a political subdivision of the Commonwealth of Virginia (the "County"), has elected to be treated as a city for the purpose of issuing its bonds, pursuant to Section 10(b) of Article VII of the Constitution of Virginia.

Pursuant to the Public Finance Act of 1991 (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) (the "Act"), the Board of Supervisors of Smyth County (the "Board of Supervisors") is authorized to contract debts on behalf of the County and to issue, as evidence of the debt, bonds, notes or other



obligations payable from a pledge of the revenues from the County's sewer system and a pledge of the County's full faith and credit.

The Board of Supervisors has determined it necessary and expedient to authorize the issuance of general obligation bonds of the County to finance the costs of an extension (the "Project") of the County's sewer system to provide service to the Adwolfe community in the County.

On October 11, 2016, the Board of Supervisors held a public hearing on the proposed issuance of the bonds, in accordance with Section 15.2-2606 of the Act, and in anticipation of the bonds the County has previously issued to CoBank, ACB, the County's Multiple Advance Term Promissory Note dated November 25, 2016, in the original principal amount of \$2,044,000, the proceeds of which were used to finance the costs of the Project (the "Note").

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

1. Recitals. The foregoing recitals are incorporated as a substantive part of this resolution.
2. Authorization of Project. The County authorizes the Project. The Project may be modified by the County, if the modification is approved in writing by the Government.
3. Project as Part of System. The Project is determined to be, and shall be, a part of the County's sewer system.
4. Authorization of Bonds. Pursuant to the Constitution of Virginia and the Act, there are authorized to be issued and sold general obligation bonds of the County (the "Bonds") in an aggregate principal amount not to exceed \$2,044,000 (the "Maximum Amount"), to provide funds, together with other available funds, to finance the Project by refinancing the Note and to pay the cost of issuing the Bonds.
5. Sale of Bonds. After mature consideration of the methods of sale of such bonds and current conditions of the municipal bond market, it is determined that it is in the best interest of the County to accept the offer of the United States of America (the "Government"), to purchase the Bonds upon certain terms and conditions set forth in the Government's letter dated June 22, 2015, addressed to the County Administrator of the County, a copy of which letter has been presented to the Board of Supervisors. That offer is accepted, and the County agrees to meet such terms and conditions.
6. Details of Bonds.

(a) The Bonds shall be issued as fully registered bonds without coupons and shall be in an aggregate principal amount not to exceed the Maximum Amount.

(b) The Bonds shall bear interest from their dated date at the per annum rates determined in accordance with the provisions of (c) below. The principal of the Bonds shall be payable on the dates and in the principal amounts, and the interest on the Bonds shall be payable on the dates, all as determined in accordance with the provisions of (c) below.

(c) Either of the Chairman or Vice Chairman of the Board of Supervisors is authorized to determine and approve all of the other final details of the Bonds, including, but not limited to, their series designation, dated date, original principal amount, interest rates and payment dates of interest,

the payment dates of principal, and the amount of each principal payment. However, (a) the aggregate, original principal amount of the Bonds must not exceed the Maximum Amount, (b) the interest rate on the Bonds must not exceed 2.125 %, and (c) the due date of the last installment of principal of the Bonds is not later than 40 years after the date of the Bonds. Such officer's determination and approval of the final details of the Bonds will be evidenced conclusively by such officer's execution and delivery of the Bonds in accordance with Sections 9 and 16 of this resolution.

7. Alternative Form for Advances of Principal. At the request of the Government, the Bonds may be delivered as fully registered bonds in the alternative form contained in this resolution providing for principal advances to be made from time to time by the Government in an aggregate amount not to exceed the Maximum Amount. An authorized officer of the Government will enter the amount and the date of each such principal advance on the Certificate of Principal Advances attached to the Bond against which such advance is made when the proceeds of such advance are delivered to the County. Each such principal advance shall bear interest from the date of such advance so entered on the certificate.

8. Prepayment. Installments of principal due on the Bonds may be prepaid at the option of the County at any time as a whole or in part from time to time (but if in part, in inverse order of their maturities), without premium. Notwithstanding the above, the County may at any time deliver moneys to the Government with instructions that such moneys be credited against future installments due on the Bonds in inverse chronological order. Prepayments shall not affect the obligation of the County to pay the remaining installments payable as provided the Bonds.

9. Execution of Bonds. The Bonds shall be signed by the Chairman or Vice Chairman of the Board of Supervisors and the County's seal shall be affixed the Bonds and attested by the Clerk or any Deputy Clerk of the Board of Supervisors

10. Form of Bonds. The Bonds shall be in substantially the following form:

No. R[#]

\$(AMOUNT)

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

SMYTH COUNTY

General Obligation and Sewer Revenue Bond, Series of [YEAR]

Dated: [DATE]

Smyth County, a political subdivision of the Commonwealth of Virginia (the "County"), for value received, acknowledges itself indebted and promises to pay to the United States of America, or registered assigns, the principal sum [equal to the aggregate amount of principal advances shown on the attached Certificate of Principal Advances, but not to exceed the sum<sup>1</sup>] of

[AMOUNT] AND 00/100 DOLLARS

(\$[AMOUNT])

and to pay to the registered owner of this bond interest on the unpaid principal from the date [of this bond] [of each principal advance shown on the attached Certificate of Principal Advances] until payment of the entire principal sum at the rate of [NUMBER]% per year. Interest only is payable on [DATE] and on [DATE]. Installments of combined principal and interest of \$[AMOUNT] are payable beginning [DATE], and continuing on the same day of each month thereafter until the principal of this bond is paid in full. Any payment on this bond shall be applied first to interest accrued to such payment date and then to principal. If not sooner paid, the final installment shall be due and payable 40 years from the date hereof. Such installments shall be payable in lawful money of the United States of America by check or draft mailed to the registered owner at its address as it appears on the registration books kept for that purpose at the office of the County Treasurer who has been appointed Registrar, except that the final installment shall be payable upon presentation and surrender hereof at the office of the Registrar.

This bond is one of an issue of bonds in the aggregate amount of \$[AMOUNT] which has been authorized by a resolution duly adopted by the Board of Supervisors of the County on [DATE] (the "Bond Resolution") and is issued pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act of 1991, to provide funds, together with other available funds, to refinance capital improvements to the County's sewer system by refunding the Multiple Advance Term Promissory Note dated November 25, 2016, made by the County in the original principal amount of \$2,044,000 payable to CoBank, ACB.

Reference is made to the Bond Resolution and any amendments to it for the provisions, among others, describing the pledge and covenants securing this bond, the nature and extent of the security, the terms and conditions upon which this bond is issued, the rights and obligations of the County and the rights of the bondholder.

Both principal of and interest on this bond are payable from ad valorem taxes to be levied without limitation as to rate or amount on all property in the County subject to taxation to pay the installments of principal and interest on this bond to the extent other funds of the County are not lawfully available and appropriated for such purpose, and the full faith and credit of the County are pledged therefor. Nothing in this bond or in the Bond Resolution shall be deemed to create or constitute an indebtedness of or a

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<sup>1</sup>Alternative language to be used if the Government requests provision for principal advances.

pledge of the faith and credit of the Commonwealth of Virginia or any county, city, town or other political subdivision of the Commonwealth other than the County.

In addition, the principal of and interest on this bond are secured by a pledge of the revenues of the County's sewer system (the "Revenues") as provided in the Bond Resolution, subject to the right of the County to apply Revenues to payment of operation and maintenance expenses of the sewer system. The lien of such pledge is on parity with the lien of any pledge of Revenues previously given to secure the payment of the following bonds issued by the County:

1. \$133,000 Water Facility Bond, Series 2001 C;
2. \$503,049 General Obligation Water and Sewer Bond (Groseclose Water Project) Series 2004;
3. \$1,500,000 Sewer Facility Bond, Series 2005 A (Hall Addition/Cedars); and
4. \$6,420,000 General Obligation Water and Sewer Utility Revenue Bond, Series 2016.

Additional bonds secured equally and ratably with this bond by a pledge of the Revenues may be issued from time to time under the conditions, limitations and restrictions set forth in the Bond Resolution.

Transfer of this bond may be registered upon the registration books of the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

Installments of principal due on this bond may be prepaid at the option of the County at any time as a whole or in part from time to time (but if in part, in inverse order of their maturities), without premium. Prepayments of installments of principal shall not affect the obligation of the County to pay the remaining installments payable as provided above.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and this bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of Smyth County has caused this bond to be signed by its Chairman, its seal to be affixed this bond and attested by the Clerk of the Board of Supervisors of the County, and this bond to be dated the date shown above.

(SEAL)

ATTEST:

**SPECIMEN**  
**DO NOT SIGN**

\_\_\_\_\_  
Clerk, Board of Supervisors  
of Smyth County, Virginia

**SPECIMEN**  
**DO NOT SIGN**

\_\_\_\_\_  
Chairman, Board of Supervisors  
of Smyth County, Virginia

**TRANSFER OF BOND**

The transfer of this bond may be registered by the registered owner or its duly authorized attorney upon presentation hereof to the Registrar who shall make note of such transfer in books kept by the Registrar for that purpose and in the registration blank below.

Date of Registration

Name of Registered Owner

Signature of Registrar

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CERTIFICATE OF PRINCIPAL ADVANCES<sup>2</sup>**

\_\_\_\_\_  
<sup>2</sup>Certificate of Principal Advances to be used if the Government requests provision for principal advances.

The amount and date of principal advances not to exceed the face amount hereof shall be entered hereon by an authorized officer of the United States of America, when the proceeds of each such principal advance are delivered to the County.

<u>Amount</u>	<u>Date</u>	<u>Authorized Signature</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

11. Registration. The Bonds shall be fully registered as to both principal and interest. Transfer of the Bonds may be registered upon books maintained for the purpose at the office of the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

12. Pledge of Revenues; Special Covenant.

(a) The County pledges all revenues (the "Revenues") from its sewer system (the "System") to the payment of the principal of and interest on the Bonds, subject to the County's right to apply such revenues to payment of operation and maintenance expenses of the System. This pledge shall be valid and binding from and after the execution and delivery of the Bonds. The lien of such pledge shall be on parity with the lien of any pledge of Revenues previously given to secure the payment of bonds issued by the County.

(b) It is covenanted and agreed with the holders of the Bonds that so long as any of the installments of principal or interest on the Bonds are outstanding and unpaid that the County will levy and collect annually an ad valorem tax on all the taxable property in the County, without limitation as to rate or amount, sufficient to pay when due the principal of and interest on the Bonds to the extent other funds of the County are not lawfully available and appropriated for such purpose.

13. Additional Bonds. The County may issue additional bonds secured on a parity with the Bonds by a pledge of the Revenues (the "Additional Bonds") to finance the cost of (a) completing the Project (b) the acquisition or construction of improvements, extensions, additions and replacements to

the System or any part of the System or (c) any property, rights or easements deemed by the County to be necessary, useful or convenient for the System or to refund the Bonds or any Additional Bonds. Additional Bonds shall be in such form, shall be dated such date, shall mature in such installments of principal and interest, shall bear interest at such rate or rates, shall be in such denomination or denominations and may contain such provisions for prepayment prior to their respective maturities, all as provided by the Board of Supervisors by resolution adopted prior to their issuance. Additional Bonds shall contain an appropriate series designation.

14. Conditions for Additional Bonds. The County shall not issue any Additional Bonds unless there shall have been filed with the County and, if the Government is the owner of any of the Bonds or Additional Bonds, with the Government, the following:

(a) a certified copy of a resolution of the Board of Supervisors in form complying with the foregoing provisions specifying or providing for all the terms of the Additional Bonds and (i) stating the cost of the acquisition or construction of any improvements, extensions, additions and replacements to the System to be acquired or constructed and finding and ordering that such improvements, extensions, additions and replacements shall be a part of the System or (ii) deeming the property, rights or easements to be acquired or constructed to be necessary, useful or convenient for the System and stating the cost of them;

(b) a certified copy of a resolution of the Board of Supervisors awarding the Additional Bonds, specifying or providing for the interest rate or rates and directing the delivery of such Additional Bonds to the purchaser named therein upon the terms provided therein;

(c) if the Additional Bonds are to be issued to complete the Project, a certificate of the consulting engineer to that effect;

(d) a certificate of the Board of Supervisors, signed by its Chairman or Vice-Chairman, that the County is in compliance with all covenants and undertakings in connection with this resolution and any supplemental resolution authorizing Additional Bonds which remain outstanding;

(e) if any of the Bonds or outstanding Additional Bonds are held by the Government, the written consent of the Government to the issuance of the Additional Bonds; and

(f) the written opinion or opinions of counsel for the County stating that the issuance of the Additional Bonds has been duly authorized and that all conditions precedent to their delivery have been fulfilled.

15. Election of Applicable Law. To the extent permitted by Section 15.2-2601 of the Act, the Board of Supervisors elects to issue Bonds under the provisions of the Act without regard to the

requirements, restrictions or other provisions contained in any charter or local or special act applicable to the County.

16. Delivery of Bonds. The Chairman and the Vice Chairman of the Board of Supervisors are each authorized and directed to take all proper steps to have the Bonds prepared and executed in accordance with their terms and to deliver the Bonds to the Government upon (a) payment of the purchase price therefor or (b) if the Bonds are issued in the alternative form providing for principal advances to be made from time to time by the Government in an aggregate amount not to exceed the face amount of the Bonds, the receipt of the Government's agreement to make such advances.

17. Filing of Resolution. The Clerk of the Board of Supervisors is authorized and directed to see to the immediate filing of certified copies of this resolution with the Circuit Court of Smyth County, Virginia, in accordance with Section 15.2-2607 of the Act.

18. Repealer. All resolutions, or parts thereof, in conflict with this resolution are repealed except such resolutions as may have been adopted by the County at the specific request of the Government as a condition to its purchase of the Bonds.

19. Ratification. All actions of officers of the County previously taken in conformity with the purposes and intent of this resolution and in furtherance of the issuance and sale of the Bonds are ratified, approved and confirmed.

20. Effective Date. This resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of Smyth County, Virginia (the "Board of Supervisors"), hereby certifies that the foregoing constitutes a true and correct copy of a resolution duly adopted at a meeting of the Board of Supervisors held on June 12, 2018. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing resolution as follows:

Members	Attendance	Vote
Roscoe D. Call		
Charles P. Stevenson		
R. Curtis Rhea		
M. Todd Dishner		



Charles E. Atkins		
Judy Wyant		
Richard K. Blevins		

**WITNESS MY HAND** and the seal of the Board of Supervisors of Smyth County, Virginia, this \_\_\_\_ day of June, 2018.

Atkins District Supervisor Charles Atkins made a motion to adopt the Resolution as presented. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following Roll Call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chair, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES
Atkins District Supervisor Charles Atkins	YES
Chilhowie District Supervisor R. Curtis Rhea	YES
Royal Oak District Supervisor Judy Wyant	YES

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



6/12/2018 5:58 PM Chairman, Park District Supervisor M. Todd Dishner opened the Public Hearing for the Smyth County School Board Budget for fiscal year 2018-2019. Michael Carter, County Administrator read the advertisement as shown below for the record.

**NOTICE OF PUBLIC HEARING  
ON THE SMYTH COUNTY SCHOOL BUDGET  
FOR FISCAL YEAR COMMENCING**

**July 1, 2018– June 30, 2019  
On June 12, 2018 at 6:00 p.m.**

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

The Smyth County Board of Supervisors will conduct a hearing for the purpose of receiving public comments on the proposed School Board budget for the fiscal year beginning July 1, 2018. The public hearing will be held in the **Board of Supervisors meeting room, 121 Bagley Circle, Smyth County Office Building on June 12, 2018 at 6:00 p.m.**

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

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

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

<b>Smyth County School Board</b>			
<b>Operations Budget For the Year Ending June 30, 2019</b>			
<b>Revenue Summary for Operations Budget</b>			
	<b>2017-2018</b>	<b>2018-2019</b>	<b>Difference</b>
State Revenue	\$ 26,969,446	\$ 26,979,465	\$ 10,019
Local Revenue	\$ 7,815,575	\$ 8,061,575	\$ 156,000
Federal Revenue	\$ 5,146,460	\$ 5,421,115	\$ 274,655
State Sales Tax	\$ 4,734,360	\$ 4,795,569	\$ 61,209
Other Revenue	\$ 2,472,265	\$ 2,505,333	\$ 33,068
<b>TOTAL OPERATIONS</b>	<b>\$ 47,138,106</b>	<b>\$ 47,763,057</b>	<b>\$ 624,951</b>
<b>Expenditure Summary for Operations Budget</b>			
	<b>2017-2018</b>	<b>2018-2019</b>	<b>Difference</b>
Instruction	\$ 34,209,135	\$ 34,285,106	\$ 75,971
Administration	\$ 1,439,378	\$ 1,446,862	\$ 7,484
Transportation	\$ 2,372,189	\$ 2,611,184	\$ 238,995
Facilities	\$ 4,283,283	\$ 4,259,857	\$ (113,426)
Food Service	\$ 3,466,676	\$ 3,783,623	\$ 316,947
Technology	\$ 1,367,445	\$ 1,376,425	\$ 8,980
<b>TOTAL OPERATIONS</b>	<b>\$ 47,138,106</b>	<b>\$ 47,763,057</b>	<b>\$ 624,951</b>

Smyth County School Board			
Capital Outlay and Debt Service Budget For the Year Ending June 30, 2019			
Revenue Summary for Capital Outlay and Debt Service Budget			
	2017-2018	2018-2019	Difference
Local Funds - Capital Outlay	\$ -0-	\$ -0-	\$ -0-
Local Funds - Debt Service	\$ 2,205,460	\$ 2,225,937	\$ 20,477
Other Funds – Interest Rebate	\$ 487,113	\$ 487,113	\$ -0-
TOTAL CAPITAL OUTLAY	\$ 2,692,573	\$ 2,713,050	\$ 20,477
Expenditure Summary for Capital Outlay and Debt Service Budget			
	2017-2018	2018-2019	Difference
Capital Outlay – Facilities	\$ -0-	\$ -0-	\$ -0-
Capital Outlay - Debt Service	\$ 2,692,573	\$ 2,713,050	\$ 20,477
TOTAL CAPITAL OUTLAY	\$ 2,692,573	\$ 2,713,050	\$ 20,477

Atkins District Supervisor Charles Atkins made a motion to waive the reading of the rules relating to Public Hearings. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Dr. Dennis Carter, Smyth County School Superintendent presented an overview of the budget proposal and stated that due to the delay in the State of Virginia budget, it has been difficult for the school system to compile a budget for FY18-19.

Several Board members stated they appreciated the School Board's Budget Committee and the County's Budget Committee working together on the proposed budget, and to see a pay increase included for teachers.

No one chose to speak.



6/12/2018 6:13 PM Chairman, Park District Supervisor M. Todd Dishner closed the Public Hearing.



6/12/2018 6:13 PM Saltville District Supervisor Roscoe D. Call made a motion to re-appoint Iris Worley to the Smyth County Public Library Board for a four (4) year term, beginning July 1, 2018 and ending June 30, 2022. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Rye Valley District Supervisor Rick K. Blevins made a motion to re-appoint Donald Bonham, for a four (4) year term, beginning July 1, 2018 and ending June 30, 2022 to the Rye Valley Water Authority. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



6/12/2018 6:17 PM Chairman, Park District Supervisor M. Todd Dishner called for a ten (10) minute recess.



6/12/2018 6:30 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from recess and opened the Public Hearing for the Smyth County FY18-19 Budget. Michael Carter, County Administrator read the advertisement as shown below for the record.

**NOTICE OF PUBLIC HEARING ON THE PROPOSED SMYTH COUNTY BUDGET FOR FISCAL  
YEAR JULY 1, 2018- JUNE 30, 2019**

Pursuant to § 15.2-2506 of the Code of Virginia (1950), as amended, a Public Hearing will be conducted by the Board of Supervisors on the budget for informative and planning purposes in the Board of Supervisors meeting room, Smyth County Office Building, 121 Bagley Circle, Marion, VA Tuesday, June 12, 2018, at 6:30 p.m., or soon thereafter, at which time any citizen of the County shall have the right to attend and subject to Rules and Procedures of the Board of Supervisors state his or her views. The budget is for informative and fiscal planning purposes and will not be approved, adopted or ratified by the Board of Supervisors on Tuesday, June 12, 2018.

This budget synopsis is prepared and published for informative and fiscal planning purposes only. The inclusion in the budget of any item does not constitute an obligation or commitment on the part of the Board of Supervisors of this County to appropriate any funds for that purpose, except as it relates to the budget for the Smyth County School Board, which is governed by Virginia Code § 22.1-93, et seq.

This budget has been prepared on the basis of estimates and requests submitted to the Board of Supervisors by numerous offices and department heads of this County. There are no allocations or designation of any funds of this County for any purpose until there has been an appropriation for that purpose by the Board of Supervisors.

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

**SMYTH COUNTY PROPOSED BUDGET**

<u>Revenue</u>	<u>FY/2018 Budget</u>	<u>Proposed FY/2019</u>	<u>Inc./Dec.</u>
Real Property Taxes	\$ 10,045,000	\$ 10,080,000	\$ 35,000
Public Services	1,110,000	1,160,000	\$ 50,000
Minerals	5,700	5,700	\$ -
Personal Property	3,084,400	3,123,050	\$ 38,650
PPTRA	1,804,310	1,804,310	\$ -
Machinery & Tools	1,564,900	1,618,100	\$ 53,200
Merchants Capital	257,500	278,000	\$ 20,500
Lodging Tax	60,000	56,000	\$ (4,000)
Penalties & Interest	326,000	362,000	\$ 36,000
Motor Vehicle License	444,000	453,000	\$ 9,000
Rolling Stock Tax	34,000	34,823	\$ 823
Utility Licenses Tax	89,500	108,000	\$ 18,500
Consumer's Utility Tax	1,125,000	1,114,000	\$ (11,000)
Permits & Other Licenses	98,175	124,300	\$ 26,125
Fines & Forfeitures	196,500	155,700	\$ (40,800)
Interest on Investments	65,000	106,000	\$ 41,000
Use of Property	144,074	147,074	\$ 3,000
Court Cost	10,176	11,176	\$ 1,000
Charges for Commonwealth Attorney	3,800	3,000	\$ (800)
Charges Sanitation & Waste	975,000	782,800	\$ (192,200)
Expenditure Refunds	614,335	1,213,639	\$ 599,304
Miscellaneous Revenue	63,228	76,900	\$ 13,672

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Grant Money	518,000	518,000	\$ -
Revenue from the Commonwealth	210,300	229,800	\$ 19,500
Comprehensive Service Act	674,344	727,985	\$ 53,641
Commonwealth Attorney	590,594	617,622	\$ 27,028
Sheriff	1,765,031	1,765,527	\$ 496
Commissioner of the Revenue	111,279	111,279	\$ -
Treasurer	108,770	108,770	\$ -
Registrar/Electoral Board	49,500	49,500	\$ -
Clerk's Office	323,950	341,950	\$ 18,000
Local Sales Tax	2,220,000	2,320,000	\$ 100,000
Categorical Aid - Other	145,118	259,409	\$ 114,291
Payment in Lieu of Taxes	85,000	85,000	\$ -
Special Assessments	36,000	7,600	\$ (28,400)
Local Funds Transfers	(10,740,036)	(10,865,334)	\$ (125,298)
Animal Licenses	8,500	7,500	\$ (1,000)
EDA Funds	560,000	560,000	\$ -
State/Federal School Funds	39,809,644	39,809,644	\$ -
Local Funds Transfer General Fund-Schools	10,021,035	10,021,035	\$ -
Department of Social Services	3,930,645	4,075,696	\$ 145,051
Local Share from General Fund	830,499	844,299	\$ 13,800
School Textbook Revenue	503,000	803,000	\$ 300,000
911 Wireless Grants	69,030	107,030	\$ 38,000
Interest/Tranf Courthouse Sav	800,000	825,000	\$ 25,000
Adwolfe Sewer Project	4,540,000	150,000	\$ (4,390,000)
Miscellaneous	(109,698)		\$ 109,698
Water-Sewer Revenue	2,332,500	2,312,750	\$ (19,750)
Capital Projects	1,064,600	1,100,000	\$ 35,400
Social Security Funds	98,215	97,585	\$ (630)
Drug Asset Revenue	82,000	125,000	\$ 43,000
Sheriff Dare Revenue	5,000	10,000	\$ 5,000
Courthouse Security Revenue	135,000	150,000	\$ 15,000
Asset Forfeiture	11,250	438,000	\$ 426,750
Police Activity Fund	891,122	1,005,970	\$ 114,848
Sheriff Federal Asset Forfeiture	25,000	-	\$ (25,000)
Money Collected in Court	60,000	60,000	\$ -
Recovery Court	129,231	163,318	\$ 34,087
Federal Money-CWA	660,000	20,000	\$ (640,000)
Federal Money-Sheriff	150,000	-	\$ (150,000)
Circuit Court Copy Revenue	6,000	4,000	\$ (2,000)
<b>Sub-total</b>	<b>84,831,021</b>	<b>81,784,507</b>	<b>(3,046,514)</b>
			-
<b>Debt Service</b>			
Proceeds From Short term borrowing	5,000,000	5,000,000	-
		-	-
<b>Sub-total</b>	<b>5,000,000</b>	<b>5,000,000</b>	<b>-</b>
<b>Total County Budget Revenues</b>	<b>\$89,831,021</b>	<b>\$ 86,784,507</b>	<b>\$ (3,046,514)</b>

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<u>Expenditures</u>	<u>FY/2018 Budget</u>	<u>Proposed FY/2019</u>	<u>Inc./Dec.</u>
Board of Supervisors	\$ 630,521	1,022,953	\$ 392,432
County Administration	443,234	440,189	\$ (3,045)
Legal Department	75,000	60,000	\$ (15,000)
Commissioner of the Revenue	294,501	289,389	\$ (5,112)
Assessor	-	180,000	\$ 180,000
Treasurer	382,903	378,298	\$ (4,605)
Information Systems	447,747	435,453	\$ (12,294)
Registrar	238,997	193,537	\$ (45,460)
Circuit Court	76,236	190,941	\$ 114,705
General District Court	7,405	7,655	\$ 250
Juvenile & Domestic Courts	247,868	213,248	\$ (34,620)
Clerk of the Circuit Court	554,209	561,626	\$ 7,417
Sheriff	2,906,211	2,852,638	\$ (53,573)
Law Library	1,000	1,000	\$ -
Commonwealth Attorney	655,220	638,191	\$ (17,029)
Victim Witness Asst. Program	101,375	103,403	\$ 2,028
Central Dispatch	2,800	2,800	\$ -
Smyth County Basic 911	485,949	736,389	\$ 250,440
Volunteer Fire Department	261,267	273,550	\$ 12,283
Ambulance & Rescue Service	148,455	158,352	\$ 9,897
Forestry	8,000	8,000	\$ -
Sheriff - Jail	2,802,833	2,925,525	\$ 122,692
Building Inspection & Zoning	329,305	324,181	\$ (5,124)
Animal Control	461,466	411,884	\$ (49,582)
Medical Examiner - Coroner	500	500	\$ -
Emergency Services - Civil Defense	40,669	38,087	\$ (2,582)
Refuse Collection & Disposal	1,480,180	1,623,268	\$ 143,088
Convenience Stations	298,285	298,845	\$ 560
Rye Valley Water Co.	25,922	25,922	\$ -
Smyth County Tourism	35,555	43,090	\$ 7,535
Building & Facility Maintenance	522,924	483,415	\$ (39,509)
Local Health Department	441,023	441,023	\$ -
Mental Health	166,022	166,022	\$ -
Social Services Board Member Payments	4,200	4,200	\$ -
Other Community expenses	201,336	191,336	\$ (10,000)
Community Colleges	55,314	55,314	\$ -
Recreation	29,000	29,000	\$ -
Library Administration	700,000	660,000	\$ (40,000)
Planning Commission	6,900	6,900	\$ -
Community & Economic Development	166,533	161,510	\$ (5,023)
Economic Development Authority	671,328	658,328	\$ (13,000)
Soil & Water Conservation	27,600	27,600	\$ -
Cooperative Extension Program	90,640	91,524	\$ 884
Comprehensive Service Act	708,041	952,750	\$ 244,709
Animal Control (Fund 3)	11,155	10,695	\$ (460)
EDA General Expenses	560,000	560,000	\$ -
County School Operations & Capital Outlay(Non-Local)	39,809,644	39,809,644	\$ -
County School Operations & Capital Outlay (Local)	7,815,575	7,815,575	\$ -
County School Debt Service Local Funds	2,205,460	2,205,460	\$ -
Department of Social Services	4,761,144	4,919,995	\$ 158,851
School Textbook Fund Expense	500,000	800,000	\$ 300,000



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Dispatch (Fund 38)	113,760	91,760	\$ (22,000)
Courthouse Project	800,000	825,000	\$ 25,000
Adwolfe Sewer Project	4,540,000	150,000	\$ (4,390,000)
Water-Sewer Department Operations	1,183,851	1,190,119	\$ 6,268
Water-Sewer Department Debt Service	860,157	906,835	\$ 46,678
Funded Projects	27,064	17,500	\$ (9,564)
Capital Projects	1,064,600	1,000,000	\$ (64,600)
Social Security Funds	97,000	97,000	\$ -
Drug Asset Expense	75,000	125,000	\$ 50,000
Sheriff Dare Program	5,000	10,000	\$ 5,000
Courthouse Security	143,690	150,000	\$ 6,310
Asset Forfeiture	11,250	438,000	\$ 426,750
Sheriff Federal Asset Forfeiture	25,000	0	\$ (25,000)
Purchase Equipment	60,000	60,000	\$ -
Recovery Court	129,231	163,318	\$ 34,087
Police Activity Fund Expense	879,850	1,005,970	\$ 126,120
CWA Fed Shared Funds	660,000	20,000	\$ (640,000)
CWA/Sheriff's Office	150,000	0	\$ (150,000)
Expenses Circuit Court	6,000	4,000	\$ (2,000)
<b>Sub-total</b>	<b>83,728,905</b>	<b>80,743,707</b>	<b>\$ (2,985,198)</b>
<b>DEBT SERVICE</b>			
Payment on Line of Credit	5,000,000	5,000,000	-
Courthouse Debt Service	1,102,116	1,040,800	(61,316)
<b>Sub-total</b>	<b>6,102,116</b>	<b>6,040,800</b>	<b>(61,316)</b>
<b>Total County Budget Expenditures</b>	<b>\$ 89,831,021</b>	<b>\$ 86,784,507</b>	<b>\$ (3,046,514)</b>

**TAX RATES FOR 2018**

In preparation of the above budget the Smyth County Board of Supervisors proposed no changes in the current tax levies as follows:

Pursuant to Virginia Code §58.1-3001 et seq., the Board proposes to re-adopt, a real estate levy on all taxable real estate located in Smyth County, Virginia, including equalized real estate, where applicable, a unit levy of \$0.74 per \$100.00 of assessed valuation; Tax on tangible personal property and the tangible personal property of public service corporations, except rolling stock of corporations operating railroads, a unit levy of \$2.30 per \$100.00 of assessed valuation; Machinery & Tools \$1.55 per \$100.00 of assessed valuation; Tax on Category 23 items (trucks used in interstate commerce over 10,000 pounds) a unit levy of \$1.55 per \$100.00 of assessed valuation; Tax on merchants capital a unit levy of \$0.40 per \$100.00 of assessed valuation; and airplane tax \$1.40 per \$100.00 of assessed valuation.

There are no proposed tax increases in the FY2018-2019 budget.


There are no fee structure changes in the Proposed FY2018-2019 Budget.


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

Michael Carter, County Administrator read the rules and procedures for public hearings.

Susan Rutherford, 112 Park Street Marion, spoke as a citizen of Smyth County, and stated she would like an explanation as to the continuous cut to funding for the Smyth County Public Library.

John Graham, Clerk of Circuit Court, 611 East Main Street, Marion, stated he would like to see the budget for the Clerk's office increased to accommodate staffing needs due to increased case load.

 6/12/2018 6:48 PM With no one else wishing to speak, Chairman, Park District Supervisor M. Todd Dishner closed the Public Hearing.

 6/12/2018 6:49 PM Park District Supervisor M. Todd Dishner brought forward a recommendation from the Appointment Committee. It is the Committee's recommendation to reappoint Kim Daugherty as the Chilhowie District Representative to the Department of Social Services Board for a four (4) year term, beginning July 1, 2018 and ending June 30, 2022.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Park District Supervisor M. Todd Dishner brought forward a recommendation from the Appointment Committee. It is the Committee's recommendation to re-appoint the following to the Community Policy Management Team. The term is for one year beginning July 1, 2018 and ending June 30, 2019.

Lisa Bourne as the Private Provider Representative

Teresa Wilkerson as the Parent Representative

Roscoe D. Call as the Board of Supervisors Representative

Scott Simpson as the Board of Supervisor's designee, should Mr. Call not be able to attend

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Park District Supervisor M. Todd Dishner brought forward a recommendation from the Smyth County Appointment Committee. It is the committee's recommendation to reappoint Manuel Street to Keep Southwest Virginia Beautiful for a one (1) year term, beginning July 1, 2018 and ending on June 30, 2019.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Park District Supervisor M. Todd Dishner brought forward a recommendation from the Appointment Committee. It is the Committee's recommendation to re-appoint the following to the Southwest Community Corrections Criminal Justice Board for a two (2) year term, beginning July 1, 2018 and ending June 30, 2020.

Michael Carter, County Administrator

Chip Shuler, Sheriff

Roy Evans, Commonwealth Attorney

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Park District Supervisor M. Todd Dishner brought forward a recommendation from the Appointment Committee. It is the Committee's recommendation to appoint R. Curtis Rhea as the Chilhowie District Representative to the Economic Development Authority, for a four (4) year term beginning July 1, 2018 and ending June 30, 2022.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Michael Carter, County Administrator brought forward the following recommendation from the Budget Committee. It is the Committee's recommendation to approve the budget transfer as shown below for the Smyth County Sheriff Department in the amount of \$6,220.00.

**EXPENSE**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
001-021070-1001 (Salaries)	001-021070-5408 (Vehicle Maint.)	\$6,220.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Michael Carter, County Administrator brought forward a recommendation from the Budget Committee. It is the Committee's recommendation to approve the engagement letter from Robinson, Farmer, Cox and Associates for audit services for fiscal year end June 30, 2018.

Royal Oak District Supervisor Judy Wyant asked Mr. Carter to read for the record the cost associated with the engagement letter. Mr. Carter stated the cost for the audit for FY18 is to be approximately \$55,000.00.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Michael Carter, County Administrator brought forward a recommendation from the Budget Committee. It is the Committee's recommendation to approve the agreement as shown below for the 2020 General Reassessment.

**THIS CONTRACT FOR APPRAISAL SERVICES (Contract)**, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by and between **COUNTY OF SMYTH, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (**County**), and **Pearson's Appraisal Service, Inc.**, a Virginia corporation C (**Company**).

**WITNESSETH:**

**WHEREAS**, the County desires to make a general reassessment of all real property located within the County limits, and

**WHEREAS**, the Company represents that it is fully qualified and competent to make appraisals used in said reassessment, using generally accepted appraisal standards, and

**WHEREAS**, the County and the Company have reached an agreement for the Company to provide such services to the County and the parties desire that such agreement be reduced to writing.

**NOW, THEREFORE**, it is mutually agreed by and between the parties as follows:

**I. GENERAL PURPOSE.**

The purpose of this contract is to set forth an whereby the Company will provide professional appraisal services to the County for the general reassessment of all real property located within the County for real estate tax purposes.

**II. BASIC SERVICES.**

**A.** The Basic Services to be performed by the Company shall be as follows:

1. Basic Services shall be performed by the Company in accordance with the terms of this contract and the professional services set forth in the Contract Documents. The Contract Documents shall include: 1) the Request for Proposals and associated specifications for the procurement of reassessment services as submitted by the Mount

Rogers Planning District Commission, dated April 27, 2015. The performance of the Basic Services by the Company is referred hereafter from time to time as the Project.

2. Prior to conducting the appraisals, the Company shall perform the following preliminary studies, which shall result in a compilation of recorded sales of real estate listed by category sufficient to form a basis for the determination of the fair market value for each parcel to be appraised. The two preliminary studies, which shall be completed in accordance with the requirements of the RFP, shall consist of:
  - a. **Sales Data:** This analysis shall include a representative number of sales and transactions of real property found in the County. The sales data shall form the basis for the determination of fair market value.
  - b. **Construction Costs:** This analysis shall be conducted in cooperation with the County Building Official and local contractors. The study shall include material costs, labor costs, and overhead and profit factors, derived from an analysis of known new construction sales. This data will be incorporated into the analysis of sales data outlined above. Unit construction costs that include all of the items mentioned above will be developed. Separate unit costs shall be developed for each type of construction (e.g. residential, commercial, industrial), as well as for each construction subsystem or component (e.g. paving, roofing, fencing). Such subsystems shall be used in conjunction with the sales data described in subparagraph (1) above to conduct random testing against known construction costs to verify the accuracy of the cost studies. The Marshall and Swift Manual will be used to support local costs.
3. The Company shall make available to the County copies of the Sales Data and Construction Costs studies upon their completion and shall provide to the County, at the completion of the Project, two (2) copies of each study, including indexes or other references to cost manuals.
4. The Company shall provide to the Commissioner the Market Analysis software module for the CAMRA (Computer Assisted Mass Re-Appraisal) system and the CAMRA GIS extraction software.
5. Pursuant to VA Code § 58.1-3331©. upon request of the County Commissioner of Revenue (Commissioner), Company shall provide a written statement of methodology employed in the calculation of a property's assessed value to include the capitalization rate used to determine the property's value, a list of comparable properties or sales figures considered in the valuation and any other surveys, formulas, matrices, or other factors considered in determining the value of the property. Nothing in this section shall be construed to require disclosure of information that is prohibited from disclosure pursuant to VA Codes. §§ 58.1-3 and 58.1-3294. The Company shall provide such written

material to Commissioner in a format suitable for presentation in a court of law within five (5) days of Company's receipt of written request for such material, and the Commissioner's request by email shall be deemed received by the Company as of the date of delivery or next business day thereafter if sent after regular business hours or on a weekend or holiday. Pearson's will assist Smyth County with any court appeals at no additional cost.

6. Company shall participate in Taxpayer-initiated assessment reviews that are requested in response to the Company's reassessment notices pursuant to this Contract. The Commissioner shall schedule these reviews during the months of January and February, 2020, and will make best efforts to schedule the reviews in consolidated blocks of time, with the understanding that the coordination of such reviews must be done to the service of the Taxpayers.
7. The Company shall be solely responsible for coordination of the Project, including the work of the Company, the Commissioner, the Building Official, the County Administrator, the Professional Assessor, and any other governmental entities having jurisdiction over the general reassessment. If the Company becomes aware of any delay or problem that may hinder coordination among the various entities, the Company shall immediately provide written notification to the Commissioner and shall take appropriate action to keep the Project on the approved schedule, as outlined in the Contract Documents.
8. The Company shall meet with the Board of Supervisors to update them and receive input and instruction after the market study is completed, and as needed at the request of the County Administrator or Commissioner.
9. New construction shall be incorporated into the reassessment data file based upon Building Permits issued through October 1, 2019. When found in the field, the Company shall provide to the County new construction information as outlined in this Contract. All previously inspected incomplete new construction related to Building Permits and Red-Tags inspected prior to October 1, 2019, will be re-inspected prior to the Project finalization and mailing of reassessment notices. New construction that is incomplete as of Project finalization and mailing of reassessment notices will be flagged for future inspection beginning in the Spring of 2020 in accordance with a new Agreement for Services of \$30.00 Assessment of New Construction and Red-Tagged Parcels (2020-2023). The Company and the Commissioner will work together to ensure that all new construction is correctly identified and inspected relative to this Project.
10. During the course of the field inspection phase of the reassessment contract, the Company will submit all inspected new construction found during the normal course of the field inspection process to the Commissioner's Real Estate Office for processing. A system will be established jointly between the Company and the Commissioner's Real

Estate Office for the processing of such changes in the County's current year Computer Assisted Mass Re-Appraisal (CAMRA) database. Should the County direct the Company to enter data of such new construction via Virtual Private Network (VPN) connection to the County's current year CAMRA Database, the County will compensate the Company at the rate of Five Dollars (\$5.00) per parcel inclusive of all permits for such parcels. The per parcel rate of Five Dollars (\$5.00) shall apply regardless of the number of building permits pending at the time of the inspection. It is understood that such new construction will be inspected, and provided to the County on an 'as found' basis during the normal field inspection. All such new construction shall be presented to the Commissioner for review, and Company shall enter it into the current year CAMRA database only if so directed by Commissioner. All compensation related to the data processing of such new construction will be considered separate from the compensation provisions of this contract for the 2020 General Reassessment and as such will not be subject to the withholding of any retainage percentage. Invoices for the data processing of the new construction into the current year CAMRA database will be prepared separately and provided to the Commissioner along with the appropriate Property Data Cards. Digital photographs of the new construction will be incorporated into the general reassessment photograph files and will not be provided separately for the current year digital photograph file.

11. The company shall make the VAMANET or Pearson's CAPS service available for use by the general public free of charge during the entire reassessment year of 2020.
12. The Company shall leave door hangers at each residential address at which properties where the physical information needs to be corrected, and the door hangers shall include the Company's return address and not the Commissioner's return address.
13. The Company shall have assessments for all Commercial and Industrial parcels having a newly assessed value of \$400,000 or more completed and returned to the Commissioner by no later than July 1, 2019, for review.
14. The Company shall have an assessor review each Commercial and Industrial assessment prior to submission to the Commissioner by July 1, 2019.
15. The Company shall provide photo identification for all assessors as well as Company signage for all vehicles used in the assessment process. Company employees conducting site inspections shall have photo identification and vehicle signage visible at all times during the field work.
16. Company shall be responsible for preparing, sorting, distributing & mailing initial reassessment notices. Company shall also be responsible for preparing, sorting, distributing & mailing of subsequent change or no change letters, however, the County will be responsible for postage only, and Company will submit appropriate, detailed



invoice(s) to County for postage for these letters for the first mailing and the second mailing of notices.

B. The County shall provide Basic Service, as follows:

1. In the event the County should choose to adopt the Professional Assessor provisions as outlined in § 58.1-3275, the Company shall provide a qualified assessor, Fred W. Pearson, to serve as the Professional Assessor for this project.

**III. THE COMPANY'S REPRESENTATIONS.**

- A. The Company represents and warrants that its services will be performed in a manner consistent with generally accepted appraisal standards and practices and that it is familiar with all federal, state, and local laws, regulations, codes, and standards that are applicable at the time the Company renders its professional services.
- B. The Company represents and warrants that it is experienced with real property values in Smyth County and with the particular types of property being appraised. The Company further represents and warrants that it and its principals are properly licensed, pursuant to applicable law, to perform all services under this Contract.
- C. The Company represents and warrants that its supervisors, appraisers and research technicians are qualified for assignments related to the Project. Mr. Jeffrey Hayton of Abingdon, Virginia, will be the proposed project supervisor for this reassessment, or other Company employee as mutually agreed upon by the Company and County.

**IV. WORK TO BE PERFORMED BY THE COUNTY.**

- A. The County shall perform the work as assigned in the RFP and the Company's Proposal.
- B. The County shall have the right to require the Company to remove from the Project any person the County, in its discretion, considers to be unqualified or negligent, or the County, in its discretion, considers guilty of any misconduct in the performance of his duties. Any such person so removed shall not again be employed on the Project.
- C. The Company agrees to utilize the GIS mapping software as proposed by the County. County will be responsible for providing periodic updates and support to keep the Company field data units up to date with the latest map changes as submitted by the County GIS department. County will be responsible for coordinating any program fixes with the software developer should the need arise. Company will make the County Information Systems Department (I.S. Department) aware of any technical problems which may come to light pursuant to the daily use of the software. Company will be responsible for all costs associated with purchases of hardware required by Company staff to utilize this technology.

- D.** The Commissioner shall be responsible for providing recorded and verified sales information as well as the correct tax map enumeration, as accurately as possible.
- E.** The County Building Inspection Office and the Commissioner shall provide Company all pertinent Building Permit and Occupancy certifications during the term of this Contract. The County Building Inspection Office shall work with the Commissioner to ensure the correct map number and parcel information is assigned to individual Building Permits.

**V. TIME**

- A.** Time is of the essence in this Contract.
- B.** Notwithstanding any provision of the Contract Documents to the contrary, the Company agrees to complete all professional appraisal services and to prepare and mail reassessment notices to the landowners in preparation of the hearings process on or about January, 2020.
- C.** Company shall provide to the Commissioner, no later than February, 2020, any assessments that were amended as a result of Taxpayer-Initiated reviews of reassessment notices.
- D.** Company shall, no later than March, 2020, submit to the Commissioner all electronic media (including photos) and final field cards, and complete all field work, all hearings, and real estate book preparation and signing.
- E.** Company shall provide to the County prompt written notice in the event Company considers County action to cause delay in Company performance in accordance with mandatory deadlines.
- F.** In an effort to keep both parties apprised as to the status of the project, periodic meetings between the Company and the Commissioner will be held to discuss the project progress. In the event that the Company determines that any action or inaction of the County has caused a delay in the project, the conditions, circumstances, and suggested resolution can be discussed and addressed at such meetings, allowing the County sufficient time to remedy the situation without unduly delaying the project.
- G.** Execution and delivery of this Contract by the County shall constitute written notice for the Company to proceed with the Basic Services.

**VI. INSURANCE AND INDEMNIFICATION**

- A.** The Company agrees to indemnify, defend and save harmless the County, its officers, agents, and employees, from and against any and all demands, actions, causes of action, damages (whether direct, indirect, incidental or consequential), costs, losses, claims, and expenses (including attorney's fees) of any and every kind arising out of any and all

acts, errors, or omissions of the Company, its subcontractors, agents or employees, in performing services under this Contract.

- B.** The Company shall secure and maintain at its cost such insurance as will protect it and the County from claims under worker's compensation acts; claims for damages because of bodily injury, including personal injury, sickness or disease, or death of any of its employees or of any person other than its employees; claims for damages because of injury to, or destruction of, tangible property including loss of use resulting therefrom; and claims arising out of the performance of professional services caused by any errors, omissions, or negligent acts for which it is liable. The minimum limits of liability shall be as set forth in the RFP; that is to say, the appraisal firm will carry workers' compensation and public liability insurance, designed to hold Smyth County and its official harmless from all claims, demands, suits, or actions, recovered against them by reason of any act by any employee or equipment of the appraisal firm during the reassessment process. Certificate of coverage shall be provided to the County prior to the start of field work. At its option, the Company may increase the limits of liability to amounts greater than those set forth in the RFP.
- C.** The Company shall furnish to the County insurance certificates evidencing the insurance policies and coverages required hereunder, which certificates are hereby incorporated by reference into this Contract, prior to the initiation of services under this Contract. Such certificates shall provide that the Company or its insurer shall give thirty (30) days prior written notification of cancellation or modification of any of said policies to the County. Additionally, the County shall be entitled to demand that the Company, from time to time, furnish evidence that the insurance required by this Contract is in effect, and such evidence shall be provided within ten (10) days of such request.

**VII. COMPENSATION**

- A.** The County agrees to pay the Company as provided in the Contract Documents.
- B.** Unit Price The unit price set forth in the Company's Proposal, to be paid hereunder for the Basic Services, inclusive of the use of the GIS mapping software system as outlined above, is \$12.25 per parcel and shall include all expenses of the Company incidental to this Contract. Total compensation for all work shall equal the product of the total number of parcels (taxable and non-taxable) listed on the real property land book, as certified to the Clerk of the Circuit Court, multiplied by \$12.25.
- C.** County shall make periodic payments to the Company based upon submitted invoices. Such invoices will reflect the actual number of parcels completed during the invoice period times the above stated unit price of \$12.25 per parcel. The Company agrees that each invoice will reflect a 10% (Ten Percent) retainer deduction to be held by the County until the project is finalized as outlined in the Company response to the County RFP.

- D. Company agrees to bring obvious and substantial mapping errors to the attention of the Commissioner of the Revenue for review and correction at no additional cost to the County.
- E. Subject to commercial/industrial property exception, acceptance by the Company of final payment from the County shall operate as, and be, a full release to the County and every officer, employee, and agent thereof, from all claims by and liabilities to the Company.

**VIII. TERMINATION**

- A. The County may terminate or suspend work under this Contract for any reason, including the convenience of the County, by giving seven (7) days written notice to the Company. This Contract may be terminated by the Company upon the substantial failure of the County to perform in accordance with all the terms herein, provided that the County's failure to perform is through no fault of the Company and shall continue for thirty (30) days after written notice thereof from the Company specifying the nature and extent of such default.
- B. The County agrees to pay the Company for services rendered through the date of termination or suspension, based upon the percentage of the Company's services completed as of the date of termination. Such payments shall be paid by the County upon the Company's delivery to the Count of all data, drawings, reports, estimates, summaries, and such other information and materials as many have been accumulated by the Company in performing the services included in this Contract, whether completed or in progress.

**IX. MISCELLANEOUS**

- A. The Company represents that all persons performing services herein are employees or agents of the Company. Such personnel shall not be employees of, nor have any contractual relationship with the County, nor shall they hold themselves out as, or claim to be, officers or employees of the County. The Company further agrees that in the performance of its services hereunder, it shall be acting as an independent contractor and not as agent of the County.
- B. Any legal action brought by either party to this Contract shall be subject to the exclusive jurisdiction of the Circuit Court of Smyth County, Virginia, and shall be brought only in such court. This Contract shall be governed by the laws of the Common Wealth of Virginia and Smyth County.
- C. This Contract represents the entire and integrated Contract between the County and the Company and supersedes all prior negotiations, representations, or agreements,

either writer or oral. This Contract may be amended only by written instrument signed by both the County and the Company.

- D.** Notwithstanding anything to the Contrary contained in the Proposal in the event of any conflict among the terms contained in the Contract Documents, the provisions of this Contract shall control. Any references in the Contract Documents to the County Assessor's Office shall refer to the Commissioner.
- E.** The Commissioner, or his designee, shall be the County's project manager, and have sole authority to administer the terms of this Contract. The Board of Supervisors of the County shall have sole authority to execute amendments to the Contract.
- F.** The County and the Company each binds itself, its partners, successors, and assigns to the other party to this Contract and to the partners, successors, and assigns of such other party, in respect to all covenants contained in this Contract. The Company shall not assign, sublet, or transfer any part of its interest in the Contract without the prior written consent of the County.

**IN WITNESS WHEREOF**, the parties hereto have made and executed this Contract on the date aforesaid.

**COUNTY OF SMYTH  
VIRGINIA**

**By:**\_\_\_\_\_

**Michael L. Carter  
County Administrator**

**Approved as to form:**

\_\_\_\_\_  
**County Attorney**

**PEARSON'S APPRAISAL SERVICE, INC.**

**By:**\_\_\_\_\_

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Scott Simpson, Assistant County Administrator brought forward the following recommendation from the Budget Committee. It is the Committee's recommendation to approve the budget transfer as shown attached (#1) for the Water Department in the amount of \$59,719.00.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

Michael Carter, County Administrator brought forward the following recommendation from the Budget Committee. It is the Committee's recommendation to approve the budget transfer as shown below for the Smyth County Sheriff Department in the amount of \$2,062.00.

**EXPENSE**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
001-021070-1001 (Salaries)	001-021070-5408 (Vehicle Maint.)	\$2,062.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,

Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



6/12/2018 7:20 PM Chairman, Park District Supervisor M. Todd Dishner informed the Board of Supervisors the Personnel Committee had met on May 21<sup>st</sup> and June 5<sup>th</sup>, 2018, with no recommendations that needed to be considered at this time.



6/12/2018 7:21 PM Chilhowie District Supervisor R. Curtis Rhea brought forward the following recommendations from the Solid Waste Committee.

It is the Committee's recommendation to accept the proposal from the City of Bristol for Solid Waste Disposal Services, at a cost of \$16.70 per ton for year one. The price will increase by .25 cents each year accordingly until year five (5).

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

It is the Committee's recommendation to award the bid of two (2) trucks, to World Wide Equipment in the amount of \$103, 230 each for Smyth County to haul the solid waste.

After consideration, the motion PASSED by the following vote:

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

**NAYS:** Chilhowie District Supervisor R. Curtis Rhea.

**ABSTAINERS:** None.

It is the Committee's recommendation to award the bid for the purchase of four (4) Walking Floor Trailers to Fitzgerald Peterbilt in the amount of \$68,901.00 each.

After consideration, the motion PASSED by the following vote:

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

**NAYS:** Chilhowie District Supervisor R. Curtis Rhea.

**ABSTAINERS:** None.



6/12/2018 7:28 PM Supervisor Comment Time:

Royal Oak District Supervisor Judy Wyant thanked everyone in attendance of the Board Meeting.

Rye Valley District Supervisor Rick K. Blevins thanked members of the Budget Committee and staff for all of the hard work on the budget for FY18-19.

Atkins District Supervisor Charles Atkins stated he was concerned with the continued level funding of several organizations. Mr. Atkins proposed the Board consider at .02 cent tax increase to allow for more School Resource Officers, increased funding to Fire and EMS, and for Town recreation.

Saltville District Supervisor Roscoe D. Call thanked everyone for all their hard work, would like to see the transfer station on County property.

Park District Supervisor M. Todd Dishner thanked everyone for all their hard work on the budget for FY18-19.

Michael Carter, County Administrator stated that should the Board of Supervisors like to consider a tax increase, the window for this to happen is very small. Discussion continued on this item, with the Board taking no action.

Meeting continued to June 26, 2018 at 5:00 P.M., as previously motioned earlier in the meeting.



The Smyth County Board of Supervisors held its continued meeting at 5:00 p.m., **Tuesday, June 26, 2018**. 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, Park District Supervisor M. Todd Dishner; Vice-Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea (via electronic communication); Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (7)


**ABSENT:** None.


**STAFF:** County Administrator Michael Carter; Assistant County Administrator Scott Simpson; Administrative Assistant Kelly Woods; County Attorney Travis Lee (4)

**Others Present:** Stephanie Porter Nichols, Smyth County News and Messenger, Smyth County Sheriff's Department Deputy and several citizens were present.

 6/26/2018 5:02 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting to order.

 6/26/2018 5:02 PM Chairman, Park District Supervisor M. Todd Dishner opened Citizens Time.

 6/26/2018 5:02 PM With no one wishing to speak, Chairman, Park District Supervisor M. Todd Dishner closed Citizens Time.

 6/26/2018 5:03 PM Michael Carter, County Administrator informed the Board there was one (1) Board Member not physically present at the meeting and would like for consideration to participate in the meeting via electronic communication as allowed by the Boards Rules of Procedures.

Chilhowie District Supervisor R. Curtis Rhea requested to join the meeting via phone due to being out of town, therefore he was not able to be physically present during the meeting.

Saltville District Supervisor Roscoe D. Call made a motion to allow Chilhowie District Supervisor R. Curtis Rhea to participate by phone. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion **PASSED** by the following roll call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES

Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor R. Curtis Rhea.

ABSENT: None.



6/26/2018 5:05 PM Chairman, Park District Supervisor M. Todd Dishner brought forward the following recommendations from the Budget Committee.

It is the Committee's recommendation to approve the budget transfer as shown below for the Smyth County Sheriff Department in the amount of \$2,676.00.

**EXPENSE**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
001-021070-1001 (Salaries)	001-021070-5408 (Vehicle Maint.)	\$2,676.00

After consideration, the motion **PASSED** by the following roll call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES
Chilhowie District Supervisor R. Curtis Rhea	YES
Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It is the Committee's recommendation to approve the budget transfer as shown below for the Smyth County School Board in the amount of \$180,000.00.

**EXPENSE**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
009-099990-5801 (Instruction)	009-099990-5804 (Facilities)	\$90,000.00
009-099990-5802 (Administration)	009-099990-5804 (Facilities)	\$30,000.00
009-099990-5801 (Instruction)	009-099990-5803 (Transportation)	\$60,000.00

After consideration, the motion **PASSED** by the following roll call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES

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Chilhowie District Supervisor R. Curtis Rhea	YES
Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter, County Administrator brought forward a recommendation from the Budget Committee. It is the Committee's recommendation to approve the proposed changes to the FY2018-2019 Budget as shown below.

		Expense			
			Proposed	New	Difference
9	099990-5801	Instruction	\$ 34,209,135	\$ 34,446,904	\$ 237,769
9	099990-5802	Administration/Attendance	\$ 1,439,378	\$ 1,452,675	\$ 13,297
9	099990-5803	Transportation	\$ 2,372,189	\$ 2,629,108	\$ 256,919
9	099990-5804	Facilities	\$ 4,283,283	\$ 4,354,890	\$ 71,607
9	099990-5805	Food Service	\$ 3,466,676	\$ 3,700,578	\$ 233,902
9	099990-5806	Technology	\$ 1,367,445	\$ 1,379,332	\$ 11,887
307	012010-0001	Adwolfe Sewer	\$ 150,000	\$ 175,000	\$ 25,000
					\$ 850,381
		REVENUE			
			Proposed	New	Difference
9	021010-00002	State Sales Tax	\$ 4,784,360.00	\$ 4,795,569.00	\$ 11,209.00
9	021010-0006	Basic Aid	\$ 26,919,446.00	\$ 27,425,895.00	\$ 506,449.00
9	021010-0072	Federal Money Pass Thru	\$ 5,146,460.00	\$ 5,421,115.00	\$ 274,655.00
9	021010-0123	Revenue from Other Funds	\$ 2,472,265.00	\$ 2,505,333.00	\$ 33,068.00
307	012010-0001	Adwolfe Sewer	\$ 150,000.00	\$ 175,000.00	\$ 25,000.00
					\$ 850,381.00
				Advertised Budget Total	\$ 86,784,507
				Change Total	\$ 850,381.00
				New Proposed Budget Total	\$ 87,634,888

After consideration, the motion **PASSED** by the following roll call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES
Chilhowie District Supervisor R. Curtis Rhea	YES
Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.  
ABSTAINERS: None.  
ABSENT: None.



6/26/2018 5:19 PM Saltville District Supervisor Roscoe D. Call made a motion to adopt the tax rates for FY2018-2019 as shown below. North Fork District Supervisor Phil Stevenson seconded the motion.

Pursuant to §58.1-3001 et seq. a real estate levy on all taxable real estate located in Smyth County, Virginia, including equalized real estate, where applicable, a unit levy of \$0.74 per \$100.00 of assessed valuation; Tax on tangible personal property and the tangible personal property of public service corporations, except rolling stock of corporations operating railroads, a unit levy of \$2.30 per \$100.00 of assessed valuation; Machinery & Tools \$1.55 per \$100.00 of assessed valuation; Tax on Category 23 items (trucks used in interstate commerce over 10,000 pounds) a unit levy of \$1.55 per \$100.00 of assessed valuation; Tax on merchant's capital a unit levy of \$0.40 per \$100.00 of assessed valuation; and airplane tax a unit levy of \$1.40 per \$100.00 of assessed valuation.

After consideration, the motion **PASSED** by the following roll call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES
Chilhowie District Supervisor R. Curtis Rhea	YES
Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.  
ABSTAINERS: None.  
ABSENT: None.

North Fork District Supervisor Phil Stevenson made a motion to adopt the resolution shown below for the Smyth County School Board budget fiscal year 2018-2019 in the amount of \$50,656,060.00. Saltville District Supervisor Roscoe D. Call seconded the motion.

## **RESOLUTION**

### **APPROVING THE SMYTH COUNTY SCHOOL BOARD**

#### **FISCAL YEAR 2018-2019 BUDGET**

#### **BY EXPENDITURE CLASSIFICATION/CATEGORY**

**WHEREAS**, the Smyth County School Board has approved and presented to the Board of Supervisors a budget for FY 2018-19 totaling \$50,656,060; and

**WHEREAS**, §22.1-1-115 of the Code of Virginia establishes expenditure classifications or categories; and

**WHEREAS**, the Smyth County School Board presented the budget in seven (7) categories; and

**WHEREAS**, the Board of Supervisors has the legal authority and ability to approve the Smyth County School Board budget by category (§§ 22.1-94 and 95); and

**WHEREAS**, given the magnitude of the County (Local Funds) contribution to the Schools budget and to provide increased accountability for the expenditure of such funds, it is appropriate to approve the overall spending plan for the Smyth County School Board on a categorical basis.

**NOW, THEREFORE, BE IT RESOLVED** by the Smyth County Board of Supervisors duly assembled this 26<sup>th</sup> day of June, 2018 the Smyth County School Board FY 2018-19 budget is hereby approved as follows:

<b><u>Expenditures/Educational Category</u></b>	<b><u>2018-2019</u></b>
Instruction	\$ 34,446,904
Administration, Attendance & Health	\$ 1,452,675
Transportation	\$ 2,629,108
Facilities	\$ 4,354,890
Food Service	\$ 3,700,578
Debt and Fund Transfers	\$ 2,692,573
Technology	\$ 1,379,332
<b>Total Funds Budget</b>	<b>\$ 50,656,060</b>

**Adopted** this the 26<sup>th</sup> day of June, 2018.

**ATTEST:**

**SMYTH COUNTY BOARD OF SUPERVISORS**

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**Michael L. Carter, County Clerk**

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**M. Todd Dishner, Chairman**

After consideration, the motion **PASSED** by the following roll call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES
Chilhowie District Supervisor R. Curtis Rhea	YES
Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/26/2018 5:27 PM North Fork District Supervisor Phil Stevenson made a motion to adopt the Resolution as shown below for the Smyth County Budget fiscal year 2018-2019 in the amount of \$87,634,888.00. Saltville District Supervisor Roscoe D. Call seconded the motion.

## **RESOLUTION**

### **SMYTH COUNTY BUDGET FISCAL YEAR 2018-2019**

**WHEREAS**, the Smyth County Board of Supervisors has properly prepared a budget plan for County operations, maintenance, capital outlay, and debt service for Fiscal Year 2018-2019 and has advertised and held the required public hearings required by the Code of Virginia Section 15.2-2503, as amended; and

**WHEREAS**, the Smyth County Board of Supervisors pursuant to said authority now proposes to adopt the attached budget for fiscal year 2018-2019.

**NOW, THEREFORE, BE IT RESOLVED**, the Smyth County Board of Supervisors sets forth and approves the Smyth County Budget for the fiscal year 2018-2019 in the amount of \$87,634,888.00.

**BE IT FURTHER RESOLVED**, the approval of this budget shall not constitute an appropriation of funds.

**Adopted** this the 26<sup>th</sup> day of June 2018.

**ATTEST:**

**SMYTH COUNTY BOARD OF SUPERVISORS**

---

Michael L. Carter, County Clerk

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M. Todd Dishner, Chairman

After consideration, the motion **PASSED** by the following roll call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES
Chilhowie District Supervisor R. Curtis Rhea	YES

Atkins District Supervisor Charles Atkins	NO
Royal Oak District Supervisor Judy Wyant	NO

ABSTAINERS: None.

ABSENT: None.

Royal Oak District Supervisor Judy Wyant and Atkins District Supervisor Charles Atkins both stated they felt they didn't have enough information concerning the proposed budget, therefore they could not vote in favor of adopting the budget for FY18-19.



6/26/2018 5:30 PM Atkins District Supervisor Charles Atkins made a motion to appropriate \$107,609.72 for the General Fund for the Accounts Payable Listing. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion **PASSED** by the following roll call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES
Chilhowie District Supervisor R. Curtis Rhea	YES
Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$2,048,796.01 from Fund 307 for the Adwolfe Sewer Project.

After consideration, the motion **PASSED** by the following roll call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES
Chilhowie District Supervisor R. Curtis Rhea	YES
Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$423.47 from the EDA Fund 4 for open invoices.

After consideration, the motion **PASSED** by the following roll call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES
Chilhowie District Supervisor R. Curtis Rhea	YES
Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Saltville District Supervisor Roscoe D. Call made a motion to appropriate \$75,000.00 from the General Fund for FY2018-2019. Atkins District Supervisor Charles Atkins seconded the motion. The following is an explanation of the appropriations approved:

<b>Social Services FY18-19 (July 1-July 9, 2018)</b>	<b>\$60,000.00</b>
<b>General County FY18-19</b>	<b>\$15,000.00</b>
<b>Total General Fund FY18-19:</b>	<b>\$75,000.00</b>

After consideration, the motion **PASSED** by the following roll call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES



Chilhowie District Supervisor R. Curtis Rhea	YES
Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/26/2018 5:33 PM Chairman, Park District Supervisor M. Todd Dishner, opened the Public Hearing for an Annual Musical or Entertainment Festival Permit from the Konnarock-Green Cove Laurel Valley Association. Michael Carter, County Administrator read the following advertisement as published in the Smyth County News & Messenger.

#### **PUBLIC HEARING NOTICE**

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, June 26, 2018 at 5:30 p.m., or soon thereafter, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application for an Annual Musical or Entertainment Festival permit under the Code of Smyth County, Virginia:

*The Konnarock-Green Cove Laurel Valley Association has submitted a festival application for an event to be held on Sunday, September 16, 2018. This event will be held at the Konnarock-Green Cove Laurel Valley Community Association, 6535 Whitetop Road, Troutdale, Virginia, 24378, and will be held between the hours of 11:00 a.m. and 5:00 p.m.*

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

A copy of this application along with their maps and plans are on file in the Office of the County Administrator of Smyth County at the address given above, and may be viewed Monday through Friday, 8:00 a.m. to 5:00 p.m.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in the public hearing should contact Clegg Williams, Smyth County ADA Coordinator, at (276) 783-3298 x8315 at least forty-eight (48) hours prior to the public hearing.

Done by order of the Board of Supervisors

Michael L. Carter, County Administrator

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


After consideration, the motion **PASSED** by the following roll call vote:


Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES
Chilhowie District Supervisor R. Curtis Rhea	YES
Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 6/26/2018 5:35 PM With no one wishing to speak concerning this application, Chairman, Park District Supervisor M. Todd Dishner closed the Public Hearing.

 6/26/2018 5:36 PM Saltville District Supervisor Roscoe D. Call made a motion to adopt the VDOT 6-year plan as presented at the June 12, 2018 Board of Supervisors meeting. Rye Valley District Supervisor Rick K. Blevins seconded the motion.


After consideration, the motion **PASSED** by the following roll call vote:


Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES
Chilhowie District Supervisor R. Curtis Rhea	YES
Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 6/26/2018 5:39 PM Michael Carter, County Administrator informed the Board of Supervisors the County had received information from the State Fire Marshall's office concerning a Firework Display that is to take place the week of July 4, 2018. Mr. Carter stated at this point, the County did not have a permitting process for fireworks, therefore anyone that wishes to have a display should abide by the state guidelines.

 6/26/2018 5:43 PM Howard Burton, Smyth County Public Library Board Appointee gave his resignation to the Board due to some health concerns. Mr. Burton thanked the Board for allowing him

the opportunity to serve as a representative to the Library and encourages the Board to restore the Library Board back to a seven (7) member Board.



6/26/2018 5:47 PM Chairman, Park District Supervisor M. Todd Dishner, opened the Public Hearing for an Annual Musical or Entertainment Festival Permit from the Rich Valley Fair Association. Michael Carter, County Administrator read the following advertisement as published in the Smyth County News & Messenger.

#### **PUBLIC HEARING NOTICE**

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, June 26, 2018 at 5:45 p.m., or soon thereafter, in the Board of Supervisors Meeting Room, Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application for an Annual Musical or Entertainment Festival permit under the Code of Smyth County, Virginia:

The Rich Valley Agricultural Fair Association Inc. has submitted a festival application for a nine (9) day event to be held July 27, 2018 through August 4, 2018. This event will be held at the Rich Valley Fairgrounds located at 325 Long Hollow Road, Saltville, Virginia. The applied festival hours are as follows:

Friday, July 27, 2018– 7:00 p.m. to 11:00 P.M.

Saturday, July 28, 2018 – 7:00 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

Sunday, July 29, 2018 – 6:00 p.m. to 10:00 p.m.

Monday, July 30, 2018 – 4:30 p.m. to 10:30 p.m.

Tuesday, July 31, 2018 – 1:30 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

Wednesday, August 1, 2018 – 6:00 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

Thursday, August 2, 2018– 6:00 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

Friday, August 3, 2018 – 6:00 p.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

Saturday, August 4, 2018 – 10:00 a.m. through the event completion, except music events which will end by midnight per the Smyth County Code Section 5-98.

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

A copy of this application along with their maps and plans are on file in the Office of the County Administrator of Smyth County at the address given above, and may be viewed Monday through Friday, 8:00 a.m. to 5:00 p.m.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in the public hearing should contact Clegg Williams, Smyth County ADA Coordinator, at (276) 783-3298 x8315 at least forty-eight (48) hours prior to the public hearing.

Done by order of the Board of Supervisors  
Michael L. Carter, County Administrator

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

After consideration, the motion **PASSED** by the following roll call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES
Chilhowie District Supervisor R. Curtis Rhea	YES
Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/26/2018 5:52 PM With no one choosing to speak concerning this application, Chairman, Park District Supervisor M. Todd Dishner closed the Public Hearing.



6/26/2018 5:52 PM A motion was made by Rye Valley District Supervisor Rick K. Blevins to enter into closed session under Code of Virginia, Section 2.2-3711-A.5; Industrial/Business Prospects; discussion concerning a business or industry considering expansion with no previous announcement being made. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion **PASSED** by the following roll call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES
Chilhowie District Supervisor R. Curtis Rhea	YES
Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/26/2018 6:08 PM It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call to adopt the following Resolution certifying the business conducted during closed session as follows:

**RESOLUTION**

**CERTIFICATION OF CLOSED SESSION**

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

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

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

After consideration, the motion **PASSED** by the following roll call vote:

Chairman, Park District Supervisor M. Todd Dishner	YES
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins	YES
Saltville District Supervisor Roscoe D. Call	YES
North Fork District Supervisor Phil Stevenson	YES
Chilhowie District Supervisor R. Curtis Rhea	YES
Atkins District Supervisor Charles Atkins	YES
Royal Oak District Supervisor Judy Wyant	YES

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/26/2018 6:10 PM Supervisor Comment Time:

Saltville District Supervisor Roscoe D. Call thanked the Budget Committee and staff for all of the work completed on the FY2018-2019 Budget.

Chairman, Park District Supervisor M. Todd Dishner thanked the Budget committee and staff for the time and effort put into producing a balanced budget for FY2018-2019. Mr. Dishner stated that anyone

is welcome to attend the Budget Committee meetings or to call him personally with any concerns they may have.



6/26/2018 6:12 PM Meeting adjourned.


The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., Tuesday, July 10, 2018. 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, Park District Supervisor M. Todd Dishner; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea; Royal Oak District Supervisor Judy Wyant (4)

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; Atkins District Supervisor Charles Atkins (3)

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

OTHERS: Deputy with the Smyth County Sheriff's Office, Stephanie Porter Nichols with Smyth County News and Messenger, and several citizens.

 6/12/2018 4:04 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting to order. A motion was made by Chilhowie District Supervisor R. Curtis Rhea to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.1; Personnel Matters**; Discussion, consideration, or interviews of prospective candidates for employment and contracts; **A.5; Industrial/Business Prospects**; discussion concerning a business or industry considering expansion with no previous announcement being made. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins; Saltville District Supervisor Roscoe D. Call; Atkins District Supervisor Charles Atkins.

 7/10/2018 5:04 PM Atkins District Supervisor Charles Atkins entered the meeting.

 7/10/2018 5:05 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from Closed session.

It was moved by North Fork District Supervisor Phil Stevenson, seconded by Chilhowie District Supervisor R. Curtis Rhea, to adopt the following resolution certifying the business conducted in closed session as follows:

## RESOLUTION

### CERTIFICATION OF CLOSED SESSION

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

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

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

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: Atkins District Supervisor Charles Atkins.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.



7/10/2018 5:05 PM Kelly Woods, Administrative Assistant led the Pledge of Allegiance.



7/10/2018 5:06 PM A motion was made by Atkins District Supervisor Charles Atkins, seconded by North Fork District Supervisor Phil Stevenson to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.



NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

 7/10/2018 5:06 PM It was moved by Chilhowie District Supervisor R. Curtis Rhea, seconded by North Fork District Supervisor Phil Stevenson to approve the minutes of the June 12<sup>th</sup> and June 26<sup>th</sup>, 2018 meetings.

After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

 7/10/2018 5:07 PM Scott Simpson, Assistant County Administrator presented the Board with information on the fiscal year ending numbers for 2017-2018 and a current month analysis for appropriations for FY2018-2019.

 7/10/2018 5:16 PM It was moved by Atkins District Supervisor Charles Atkins, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$2,125,000.00 from the General Fund. The following is an explanation of the appropriations approved:

**General County**

Accounts Payable Listing:	\$ 1,373,607.59
Payroll:	\$ 705,037.93
Auto Draft Rural Development:	\$ 8,974.00
AEP/Century Link Bills:	\$ 25,000.00
County Administration Fund:	\$ 5,000.00
Minus Beginning Appropriation:	\$ (15,000.00)
New Carryover for June:	\$ 22,380.48
Total County Appropriation:	\$ 2,125,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and

Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$410,000.00 from the General Fund for the Department of Social Services. The following is an explanation of the appropriations approved:

**Social Services**

(July 11-July 31, 2018)	\$ 350,000.00
(August 1-August 14, 2018)	\$ 60,000.00
Total Social Services:	\$ 410,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

It was moved by Atkins District Supervisor Charles Atkins, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$1,440,000.00 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	\$ 550,000.00
Administration, Attendance, & Health	\$ 75,000.00
Transportation	\$ 110,000.00
Facilities	\$ 360,000.00
School Food Service	\$ 275,000.00
Technology	\$ 70,000.00
Total School Operating Fund:	\$1,440,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and

Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

It was moved by North Fork District Supervisor Phil Stevenson, seconded by Atkins District Supervisor Charles Atkins to appropriate \$800,000.00 from the School Textbook Fund.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

It was moved by North Fork District Supervisor Phil Stevenson, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$975,000.00 from the General Fund for School Debt Service.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$1,120.74 from the Sheriff's Fund 748 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

It was moved by North Fork District Supervisor Phil Stevenson, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$355,000.00 from Fund 301 for the Courthouse Project.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

It was moved by North Fork District Supervisor Phil Stevenson, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$1,488.15 from Fund 749 for Drug Recovery Court open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

It was moved by North Fork District Supervisor Phil Stevenson, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$30.00 from EDA Fund 4 for an open invoice.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

It was moved by Atkins District Supervisor Charles Atkins, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$552.62 from the Commonwealth Attorney's Fund 760 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.



7/10/2018 5:20 PM Chairman, Park District Supervisor M. Todd Dishner opened Citizens Time.

Leslee Brewer, 1208 Old Stage Road, Chilhowie spoke in opposition of the Town of Chilhowie's request for the release of a deed restriction to house a Farmer's Market in Chilhowie.

Cathy Smith, 149 Crestwood Drive, Chilhowie spoke in opposition of the request for the release of the deed restriction, stating she would like to see the property kept as a green space.

Brent Foster, 225 Church Avenue Chilhowie, spoke and stated he is a Council Member of the Town of Chilhowie. Mr. Foster stated he supported the request for the release of the deed restriction and feels a Farmer's Market is a benefit to those in the Community.

Jeff Pease, 752 Skyview Drive, Chilhowie also spoke in favor of the release of the deed restriction.



7/10/2018 5:29 PM With no one else wishing to speak, Chairman, Park District Supervisor M. Todd Dishner closed Citizens Time.



7/10/2018 5:29 PM Gary Henninger, Mayor for the Town of Chilhowie spoke concerning the request being made for the release of the deed restriction, which would allow for a structure to be built to house the Farmer's Market. Mr. Henninger informed the Board of Supervisors the structure would not have a floor, just sides and a roof.

John Clark, Town Manager for the Town of Chilhowie stated he was in support of the release of the deed restriction and informed the Board of Supervisors that grant money was available to aid in the cost to build the structure for the Farmer's Market.

Several Board of Supervisors members asked Mr. Clark questions concerning the building to be constructed and where the structure was going to be placed.

Chilhowie District Supervisor R. Curtis Rhea stated he had received several calls from constituents and they were opposed to the release of the deed restriction.

Atkins District Supervisor Charles Atkins asked if the Board approved the release of the restriction would it be for just this one structure.

Royal Oak Supervisor Judy Wyant stated she understands the concern from both sides but feels a Farmers Market is good for any area.

County Attorney Travis Lee stated the Board could place a stipulation in the deed release, only allowing the Town of Chilhowie to place one structure on the property.

North Fork District Supervisor Phil Stevenson made a motion to allow the release of the deed restriction and to allow the County Attorney to draft the necessary documents for proper filing; specifying it was to be for just this one structure. Royal Oak Supervisor Judy Wyant seconded the motion.

After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.


NAYS: Chilhowie District Supervisor R. Curtis Rhea.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

 7/10/2018 6:02 PM Chairman, Park District Supervisor M. Todd Dishner called for a five (5) minute recess.

 7/10/2018 6:09 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from recess.

 7/10/2018 6:09 PM Lennie Gail Mitcham, Executive Director of Southwest Virginia Alliance for Manufacturing presented the SVAM annual report for 2017-2018.



7/10/2018 6:27 PM Shannon Williams, 911 Coordinator presented a request for the FY2018 Aid to Localities allocations and stated the full payment had been received from the Department of Fire Programs Aid. Mr. Williams stated staff recommends the following disbursement schedule.

<b>Agency</b>	<b>Disbursement Amount</b>
Atkins Fire Department	\$15,804.33
Adwolfe Fire Department	\$15,804.33
Nebo Fire Department	\$15,804.33
Sugar Grove Fire Department	\$15,804.33
Chilhowie Fire Department	\$5,804.34
Saltville Fire Department	\$5,804.34

These disbursements total \$74,826.00.

Atkins District Supervisor Charles Atkins made a motion to approve and appropriate the allocations as presented. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.



7/10/2018 6:28 PM North Fork District Supervisor Phil Stevenson made a motion to approve the Rich Valley Fair Festival Application as presented at the June 28<sup>th</sup>, 2018 Board Meeting. Chilhowie District Supervisor R. Curtis Rhea seconded the motion.


After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

 7/10/2018 6:28 PM Chilhowie District Supervisor R. Curtis Rhea made a motion to approve the Konnarock Community Center Festival Application as presented at the June 28<sup>th</sup>, 2018 Board of Supervisors Meeting. North Fork District Supervisor Phil Stevenson seconded the motion.


After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

 7/10/2018 6:29 PM Scott Simpson, Assistant County Administrator brought forward the following recommendation from the Building and Grounds Committee. It is the Committee's recommendation to continue the lease with Mt. Rogers Community Services Board for the Cornerstone Building, at a rate of \$666.67 per month, with a 60-day notice should Mt. Rogers choose to vacate.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

Scott Simpson, Assistant County Administrator brought forward the following recommendation from the Building and Grounds Committee. It is the Committees recommendation to award the Generator Maintenance contract to Fidelity Power in the amount of \$9,260.00 in year one (1), with four (4) one-year renewal options. Should the Board choose to renew the contract after year one (1), the cost will remain the same, with the exception of years four (4) and five (5) which will be at a cost of \$10,000.00.

After consideration, the motion PASSED by the following vote:


**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.



**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins and Saltville District Supervisor Roscoe D. Call.

 7/10/2018 6:34 PM Chairman, Park District Supervisor M. Todd Dishner continued the meeting to Thursday, July 26<sup>th</sup>, 2018 at 7:00 P.M.

DRAFT

The Smyth County Board of Supervisors held its continued meeting at 7:00 p.m., **Thursday, July 26, 2018**. 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, Park District Supervisor M. Todd Dishner; Vice-Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (7)

North Fork District Planning Commissioner Norman Sparks; Park District Planning Commissioner Joel Pugh; 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 Tony Dean; Saltville District Supervisor David Spence (7)

**ABSENT:** None

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

**Others Present:** Stephanie Porter Nichols, Smyth County News and Messenger, Smyth County Sheriff's Department Deputy and several citizens were present.

 7/26/18 7:00 PM Chairman of the Board of Supervisors, M. Todd Dishner and Norman Sparks Chairman of the Planning Commission, called the joint public hearing to order. Scott Simpson, Assistant County Administrator read the advertisement as placed in the Smyth County News and Messenger.

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

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, July 26, 2018, 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 Kenneth and Cynthia Parkin for a Special Use Permit to establish a campground. The property is addressed as 7530 Lee Highway; in Rural Retreat, it is identified as Tax Map No. 38C-1-13C and zoned Agricultural/Rural.*

*An application from Kenneth and Cynthia Parkin for a Special Use Permit to establish an event center. The property is addressed as 7530 Lee Highway; in Rural Retreat, it is identified as Tax Map No. 38C-1-13C and zoned Agricultural/Rural.*

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

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

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

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

Michael L. Carter, County Administrator

Norman K. Sparks, Chairman of the Planning Commission

Atkins District Supervisor Charles Atkins made a motion to waive the reading of the rules relating to Public Hearings. Chilhowie District Supervisor R. Curtis Rhea seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Clegg Williams, Building and Zoning Administrator explained Kenneth and Cynthia Parkin's intention to establish a campground. For this proposed use, the Parkin's are planning to dedicate an area of land for tent camping. In total, no more than five (5) tent sites will be available. Additionally, a cabin is being proposed to be constructed that will be available to rent, with a restroom facility attached. The property is located at 7530 Lee Highway, identified as tax map #38C-1-13C, and is zoned Agricultural/Rural. Mr. Williams stated notice of the public hearing was advertised in the Smyth County News & Messenger on July 14<sup>th</sup> and July 24<sup>th</sup>, 2018, along with a first class mailing to each of the applicants adjoining property owners.

Secondly, is an application for an event center. The Parkin's are proposing to install a large tent next to their home for scheduled events such as weddings and reunions. The restrooms proposed with the cabin will also provide facilities to the proposed event use.


Discussion continued by the Board of Supervisors and the Planning Commission, with several members questioning the sight line of the tent to be used and expressed concerns over noise.

No one spoke concerning these applications.

Board of Supervisors Chairman, Park District Supervisor M. Todd Dishner and Planning District Commission Chairman Norman Sparks closed the joint public hearing.

 7/26/2018 7:31 PM Chairman, Park District Supervisor M. Todd Dishner called the Board of Supervisors Meeting to order.

 7/26/2018 7:31 PM Chairman, Park District Supervisor M. Todd Dishner opened Citizens Time. With no one wishing to speak, Chairman Park District Supervisor M. Todd Dishner closed Citizens Time.

 7/26/2018 7:31 PM Scott Simpson, Assistant County Administrator presented a VDOT SMART SCALE Project Resolution for consideration as shown below. Mr. Simpson explained the program focuses on selecting the right transportation projects for funding and ensuring the best use of limited tax dollars. There is a firm deadline of August 1, 2018 to submit the resolution to allow for the projects selected to be considered for funding.

#### **VDOT SMARTSCALE PROJECT RESOLUTION - 2018**

**WHEREAS,** in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a Resolution be received from the sponsoring Local Jurisdiction requesting the Virginia Department of Transportation to establish a project in Smyth County;

**THEREFORE, BE IT RESOLVED,** the Smyth County Board of Supervisors hereby requests the Commonwealth Transportation Board to establish two projects for the construction of:

US Route 11 / SR 660 Roundabout South	\$ 3,607,316
US Route 11 / SR 660 Roundabout North	\$ 3,572,022

**THEREFORE, BE IT FURTHER RESOLVED** Smyth County hereby agrees to enter into a project administration agreement with VDOT and, if required; provide the necessary oversight to ensure the project is developed in accordance with all applicable Federal, State, and Local requirements for design, right of way acquisition, and construction of the project.

**This 26<sup>th</sup> day of July, 2018. Smyth County, Virginia**

Chilhowie District Supervisor R. Curtis Rhea made a motion to adopt the Resolution as presented. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



7/26/2018 7:47 PM Saltville District Supervisor Roscoe D. Call made a motion to appropriate \$135.00 Fund 749, 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, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



7/26/2018 7:48 PM A motion was made by Rye Valley District Supervisor Rick K. Blevins to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.1; Personnel Matters**; Discussion, consideration, or interviews of prospective candidates for employment and contracts 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, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,

North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Phil Stevenson, to adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION

CERTIFICATION OF CLOSED SESSION

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

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

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

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The meeting was adjourned at 9:24 P.M.


The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, August 14, 2018**. 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, Park District Supervisor M. Todd Dishner; Vice Chairman, Rye Valley District Supervisor Rick K Blevins; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea; Royal Oak District Supervisor Judy Wyant (5)

**ABSENT:** Saltville District Supervisor Roscoe D Call; Atkins District Supervisor Charles Atkins (2)

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

**OTHERS:** Deputy with the Smyth County Sheriff's Office, Stephanie Porter Nichols with Smyth County News and Messenger, and several citizens.

 8/14/2018 4:03 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting to order. A motion was made by Rye Valley District Supervisor Rick K. Blevins to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.3; Land acquisition**; discussion or consideration of the acquisition of real property for a public purpose; **A.5; Industrial/Business Prospects**; discussion concerning a business or industry considering expansion with no previous announcement being made. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:


**AYES:** Chairman, Park District Supervisor M. Todd Dishner, Vice Chairman, Rye Valley District Supervisor Rick K. Blevins, North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor R. Curtis Rhea and Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Saltville District Supervisor Roscoe D. Call and Atkins District Supervisor Charles Atkins.

 8/14/2018 5:01 PM Atkins District Supervisor Charles Atkins entered the meeting.

 8/14/2018 5:04 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from Closed session.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Phil Stevenson, to adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION

CERTIFICATION OF CLOSED SESSION

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

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

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

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: Atkins District Supervisor Charles Atkins.

ABSENT: Saltville District Supervisor Roscoe D. Call.



8/14/2018 5:05 PM Rye Valley District Supervisor Rick K. Blevins made a motion to allow the County Attorney to draft the necessary documents for a lease agreement as discussed for the Transfer Station and allow Michael Carter, County Administrator to execute the document. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.


NAYS: None.

ABSTAINERS: Atkins District Supervisor Charles Atkins.

ABSENT: Saltville District Supervisor Roscoe D. Call.



 8/14/2018 5:05 PM Kendra Hayden, Administrative Assistant gave the invocation and Clegg Williams, Building and Zoning Administrator led the Pledge of Allegiance.

 8/14/2018 5:06 PM A motion was made by North Fork District Supervisor Phil Stevenson, seconded by Chilhowie District Supervisor R. Curtis Rhea to adopt the agenda and additional agenda as presented.


After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

 8/14/2018 5:07 PM It was moved by Chilhowie District Supervisor R. Curtis Rhea, seconded by Atkins District Supervisor Charles Atkins to approve the minutes of the July 10<sup>th</sup> and July 26<sup>th</sup>, 2018 meetings.


After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

 8/14/2018 5:07 PM Michael Carter, County Administrator presented the Board with information on the current FY2018-2019 budget and a current month analysis for appropriations.

 8/14/2018 5:18 PM Chairman, Park District Supervisor M. Todd Dishner opened Citizens Time.

Robert Owens, 213 Rolling Creek Lane, Marion Virginia, spoke concerning an ATV business located on a neighbor's property that is disturbing the neighborhood, and asked for support from the Board of Supervisors to ensure proper procedures are being followed with permits and codes.

Jeremey and Haley Peake, 633 Middle Fork Road, Marion, Virginia spoke also concerned with what is going on within the neighborhood and stated the main concern they have is with the noise and trash on their property.

Shane Farris 567 Middle Fork Road, Marion, Virginia spoke and stated that he resides in the house directly beside the neighbor in question and owns the right of way that is being used to the property. Mr. Farris stated that several neighbors have joined together and obtained an Attorney, but would like support from the Board of Supervisors to help resolve the issue.

Jerry Sheets, 563 Paradise Drive, Chilhowie Virginia, spoke and stated that he currently works at Utility Trailer in Atkins and would like to see more financial support from the Board of Supervisors to ensure each school within Smyth County has a School Resource Officer. Mr. Sheets stated he would support a tax increase, or would participate in a fund raiser to offset the costs for the additional SRO's.


Royal Oak District Supervisor Judy Wyant commended Mr. Sheets, and feels the Board of Supervisors should do all they can to find the money to cover the cost of the additional School Resource Officers.


Chilhowie District Supervisor R. Curtis Rhea commended the Town of Saltville for providing a School Resource Officer, and stated he would like to see the Town of Marion and Town of Chilhowie show support and consider funding a School Resource Officer within the town limits.


Atkins District Supervisor Charlie Atkins stated he proposed a .02 cent tax increase for the funding of additional School Resource Officers but the support of the citizens of Smyth County would be needed to make this possible. Mr. Atkins thanked Mr. Sheets for showing his support.

Susie Peake, 633 Middle Fork Road Marion, Virginia, also spoke concerning the ATV Park business that is being conducted on a neighbor's property. Ms. Peak stated her concern was the safety for the neighborhood, especially the children of the community.


Rick Farris, 655 Middle Fork Road, Marion, Virginia spoke concerning the ATV Park and stated he was very upset with the business being conducted and he felt nothing was being done to enforce the Code of Smyth County.


 8/14/2018 6:07 PM With no one else choosing to speak, Chairman, Park District Supervisor M. Todd Dishner closed Citizens Time.

 8/14/2018 6:07 PM Chairman, Park District Supervisor M. Todd Dishner asked Building and Zoning Administrator Clegg Williams to address some of the issues that have been brought forward concerning the ATV park. Mr. Williams stated that a notice of violation has been sent to the property owner, and response of the notification is pending. Until the notification is received, Mr. Williams cannot proceed with turning the matter over to the County Attorney.

 8/14/2018 6:19 PM Dr. Karen Shelton, Director, Mt. Rogers Health District presented a slide show to inform the Board of Supervisors and citizens of Smyth County of the importance in combating the problem of Substance abuse and the increase in Hepatitis C within the Community. Ms. Shelton also spoke to the Board concerning the Comprehensive Harm Reduction plan being proposed by Mt. Rogers Health District, which is a point of contact to provide services to help reduce the harms caused by substance abuse, and is requesting the Board's support for the initiative.

 8/14/2018 6:53 PM Chairman, Park District Supervisor M. Todd Dishner called for a recess.

 8/14/2018 7:10 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from recess.

 8/14/2018 7:10 PM Lavonda Brickey, Smyth County Health Department presented information on the Health Department's 2018 mobile rabies clinic. Each year, the County pays the advertising cost for the clinic out of the Animal Fund 3.

Atkins District Supervisor Charles Atkins made a motion to approve the advertising costs of \$237.00 being requested for the 2018 Rabies Clinic. North Fork District Supervisor Phil Stevenson seconded the motion.


After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

 8/14/2018 7:12 PM Kendra Hayden, CSA Coordinator, presented an update on the CSA program, including new legislation concerning the Family First Prevention Services Act that are to take place in FY2019. This act reforms the federal child welfare financing streams, Title IV-E and Title IV-B of the Social Security Act, to provide services to families who are at risk of entering the child welfare system. The bill aims to prevent children from entering foster care by allowing federal reimbursement for mental health services, substance use treatment, and in-home parenting skill training to families and children. It also seeks to improve the well-being of children already in foster care by incentivizing states to reduce placement of children in group care.

 8/14/2018 7:23 PM It was moved by Atkins District Supervisor Charles Atkins, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$1,650,000.00 from the General Fund. The following is an explanation of the appropriations approved:

**General County**

Accounts Payable Listing:	\$ 934,436.97
Payroll:	\$ 672,555.57
Auto Draft Rural Development:	\$ 8,974.00
AEP/Century Link Bills:	\$ 25,000.00
County Administration Fund:	\$ 5,000.00
Minus Beginning Appropriation:	\$ (17,330.04)
New Carryover:	\$ 21,363.50
Total County Appropriation:	\$ 1,650,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$410,000.00 from the General Fund for the Department of Social Services. The following is an explanation of the appropriations approved:

**Social Services**

(August 14-August 31, 2018)	\$ 350,000.00
(September 1-September 11, 2018)	\$ 60,000.00
Total Social Services:	\$ 410,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Atkins District Supervisor Charles Atkins to appropriate \$1,215,000.00 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	\$ 470,000.00
Administration, Attendance, & Health	\$ 75,000.00
Transportation	\$ 45,000.00
Facilities	\$ 315,000.00
School Food Service	\$ 120,000.00
Technology	\$ 190,000.00
Total School Operating Fund:	\$1,215,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$3,017.94 from the Sheriff's Fund 748 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$24,868.39 from Fund 749 for Drug Recovery Court open invoices.

After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,

North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe D. Call.

 8/14/2018 7:28 PM Kelly Woods, Administrative Assistant updated the Board of Supervisors concerning a nuisance abatement suspension for a property located at 5432 Sugar Grove Highway, Sugar Grove, Virginia, that is set to expire on August 31, 2018. Ms. Woods informed the Board that photos have been provided by the owner of the property, and it appears the nuisance has been abated. Mr. Clegg Williams, Building and Zoning Administrator has asked the property owner be required to obtain an inspection, before the Board releases the suspension.

 8/14/2018 7:28 PM Rye Valley District Supervisor Rick K. Blevins brought forward the following recommendation from the Building and Grounds Committee.

It is the Committee's recommendation to proceed with the replacement of the roof on the Animal Shelter, with a not to exceed amount of \$18,000.00 for the project and to allow Mr. Carter to award the project to the lowest bidder once all bids had been received. The Committee would like for metal to be used, and proper replacement of any damaged material be taken care of during the installation of the new roof.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.


ABSENT: Saltville District Supervisor Roscoe D. Call.

Michael Carter, County Administrator updated the Board concerning the lease for the Morrison Building and stated the survey had been completed on the property. Mr. Carter will continue to update the Board as information concerning the lease and/or option to buy the Morrison Building is provided by the Commonwealth of Virginia.

Royal Oak District Supervisor Judy Wyant questioned the Boiler quotes that have been received for the installation of the system in the Morrison Building and why there was such a drastic range in the pricing.

Mr. Carter responded to Ms. Wyant's question, stating he felt the name brand of the equipment quoted was a factor in the variations of the cost of the project.

Atkins District Supervisor Charles Atkins asked if some of the other issues, such as the flooring and heat had been addressed. Mr. Atkins asked what the cost would be to build a new facility to accommodate all departments within the Morrison Building. Mr. Carter responded, stating all options have been discussed and are actively being reviewed.

 8/14/2018 7:38 PM Michael Carter, County Administrator brought forward the following recommendations from the Planning Commission:

***Item #1:*** Commissioner Joel Pugh made a motion to recommend approval for the request of a Special Use Permit for a campground on the property addressed as 7530 Lee Highway; in Rural Retreat with the stipulations there be a maximum of five tent sites and the bunkhouse be limited to 12 or less beds. Commissioner David Spence seconded the motion.

*After consideration, the motion passed by the following vote:*

**AYES:** Sparks, Spence, Wagoner, Shepherd, Pugh, Davidson Jr., and Dean.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

North Fork District Supervisor Phil Stevenson made a motion to accept the recommendation as presented from the Planning Commission. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner, Vice Chair, Rye Valley District Supervisor Rick K. Blevins, North Fork District Supervisor Phil Stevenson, Atkins District Supervisor Charles Atkins, Chilhowie District Supervisor R. Curtis Rhea and Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

***Item #2:*** Commissioner Joel Pugh made a motion to recommend approval for the request of a Special Use Permit for an event center on the property addressed as 7530 Lee Highway; in Rural Retreat with the stipulations the tent used for the events or any permanent structure that may be built to replace the tent be limited to 2000 square feet. The structure be a minimum of 15 feet from all lot lines, and the maximum occupant load for any event be 125. Commissioner Hazel Wagoner seconded the motion.

*After consideration, the motion passed by the following vote:*

**AYES:** Sparks, Spence, Wagoner, Shepherd, Pugh, Davidson Jr., and Dean.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

North Fork District Supervisor Phil Stevenson made a motion to accept the recommendation as presented from the Planning Commission. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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



8/14/2018 7:42 PM Jeff Richardson, Commissioner of Revenue discussed a request to exempt five (5) properties from Real Estate Taxes shown below, due to the requirements under Article VII Sec.34-206-Sec. 34-211 of the Code of Smyth County. By offering this program, owners invest in their commercial and industrial property in exchange for a reduction of real estate tax on the increased improvements values for nine (9) years following the completion of the project.

\*Ellis Historical Properties, Acct#9938, Building located at 111 East Main Street, Marion

\*Chilhowie Milling/Myrtle Prop, Acct#5151, Building located at 154 Lee Hwy., Chilhowie

\*Keith & Lissa Hungate, Acct#26697/26735, Building located at 210 Broad St., Marion

\*Mt. View Properties, Acct#6874, Building located at 1204 N. Main Street, Marion

\*Richards Comm. Properties, Acct#149233, Building located at 129/131 E. Main St., Chilhowie

North Fork District Supervisor Phil Stevenson made a motion to approve the exemption as requested by Mr. Richardson. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

Michael Carter, County Administrator brought forward a recommendation from the budget committee.



It is the Committee's recommendation to set the PPTRA rate at 52% for this tax year as recommended by the Commissioner of Revenue Jeff Richardson. Mr. Richardson discussed the Personal Property Tax Relief Act (PPTRA) and he noted the Board of Supervisors is required to establish the PPTRA tax relief rate to be applied to qualifying tax tickets each year.


After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

 8/14/2018 7:47 PM Jeff Campbell, County Attorney presented a Commonwealth's Development Opportunity Fund Performance Agreement as shown below for Speyside Bourbon Cooperage, LLC. The Commonwealth Opportunity Fund has awarded Speyside a grant in the amount of \$325,000.00 to renovate, equip, improve, and operate a cooperage facility.

## **COMMONWEALTH'S DEVELOPMENT OPPORTUNITY FUND PERFORMANCE AGREEMENT**

This **PERFORMANCE AGREEMENT** made and entered this \_\_\_\_ day of August, 2018, by and among the **COUNTY OF SMYTH, VIRGINIA** (the "Locality"), a political subdivision of the Commonwealth of Virginia (the "Commonwealth"), **[TFF GROUP]** (the "Company"), a \_\_\_\_\_ [corporation/limited liability company/etc.] [authorized to transact business in the Commonwealth], the **SMYTH-WASHINGTON INDUSTRIAL FACILITIES AUTHORITY** (the "Authority"), a political subdivision of the Commonwealth, and the **VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP AUTHORITY** ("VEDP"), a political subdivision of the Commonwealth.

WITNESSETH:

WHEREAS, the Locality has been awarded a grant of and expects to receive \$325,000 from the Commonwealth's Development Opportunity Fund (a "COF Grant") through VEDP for the purpose of inducing the Company to renovate, equip, improve, and operate a cooperage facility in the Locality (the "Facility"), thereby making a significant Capital Investment, and creating and Maintaining a significant number of New Jobs, as such capitalized terms are hereinafter defined;

WHEREAS, the Locality is willing to provide the funds to the Authority with the expectation that the Authority will provide the funds to or for the use of the Company, provided that the Company promises to meet certain criteria relating to Capital Investment and New Jobs;

WHEREAS, the Locality, the Authority, the Company, and VEDP desire to set forth their understanding and agreement as to the payout of the COF Grant, the use of the COF Grant proceeds, the obligations of the Company regarding Capital Investment and New Jobs, and the repayment by the Company of all or part of the COF Grant under certain circumstances;

WHEREAS, the renovation, equipping, improvement, and operation of the Facility will entail a capital expenditure by or on behalf of the Company of approximately \$26,000,000, of which approximately \$18,000,000 will be invested in machinery and tools, approximately \$500,000 will be invested in furniture, fixtures and equipment, approximately \$2,000,000 will be invested in the purchase of an existing building, and approximately \$5,500,000 will be invested in the renovation and up-fit of the building;

WHEREAS, the renovation, equipping, improvement, and operation of the Facility will further entail the creation and Maintenance of 125 New Jobs at the Facility; and

WHEREAS, the stimulation of the additional tax revenue and economic activity to be generated by the Capital Investment and New Jobs constitutes a valid public purpose for the expenditure of public funds and is the animating purpose for the COF Grant:

NOW, THEREFORE, in consideration of the foregoing, the mutual benefits, promises and undertakings of the parties to this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties covenant and agree as follows.

**Section 1. Definitions.**

For the purposes of this Agreement, the following terms shall have the following definitions:

“Capital Investment” means a capital expenditure by or on behalf of the Company in taxable real property, taxable tangible personal property, or both, at the Facility. The purchase or lease of machinery and tools or furniture, fixtures, and equipment, including under an operating lease, and expected building renovation and up-fit by or on behalf of the Company will qualify as Capital Investment. The Capital Investment must be in addition to the capital improvements at the Facility as of July 1, 2018.

“Initial Performance Date” means December 31, 2022. If the Locality, in consultation with the Authority and VEDP, deems that good faith and reasonable efforts have been made and are being made by the Company to achieve the Targets, the Locality may request an extension of the Initial Performance Date by up to 15 months. Any extension of the Initial Performance Date shall require the prior approval of the Board of Directors of VEDP (the “Board”). If the Performance Date is extended, the Locality shall send written notice of the extension to the Authority, the Company and VEDP and the date to which the Initial Performance Date has been extended shall be the “Initial Performance Date” for the purposes of this Agreement.

“Maintain” means that the New Jobs will continue without interruption from the date of creation through the Subsequent Performance Date. Positions for the New Jobs will be treated as Maintained during periods in which such positions are not filled due to (i) temporary reductions in the Company’s employment levels (so long as there is active recruitment for open positions), (ii) strikes, and (iii) other temporary work stoppages.

“New Job” means new permanent full-time employment of an indefinite duration at the Facility for which the standard fringe benefits are provided by the Company for the employee, and for which the Company pays an average annual wage of at least \$30,173. Average annual wage means the average annual salary of full-time positions at the Facility determined by dividing total payroll (of a type included in W-2 compensation) provided to full-time positions at the Facility by the number of full-time positions at the Facility. Each New Job must require a minimum of either (i) 35 hours of an employee’s time per week for the entire normal year of the Company’s operations, which “normal year” must consist of at least 48 weeks, or (ii) 1,680 hours per year. Seasonal or temporary positions, positions created when a job function is shifted from an existing location in the Commonwealth, and positions with construction contractors, vendors, suppliers and similar multiplier or spin-off jobs shall not qualify as New Jobs.

“Subsequent Performance Date” means December 31, 2026, unless the Initial Performance Date has been extended. If the Initial Performance Date has been extended, the Subsequent Performance shall be four years after the new Initial Performance Date. Except as so noted, the Subsequent Performance Date is not subject to extension.

“Targets” means the Company’s obligations to make Capital Investments at the Facility of at least \$26,000,000 and to create and Maintain at least 125 New Jobs at the Facility, all as of the Initial Performance Date. Further, “Targets” includes the Company’s obligation to Maintain at least 125 New Jobs at the Facility as of the Subsequent Performance Date.

“Virginia Code” means the Code of Virginia of 1950, as amended.

## **Section 2. Targets; Statutory Criteria.**

(a) *Targets:* The Company will renovate, equip, improve, and operate the Facility in the Locality, make a Capital Investment of at least \$26,000,000, and create and Maintain at least 125 New Jobs at the Facility, all as of the Initial Performance Date. Further, the Company will maintain at least 125 New Jobs at the Facility as of the Subsequent Performance Date.

(c) *Prevailing Wage; Unemployment and Poverty Rates:* The average annual wage of the New Jobs of at least \$30,173 is less than the prevailing average annual wage in the Locality of \$34,227, but is more than 85% of that prevailing average annual wage (\$29,093). The Locality is a high-unemployment locality, with an unemployment rate for 2017, which is the last year for which such data is available, of 5.4% as compared to the 2017 statewide unemployment rate of 3.8%. The Locality is a high-poverty locality, with a poverty rate for 2016, which is the last year for which such data is available, of 18.1% as compared to the 2016 statewide poverty rate of 11.0%.

(d) *Disclosure of Political Contributions:* The Company acknowledges that the name of the Company will be shared by VEDP with the Governor of Virginia, and any campaign committee or political action committee associated with the Governor. The Company acknowledges that within 18 months of the date of this Performance Agreement, the Governor, his campaign committee, and his political action committee will submit to the Virginia Conflict of Interest and Ethics Advisory Council a report listing any contribution, gift, or other item with a value greater than \$100 provided by the Company to the Governor, his campaign committee, or his political action committee, respectively, during the period from the date of the Company's application for the COF Grant through the one-year period immediately after the date of this Agreement.

**Section 3. Disbursement of COF Grant.**

(a) *Disbursement of the COF Grant:* By execution and delivery of this Agreement, the Locality requests that the COF Grant be disbursed to it. VEDP will promptly arrange for the payment of the \$325,000 COF Grant to the Locality.

The disbursement of the COF Grant proceeds to the Company will serve as an inducement to the Company to achieve the Targets.

The COF Grant proceeds shall be retained by the Locality and shall be disbursed in one payment as follows:

Within 90 days after the Initial Performance Date, by completing and filing the report described in Section 5(b), the Company will provide notice and evidence reasonably satisfactory to the Locality, the Authority, and VEDP of the amount of Capital Investments that it has made through the Initial Performance Date and the number of New Jobs created and Maintained through the Initial Performance Date. Such evidence will be subject to verification by the Locality and VEDP.

If the Company has not made Capital Investments of at least \$1,500,000 and created and Maintained at least 15 New Jobs as of the Initial Performance Date, it will not receive any of the proceeds of the COF Grant. These are the statutory minimum requirements for a COF Grant under the Virginia Code for a project located in the Locality.

If the Company has made Capital Investments of at least \$26 million and created and Maintained at least 125 New Jobs as of the Initial Performance Date, it will receive all \$325,000 of the proceeds of the COF Grant.

The COF Grant is to be allocated as 50% (\$162,500) for the Company's Capital Investment Target, and 50% (\$162,500) for the Company's New Jobs Target. If the Company met the statutory minimum requirements set forth in the second prior paragraph, but has not fully achieved the Targets, the Company will not receive that part of the COF Grant that is proportional to the Target or Targets for which there is a shortfall. For example, if as of the Initial Performance Date,

only \$19,500,000 of the Capital Investment has been retained (reflecting achievement of 75% of the Capital Investment Target), and only 100 New Jobs have been created and Maintained (reflecting achievement of 80% of the New Jobs Target), the Company will receive \$121,875 (reflecting 75% of the \$162,500 allocated to the Capital Investment Target), *plus* \$130,000 (reflecting 80% of the \$162,500 allocated to the New Jobs Target), for a total of \$251,875. These amounts reflect the percentages of the shortfall from the expected amount of Capital Investment and expected number of New Jobs, each multiplied by the portion of the COF Grant proceeds available to the Company allocated to that Target.

Within 30 days of the verification, if any portion of the COF Grant proceeds has been earned by the Company, the Locality will disburse the amount earned to the Authority. Within 30 days of its receipt of such COF Grant proceeds, the Authority will disburse such COF Grant proceeds to the Company.

Within 30 days of the verification, if any portion of the COF Grant proceeds has not been earned by the Company, the Locality shall return to VEDP the amount not earned, for redeposit to the Commonwealth's Development Opportunity Fund.

(b) *Determination of Inability to Comply:* If the Locality or VEDP shall determine at any time prior to the Initial Performance Date (a "Determination Date") that the Company is unable or unwilling to meet and Maintain its Targets by and through the Initial Performance Date, and if the Locality, the Authority or VEDP shall have promptly notified the Company of such determination, the Company will not receive any of the proceeds of the COF Grant, and, within 90 days of the Determination Date, the Locality will repay to VEDP all of the COF Grant proceeds. Such a determination will be based on such circumstances as a filing by or on behalf of the Company under Chapter 7 of the U.S. Bankruptcy Code, the liquidation of the Company, an abandonment of the Facility by the Company or other similar significant event that demonstrates that the Company will be unable or is unwilling to satisfy the Targets for the COF Grant.

(c) *Use of the COF Grant Proceeds:* The Company will use the COF Grant proceeds to pay or reimburse the cost of build-out of a privately owned building for the Facility, as permitted by Section 2.2-115(D) of the Virginia Code.

#### **Section 4. Break-Even Point; State and Local Incentives.**

(a) *State-Level Incentives:* VEDP has estimated that the Commonwealth will reach its "break-even point" by the Subsequent Performance Date. The break-even point compares new revenues realized as a result of the Capital Investment and New Jobs at the Facility with the Commonwealth's expenditures on incentives, including but not limited to the COF Grant. With regard to the Facility, the Commonwealth expects to provide incentives in the following amounts:

<u>Category of Incentive:</u>	<u>Total Amount</u>
COF Grant	\$325,000

Virginia Jobs Investment Program (“VJIP”) (Estimated)	87,500
Tobacco Region Opportunity Fund Grant (“TROF”)	415,000
Enterprise Zone Real Property Investment Grant (“EZRPIG”) (Estimated)	200,000
Enterprise Zone Job Creation Grant (“EZJCG”) (Estimated)	457,600

The proceeds of the COF Grant shall be used for the purposes described in Section 3(c). The VJIP grant proceeds shall be used by the Company to pay or reimburse itself for recruitment and training costs. The proceeds of the TROF Grant, the EZRPIG, and the EZJCG may be used by the Company for any lawful purpose.

(b) *Locality-Level Incentives:* The Locality expects to provide the following incentives, as matching grants or otherwise, for the Facility by the Performance Date:

<u>Category of Incentive:</u>	<u>Total Amount</u>
Highlands Business Park Land Donation (“Land Donation”) (Estimated)	\$750,000

The value of the Land Donation reflects the Locality’s share of the cost of the land owned by the Smyth-Washington Industrial Facilities Authority to be transferred to the Company, and shall represent a cost savings to the Company.

(c) *Other Incentives:* This Agreement relates solely to the COF Grant. The qualification for, and payment of all other State-Level Incentives and Locality-Level Incentives, except for the COF Grant, will be governed by separate arrangements between the Company and the entities offering the other incentives.

## **Section 5. Company Reporting.**

(a) *Progress Reporting:* The Company shall provide, at the Company’s expense, in the form attached hereto as Exhibit A, detailed verification reasonably satisfactory to the Locality, the Authority, and VEDP of the Company’s progress on the Targets. Such progress reports will be provided annually, starting at March 31, 2020, and covering the period through the prior December 31. Further, the Company shall provide such progress reports at such other times as the Locality, the Authority, or VEDP may reasonably require.

With each such progress report, the Company shall report to VEDP the amount paid by the Company in the prior calendar year in Virginia corporate income tax or, as applicable, shall provide to VEDP a copy of its Virginia income tax form filed with respect to its status as a pass-through entity. VEDP hereby represents to the Company that it considers such information to be confidential proprietary information that is exempt from public disclosure under the Virginia Freedom of Information Act and that such information will be used by VEDP solely in calculating aggregate return on invested capital analyses for purposes of gauging the overall effectiveness of economic development incentives.

(b) *Initial Performance Date Performance Report:* The Company shall provide, at the Company's expense, in the form attached hereto as Exhibit B, detailed verification reasonably satisfactory to the Locality, the Authority and VEDP of the Company's achievement of the Targets as of the Initial Performance Date. The Initial Performance Date Performance Report shall be filed within 90 days after the Initial Performance Date.

(c) *Subsequent Performance Date Performance Report:* The Company shall provide a letter certifying the number of New Jobs Maintained at the Facility as of the Subsequent Performance Date. Such certification shall be filed within 90 days after the Subsequent Performance Date.

## **Section 6. Verification of Targets.**

(a) *Verification of Capital Investment:* The Company hereby authorizes the Locality, including the Locality's Commissioner of the Revenue and Treasurer, to release to VEDP the Company's real estate tax, business personal property tax and machinery and tools tax information. Such information shall be marked and considered confidential and proprietary and shall be used by VEDP solely for verifying satisfaction of the Capital Investment Target. If the Locality, the Office of the Commissioner of the Revenue or the Office of the Treasurer should require additional documentation or consents from the Company to access such information, the Company shall promptly provide, at the Company's expense, such additional documentation or consents as the Locality, the Authority, or VEDP may request. In accordance with Virginia Code Section 58.1-3122.3, VEDP is entitled to receive the Company's real estate tax, business personal property tax and machinery and tools tax information from the Locality's Commissioner of the Revenue.

In addition to the verification data described above, in the sole discretion of the Locality, the Authority, or VEDP, the Locality, the Authority, or VEDP, may each require such other documentation, including invoices, or audits as may be required to properly verify the Capital Investment.

(b) *Verification of New Jobs and Wages:* The Company must submit a copy of its four most recent Employer's Quarterly Tax Report (Form FC-20) with the Virginia Employment Commission with the reports filed for the Initial Performance Date and the Subsequent Performance Date, as described in Sections 5(b) and (c). The forms shall be marked and considered confidential and proprietary and shall be used by VEDP solely for verifying satisfaction of the New Jobs Target. In accordance with Virginia Code Section 60.2-114, VEDP is entitled to receive the Company's employment level and wage information from the Virginia Employment Commission.

The Company agrees that it will report to the Virginia Employment Commission with respect to its employees at a facility-level, rather than at the company-level.

In addition to the verification data described above, in the sole discretion of the Locality, the Authority, or VEDP, the Locality, the Authority or VEDP, may each require such other documentation or audits as may be required to properly verify the New Jobs.

**Section 7.     Repayment Obligation.**

(a) *Further Performance Target for the Maintenance of the New Jobs:* If, pursuant to Section 3(a), the Company received all \$162,500 of the COF Grant allocated to the New Jobs Target, the Company may have a repayment obligation if it has not Maintained the New Jobs from the Initial Performance Date through the Subsequent Performance Date. If the Company has received all of the proceeds of the COF Grant allocated to the New Jobs Target, but has not Maintained at least 113 New Jobs (90.4% of 125 the New Jobs Target) through the Subsequent Performance Date, the Company shall repay to the Authority that part of COF Grant that is proportional to the shortfall from the 125 New Jobs Target. For example, if at the Subsequent Performance Date, only 75 New Jobs have been Maintained (reflecting achievement of 60% of the New Jobs Target), the Company shall repay to the Authority \$65,000, reflecting 40% of the COF Grant proceeds that it received allocated to the New Jobs Target.

(b) *Repayment:* The Company shall be liable for any repayment of all or a portion of the COF Grant, as described in this Section 7. ***Such repayment shall be due from the Company to the Authority within ninety days of the Subsequent Performance Date.*** Any moneys repaid by the Company to the Authority hereunder shall be repaid by the Authority to the Locality and shall be repaid by the Locality promptly to VEDP for redeposit into the Commonwealth's Development Opportunity Fund. The Locality and the Authority shall use their best efforts to recover such funds, including legal action for breach of this Agreement. Neither the Locality nor the Authority shall have any responsibility for the repayment of any sums payable by the Company hereunder unless said sums have been received by the Authority from the Company.

(c) *Failure to Repay:* If any repayment due pursuant to this Section 7 is not made by the Company when due, the Board of Directors of VEDP (the "Board") may determine that further collection action is required, and the Board may refer the matter to the Office of the Attorney General (the "OAG") for collection pursuant to Section 2.2-518 of the Virginia Code. In such event, by their signatures below, the Locality and the Authority will be deemed to have assigned to the Commonwealth all of their rights, title and interest in and to this Section 7. In any matter referred to the OAG for collection, the Company shall be liable to pay interest, administrative charges, attorney fees and other applicable fees. Interest on any outstanding repayment referred to the OAG shall accrue at the rate set forth in Section 6.2-301 A. of the Virginia Code (currently 6.0% per year) for the period from the Subsequent Performance Date until paid.

**Section 8.     Notices.**

Formal notices and communications between the Parties shall be given either by (i) personal service, (ii) delivery by a reputable document delivery service that provides a receipt showing date and time of delivery, (iii) mailing utilizing a certified or first class mail postage prepaid service of the United States Postal Service that provides a receipt showing date and time of delivery, or (iv) delivery by facsimile or electronic mail (email) with transmittal confirmation and confirmation of delivery, addressed as noted below. Notices and communications personally delivered or delivered by document delivery service shall be deemed effective upon receipt. Notices and communications mailed shall be deemed effective on the second business day



following deposit in the United States mail. Notices and communications delivered by facsimile or email shall be deemed effective the next business day, not less than 24 hours, following the date of transmittal and confirmation of delivery to the intended recipient. Such written notices and communications shall be addressed to:

if to the Company, to:

Speyside Bourbon Cooperage, Inc.  
P. O. Box 509  
960 East Main Street  
Jackson, Ohio 45640  
Facsimile: \_\_\_\_\_  
Email: \_\_\_\_\_  
Attention: Darren Whitmer, General  
Manager

with a copy to:

TFF Group  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Facsimile: \_\_\_\_\_  
Email: \_\_\_\_\_  
Attention: \_\_\_\_\_

if to the Locality, to:

County of Smyth, Virginia  
121 Bagley Circle, Suite 100  
Marion, Virginia 24354  
Facsimile: 276.783.9314  
Email: mcarter@smythcounty.org  
Attention: Michael L. Carter, County  
Administrator

with a copy to:

County of Smyth, Virginia  
\_\_\_\_\_  
\_\_\_\_\_  
Facsimile: \_\_\_\_\_  
Email: \_\_\_\_\_  
Attention: \_\_\_\_\_

if to the Authority, to:

Smyth-Washington Industrial Facilities  
Authority  
\_\_\_\_\_  
\_\_\_\_\_  
Facsimile: \_\_\_\_\_  
Email: \_\_\_\_\_  
Attention: \_\_\_\_\_

with a copy to:

Economic Development Authority of the  
County of Smyth, Virginia  
\_\_\_\_\_  
\_\_\_\_\_  
Facsimile: \_\_\_\_\_  
Email: \_\_\_\_\_  
Attention: \_\_\_\_\_

if to VEDP, to:

Virginia Economic Development Partnership  
One James Center, Suite 900  
901 East Cary Street  
Richmond, Virginia 23219  
Facsimile: 804.545.5611  
Email: moret@vedp.org  
Attention: President and CEO

with a copy to:

Virginia Economic Development Partnership  
One James Center, Suite 900  
901 East Cary Street  
Richmond, Virginia 23219  
Facsimile: 804.545.5611  
Email: smcninch@vedp.org  
Attention: General Counsel

**Section 8. Miscellaneous.**

(a) *Entire Agreement; Amendments:* This Agreement constitutes the entire agreement among the parties hereto as to the COF Grant and may not be amended or modified, except in writing, signed by each of the parties hereto. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. The Company may not assign its rights and obligations under this Agreement without the prior written consent of the Locality, the Authority and VEDP.

(b) *Governing Law; Venue:* This Agreement is made, and is intended to be performed, in the Commonwealth and shall be construed and enforced by the laws of the Commonwealth. Jurisdiction and venue for any litigation arising out of or involving this Agreement shall lie in the Circuit Court of the City of Richmond, and such litigation shall be brought only in such court.

(c) *Counterparts:* This Agreement may be executed in one or more counterparts, each of which shall be an original, and all of which together shall be one and the same instrument.

(d) *Severability:* If any provision of this Agreement is determined to be unenforceable, invalid or illegal, then the enforceability, validity and legality of the remaining provisions will not in any way be affected or impaired, and such provision will be deemed to be restated to reflect the original intentions of the parties as nearly as possible in accordance with applicable law.

(e) *Attorney's Fees:* Except as provided in Section 7(c), attorney's fees shall be paid by the party incurring such fees.

**IN WITNESS WHEREOF**, the parties hereto have executed this Performance Agreement as of the date first written above.

**COUNTY OF SMYTH, VIRGINIA**

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**SMYTH-WASHINGTON INDUSTRIAL  
FACILITIES AUTHORITY**

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**[TFF GROUP]**

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**VIRGINIA ECONOMIC  
DEVELOPMENT PARTNERSHIP  
AUTHORITY**

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Chilhowie District Supervisor R. Curtis Rhea made a motion to approve the agreement as presented.  
Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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



8/14/2018 7:48 PM Michael Carter, County Administrator presented the following Resolution concerning Temporary Detention Order Transportation as shown below. Mr. Carter stated this was to help in aiding the Smyth County Sheriff's Department with transports, and has the support of Sheriff Chip Shuler.

**RESOLUTION CONCERNING TEMPORARY DETENTION ORDER (TDO) TRANSPORTATION**

Whereas, safe, recovery-oriented transportation is a critical need for individuals involved in the civil commitment process, offering a less traumatizing experience and facilitating more positive outcomes for individuals and their families; and

Whereas, historically, within the civil commitment process, law enforcement has provided transportation to inpatient facilities, in addition to providing a constant presence throughout the crisis evaluation process; and

Whereas, the current system of law enforcement providing transportation for ECO's and TDO's is an unfunded mandate and results in undue financial and operational challenges to local municipalities and creates additional stress and trauma for the individual and the families of the person being transported by law enforcement; and

Whereas, the current system creates a risk to maintaining safe communities by reducing the number of hours in which officers are patrolling their communities due to the TDO/ECO transport duties, and creates an increased risk to those being transported because they are often alone in the back of a patrol car without proper monitoring of physiological and psychological symptoms while in transport, in some cases for up to six hours; and

Whereas, In 2009, legislation was passed allowing magistrates to designate someone other than law enforcement to provide transportation under an Emergency Custody Order (ECO) or a Temporary Detention Order (TDO) if this could be accomplished safely, and it's perceived that alternative transportation would have a substantial positive impact on individuals, families, and law enforcement, by allowing law enforcement to focus on their primary responsibilities, and by de-stigmatizing and promoting a more recovery-oriented civil commitment process;

**NOW, THEREFORE BE IT RESOLVED**, this 14th day of August, 2018, The Smyth County Board of Supervisors requests the Virginia Legislature continue to develop, and adequately fund, an alternative transportation system for individuals involved in the civil commitment process, recognizing the demographic and geographical challenges that rural areas in Virginia have concerning travel distances, the effect those challenges have on the emotional and financial impact of the families, and the financial distress incurred by all parties involved; and

Be it further resolved that the Virginia Legislature review and grant an exemption for the Southwest Virginia Mental Health Institute from the "place of last resort" requirement under current law; recognizing that it is centrally located, and imminently qualified, to serve as a front line regional detention center for the civil commitment process, and that increasing the capacity at Southwest Virginia Mental Health Institute through increased state and local financial support would ultimately result in cost savings to the overall mental health arena.

SIGNED:

ATTEST:

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M. Todd Dishner, Chair

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Michael L. Carter, County Administrator

North Fork District Supervisor Phil Stevenson made a motion to adopt the Resolution as presented. Chilhowie District Supervisor R. Curtis Rhea seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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



8/14/2018 7:56 PM Michael Carter, County Administrator presented the following recommendations from the Budget Committee.

**Item #1:** It is the Committee's recommendation to approve the engagement letter for auditing "pre-work" from Hicok, Brown and Company, with a not to exceed amount of \$20,000.00 for Smyth County and \$3,500.00 for the EDA.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

**Item #2:** It is the Committee's recommendation to approve the budget amendment as shown below for the Smyth County School Board. This will allow for two (2) Capital improvement projects, one at Smyth Career and Technology Center to upgrade the heating system and one at Marion Senior High School Cafeteria for window replacement. Also, this will allow for the purchase of new textbooks needed for the School System. Budget Amendment of \$235,275.00 will increase the FY2018-2019 from \$87,634,888.00 to \$87,870,163.00.

**AMENDMENT:**

REVENUE:	AMOUNT:
009-022000-0001 Local Funds Transfer	\$135,275.00
37-011010-0001 School Textbook Fund	\$100,000.00
EXPENSE:	AMOUNT:
009-099990-5804 Facilities	\$135,275.00
37-099990-5701 School Textbook Fund	\$100,000.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

**Item #3:** It is the Committee's recommendation to award the bid for a 40-yard container for the Solid Waste Department to Baker's Waste Equipment in the amount of \$6,859.00.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

**Item #4:** It is the Committee's recommendation to approve the purchase of four (4) 2018 Ford Explorers, at a total cost of \$118,703.70 to be paid from the Police Activity Fund 744, for use by the Smyth County Sheriff's Department.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

**Item #5:** It is the Committee's recommendation to approve the grant submission to DCJS for two (2) additional School Resource Officers. The grant will be for a period of one year and could require an in-kind match, which would be a vehicle for each Officer.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,

Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

**Item #6;** It is the Committee's recommendation to allow Mr. Carter to notify any part-time and/or full-time employees and current Smyth County Board members concerning any delinquent taxes that are currently owed. The notification would include a deadline of August 31, 2018 requesting the balance be paid in full or further action would be taken.

After consideration, the motion PASSED by the following vote:


**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

Royal Oak District Supervisor Judy Wyant requested the delinquent tax information be provided to any Board member that may request the information.

 8/14/2018 8:13 PM Chilhowie District Supervisor R. Curtis Rhea brought forward a recommendation from the Solid Waste Committee. It is the Committee's recommendation to approve the financing rate of 3.19% from BB&T for the purchase of trucks by the Solid Waste Department.


After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

 8/14/2018 8:15 PM Scott Simpson, Assistant County Administrator presented the following recommendations from the Water Sewer Committee.

It is the committee's recommendation to approve the following for the East County Source Development:

**Item #1;** Continue working with Wythe County on the Joint application to the MRPDC for a PER evaluation of the interconnection and utilize the \$11,880.00 of Mt. Rogers Planning District Commission Grant funds in hand to determine the upgrades and improvements needed to the Hutton Branch treatment plant; which could allow for an increased permitted capacity as well as a more reliable operation.

Apply for a \$30,000.00 SEARCH Grant from Rural Development to provide for a formal evaluation of overall line extensions, upgrades, and other water sources in the area such as the Scott Spring and potentially a large spring near Exit 54.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

**Item #2;** It is the committee's recommendation to approve the following for the West County Source Development:

Utilize \$20,000.00 of an Engineering Grant previously awarded and \$67,900.00 of the Mt. Rogers Planning District Commission construction grant funds to ream, develop, drawdown, and seek permitting of the well located on the EDA property at the West end of Chilhowie.

After the above process, apply for another \$30,000.00 SEARCH Grant from Rural Development to provide for a formal evaluation of overall line extensions, and incorporation of this well source to supply the Cleghorn system.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.



**ABSTAINERS:** None.

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

**Item #3:** It is the Committee's recommendation to approve the following new grant applications:

MRPDC Technical Assistance	\$20,000.00	Engineering PER Wythe County Interconnection Evaluation
MRPDC Technical Assistance	\$20,000.00	Design Assistance for Daywood Lane Water Extension
MRPDC Construction Funds	\$25,000.00	Water Correlator Device and Services
MRPDC Construction Funds	\$100,000.00	Grubmore Water Extension
MRPDC Construction Funds	\$75,000.00	Daywood Water Extension
MRPDC Construction Funds	\$60,000.00	Small Sewer Line extension in the Atkins Area

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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



8/14/2018 8:38 PM Supervisor Comment Time:

Rye Valley District Supervisor Rick K. Blevins thanked those in attendance of the meeting.

Atkins District Supervisor Charles Atkins commented on the information provided in the Water/Sewer Committee meeting minutes concerning the Water/Sewer Departments operating budget and how the information will reflect within the County Audit.

Chilhowie District Supervisor R. Curtis Rhea asked what the process was to request VDOT look at a maintenance issue with a road in his district. Mr. Dishner stated that a maintenance form should be filled out and sent to VDOT.

Park District Supervisor M. Todd Dishner stated the he had received a letter from Speyside Bourbon Cooperage LLC. and read it for the record. Mr. Dishner also stated he appreciated all the hard work that Michael Carter, County Administrator had done with handling the project for Smyth County.



8/14/2018 8:43 PM Chairman, Park District Supervisor M. Todd Dishner continued the meeting to August 23, 2018 at 7:00 P.M.

The Smyth County Board of Supervisors held its continued meeting at 7:00 p.m., **Thursday, August 23, 2018**. 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, Park District Supervisor M. Todd Dishner; Vice-Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (7)

North Fork District Planning Commissioner Norman Sparks; Park District Planning Commissioner Joel Pugh; 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 Tony Dean; Saltville District Supervisor David Spence (7)

**ABSENT:** None.

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

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

Chairman of the Board of Supervisors, M. Todd Dishner and Norman Sparks Chairman of the Planning Commission, called the joint public hearing to order. 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, August 23, 2018, 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 Cregger and Taylor, which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map at Marion, Virginia, to rezone approximately 3.2 acres from Agricultural/Rural to Commercial. The Smyth County Comprehensive Plan does not identify a density range and the general usage of this property has most recently been vacant. The property is located*

*at 2790 Lee Highway in Marion, Virginia, and is identified as the western portion of Tax Map No. 56F-1-34, and 56F-1-35 and all of Tax Map No. 56F-1-33 and can be found within Grid No. 5487 of the State Plane Grid Index.*

*An application from Sime Nursery Inc., which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map at Marion, Virginia, to rezone approximately 228.31 acres from Residential to Agricultural/Rural. The Smyth County Comprehensive Plan does not identify a density range and the general usage of this property has most recently been vacant. The property is located on Walkers Creek Road in Marion, Virginia, and is identified as Tax Map No. 33-A-5A and can be found within Grid No. 5489 of the State Plane Grid Index.*

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

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

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact 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

Michael Carter, County Administrator read the rules relating to Public Hearings.

Clegg Williams, Building and Zoning Administrator explained Cregger and Taylor's request for the rezoning, stating they would like to expand their mini-storage business on the western portion of Tax map number 56F-1-34 and 56F-1-35 and all of tax map number 56F-1-33.

Mr. Taylor was present to answer any questions by the Board of Supervisors or Planning Commission.

No one chose to speak concerning this application.

Clegg Williams, Building and Zoning Administrator explained Sime Nursery's request for the rezoning of a piece of property identified as tax map number 33-A-5A, located in Walkers Creek. Mr. Williams stated the owners could not be present for the meeting, and read a letter for the record that stated the intended use of the property. In the letter, Mr. Sime stated the property would be used for personal hunting, fishing, and camping by himself and his family.

Mike Poston, 1671 Walker's Creek Road, Marion, Virginia, spoke and stated that he would like more clarification on the intended use of the property by Mr. Sime, because he felt the portion of the mountain that sits on the property is being destroyed.

No one else chose to speak concerning this application.


Board of Supervisors Chairman, Park District Supervisor M. Todd Dishner and Planning District Commission Chairman Norman Sparks closed the joint public hearing.

 8/23/2018 7:28 PM Chairman, Park District Supervisor M. Todd Dishner opened Citizens Time.

Frances Dewtiller, 744 Meadow Drive Marion, Virginia, spoke and stated she would like to see the Library Board restored to a seven (7) member Board, where each district is equally represented.

Charles Buchanan, 5732 Valley Road Saltville Virginia, expressed his concerns with the Smyth County Public Library's literature content and director. Mr. Buchanan also stated, in his opinion, citizens don't feel welcome to attend Board meetings and express any concern they may have. Mr. Buchanan went on to state other concerns he has with the members of the Board of Supervisors.

 8/23/2018 7:41 PM With no one else wishing to speak, Chairman, Park District Supervisor M. Todd Dishner closed citizens time.

 8/23/2018 7:41 PM Michael Carter, County Administrator brought forward a recommendation from the Budget Committee. It is the Committee's recommendation to approve the grant award for two (2) Highway Safety Grants to do selective DUI enforcement and speed control in Smyth County. One in the amount of \$7,280.00 and the second one in the amount of \$3,500.00.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



8/23/2018 7:44 PM Royal Oak District Supervisor Judy Wyant excused herself from the meeting.

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 – **Code of Virginia, Section 2.2-3711 A.1; Personnel Matters; Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body and A.5; Industrial/Business Prospects; discussion concerning a business or industry considering expansion with no previous announcement being made.** North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Judy Wyant.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Phil Stevenson, to adopt the following resolution certifying the business conducted in closed session as follows:

#### RESOLUTION

##### CERTIFICATION OF CLOSED SESSION

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

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Judy Wyant.



8/23/2018 8:50 PM Kelly Woods, Administrative Assistant updated the Board of Supervisors concerning the nuisance suspension for a property located at 5432 Sugar Grove Highway, Sugar Grove, Virginia. The current property owner has sent pictures of the progress made to date on the property. After further discussion, Chilhowie District Supervisor R. Curtis Rhea made a motion to remove the nuisance declaration that had been placed on the property. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Judy Wyant.



8/23/2018 8:52 PM Meeting was adjourned.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, September 11, 2018**. 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, Park District Supervisor M. Todd Dishner; Vice Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; Chilhowie District Supervisor R. Curtis Rhea; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (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 Kelly Woods (4)

OTHERS: Deputy with the Smyth County Sheriff's Office, Stephanie Porter Nichols with Smyth County News and Messenger, and several citizens.



9/11/2018 4:04 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting to order. A motion was made by Rye Valley District Supervisor Rick K. Blevins to add section A.1, Personnel Matters, under closed session to the agenda. Chilhowie District Supervisor R. Curtis Rhea seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner, Vice Chairman, Rye Valley District Supervisor Rick K. Blevins, Saltville District Supervisor Roscoe D. Call, Chilhowie District Supervisor R. Curtis Rhea, Atkins District Supervisor Charles Atkins and Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

A motion was made by Rye Valley District Supervisor Rick K. Blevins to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.1; Personnel Matters**; Discussion, consideration, or interviews of prospective candidates for employment and contracts **A.5; Industrial/Business Prospects**; discussion concerning a business or industry considering expansion with no previous announcement being made. **A.7 Legal**; discussion with legal counsel and staff pertaining to actual or probable litigation. Chilhowie District Supervisor R. Curtis Rhea seconded the motion.

Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.



9/11/2018 5:20 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from Closed session.

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

#### RESOLUTION

##### CERTIFICATION OF CLOSED SESSION

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

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

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

After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.


NAYS: None.



ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

 9/11/2018 5:20 PM Kendra Hayden, CSA Coordinator gave the invocation and Michael Carter, County Administrator led the Pledge of Allegiance.

 9/11/2018 5:22 PM A motion was made by Chilhowie District Supervisor R. Curtis Rhea, seconded by Saltville District Supervisor Roscoe D. Call to adopt the agenda and additional agenda as presented.


After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

 9/11/2018 5:22 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to approve the minutes of the August 14<sup>th</sup> and August 23<sup>rd</sup>, 2018 meetings, with corrections as identified by Atkins District Supervisor Charles Atkins. Mr. Atkins will speak with staff following the meeting to address the changes to be made.


After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

 9/11/2018 5:23 PM Michael Carter, County Administrator presented the Board with information on the current FY2018-2019 Budget and a current month analysis for appropriations.

 9/11/2018 5:34 PM Chairman, Park District Supervisor M. Todd Dishner opened Citizens Time.

Ruth Bishop, 140 West Strother Street Marion, feels it is unfair there is not representation to the Library Board for the Park District and would like to see a 7-member Board for the Smyth County Public Library.

Barbara Armbrister, 531 Keller Lane, Marion, spoke concerning the Library Board and stated she would also like to see the Board have 7 members.

Robert Owens, 191 Rolling Creek Lane Marion, spoke concerning a request made by several citizens at a previous Board of Supervisors Meeting concerning an ATV business on an adjoining neighbor's property and would like an update from the County Attorney. Mr. Owens stated the business is still operating, but he felt like it was just a smaller crowd.

Jeff Campbell, County Attorney addressed Mr. Owens and stated a notice had been mailed to cease operations on September 12, 2018. The Board of Supervisors would have to act to pursue litigation against the property owners Mr. Owens is concerned about.

Susie Peake, 633 Middle Fork Road, Marion Virginia, also spoke concerning the ATV business, and thanked the Board of Supervisors and Staff for all of the help that has been given to remedy the issue within the neighborhood. Ms. Peak stated she felt the issue was getting better, but has escalated to the main road, where people were racing up and down the road with off road vehicles. Ms. Peak also feels like their homes are being targeted by the Rouse operation due to the complaints that have been filed.

Tom Hatcher, 121 Highland Circle, Marion, Virginia spoke concerning the flags that are flown at the Smyth County Courthouse. Mr. Hatcher stated he had gone by the Courthouse several times and the flags were not displayed, and feels it shows Smyth County as being unpatriotic.

Marvin Leslie, 184 Keller Lane, Marion, Virginia spoke concerning the Smyth County Public Library Board and would like to see each district within Smyth County represented.

Blake Frazier, 1272 Laurel Springs Road, Marion, Virginia spoke concerning several comments that were made by another citizen during a previous Board of Supervisors Meeting. Mr. Frazier stated he would like to see more unity and togetherness by Citizens and members of the Board of Supervisors. Mr. Frazier went on to express his support for the Director for the Smyth County Public Library and the good work he feels Mr. Farmer is doing for the Library and the Community.

Joe Terry, 1903 Tattle branch Road, Chilhowie, Virginia, stated he would like to see a School Resource Officer be placed in each school and would like to see the Board of Supervisors step up and do what it takes to keep all kids within Smyth County safe.


Kim Estep, 1305 Laurel Springs Road, Marion Virginia, also spoke in support of placing a School Resource Officer in each school. Ms. Estep asked what can be done by the Community to help with the funding of these positions.

Chilhowie District Supervisor R. Curtis Rhea informed Ms. Estep of the process that had taken place during the Budget Planning Cycle concerning the School Resource Officers. Mr. Rhea stated that two (2) additional Resource Officers had been placed in the FY18-19 budget, but Sheriff Chip Shuler opted to increase the pay of Deputies in order to retain employment.

Royal Oak District Supervisor Judy Wyant stated she was in full support of placing a School Resource Officer in each school.

Mac Buchanan, 5732 Valley Road Saltville, Virginia, spoke and stated that he may have lost his temper at the last Board Meeting, but many citizens have called and thanked him for speaking. Mr. Buchanan continued to speak, stating he had concerns with the Director for the Smyth County Public Library and County Administration.


 9/11/2018 6:08 PM Chairman, Park District Supervisor M. Todd Dishner closed Citizens Time.

 9/11/2018 6:08 PM Sarah Beamer, Director of Finance and Administrative Services for Mt. Rogers Community Services Board brought forward a Resolution for consideration, which would allow for Mt. Rogers to apply for an open line of credit. Several members of the Board asked Ms. Beamer questions concerning the guidelines for the loan. Michael Carter, County Administrator stated that a meeting with adjoining localities had been conducted and he felt it was a very productive meeting.

After further explanation of the request, the Resolution will be considered during the October 9, 2018 Board of Supervisors meeting.

 9/11/2018 6:21 PM Chairman, Park District Supervisor M. Todd Dishner called for a 10-minute recess.

 9/11/2018 6:38 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from recess.

 9/11/2018 6:38 PM Chilhowie District Supervisor R. Curtis Rhea made a motion to approve entering into a lease for the Transfer Station site, allowing for execution of the document. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea.

NAYS: Atkins District Supervisor Charles Atkins and Royal Oak District Supervisor Judy Wyant.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

Chilhowie District Supervisor R. Curtis Rhea made a motion to allow staff to advertise for an Administrative Assistant for support with the duties for Economic Development, with starting pay to be similar to a first year Teacher or Sheriff Department Deputy.

Royal Oak District Supervisor Judy Wyant spoke and stated she felt the Economic Development Director position is very important to the County, and still feels a Director needs to be hired.

Atkins District Supervisor Charles Atkins stated he agreed with Royal Oak District Supervisor Judy Wyant.

Rye Valley District Supervisor Rick K. Blevins seconded the motion to allow for advertising of an Administrative Assistant.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea.

NAYS: Atkins District Supervisor Charles Atkins and Royal Oak District Supervisor Judy Wyant.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.



9/11/2018 6:45 PM Michael Carter, County Administrator presented a letter of support as shown below, for the Comprehensive Harm Reduction Plan that was presented by Dr. Karen Shelton, Director Mt. Rogers Health District, during the August 14, 2018 Board Meeting.

September 11, 2018

Virginia Department of Health

Division of Disease Prevention

Comprehensive Harm Reduction Program

109 Governor Street, 3rd Floor

Richmond, VA 23219

To Whom It May Concern:

I am writing to express my agency's support for the comprehensive harm reduction program proposed in Smyth County, to be administered by the Mount Rogers Health District. There is a significant substance abuse problem in Smyth County, which endangers first responders and the community as a whole. This program will address the need to provide not only syringe services, but to offer a point of contact for people who use drugs to provide a wide range of services, include HCV and HIV testing, as well as a variety of vaccinations, referral for substance abuse treatment services, referral for social services, birth control options, and referral to medical care.

Sincerely,

Michael L. Carter

Rye Valley District Supervisor Rick K. Blevins made a motion to adopt the letter of support as presented. Saltville District Supervisor Roscoe D. Call seconded the motion.


After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

 9/11/2018 6:52 PM Michael Carter, County Administrator presented the following recommendations from the Planning Commission:

**Item #1:** *Commissioner Joel Pugh made a motion to recommend approval of Cregger and Taylor's request for a Map Amendment to the Official Zoning Map of Smyth County, Virginia from Agricultural/Rural to Commercial (Western portion of Tax Map No. 56F-1-34 and 56F-1-35 and all of Tax Map No.56F-1-33. Commissioner David Spence seconded the motion.*

After consideration, the motion PASSED by the following vote:

AYES: Sparks, Spence, Wagoner, Shepherd, Pugh, Davidson Jr., and Dean.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Rye Valley District Supervisor Rick K. Blevins made a motion to accept the recommendation as presented from the Planning Commission. Chilhowie District Supervisor R. Curtis Rhea seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

**Item #2:** *Commissioner Tony Dean made a motion to recommend approval of Sime Nursery's request for a Map Amendment to the Official Zoning Map of Smyth County, Virginia, from Residential to Agricultural/Rural (Tax Map No.33-A-5A). Commissioner Hazel Wagoner seconded the motion.*

*After consideration, the motion PASSED by the following vote:*

**AYES:** Sparks, Spence, Wagoner, Shepherd, and Dean.

**NAYS:** Pugh and Davidson Jr.

**ABSTAINERS:** None.

**ABSENT:** None.

Rye Valley District Supervisor Rick K. Blevins made a motion to accept the recommendation as presented from the Planning Commission. Chilhowie District Supervisor R. Curtis Rhea seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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



9/11/2018 6:57 PM It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$2,300,000.00 from the General Fund. The following is an explanation of the appropriations approved:

**General County**

Accounts Payable Listing:	\$1,591,554.89
Payroll:	\$671,833.82
Auto Draft Rural Development:	\$8,974.00
Solid Waste Yard Truck:	\$20,000.00
AEP/Century Link Bills:	\$25,000.00
County Administration Fund:	\$5,000.00
Minus Beginning Appropriation:	\$(40,940.91)
New Carryover:	\$18,578.20
Total County Appropriation:	\$2,300,000.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$410,000.00 from the General Fund for the Department of Social Services. The following is an explanation of the appropriations approved:

**Social Services**

(September 12-September 30, 2018)	\$ 350,000.00
(October 1-October 9, 2018)	\$ 60,000.00
Total Social Services:	\$ 410,000.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$4,075,000.00 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	\$3,000,000.00
Administration, Attendance, & Health	\$ 120,000.00
Transportation	\$ 180,000.00
Facilities	\$ 420,000.00
School Food Service	\$ 240,000.00
Technology	\$ 115,000.00
Total School Operating Fund:	\$4,075,000.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$255,901.00 from the Courthouse Project Fund for open invoices.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$23,791.72 from Sheriff Fund 748 for open invoices.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$595.08 from Recovery Court Fund 749 for open invoices.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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



Jeff Campbell, County Attorney presented a TROF Agreement for Speyside Bourbon Cooperage as shown below.

#### **PERFORMANCE AGREEMENT**

This Performance Agreement (this "Agreement") is made and entered into this 1<sup>st</sup> day of August, 2018, by and among the TOBACCO REGION REVITALIZATION COMMISSION, a body corporate and political subdivision of the Commonwealth of Virginia (the "Commission"), the SMYTH COUNTY BOARD OF SUPERVISORS (the "Grantee"), a political subdivision of the Commonwealth, and SPEYSIDE BOURBON COOPERAGE, INC., a Ohio corporation, (the "Company") whose Federal Employer Identification Number is 83-1050842.

#### **WITNESSETH:**

**WHEREAS**, the Grantee has been selected to receive a grant in the amount of \$415,000 (the "Grant") from the Commission for the Grantee's use in inducing the Company to construct or locate taxable assets and employ persons in Smyth County (the "Locality"); and

**WHEREAS**, the Grantee has indicated its desire to tender the Grant to the Company for its use and benefit, provided that the Company commits to the achievement of certain goals relating to employment and the construction or location of taxable assets in compliance with the terms hereof; and

**WHEREAS**, the Commission, the Grantee and the Company desire to set forth their understanding and agreement as to the use of the Grant, the obligations of each party hereto, the conditions under which the Grant must be repaid, and the obligations of each party hereto in the Event of Default (as defined herein); and

**WHEREAS**, the Commission has determined that the approval and funding of the Grant constitutes a valid public purpose for the expenditure of public funds and is consistent with and in furtherance of the Commission's public purposes as outlined in Section 3.2-3100, *et. seq.* of the *Code of Virginia* of 1950, as amended;

**NOW, THEREFORE**, in consideration of the foregoing, the mutual benefits, promises, and undertakings of the parties to this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby represent, warrant, covenant, and agree as follows:

#### **Section 1. Disbursement of the Grant**

After receipt by the Commission of this Agreement fully executed by all parties hereto, and provided that the Grantee is not in default on its obligations to the Commission as of the date first written above, the Commission shall disburse the Grant to the Grantee on one of the following schedules to be selected by the Grantee:

*Schedule 1 – In Arrears.* Not more than two (2) installments as requested by the Grantee in writing at such times as the Grantee may elect, subject to the reasonable approval of the Commission. The amount of each disbursement shall be limited to that portion of the Grant which has been earned by the Company based upon information described in Section 5 or 6 of this Agreement, as applicable, when the same is delivered to and approved by the Commission in its sole discretion.

*Schedule 2 – In Advance.* Not more than two (2) installments as requested by the Grantee in writing at such times as the Grantee may elect, subject to the reasonable approval of the Commission. The amount of each disbursement shall **not** be limited to that portion of the Grant which has been earned by the Company; however, each such disbursement shall only be made after the Grantee Certification attached hereto as **Exhibit B** has been completed by the Grantee and delivered to and approved by the Commission in its sole discretion.

Fifty percent (50%) of the Grant is allocated for the Company's taxable asset obligation set forth in Section 4 of this Agreement and fifty percent (50%) of the Grant is allocated for the Company's employment obligation set forth in Section 3 of this Agreement. Unless otherwise agreed to in writing by all parties to this Agreement, Grantee shall disburse all Grant proceeds to the Company or for the Company's benefit within 30 days of receipt of Grant proceeds from the Commission or return the undisbursed proceeds to the Commission.

**Section 2. Grant Restrictions and Conditions**

Under this Agreement, the Commission places no restriction on the use of the Grant proceeds by the Company, and imposes no conditions beyond those described herein. Should any such restrictions or conditions be imposed by the Grantee, the same shall be described in **Exhibit A**, which shall be attached hereto and made a part hereof, but which shall be binding upon the Company only if signed thereon by an authorized representative of the Company. The Grantee shall be responsible for enforcement of any restrictions or conditions described in said **Exhibit A**.

**Section 3. Employment Obligation**

The Company shall employ\* at least 125 persons in the Locality with a quarterly aggregate payroll of at least \$942,906.25. Said employment and payroll will be in addition to those already employed in the Locality by the Company and paid during the calendar quarter ending on *June 30, 2018*, hereinafter called the "Base Quarter." Persons employed by the Company in the Locality shall be counted as employed hereunder only to the extent that they (a) exceed the aggregate number of employees at all Company locations within the Commonwealth of Virginia during the Base Quarter, and (b) are not counted as fulfillment of any other employment obligation made to the Commission by the Company under any other agreement.

**Section 4. Obligations Regarding Taxable Assets**

The Company shall locate or construct taxable assets in the Locality having an assessed value of at least \$26,000,000, as determined by the Locality's Commissioner of Revenue ("COR"). If the Locality elects to arrange for reimbursement to the Company of all, or any portion of, the tax paid by the Company on said taxable assets, or elects to waive all or any portion of such tax liability, the Company's aforementioned obligation to locate or construct taxable assets in the Locality shall not be waived or reduced. The Company shall receive credit for the value of all taxable assets so determined by the COR, notwithstanding the local taxing authority's election to waive or refund the taxes so levied. Said taxable assets will be in addition to

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*\*For purposes of this Agreement the number of persons "employed" means the number of persons who received pay in any given quarter and is calculated by adding together the number of persons who received pay in each month of the quarter and dividing that sum by three (3).*

those counted in fulfillment of any other taxable asset or capital investment obligation made to the Commission by the Company under any other agreement. If the Company is exempt from the payment of property taxes on certain assets by state law, the Company shall not be entitled to receive or keep any portion of the Grant allocated to its investment in those certain assets.

**Section 5. Determination of Performance - Employment**

In order to earn the Grant, the Company must meet its employment obligations hereunder not later than thirty-six (36) months after the end of the Base Quarter. The Company's employment obligations will be deemed to have been fully met when it can document any three (3) consecutive calendar quarters after the Base Quarter in which:

- (i) the average number of employees who received pay from the Company during each of those three (3) consecutive quarters exceeds the average number of employees who received pay in the Base Quarter by at least the number promised in Section 3 above, AND
- (ii) the total wages paid by the Company to employees in each of those three quarters exceed the wages paid by the Company to employees in the Base Quarter by at least the amount promised in Section 3 above, AND
- (iii) all such employees worked in the Locality, AND
- (iv) all Company employees in Virginia have been reported to the Virginia Employment Commission ("VEC") in accordance with VEC regulations. The Company's failure to satisfy such requirements shall be a breach hereof, and shall constitute an Event of Default hereunder by the Company. Employment gains by the Company in the Locality that are offset by employment losses elsewhere in Virginia shall not be counted as employment hereunder.

All determinations of performance made under this Section 5 shall be based upon reports made by, or on behalf of, the Company to the VEC including but not limited to *VEC Form FC-20 Employer's Quarterly Tax Report* and *O.M.B. Form No 1220-0134 Multiple Worksite Report – BLS 3020* (or any successor forms designated by VEC, or accepted by VEC in lieu thereof). If such tax filings include Company employees who did not work in the Locality, it shall be the duty of the Company to provide additional information sufficient to identify those employees who did work in the Locality. Employees of control affiliates (e.g., subsidiary companies, parent companies, entities under common ownership or control) or employees of independent contractors hired by the Company shall not be counted as employees of the Company in fulfillment of its promise hereunder UNLESS such entities and their relationship to the Company are disclosed to and approved by the Commission in writing, AND such entities supply the Commission with the same employment documentation as described herein. Employees of temporary employment agencies ("temps") who are assigned to work for the Company in the Locality shall not be counted UNLESS evidenced by letter from the temporary employment agency setting forth the number of man-hours so assigned during the Base Quarter and the 36 months immediately following the Base Quarter. Such man hours shall be credited to the Company's job-creation obligation at the rate of one job for one quarter for every 520 man hours evidenced by such letter.

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\*The number of persons who received pay in any given quarter is calculated by adding together the number of persons who received pay in each month of the quarter and dividing that sum by three (3).

**Section 6. Determination of Performance – Taxable Assets**

In order to earn the Grant, the Company must meet its taxable asset obligations hereunder not later than thirty-six (36) months after the Base Quarter. Company assets located, constructed, or leased in the Locality prior to the Base Year will not be counted in fulfillment of the Company's taxable asset obligation. For purposes of this Agreement, the calendar year that includes the Base Quarter shall be called the "Base Year."

Leased assets not on record with the COR in the name of the Company will be counted in fulfillment of the Company's taxable asset obligation only if a copy of the lease is submitted to the Commission indicating that the asset(s) under lease meet the other requirements listed above and were not leased from the Locality or its control affiliates at a substantial discount from market rates.

The Company's achievement toward meeting its taxable asset obligation shall be based on asset values assessed by the COR for the Locality and shall be the sum of the following:

- a. the highest real property assessed value of record for any one of the three years, less and except the assessed value prior to the Base Year, PLUS
- b. the first personal property assessed value for each asset first appearing of record during the three calendar years following to the Base Year.

The Commission shall rely upon the information described above as the same is reported to the Commission by the COR in writing, without exception.

Taxable assets owned by subsidiary companies, related entities, or entities under common ownership or control shall not be counted as taxable assets of the Company in fulfillment of its taxable asset obligation hereunder UNLESS such entities and their relationships to the Company are disclosed to and approved by the Commission in writing, AND such entities supply the Commission with the same taxable assets documentation as described herein.

**Section 7. Verification of Performance**

The Company hereby expressly grants its consent for (a) the COR for the Locality to release to the Tobacco Commission or the Grantee records necessary to disclose the information required in this Section, and (b) the Virginia Employment Commission to release to the Tobacco Commission all Company employment records of any kind held by the Virginia Employment Commission.

If any of the taxable assets described in Section 4 have been acquired or improved on behalf of the Company by a lessor, the Company shall be responsible for gathering and reporting to the Commission information regarding the taxable assets acquired or improved by the lessor on behalf of the Company.

**Section 8. Events of Default**

If any of the following should occur within the thirty-six (36) month period after the end of the Base Quarter, it shall constitute an "Event of Default" and the Commission may, at its election, accelerate the

Company's obligation to repay the portion of the Grant that has not been earned as of the date of the Event of Default:

- a. The Company applies for or consents to the appointment of a receiver, trustee or liquidator of all or a substantial part of its assets, files a voluntary petition of bankruptcy, makes a general assignment for the benefit of creditors, files a petition or an answer seeking reorganization or arrangement with creditors, or if an order, judgment or decree shall be entered by any court of competent jurisdiction, on the application of a creditor, adjudicating the Company as bankrupt or insolvent or approving a petition seeking reorganization of the Company or appointing a receiver, trustee or liquidator of the Company or of all or a substantial part of its assets which remains undismissed, undischarged or unstayed for a period of forty-five (45) days;
- b. The Company ceases to be of record and in good standing with the Virginia State Corporation Commission, and such failure is not cured within sixty (60) days from notice thereof, unless Company obligations hereunder have been assumed by another entity and that assumption was approved by the Commission and the Grantee;
- c. The Company fails, for reasons other than an Event of Force Majeure (as defined herein), to fulfill at least twenty-five percent (25%) of either its employment obligation described in Section 3 above or its taxable asset obligation described in Section 4 above within eighteen (18) months after the end of the Base Quarter;
- d. The Company's employment level is less than 75% of that found in the Base Quarter in more than 2 calendar quarters following the Base Quarter;
- e. The Company fails to provide verification to the Commission as described in Section 7, within sixty (60) days from a written request from the Commission; or
- f. The Company closes its business in the Locality for a period of more than thirty (30) days during the thirty-six (36) months following the Base Quarter.

**Section 9. Repayment Obligation**

In the event that the Company does not meet its obligations hereunder within thirty-six (36) months after the end of the Base Quarter, or an Event of Default occurs, the Company shall repay to the Grantee the unearned portion of the Grant that has been received by the Company, which is calculated as follows:

- a. A minimum increase in taxable assets is required before **any** portion of the Grant is earned by the Company, hereinafter called the Minimum Investment Requirement. The Minimum Investment Requirement is (a) \$1.0 million if the taxable asset obligation described in Section 4 hereof is higher than \$1.0 million **or** (b) one-half of the taxable asset obligation described in Section 4 hereof when listed as lower than \$1.0 million.
- b. Subject to the terms of Section 9.d. below, after exceeding the Minimum Investment Requirement, the fraction of the Grant allocated to employment that is earned by the Company is determined by dividing the average number of employees receiving pay during the three consecutive quarters as determined in Section 5 above with the highest employee count by the number of jobs promised in Section 3.

- c. The method of computation set forth in Paragraph 9.b. above will be used only if the quarterly aggregate payroll for the three consecutive quarters described in Section 5 equals or exceeds that promised in Section 3. If that quarterly aggregate payroll is less than that promised in Section 3, the number of qualifying employees shall be reduced in proportion to the shortfall in quarterly aggregate payroll and the reduced number of employees shall be used to determine whether Company has satisfied its employment obligation hereunder.
- d. After exceeding the Minimum Investment Requirement, the fraction of the Grant allocated to taxable assets that is earned by the Company is determined by dividing the greatest value of assets attested to by the COR under Sections 6 and 7 above by the taxable assets promised in Section 4.
- e. All unearned portions of the Grant shall be repaid by the Company to the Grantee not later than thirty (30) days after the date on which the Company is notified of the unearned amount. The Grantee agrees to remit the same to the Commission. Any refund owed by the Company to the Grantee hereunder shall immediately constitute an obligation of the Grantee to repay the Commission and such Grantee's obligation shall **not** be contingent upon successful collection of any amount from the Company. **The Grantee shall be liable for repayment to the Commission that portion of the Grant determined by the Commission to be due under the terms of this Section and hereby agrees to make such repayment without regard to whether Grantee has received repayment from the Company as further certified on Exhibit B attached hereto.**
- f. Interest shall accrue on unpaid balances at the rate of three percent (3%) per annum beginning on the 31<sup>st</sup> day after the Company is notified of the amount due.
- g. Monies due to the Locality pursuant to this Agreement, if any, shall be considered to be owed to the Treasurer for the Locality and subject to the Treasurer's statutory powers provided for in the Code of Virginia.
- h. If the Company does not meet its employment obligations or taxable asset obligations hereunder by the date which is thirty-six (36) months after the end of the Base Quarter because of an Event of Force Majeure (as defined herein), the date by which a requirement to meet such commitments shall be extended day-for-day for a period equal to the time elapsed during the Event of Force Majeure. "Event of Force Majeure" means any of the following: acts of God, strikes, lockouts, crime, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, hurricanes, tornadoes, storms, floods, washouts, draughts, or explosions.
- i. In the event the Commission is required to take legal action under this Agreement, the Grantee and the Company, jointly and severally, shall be liable for all of the Commission's costs expended for the administration and enforcement of this Agreement, including but not limited to reasonable attorney's fees and court costs.

**Section 10. Acknowledgment and Notice**

The Company and the Grantee each acknowledge and agree to its respective repayment obligation in accordance with this Agreement. Any notices required or permitted under this Agreement shall be given in writing, and shall be deemed to be received upon receipt or refusal after mailing of the same in the United States Mail by certified mail, postage fully pre-paid or by overnight courier (refusal shall mean return of certified mail, undelivered) and addressed as follows:

if to the Company, to:

NAME: SPEYSIDE BOURBON COOPERAGE, INC.  
ADDRESS: 6373 Lee Highway  
Atkins, VA 24311  
Attention: Darren Whitmer, General Manager

if to the Grantee, to:

NAME: SMYTH COUNTY BOARD OF SUPERVISORS  
ADDRESS: 121 Bagley Circle, Suite 100  
Marion, VA 24354  
Attention: Mr. Michael Carter

if to the Commission, to:

NAME: TOBACCO REGION REVITALIZATION COMMISSION  
ADDRESS: 701 East Franklin Street, Suite 501  
Richmond, VA 23219  
Attention: Evan Feinman, Executive Director

This Agreement constitutes the entire agreement between the parties hereto and shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. The Company may not assign its rights or obligations under this Agreement without the prior written consent of the Grantee and the Commission; provided that the Company shall have the right, without the consent of the Grantee or the Commission, to assign its rights (not its obligations) under this Agreement to any entity that controls, is controlled by, or is under common control with, the Company.

This Agreement is made, and intended to be performed, in the Commonwealth and shall be construed and enforced by the laws of that state. Jurisdiction and venue for any litigation arising out of or involving this Agreement shall lie in the Circuit Court of the Locality and such litigation shall be brought only in such court.

This Agreement may be executed in one or more counterparts, each of which shall be an original, and all of which together shall be one and the same instrument. If any provision of this Agreement is determined to be unenforceable, then the remaining provisions of this Agreement shall, in the sole discretion of the

Commission, be voidable by the Commission or interpreted as in effect as if such unenforceable provisions were not included therein.

The Company hereby warrants that from the date of this Agreement until all obligations hereunder have been satisfied that it is, and will remain, registered and in good standing with the Virginia State Corporation Commission and that the Company is, and will remain, legally authorized to conduct business in the Commonwealth of Virginia.

The provisions of this Agreement are intended to and shall survive closing, the delivery of any deed or other instrument, and any other event. If this Agreement has not been executed by all parties hereto and returned to the Commission within 90 days from the date hereof, the Grantee's and the Company's rights to the Grant Proceeds shall automatically terminate.

[Remainder of this page intentionally left blank]



IN WITNESS WHEREOF, the parties hereto have executed this Agreement to become effective as of the date first written above.

TOBACCO REGION REVITALIZATION  
COMMISSION

By: \_\_\_\_\_  
Evan Feinman, Executive Director

Date: \_\_\_\_\_

SMYTH COUNTY BOARD OF SUPERVISORS

By: M. Scott Smith

Title: Chairman, Smyth County

Date: 9-13-18

SPEYSIDE BOURBON COOPERAGE, INC.

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Exhibit B**

**Grantee Certification**

The SMYTH COUNTY BOARD OF SUPERVISORS (the "Grantee"), a political subdivision of the Commonwealth, hereby certifies that (a) it unconditionally guarantees the Company's performance under and pursuant to the Performance Agreement (this "Agreement") dated as of August 1, 2018, by and among the TOBACCO REGION REVITALIZATION COMMISSION, a body corporate and political subdivision of the Commonwealth of Virginia (the "Commission"), the Grantee, and SPEYSIDE BOURBON COOPERAGE, INC., a Ohio corporation, (the "Company"), and (b) it holds collateral security from the Company sufficient to provide a secondary source of repayment in the event that the Company cannot or will not repay the unearned portion of the Grant (as defined in the Agreement) to the Commission. Such collateral security is described as follows:

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The Grantee hereby acknowledges that the sufficiency of the collateral security for the Grant is the sole responsibility of the Grantee.

SMYTH COUNTY BOARD OF SUPERVISORS

By: M. Todd Diller

Title: Chairman

Date: 9-13-2018

**Exhibit C**

**Revenue Sharing Addendum**

The SMYTH COUNTY BOARD OF SUPERVISORS (the “Grantee”), a political subdivision of the Commonwealth, hereby guarantees to pay the TOBACCO REGION REVITALIZATION COMMISSION, a body corporate and political subdivision of the Commonwealth of Virginia (the “Commission”), an amount equal to 5% of all local tax revenue generated by the Grant described in the Performance Agreement (this “Agreement”) dated as of August 1, 2018, by and among the, the Grantee, the Commission, and SPEYSIDE BOURBON COOPERAGE, INC., a Ohio corporation, (the “Company”). The total amount of Local tax revenue provided to the Commission shall be limited to 105% of the Grant amount.

“Local tax revenue” means the amount of taxes assessed by the Grantee to the Company under Title 58.1, Subtitle II of the *Code of Virginia*, including, but not limited to, real property taxes, business and occupational license taxes, machinery and tools taxes, and tangible personal property taxes.

“Generated by the Grant” means local taxes assessed on taxable property (personal and real) and activities built and/or generated by the Company in performance of its obligations in Section 3 and Section 4 of the Agreement. For new Companies, this shall be determined to be all applicable taxes generated by the Company. For expansions of existing Companies, this shall be all additional taxes above the tax year prior to the base year of this grant.

The amount of payment shall be calculated based on original assessments (“the Assessment”) as issued to the Company by the Commissioner of the Revenue for Smyth County. Subsequent appeals or revised assessments shall be taken into consideration solely at the discretion of the Commission.

The payment obligation of Grantee under this Addendum is contingent upon receipt of tax payments by the Company.

**The first payment is due and shall be made to the Commission within thirty (30) days of the due date found on the Company’s tax assessment after the agreements are signed.** Extensions to this date may be made at the sole discretion of the Commission.

In the event of a repayment obligation pursuant to Section 9 of the Agreement, any payments by Grantee to the Commission under this Addendum shall be credited to the Grantee.

**Exhibit C cont.**

The Company hereby expressly grants its consent for the Commissioner of the Revenue for Smyth County to release to the Commission records of all local tax assessments made to the Company for all tax periods including and beginning after August 1, 2018.

TOBACCO REGION REVITALIZATION  
COMMISSION

By: \_\_\_\_\_  
Evan Feinman, Executive Director

Date: \_\_\_\_\_

SMYTH COUNTY BOARD OF SUPERVISORS

By: 

Title: Chairman

Date: 9-13-2018

SPEYSIDE BOURBON COOPERAGE, INC.

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Saltville District Supervisor Roscoe D. Call made a motion to approve the agreement as presented.  
Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.



9/11/2018 7:04 PM Chairman, Park District Supervisor M. Todd Dishner brought forward the following recommendations from the Budget Committee:

**Item#1:** It is the Committee's recommendation to recommend approving the Resolution as shown below, which would allow for the financing of \$206,460.00 at an interest rate of 3.19% for 60 months for the purchase of two (2) trucks for Solid Waste.

**Resolution Approving Financing Terms**

**WHEREAS:** Smyth County, Virginia has previously determined to undertake a project for the financing of sanitation vehicles, and the Finance Officer has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED, as follows:**

1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated June 22, 2018. The amount financed shall not exceed \$206,460.00 the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.19%, and the financing term shall not exceed 5 years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's general fund, or any other County fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this \_\_\_\_\_ day of September, 2018.

By: \_\_\_\_\_  
(Clerk)

By: \_\_\_\_\_  
(Chairman or County Manager)

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

**Item #2:** It is the Committee's recommendation to award the bid for a new copier lease for Juvenile and Domestic Relations Court to Tri-Cities Business Machines, at a cost of \$66.34 per month.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

Michael Carter, County Administrator presented the following recommendations from the Budget Committee:

**Item #1:** It is the Committee's recommendation to approve the budget transfer as shown below for the Smyth County Sheriff Department in the amount of \$4,520.00.

**EXPENSE**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
001-021070-1001 (Salaries)	001-021070-5408 (Vehicle Maint.)	\$4,520.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

**Item#2:** It is the Committee's recommendation to award the bid for purchase of 911 Call Handling Equipment to Mobile Communications in the amount of \$168,390.48. The Committee also recommended the purchase of routers from Century Link in the amount of \$1,978.85 for a total of \$170,369.33 for the project. These items will be taken out of Fund 1, line item 031040-9000 (Capital Outlay).

After consideration, the motion PASSED by the following vote:

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

Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

Michael Carter, County Administrator spoke concerning a request that had been made by a citizen to fly all weather flags at the Courthouse. After discussion, the Budget Committee agreed the current procedures in place for the handling of the flags is sufficient and respectful.

Several Board of Supervisors Members also spoke concerning this request and stated they supported the procedures that are currently in place for the flag.



9/11/2018 7:19 PM Chilhowie District Supervisor R. Curtis Rhea brought forward the following recommendations from the Solid Waste Committee Recommendations:



**Item #1:** It is the Committee's recommendation to approve the contract with the City of Bristol as shown below, for disposal services, allowing for changes to be made by Mr. Campbell.

**2018 SOLID WASTE DISPOSAL AGREEMENT  
CITY OF BRISTOL, VIRGINIA  
AND  
SMYTH COUNTY, VIRGINIA**

THIS \_\_\_\_ day of \_\_\_\_\_, 2018 by and between the **CITY OF BRISTOL, VIRGINIA**, a Virginia municipal corporation, (hereinafter "**the City**") and **SMYTH COUNTY, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (hereinafter "**the County**").

**WITNESSETH:**

**PREMISES**

**The City** has an integrated solid waste management facility consisting of a number of permitted operations; and

**The City**, with a landfill and related facilities, hereinafter the "Waste Management Facility," has sufficient capacity which can be used to satisfy some regional disposal needs; and

**The City** wishes to secure a known, ascertainable and quantifiable stream of waste for disposal to assure sufficient income to cover the costs of expansion and operation; and

**The County** as the Solid Waste Generator is directly or engaged in the collection and transportation of solid waste material; and

**The County** needs to secure a place for disposal of said solid waste.

**NOW THEREFORE**, in consideration of the above premises and the mutual benefit of the agreements hereinafter set forth, the City and the County do agree as follows:

**SECTION I**

**DEFINITIONS:** For purposes of this agreement, the following terms shall be defined as:

- a) Waste Management Facility: Sanitary landfill(s) together with all other solid waste processing and disposal facilities owned and operated by the City of Bristol, Virginia and permitted by the Virginia Department of Environmental Quality-Waste Division.
- b) Municipal waste; yard waste or brush; special wastes; recyclables. As defined in 9VAC20-80-10 et seq., as amended or replaced, being the Solid Waste Management Regulations of the Virginia Department of Environmental Quality-Waste Division.
- c) Fees. The fees, surcharges and taxes charged by the City to accept municipal waste from the County at its Waste Management Facility. These charges are on a per ton basis.
- d) Waste Generator. The sources and/or generators of municipal or special waste as may from time to time be agreed upon by the City and the County.

**SECTION II**

**TERM:** This Agreement will continue in full force and effect from its execution until September 30, 2023, at which time the County shall have the opportunity to renew said contract for a three (3) year term, conditions and fees to be negotiated at the time of renewal. The three (3) year renewal option shall be available if mutually agreed upon by the City and the County.

2018 Solid Waste Disposal Agreement  
City of Bristol – Smyth County

### SECTION III

**ACCEPTANCE OF WASTE:** the City agrees:

- a) To maintain and operate a waste management facility pursuant to applicable statutes and regulations, as now exist or may hereafter be amended, and the City in its sole discretion finds it economically feasible to operate the facility.
- b) To accept County's municipal waste which meets the City's permit requirements, transported by or on behalf of the County and delivered to the City's waste management facility, except the following:
  - 1. Any sludge (wastewater treatment plant, industrial, etc.) or byproducts of production except as specifically noted in Section VI of this contract, liquid, hazardous, nuclear, chemical, medical, or anatomical or other controlled or restricted waste, except as permitted and otherwise agreed to by the City.
  - 2. Any wastes which the City cannot manage in its operation, with the equipment and processes being used by the City, regardless of chemical or organic content.
  - 3. Any yard waste or brush.

### SECTION IV

**OPERATING RULES:**

- a) The City may promulgate and amend from time to time reasonable regulations for the operation of the waste management facility, the conduct of the drivers and others on the waste management facility premises, the routes and manner of transportation of solid waste over the City's streets and any other matter necessary or desirable for the safe and efficient operation of the waste management facility. The County agrees to abide by these regulations.
- b) The City must refuse disposal of any waste prohibited to be taken by this Agreement or to any applicable law, regulation, rule or order, even if only a part of the waste load is non-conforming. The County shall inspect all waste at the place of collection and remove any unacceptable waste before transporting it to the waste management facility. The City shall also inspect to determine whether the waste is conforming or non-conforming. The City shall immediately notify waste generator of the introduction of said non-conforming waste into the waste management facility. Waste generator shall have a reasonable opportunity to dispose of only such waste as is unacceptable hereunder and under law and for all reasonable expenses incurred by the City to remove unacceptable waste disposed of in the waste management facility by Waste Generator.
- c) All the waste shall be weighed, or its volume determined by the City, which determination shall be conclusive on the parties.
- d) If the County's vehicle should become incapacitated on the waste management facility, the City may move the vehicle but is not required to do so. The County's driver or agent shall make any necessary physical connections. The City shall have no liability for damage to the County's vehicle or property while moving. The City shall have the right to obtain contract aid at the expense of the County.

2018 Solid Waste Disposal Agreement  
City of Bristol – Smyth County

## SECTION V

### SOLID WASTE TESTING:

The County shall have any waste other than municipal solid waste and those other wastes specifically allowed by Section VI of this contract, tested with all requisite tests in an independent, certified laboratory acceptable to the City to determine if there is present any hazardous waste or pollution abatement waste which violate the Hazardous Waste Management Regulations as the same are promulgated from time to time by the Virginia Department of Environmental Quality-Waste Division, (currently designated 9 VAC 20-60-12 et seq.) If there is hazardous waste or pollution abatement waste present or it exhibits hazardous characteristics, the waste must be excluded. The waste shall also be adequately tested for leachability in the same laboratory. If the waste is leachable, additional tests will be performed to determine the total concentrations of all parameters listed on Addendum I, page 5, 6 and 7, as amended from time to time, of the City of Bristol, Virginia's Industrial Wastewater Discharge Permit 013. A copy of current Addendum I is attached hereto as Exhibit A. If any of these concentrations exceed the limits established by the permit, City, at its sole discretion, shall determine if the waste shall be excluded.

- a) The City reserves the right to reject any wastes that it deems unmanageable in its operation, regardless of its chemical or physical character.
- b) The County shall pay all costs associated with any test and with the redirection of any rejected waste.

## SECTION VI

### DELIVERY OF WASTE:

The County agrees:

- a) To not deliver any hazardous or other prohibited waste as set forth hereinabove.
- b) To deliver only solid waste which conforms to all then applicable federal, state and local laws, regulations, rules and orders relating to the transportation and disposal of waste, including City's facility permit. Said solid waste may consist of municipal solid waste and the following:
  1. White goods except those containing refrigerants or equipped with compressors
  2. Industrial Waste
  3. Wood waste other than yard waste and brush
  4. Special Waste as permitted by Virginia Solid Waste Management Regulations, Part V, Solid Waste Disposal Facility Standards, 9 VAC 20-80-250.C.16.x.
- c) To deliver waste completely containerized to prevent the escape of litter, liquids or odor. Vehicles failing to maintain this standard will be denied admittance to the waste management facility.

## SECTION VII

### FEE STRUCTURE:

For the initial term of this Agreement, the cost per ton for municipal and other permitted types of waste shall be based upon the following schedule plus the current DEQ fee (currently \$0.15):

#### Municipal Solid Waste:

\$ 16.55 per Ton	October 1, 2018 through September 30, 2019
\$ 16.80 per Ton	October 1, 2019 through September 30, 2020
\$ 17.05 per Ton	October 1, 2020 through September 30, 2021

2018 Solid Waste Disposal Agreement  
City of Bristol – Smyth County

**\$ 17.30 per Ton                      October 1, 2021 through September 30, 2022**  
**\$ 17.55 per Ton                      October 1, 2022 through September 30, 2023**

**Tire Disposal:**

**Tires in waste stream: \$ 2.00 per Tire**

**Tires per load:                      Cost plus \$15.00 per Ton**

Current cost to City is \$90.00 per Ton.

No oversized tires will be accepted.

**Tonnage:**

There is no minimum tonnage to be disposed of by the County under this Agreement.

Payment shall be due within thirty days from receipt of an invoice from the City. If the County's account is sixty (60) days past due the City shall have the option to terminate this Agreement (other than payment obligations), or temporarily suspend disposal privileges until the account is brought current. The City may modify such payment policies (not to include fees except as here provided), from time to time upon thirty (30) days written notice to the County. If any federal or state tax or fee is imposed on the City for the operation of the waste management facility or on the City for the activities of the County or his subcontractor, then said costs shall be paid by the County upon notice of such change or addition to existing fees.

**SECTION VIII**

- a) The County shall carry, at a minimum, insurance as listed below:
  1. Auto liability - \$1 million minimum
  2. Worker's compensation - statutory limits
  3. General liability - \$1 million aggregate I \$1 million each occurrence
- b) The County shall have the City named as an additional insured on all liability insurance policies, and shall include the City as an additional insured on increased coverage whenever the County deems the increased coverage necessary. All insurance policies shall require sixty (60) days written notice to the City of cancellation, nonrenewable or significant changes in coverage.
- c) The County shall maintain a current certificate of insurance on file with the City that indicates the limits of the insurance and shows the City as an additional insured.
- d) The County's failure to maintain this insurance and the certificates, shall be a material breach of this contract.

**SECTION X**

**INDEMNIFICATION:**

The County agrees to indemnify and hold harmless the City, its officers, agents and employees from any claims and damages, whether at law or in equity, arising from or caused by the County's sole negligence through the use of any materials, goods or equipment of any kind or nature furnished by the City and/or any services of any kind or nature furnished by the City, provided that such liability is not attributable to the sole negligence of the City or through failure of the City to use the materials, goods or equipment in a manner as directed by the County.

2018 Solid Waste Disposal Agreement  
City of Bristol – Smyth County

The City agrees to indemnify and hold harmless the County, its officers, agents and employees from any claims and damages, whether at law or in equity, arising from or caused by the City's sole negligence through the use of any materials, goods or equipment of any kind or nature furnished by the County and/or any services of any kind or nature furnished by the County, provided that such liability is not attributable to the sole negligence of the County or through failure of the County to use the materials, goods or equipment in a manner as directed by the City.

Nothing herein shall be deemed as a waiver of either party's sovereign immunity to the extent that such immunity is applicable in any future dispute.

**SECTION XI**

**INDEPENDENT CONTRACTOR:**

The County shall select the means, method and manner of performing the services it provides. Nothing is intended or should be construed as creating a relationship of co-partners between the parties hereto or as making the County an agent, representative or employee of the City. The County is to be and shall remain an independent contractor with respect to all services performed under this Agreement. The County represents that it has or will secure at its own expense all personnel required in performing services under this Agreement. Any and all personnel of the County or other persons while engaged in the performance of any work or services required by the County under this Agreement shall have no contractual relationship with the City except as specifically set forth in this Agreement, and shall not be considered employees of the City. Any and all claims that may arise under the Unemployment Compensation Act or the Worker's Compensation Act of the Commonwealth of Virginia on behalf of said personnel, arising out of employment or alleged employment, including, without limitation, claims of discrimination against the County, its officers, agents, contractors or employees shall in no way be the responsibility of the City. The County shall defend, indemnify and hold the City, its officers, agents and employees harmless from any and all such claims. Such personnel or other persons shall neither require nor be entitled to any compensation, rights, or benefits of any kind whatsoever from the City, including without limitation, tenure rights, medical and hospital care, sick and vacation leave, Worker's Compensation, Unemployment Insurance, disability, severance pay and PERA.

**SECTION XII**

**FAILURE TO PERFORM:**

Neither party hereto shall be liable for its failure to perform hereunder due to circumstances beyond its reasonable control, including but not limited to strikes or other labor disputes, riots, civil disturbance or sabotage, fires, floods, explosions, accidents, weather or acts of God affecting either party hereto. In the event of any of the circumstances listed in the preceding sentence or if any federal, state or local court or authority takes any action which would (i) close or restrict operations at the waste management facility, (ii) limit the quantity or prohibit the disposal of the waste at the waste management facility, or (iii) limit the ability of or prohibit the County from delivering waste to the waste management facility, the City shall have the right at its option, to reduce, suspend or terminate the County's access to the waste management facility immediately, without prior notice and without any additional liabilities between the parties.

2018 Solid Waste Disposal Agreement  
City of Bristol – Smyth County

### SECTION XIII

#### ASSIGNMENT:

Neither party may assign or transfer any of its rights or obligations under this Agreement without the prior written consent of the other. Such written consent shall not be unreasonably withheld.

### SECTION XIV

#### MISCELLANEOUS:

- a) This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and permitted assigns.
- b) The laws of the Commonwealth of Virginia shall govern this Agreement.
- c) No waiver of a breach of any of the covenants contained in this Agreement shall be construed to be a waiver of any prior or succeeding breach of the same covenant or of any other covenant of this Agreement.
- d) No modification, release, discharge or waiver of any provision hereof shall be of any force or effect unless in writing, signed by all parties to this Agreement.
- e) If any term, covenant or provision of this Agreement shall be held to be invalid, illegal or unenforceable in any respect, this Agreement shall remain in effect and be construed without regard to such provision.
- f) During the performance of this contract, the County agrees as follows:
  1. The County will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the county. The County agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
  2. The County, in all solicitations or advertisements for employees placed by or on behalf of the County, will state that the County is an equal opportunity employer.
  3. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.
  4. The County will include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.
- g) During the performance of this contract, the County agrees to (i) provide a drug-free workplace for the County's employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the County's workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the County that the County maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

2018 Solid Waste Disposal Agreement  
City of Bristol – Smyth County

#### **SECTION XV**

##### **WASTE GENERATOR SOURCE AND INDEPENDENT CONTRACTOR CONTRACTS:**

The County does hereby covenant and agree to provide to and keep on file with the City a manifest listing all current sources and types, e.g. MSW, commercial, etc., of solid waste, by jurisdiction, i.e. county, city or town, that are transported to the City's waste management facility. The County shall also provide the City with copies of contracts with any and all independent contractors whom the County may engage to transport solid waste to the City's waste management facility.

#### **SECTION XVI**

##### **OBLIGATIONS OF THE COUNTY'S SUBCONTRACTOR(S):**

All obligations of the County shall also be made the obligation of any subcontractor employed by the County to collect and/or transport waste to the City's waste management facility. The County shall include the imposition of these obligations upon any such independent subcontractor in its contract with the County, including a specific obligation that the City be named an additional insured in any insurance policies required and carried by the independent subcontractor.

#### **SECTION XVII**

##### **NOTICES:**

Any notices concerning this Agreement shall be sent to the following persons at the address indicated.

Notices to the City shall be sent to:

City of Bristol, Virginia, Office of the City Manager  
300 Lee Street, Bristol, Virginia 24201.

Notices to the County shall be sent to:

Smyth County, Virginia, Office of the County Administrator  
121 Bagley Circle, Suite 100, Marion, VA 24354

2018 Solid Waste Disposal Agreement  
City of Bristol – Smyth County

WITNESS the signatures and seals of the parties the day, month and year first above written.

**CITY OF BRISTOL, VIRGINIA**

**BY:** \_\_\_\_\_  
**Randall C. Eads, Interim City Manager**

**ATTEST:** \_\_\_\_\_  
**Nicole Storm, City Clerk**

**STATE OF VIRGINIA**  
**CITY OF BRISTOL**

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018,  
by Randall C. Eads, City Manager on behalf of the City of Bristol, Virginia, a Virginia  
Municipal Corporation.

\_\_\_\_\_  
**Notary Public**  
My Commission Expires \_\_\_\_\_



2018 Solid Waste Disposal Agreement  
City of Bristol – Smyth County

WITNESS the signatures and seals of the parties the day, month and year first above written.

**SMYTH COUNTY, VIRGINIA**

**BY:** \_\_\_\_\_  
**Print Name & Title:**

**ATTEST:** \_\_\_\_\_  
**Print Name & Title:**

**STATE** \_\_\_\_\_  
**CITY/COUNTY OF** \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018,  
by \_\_\_\_\_ on behalf of Smyth County, Virginia a political  
subdivision of the Commonwealth of Virginia.

\_\_\_\_\_  
**Notary Public**

My Commission Expires \_\_\_\_\_

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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

**Item #2:** It is the Committee's recommendation to award the bid for the purchase of a Yard Truck to Berry Iron and Metal at the cost of \$20,000.00.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

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



9/11/2018 7:25 PM Supervisor Comment Time:

Rye Valley District Supervisor Rick K. Blevins stated it was nice to have Mr. Call back in the meeting.

Atkins District Supervisor Charles Atkins stated he felt it was a good meeting and the discussions that had taken place were productive.

Chilhowie District Supervisor R. Curtis Rhea clarified the comments concerning the Economic position and stated that Michael Carter, County Administrator was doing a good job, but an assistant was needed to aid in the position. Mr. Rhea also stated he would like for everyone to be thoughtful of the people working for the County and the job they are doing.

Saltville District Supervisor Roscoe D. Call stated he had received a request by a convenience station attendant to purchase a magnet to pick up nails and other debris that may be around the trash container.




9/11/2018 7:29 PM Meeting adjourned.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, October 9, 2018**. 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, Park District Supervisor M. Todd Dishner; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (5)

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K Blevins; Chilhowie District Supervisor R. Curtis Rhea (2)

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

 10/9/2018 4:05 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting to order. A motion was made by Saltville District Supervisor Roscoe D. Call 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, **A.7** Legal; discussion with legal counsel and staff pertaining to actual or probable litigation and to invite Jeff Richardson, Commissioner of Revenue to participate in closed session. Atkins District Supervisor Charles Atkins seconded the motion.


After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner, Saltville District Supervisor Roscoe D. Call, North Fork District Supervisor Phil Stevenson, Atkins District Supervisor Charles Atkins and Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins and Chilhowie District Supervisor R. Curtis Rhea.

 10/9/2018 4:16 PM Chilhowie District Supervisor R. Curtis Rhea entered the meeting.

**PRESENT:** Chairman, Park District Supervisor M. Todd Dishner; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (5)

**ABSENT:** Vice Chairman, Rye Valley District Supervisor Rick K Blevins; Chilhowie District Supervisor R. Curtis Rhea (2)

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

**OTHERS:** Deputy with the Smyth County Sheriff's Office, Stephanie Porter Nichols with Smyth County News and Messenger, and several citizens.



10/9/2018 5:01 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from Closed session.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea, to adopt the following resolution certifying the business conducted in closed session as follows:

#### RESOLUTION

##### CERTIFICATION OF CLOSED SESSION

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

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

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

After consideration, the motion PASSED by the following vote:


**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Saltville District Supervisor Roscoe D. Call,


North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins.

 10/9/2018 5:10 PM Kendra Hayden, CSA Coordinator gave the Invocation and led the Pledge of Allegiance.

 10/9/2018 5:11 PM Chilhowie District Supervisor R. Curtis Rhea made a motion to approve the Performance Agreement for an undisclosed business as discussed during closed session. North Fork District Supervisor Phil Stevenson seconded the motion.


After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins.

 10/9/2018 5:11 PM A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to adopt the agenda and additional agenda as presented.


After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins.

 10/9/2018 5:12 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to approve the minutes of the September 11<sup>th</sup>, 2018 meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins.



10/9/2018 5:12 PM Michael Carter, County Administrator presented the Board with information on the current FY2018-2019 Budget and a current month analysis for appropriations.

Royal Oak District Supervisor Judy Wyant requested for the financial information to be displayed in a different manner to aid in the ability to compare numbers more easily.



10/9/2018 5:25 PM Chairman, Park District Supervisor M. Todd Dishner opened Citizens time.

Lynne Pease, 752 Skyview Drive Chilhowie, Virginia spoke in support of having seven (7) members on the Smyth County Public Library Board.

Chester Cole, 212 Magnolia Street, Marion Virginia stated he would like for the Board agenda to include a detail of what tax payer money is being applied to each month. Mr. Cole also stated he would like for the Board to consider purchasing lights for the flags at the Courthouse, and he also supports having seven (7) members on the Smyth County Public Library Board.

Frances Detwiller, 744 Meadow Drive, Marion, Virginia spoke in support of having seven (7) members on the Board for the Smyth County Public Library.

Tom Vogleweed, 598 Keller Lane, Marion, Virginia spoke as a friend of the Library and stated he too was in support of having seven (7) members for the Smyth County Public Library.

Chilhowie District Supervisor R. Curtis Rhea, asked Mr. Vogleweed if he could inform the Board what services were suffering or missing without having seven (7) members on the Board for the Library and Mr. Vogleweed stated that he hasn't noticed anything different with the services at the Library.

Royal Oak District Supervisor Judy Wyant spoke and stated that she felt something needs to be done with the decision on the members for the Smyth County Public Library and would like the issue resolved.


John Graham, 611 East Main Street, Marion, Virginia spoke concerning the comments received about the flags not being flown more frequently at the Courthouse.


Robb Farmer, 2221 Hwy 16 Marion, Virginia spoke concerning the Smyth County Public Library and stated he was fortunate the Library has such compassion from members in the Community. Mr. Farmer updated the Board of Supervisors concerning the programs that are currently available at the Library.

Sheriff Chip Shuler, 819 Matson Drive, Marion, Virginia spoke concerning the School Resource Officer Positions that were discussed at a previous Board meeting. Sheriff Shuler clarified that two (2) additional SRO's had been allocated within the FY2018-2019 budget, along with a raise for current officers in order to retain employment.

Beverly Cole, 212 Magnolia Street, Marion, Virginia spoke and stated there are those in the Community that are willing to serve on the Smyth County Public Library Board.

David Helms, 821 Middle Avenue Marion, Virginia, stated that at a recent meeting he attended Smyth County and the Town of Marion had been recognized for Economic progress that is being made within each locality. Mr. Helms stated that Speyside Bourbon Cooperage, Inc. located in the Atkins area had been mentioned along with several new business that are located within the downtown portion of Marion.

 10/9/2018 5:55 PM With no one else wishing to speak, Chairman, Park District Supervisor M. Todd Dishner closed Citizens Time.

 10/9/2018 5:55 PM Leanna Kilby and Karen McDowell with the Smyth County Department of Social Services presented the following proclamation for consideration for Adoption Day Recognition which is scheduled to be held on November 17, 2018. National Day of Adoption is an effort to raise awareness of the children in foster care waiting to find permanent, loving families. This proclamation will be presented during the ceremony showing the Smyth County Board of Supervisors support for the cause. Michael Carter, County Administrator read the proclamation for the record:

### **PROCLAMATION**

WHEREAS, the County of Smyth, Virginia recognizes the importance of providing safe, loving and permanent homes and families through adoption; and

WHEREAS, there are more than 100,000 children in foster care in the United States awaiting adoption and over 5,000 children in the Commonwealth of Virginia in foster care awaiting their forever families;

WHEREAS to help these children find permanent, nurturing families through education and to celebrate those that have found their forever families the Bristol/Washington/Smyth Best

Practice Court Team will host the third annual Adoption Day Celebration for the 28<sup>th</sup> Judicial District on National Adoption Day, Saturday, November 17, 2018; and

NOW, THEREFORE, the County of Smyth, does hereby proclaim November 17, 2018, as

**NATIONAL ADOPTION DAY**

and encourages all citizens to join us in this worthy observance.

This Proclamation was adopted on the 9<sup>th</sup> day of October, 2018.

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Chairman, Board of Supervisors

ATTEST:

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Clerk, Board of Supervisors

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

After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.


NAYS: None.


ABSTAINERS: None.

ABSENT: Vice Chairman, Rye Valley District Supervisor Rick K. Blevins.



 10/9/2018 5:58 PM Chairman, Park District Supervisor M. Todd Dishner called for a 10-minute recess.

 10/9/2018 6:18 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from recess.

 10/9/2018 6:18 PM Michael Carter, County Administrator presented the attached Resolution (#1) for consideration. This would allow for Mt. Rogers to apply for an open line of credit, to be used as needed for operating expenses. Chilhowie District Supervisor R. Curtis Rhea made a motion to adopt the resolution as presented for Mt. Rogers Community Services Board. North Fork District Supervisor Phil Stevenson seconded the motion.


After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chairman, Rye Valley District Supervisor Rick K. Blevins.

 10/9/2018 6:19 PM Chairman, Park District Supervisor M. Todd Dishner brought forward a recommendation from the Appointment Committee.

It is the Committee's recommendation to appoint Jane Tate, 1002 North Main Street, Marion, Virginia to the Smyth County Public Library Board to fill the remainder of the term for Howard Burton, which will expire June 30, 2021.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.



10/9/2018 6:21 PM Scott Simpson, Assistant County Administrator brought forward the following recommendations from the Budget Committee:

**Item #1:** A request has been received from the Konnarock-Green Cove-Laurel Valley Association for a refund of their festival permit. The festival had to be cancelled due to weather, and the Association has requested a refund of the \$200.00. An advertisement had been placed in the Smyth County News and Messenger for the Permit, at a cost of \$138.00. It is the Committee's recommendation to refund the difference of the cost for the permit minus the cost for the advertisement, in the amount of \$62.00 to the Konnarock-Green Cove-Laurel Valley Association.

After consideration, the motion DID NOT PASS by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Saltville District Supervisor Roscoe D. Call and  
Chilhowie District Supervisor R. Curtis Rhea.

**NAYS:** North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

**Item #2:** It is the Committee's recommendation to approve the agreements needed for the Back of the Dragon Overlook project. Mr. Simpson stated this would allow the project to move into the construction phase.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Saltville District Supervisor Roscoe D. Call and  
Chilhowie District Supervisor R. Curtis Rhea.

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

**ABSTAINERS:** Royal Oak District Supervisor Judy Wyant.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

**Item #3:** It is the Committee's recommendation to approve the budget transfer as shown below for the Solid Waste Department in the amount of \$179,460.00.

**EXPENSE**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
001-031040-9000 (Capital Outlay)	001-042030-3026 (SW Truck)	\$99,630.00
001-042030-1001 (Salaries)	001-042030-3026 (SW Truck)	\$13,800.00
001-042030-2005 (Hosp & Medical)	001-042030-3026 (SW Truck)	\$7,200.00
001-042030-5406 (Fuel)	001-042030-3026 (SW Truck)	\$5,000.00

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001-042030-5408 (Vehicle Supply)	001-042030-3026 (SW Truck)	\$5,000.00
001-011010-9008 (Emergency Fund)	001-042030-3026 (SW Truck)	\$17,830.00
001-035050-7011(Emergency Mgmt. Fund)	001-042030-3026 (SW Truck)	\$9,000.00
001-081020-1001 (Salaries & Wages)	001-042030-3026 (SW Truck)	<u>\$22,000.00</u>

Total: \$179,460.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

**Item #4:** Scott Simpson, Assistant County Administrator brought forward the following recommendation from the Budget Committee. The Sheriff is requesting funds be placed into Fund 744-Special Investigation to allow for overtime pay as shown below. Funds will be totally reimbursed by the Drug Enforcement Agency. It is the Committee's Recommendation to approve the Budget Amendment in the amount of \$5,383.00.

<u>Expense</u>	<u>Amount</u>
744-011010-1001 (Salaries and Wages)	\$5,000.00
744-011010-2001 (FICA)	\$383.00
<u>Revenue</u>	<u>Amount</u>
744-010000-0006 (Other Revenue)	\$5,383.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

**Item #5:** During a previous Budget Committee meeting, members had asked if there was a way to terminate the financing for the trucks, due to being able to make the purchase within the FY18-19 Budget. Mr. Simpson stated that he had contacted BB&T, and the loan has closed but the option exists for the County to pay off the loan at a cost of \$2,794.01. It is the Committee's recommendation to pay off the loan with BB&T, with administrative costs to be \$2,794.01.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.


**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

**Item #6:** Mr. Simpson then updated the Board of Supervisors concerning project savings that were available from the Adwolfe Sewer Project. After all final payments, there is a recognized savings of \$20,220.92 from the project that can be used to purchase equipment. Staff is recommending to allow for the purchase of a new pick-up truck for the Water/Sewer Department. The last pickup truck purchased by the County had a cost of \$23,624.00, therefore it is estimated an additional \$4,000.00 would be needed. Utilization of savings within the FY18-19 Budget will be used to complete the purchase of the truck. This item was discussed by the Water/Sewer Committee on Tuesday, October 2, 2018, with the Committee agreeing with staff's recommendation to purchase a new pickup truck.

It is the Budget Committee's recommendation to allow the use of the savings from the Adwolfe Sewer Project in the amount of \$20,922.92 to purchase a truck for the Water/Sewer Department, with any additional funds needed to come from cost savings within the FY18-19 budget.

Michael Carter, County Administrator informed the Board that due to an issue with an air compressor, staff would like to delay the purchase of a pickup truck.

After Discussion by the Board, this item has been tabled at this time.

 10/9/2018 6:51 PM Scott Simpson, Assistant County Administrator brought forward the following recommendations from the Building and Grounds Committee:

**Item #1:** It is the Committee's recommendation to allow staff to solicit sealed bids for the sale of the Cornerstone Building, with the option to reject any and all bids if necessary, including but not limited to the highest bid, while providing for the best interest of Smyth County.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,

Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins

**Item #2:** It is the Committee's recommendation to approve the Property Valuation Report submitted by VACORP, with the exception of the Riverside Community Center, requesting an agreed upon value of \$500,000.00 for that facility.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.



10/9/2018 7:01 PM Saltville District Supervisor Roscoe D. Call brought forward the following recommendations from the Water Sewer Committee:

**Item #1:** A request had been made by Mr. Lishen, 2538 Walkers Creek Road, Marion for refunding of charges related to a leak on his property in Walker's Creek. A standard leak adjustment has been previously applied to the account for the leak, however Mr. Lishen does not feel he is responsible for any of the charges. After discussion of the leak and the outcome of the findings, it is the Committee's recommendation to deny the request for any further adjustment to Mr. Lishen's account for this particular leak.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

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

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

**Item #2:** It is the Committee's recommendation to enter into an agreement with the Bank of Marion for Automatic Clearing House deductions, on line payments and credit card terminal services to aid in the ease of paying Water/Sewer bills for the citizens of Smyth County.

Royal Oak District Supervisor Judy Wyant questioned the process that is taken for employees that handle sensitive information within the County, asking if background checks are conducted for those employees.

Michael Carter, County Administrator stated that effective December 8, 2015 all new hires go through the process of background checks and drug testing. Employees previously hired before December 8, 2015 were not subject to the change of policy.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.



10/9/2018 7:14 PM It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$2,300,000.00 from the General Fund. The following is an explanation of the appropriations approved:

**General County**

Accounts Payable Listing:	\$1,928,818.77
Payroll:	\$674,513.03
Auto Draft Rural Development:	\$8,974.00
Solid Waste Truck Purchase:	\$206,460.00
AEP/Century Link Bills:	\$25,000.00
County Administration Fund:	\$5,000.00
Minus Beginning Appropriation:	\$(32,645.44)
New Carryover:	\$23,879.64
Total County Appropriation:	\$2,840,000.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and

Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$410,000.00 from the General Fund for the Department of Social Services. The following is an explanation of the appropriations approved:

**Social Services**

(October 10-October 31, 2018)	\$ 350,000.00
(November 1-November 13, 2018)	\$ 60,000.00
Total Social Services:	\$ 410,000.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$4,125,000.00 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	\$ 2,950,000.00
Administration, Attendance, & Health	\$ 120,000.00
Transportation	\$ 190,000.00
Facilities	\$ 375,000.00
School Food Service	\$ 350,000.00
Technology	\$ 140,000.00
Total School Operating Fund:	\$4,125,000.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and

Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$125,000.00 from the General Fund for School Debt Service.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$100,000.00 from the School Textbook Fund.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$16,153.61 from Fund 301 for the Courthouse Project.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.



**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$131,940.46 for the Adwolfe Sewer Project.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$52,880.00 from EDA Fund 4 for open invoices.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$12,385.47 from Commonwealth Attorney Fund 760 for open invoices.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$5,565.82 from the Sheriff's Fund 748 for open invoices.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$1,102.12 from Fund 749 for Drug Recovery Court open invoices.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$42.84 from the Water/Sewer Refund account.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Chilhowie District Supervisor R. Curtis Rhea,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Vice Chair, Rye Valley District Supervisor Rick K. Blevins.



10/9/2018 7:18 PM Scott Simpson, Assistant County Administrator informed the Board of Supervisors that Century Link had protested the bids for the 911 Call Handling Equipment. The

documents have been reviewed by County Attorney Jeff Campbell and Mr. Campbell feels Century Link has no valid reason to protest the bid.



10/9/2018 7:23 PM Supervisor Comment Time:

Saltville District Supervisor Roscoe D. Call stated for everyone to have safe trip home.

Chilhowie District Supervisor R. Curtis Rhea stated that everyone, including citizens, needed to be mindful of things that were discussed concerning those that are employed by Smyth County. Mr. Rhea also stated that comments about leadership and who was performing a certain job within the County were becoming too personal and it was very concerning to him. Mr. Rhea also stated everyone that works for Smyth County are also human and had families within Smyth County, and would like for everyone to be conscious of that fact.

Royal Oak District Supervisor Judy Wyant stated that as member of the Board of Supervisors, she felt each member should act in a professional manner, and everyone had a right to state their opinions without being flogged by another Board Member. Ms. Wyant stated that she expects everyone to be courteous to each other when speaking and she would like the Chairman of the Board to uphold that.

Park District Supervisor M. Todd Dishner stated that he hoped there is good that comes from all the constructive criticism that was given during the Board Meeting this evening and he feels it is important to listen to the citizens of Smyth County and their concerns. Mr. Dishner also stated he would like to see all Board Members on the same page so productive work is accomplished for Smyth County.



10/9/2018 7:27 PM Meeting adjourned.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Wednesday, November 14, 2018**. 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, Park District Supervisor M. Todd Dishner; Vice Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (7)

ABSENT: None.

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



11/14/2018 4:09 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting to order. A motion was made by Rye Valley District Supervisor Rick K. Blevins to enter into closed session under 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, **A.7** Legal; discussion with legal counsel and staff pertaining to actual or probable litigation. Chilhowie District Supervisor R. Curtis Rhea seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner, Vice Chairman, Rye Valley District Supervisor Rick K. Blevins, Saltville District Supervisor Roscoe D. Call, North Fork District Supervisor Phil Stevenson, Atkins District Supervisor Charles Atkins, Chilhowie District Supervisor R. Curtis Rhea and Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



11/14/2018 5:03 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from Closed session.

**PRESENT:** Chairman, Park District Supervisor M. Todd Dishner; Vice Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (7)

**ABSENT:** None.

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

**OTHERS:** Deputy with the Smyth County Sheriff's Office, Stephanie Porter Nichols with Smyth County News and Messenger, and several citizens.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea, to adopt the following resolution certifying the business conducted in closed session as follows:

**RESOLUTION**

**CERTIFICATION OF CLOSED SESSION**

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

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

NOW, THEREFORE, BE IT RESOLVED that the Smyth County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the

closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Smyth County Board of Supervisors.


After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 11/14/2018 5:03 PM Sandy Elswick, Registrar of Voters gave the invocation and Kelly Woods, Administrative Assistant led the Pledge of Allegiance.

 11/14/2018 5:05 PM A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to adopt the agenda and additional agenda as presented.


After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 11/14/2018 5:05 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to approve the minutes of the October 9<sup>th</sup>, 2018 meeting.

After consideration, the motion PASSED by the following vote:


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

North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.


NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 11/14/2018 5:05 PM Michael Carter, County Administrator presented the Board with information on the current FY2018-2019 Budget and a current month analysis for appropriations.

Royal Oak District Supervisor Judy Wyant questioned the amount recorded by the Treasurer's Office concerning delinquent taxes. Mr. Carter stated he would request Tom Burkett, Treasurer to attend the next Board of Supervisors meeting to address the concern, and allow for other Board members to ask any questions they may have.

 11/14/2018 5:20 PM Chairman, Park District Supervisor M. Todd Dishner opened Citizens time.

Rita Copenhaver, 109 Fairway Drive Marion, presented information concerning the National Women's Monument and informed the Board three (3) women from Smyth County have been recognized. Those women are Laura Copenhaver, Elanor Anderson, and Anna Belle Buchanan.


Jane Williston 5254 Valley Road, Rich Valley, spoke in support of a seven (7) member, district specific Library Board for the Smyth County Public Library.


Robb Farmer, 2221 Hwy 16 Marion, Virginia spoke concerning the Smyth County Public Library and stated he was fortunate the Library was supported with such compassion from members in the Community. Mr. Farmer updated the Board of Supervisors concerning the programs that are currently available at the Library, such as movies, children programs and Holiday programs that are scheduled to take place at each branch.

Cathy Smith, 149 Crestwood Drive, Chilhowie, also spoke in support of a seven (7) member, district specific Board for the Smyth County Public Library.

Marvin Leslie, 184 Keller Lane, Marion, asked the Board to give immediate attention to the requests being made by citizens for a seven (7) member Board for the Smyth County Public Library. Mr. Leslie also presented, Chairman, Park District Supervisor M. Todd Dishner with a petition signed by citizens in support of placing seven (7) members on the Library Board.

Bradley Powers, 1245 S Main Street, Marion, thanked the Board for all the service they are doing within the County and also thanked Mr. Carter, and staff for all of their hard work. Mr. Powers stated he would like to see the County move forward in a positive manner.

 11/14/2018 5:37 PM With no one else wishing to speak, Chairman, Park District Supervisor M. Todd Dishner closed Citizens Time.

 11/14/2018 5:37 PM Conrad Hill, VDOT presented a Resolution as shown below for consideration, which would allow Route 768/Old Eleven Highway to be placed in to the road maintenance system for VDOT. Michael Carter, County Administrator read the resolution for the record.

**RESOLUTION FOR THE ADDITION OF A PORTION OF OLD ELEVEN ROAD INTO THE SECONDARY SYSTEM  
OF STATE HIGHWAYS**

**WHEREAS**, the Abingdon Residency Office of the Virginia Department of Transportation recommends that the street(s) referenced in this Board's resolution be added to the secondary system of state highways as a no-cost rural addition pursuant to Section 33.2-705 and Commonwealth Transportation Board policy, because the street(s) meets current minimum standards, the condition of the existing hard surface is serviceable, the street(s) has provided continuous public service since its establishment in 1846 as part of the Southwest Virginia Turnpike and currently serves no less than ten occupied residential dwellings, and

**WHEREAS**, the Abingdon Residency Office of the Virginia Department of Transportation confirms that no Department funds are required to improve the street(s) described on the attached addition sketch and form AM-4.3 to meet current minimum design or maintenance standards of the Department, and

**NOW, THEREFORE, BE IT RESOLVED**, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached sketch and form AM-4.3 to the secondary system of state highways, pursuant to Section 33.2-705, Code of Virginia and the Rural Addition Policy of the Commonwealth Transportation Board of the Virginia Department of Transportation, and

**BE IT FURTHER RESOLVED**, this Board guarantees a clear and unrestricted right of way, as described on the attached form AM-4.3, and any necessary easements for cuts, fills and drainage, and

**BE IT FINALLY RESOLVED**, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

A COPY TEST:

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Michael L. Carter, County Administrator



North Fork District Supervisor Phil Stevenson made a motion to adopt the Resolution as presented.  
Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.


NAYS: None.


ABSTAINERS: None.


ABSENT: None.


Conrad Hill, Virginia Department of Transportation presented an update to the Board on several road projects, as shown attached (#1) that are currently being completed within the County and allowed for any Board member to present concerns they may have within their respective districts.


Several Board members informed Mr. Hill of issues with road within their respective districts.

 11/14/2018 5:51 PM Nate Clark, Hungry Mother State Park, Park Manager presented information to the Board concerning the economic benefits the Park provides for Smyth County. Several Board members thanked Mr. Clark for attending the meeting and always being open to ideas for growth within Smyth County.

 11/14/2018 6:05 PM Michelle Ward, Smyth County Recovery Court Coordinator presented update to the Board concerning the clients that are now in the program and the progress that is being made. Ms. Ward stated the clients that have been approved by the Court system are doing well in the program, and the end goal is to produce rehabilitated, working citizens for Smyth County.

 11/14/2018 6:18 PM Chairman, Park District Supervisor M. Todd Dishner called for a ten-minute recess.

 11/14/2018 6:34 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from recess.

 11/14/2018 6:34 PM Rye Valley District Supervisor Rick K. Blevins explained his reasoning for requesting a reconsideration of the vote taken at the October 9, 2018 meeting concerning the refund

request for the Konnarock Community Center. Mr. Blevins stated that he felt, due to the festival being cancelled due to weather, the refund in the amount of \$62.00 should be refunded to the Konnarock-Green Cove-Laurel Valley Association.

Royal Oak District Supervisor Judy Wyant and Atkins District Supervisor Charles Atkins both expressed their concern this would set a precedent with others and felt more would request a refund.

Rye Valley District Supervisor Rick K. Blevins made a motion to issue a refund in the amount of \$62.00 to the Konnarock Community Center. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor R. Curtis Rhea.

NAYS: Atkins District Supervisor Charles Atkins and Royal Oak District Supervisor Judy Wyant.

ABSTAINERS: None.

ABSENT: None.



11/14/2018 6:39 PM Chairman, Park District Supervisor M. Todd Dishner opened the floor for open discussion by the Board concerning requests being made by citizens for a seven (7) member Smyth County Public Library board.

Atkins District Supervisor Charles Atkins stated he was in support of the seven (7) member, district specific Library Board. Mr. Atkins stated each district should have representation on the Smyth County Public Library Board.

Royal Oak District Supervisor Judy Wyant stated she feels the Board of Supervisors has been disrespectful to the citizens who have voiced their opinion concerning the seven (7) member Library Board. Ms. Wyant stated she felt there was no good reason to not appoint seven members to the Library Board.

North Fork District Supervisor Phil Stevenson stated he doesn't agree anyone has been disrespected, and he is not against a seven (7) member Board, however he hasn't received any concerns from constituents within his district. Mr. Stevenson stated he felt that by not having seven (7) members, services were not suffering.

Saltville District Supervisor Roscoe D. Call stated that he had not received any complaints from his district concerning the Library and all services within the Saltville District Library are the same.

Royal Oak Supervisor Judy Wyant spoke concerning the ongoing litigation concerning the Library, asking Mr. Campbell to clarify, stating it is against the Board of Supervisors. Ms. Wyant stated the financial standpoint with the Library is not well and each branch would suffer due to this. Ms. Wyant stated she strongly feels there are a lot of advantages with having a seven (7) member board for the Library.

Chilhowie District Supervisor R. Curtis Rhea stated he felt it is the job of the Board of Supervisors to govern the County and be held accountable for the monies allocated to an agency. Mr. Rhea stated he would like to know why the Library was not in a good financial position.

Royal Oak District Supervisor Judy Wyant requested a review of the financial statements be done by the Board of Supervisors and stated the current level of services cannot be sustained.

Atkins District Supervisor Charles Atkins stated he hasn't seen any financial information from the Library since he has been elected to the Board of Supervisors.

Atkins District Supervisor Charles Atkins made a motion to appoint members needed to have seven (7) district specific members on the Smyth County Public Library Board. Royal Oak District Supervisor Judy Wyant seconded the motion.

After consideration, the motion FAILED by the following vote:

AYES: Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea

ABSTAINERS: None.

ABSENT: None.

Royal Oak District Supervisor Judy Wyant proposed the Board adopt a Resolution stating the Board will not ask for, encourage or support any legislation to remove the requirement to have a Library Board. Atkins District Supervisor Charles Atkins seconded the motion.

Chilhowie District Supervisor R. Curtis Rhea asked Mr. Campbell to clarify the Code of Virginia and what guidelines that Smyth County needs to adhere to regarding the appointment of members to the Library Board moving forward.

County Attorney, Jeff Campbell explained the requirements set forth in the Code of Virginia stating Smyth County is bound to the requirements that govern a Library Board, stating the codes reads there must be at least five (5) members appointed.

After consideration, the motion FAILED by the following vote:

AYES: Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea

ABSTAINERS: None.

ABSENT: None.

Chairman, Park District Supervisor M. Todd Dishner stated as chairman, he was open to discussing this issue at a later date, once the litigation has been settled.



11/14/2018 6:59 PM Saltville District Supervisor Roscoe D. Call made a motion to approve and appropriate the following disbursements for the Four for Life program. Atkins District Supervisor Charles Atkins seconded the motion.

Agency	Disbursement Amount
Town of Marion Fire & EMS	\$6,873.88
Chilhowie FD/EMS	\$6,873.88
Saltville Rescue Squad	\$6,873.88
Sugar Grove Life Saving	\$6,873.88

These disbursements total \$27,495.52.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



11/14/2018 7:00 PM Michael Carter, County Administrator brought forward the following recommendations from the Budget Committee.

**Item #1:** It is the Committee's recommendation to approve the budget transfer as shown below for the Smyth County Sheriff Department in the amount of \$2,189.00.

**EXPENSE**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
001-021070-1001 (Salaries)	001-021070-5408 (Vehicle Maint.)	\$2,189.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

**Item #2:** It is the Committee's recommendation to amend the budget as requested by the Sheriff's Department. The Sheriff is requesting funds in the amount of \$12,605.00 be placed into Fund 761. These are remaining Abbott Funds distributed to the Sheriff's Department by the Commonwealth Attorney's Office. This will increase the current FY2018-2019 budget from \$87,875,546.00 to \$87,888,151.00.

<b><u>Expense</u></b>	<b><u>Amount</u></b>
761-010000-0001 (CWA Fed Shared Funds)	\$12,605.00

<b><u>Revenue</u></b>	<b><u>Amount</u></b>
761-010000-0001 (Federal Money from CA)	\$12,605.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

**Item #3:** It is the Committee's recommendation to allow staff a maximum of \$1,500.00 to purchase all weather flags and lights needed to display the flags at the Courthouse and Administration Building as recommended by the VFW during a meeting on November 1, 2018.

Mr. Johnson with the VFW spoke and stated he felt what the County was proposing was adequate and patriotic.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



11/14/2018 7:15 PM Chilhowie District Supervisor R. Curtis Rhea made a motion to release the special assessment in the amount of \$1,492.73 for the property identified as tax map number 64A-5-116, which is part of the Green Valley Court Revenue Share Project. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



11/14/2018 7:16 PM Scott Simpson, Assistant County Administrator brought forward the following recommendation from the Building and Grounds Committee.

It is the Committee's recommendation to allow staff to send a certified mailing to the Riverside Community Center requesting prompt payment of the insurance premium and the discontinuation of the lease.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



11/14/2018 7:29 PM Atkins District Supervisor Charles Atkins gave an overview of the Ordinance Committee Meeting that took place on Thursday, October 25, 2018, stating the Committee reviewed the Comprehensive Plan for Smyth County, and at this time no changes were being recommended to be made.



11/14/2018 7:30 PM Saltville District Supervisor Roscoe D. Call brought forward the following recommendations from Water/Sewer Committee.

**Item#1:** It is the Committee's recommendation to provide 2 credit/debit card terminals in the Water/Sewer office and 1 terminal in the Building Department and for the County to absorb all the in-person fees; and to allow the third-party vendor to charge the customer the convenience fee for online payments. This provides consistency between all departments taking over the counter payments from citizens of Smyth County for services provided.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

**Item#2:** It is the Committee's recommendation to award the bid to Carter Caterpillar for the purchase of a Sullair 185 air compressor in the amount of \$18,650.00 to be utilized by the Water/Sewer Department, utilizing remaining Rural Development Funds from the Adwolfe Sewer Project.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



11/14/2018 7:36 PM Jeff Campbell, County Attorney stated that a request had been made by Speyside Bourbon Cooperage to make some changes to the TROF Agreement with SWIFA and Washington County.

Chilhowie District Supervisor R. Curtis Rhea made a motion to approve the changes being requested upon review and approval by the Tobacco Commission. Rye Valley District Supervisor Rick K. Blevins seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



11/14/2018 7:49 PM Chilhowie District Supervisor R. Curtis Rhea made a motion to approve agreements for an unidentified business and allow for execution of the documents by the County Attorney and staff as needed.

After consideration, the motion PASSED by the following vote:



**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



11/14/2018 7:51 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$1,650,000.00 from the General Fund. The following is an explanation of the appropriations approved:

**General County**

Accounts Payable Listing:	\$905,862.74
Payroll:	\$697,735.03
Auto Draft Rural Development:	\$8,974.00
AEP/Century Link Bills:	\$25,000.00
County Administration Fund:	\$5,000.00
Minus Beginning Appropriation:	\$(19,316.34)
New Carryover:	\$26,744.57
Total County Appropriation:	\$1,650,000.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It was moved by Atkins District Supervisor Charles Atkins to appropriate \$118,703.70 from Sheriff Department Fund 744 for the purchase of cars. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$455,000.00 from the General Fund for the Department of Social Services. The following is an explanation of the appropriations approved:

**Social Services**

(November 14-November 30, 2018)	\$ 395,000.00
(December 1-December 11, 2018)	\$ 60,000.00
Total Social Services:	\$ 455,000.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$4,015,000.00 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	\$ 115,000.00

Transportation	\$ 195,000.00
Facilities	\$ 325,000.00
School Food Service	\$ 400,000.00
Technology	\$ 80,000.00
Total School Operating Fund:	\$4,015,000.00

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$907,000.00 from the General Fund for School Debt Service.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$16.00 from EDA Fund 4 for an open invoice.

After consideration, the motion PASSED by the following vote:

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

Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$2,018.58 from the Sheriff's Fund 748 for open invoices.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$28,730.59 from Fund 749 for Drug Recovery Court open invoices.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
North Fork District Supervisor Phil Stevenson,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins,  
Chilhowie District Supervisor R. Curtis Rhea and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.



11/14/2018 7:54 PM Chairman, Park District Supervisor M. Todd Dishner updated the Board on the upcoming Holiday schedule for Thanksgiving.



11/14/2018 7:55 PM Supervisor Comment Time:

Royal Oak District Supervisor Judy Wyant thanked everyone who attended the meeting, and asked that each Board member respect each other, stating everyone has a right to their opinion.

Rye Valley District Supervisor Rick K. Blevins stated that he appreciated everyone for attending the meeting, and thanked Park District Supervisor M. Todd Dishner for reaching out to the VFW concerning the flags.

North Fork District Supervisor Phil Stevenson thanked Robb Farmer, Director, Smyth County Public Library for his commitment to the Library. Mr. Stevenson stated that he appreciates people with a positive attitude and doesn't believe that a negative mind set solves anything. Mr. Stevenson went on to state the he would like to see the Friends of the Library move on to another subject. Lastly Mr. Stevenson stated that he will continue to voice his opinion regardless of who/what doesn't agree.

Atkins District Supervisor Charles Atkins stated he hoped everyone had a safe trip home.

Chilhowie District Supervisor R. Curtis Rhea stated he appreciated those in attendance of the meeting and stated there are a lot of positive things happening in Smyth County that should be focused on.

Saltville District Supervisor Roscoe D. Call distributed information he received during a seminar he attended at the recent VACO Conference to each Board member concerning school safety and asked that each one take the time to read the information.

Park District Supervisor M. Todd Dishner stated the he, along with other Board members had attended the annual Virginia Association of Counties conference and received good information during the seminars that took place. Mr. Dishner also read aloud thank you notes from the Mel Leaman Free Clinic and the Bridge Students from Marion Senior High School.

 11/14/2018 8:07 PM Meeting Adjourned.

The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., **Tuesday, December 11, 2018**. 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, Park District Supervisor M. Todd Dishner; Vice Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; Royal Oak District Supervisor Judy Wyant (4)

ABSENT: North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea; and Atkins District Supervisor Charles Atkins (3)

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



11/14/2018 4:09 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting to order. A motion was made by Rye Valley District Supervisor Rick K. Blevins to enter into closed session under Code of Virginia, Section 2.2-3711 — **A.1; Personnel Matters**; Discussion, consideration, or interviews of prospective candidates for employment and contracts **A.5; Industrial/Business Prospects**; discussion concerning a business or industry considering expansion with no previous announcement being made, **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, Park District Supervisor M. Todd Dishner, Vice Chairman, Rye Valley District Supervisor Rick K. Blevins, Saltville District Supervisor Roscoe D. Call and Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, Atkins District Supervisor Charles Atkins and Chilhowie District Supervisor R. Curtis Rhea.



12/11/2018 4:53 PM Atkins District Supervisor Charles Atkins entered the meeting.



12/11/2018 5:05 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from Closed session.

**PRESENT:** Chairman, Park District Supervisor M. Todd Dishner; Vice Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (5)

**ABSENT:** North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea. (2)

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

**OTHERS:** Deputy with the Smyth County Sheriff's Office, Stephanie Porter Nichols with Smyth County News and Messenger, and several citizens.

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

**RESOLUTION**

**CERTIFICATION OF CLOSED SESSION**

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

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

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

After consideration, the motion PASSED by the following vote:


**AYES:** Chairman, Park District Supervisor M. Todd Dishner, Vice Chairman, Rye Valley District Supervisor Rick K. Blevins, Saltville District Supervisor Roscoe D. Call and Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: Atkins District Supervisor Charles Atkins.

ABSENT: North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

Lisa Richardson, Human Resource Manager gave the invocation and Manuel Street, GIS Coordinator led the Pledge of Allegiance.

 12/11/2018 5:07 PM A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to adopt the agenda and additional agenda as presented.


After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

 12/11/2018 5:07 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to approve the minutes of the November 14<sup>th</sup>, 2018 meeting.


After consideration, the motion PASSED by the following vote:


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

NAYS: Royal Oak District Supervisor Judy Wyant.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

 12/11/2018 5:07 PM Michael Carter, County Administrator presented the Board with information on the current FY2018-2019 Budget and a current month analysis for appropriations. Mr. Carter informed the Board that reports were missing due to the timing of taxes being received within the Treasurer's Office, and the information will be presented at a future meeting.

 12/11/2018 5:12 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Rye Valley District Supervisor Rick K. Blevins to appropriate \$1,535,000.00 from the General Fund. The following is an explanation of the appropriations approved:



**General County**

Accounts Payable Listing:	\$810,037.33
Payroll:	\$705,435.09
Auto Draft Rural Development:	\$8,974.00
AEP/Century Link Bills:	\$25,000.00
County Administration Fund:	\$5,000.00
Minus Beginning Appropriation:	\$(42,098.73)
New Carryover:	\$22,652.31
Total County Appropriation:	\$1,535,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$410,000.00 from the General Fund for the Department of Social Services. The following is an explanation of the appropriations approved:

**Social Services**

(December 12-December 31, 2018)	\$ 350,000.00
(January 1-January 8, 2019)	\$ 60,000.00
Total Social Services:	\$ 410,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$4,270,000.00 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	\$ 3,000,000.00
Administration, Attendance, & Health	\$ 130,000.00
Transportation	\$ 290,000.00
Facilities	\$ 325,000.00
School Food Service	\$ 330,000.00
Technology	\$ 195,000.00
Total School Operating Fund:	\$4,270,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$2,500.00 from the General Fund for School Debt Service.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$97.60 from EDA Fund 4 for an open invoice.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,

Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$5,304.61 from the Sheriff's Fund 748 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$609.50 from Fund 749 for Drug Recovery Court open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$35,220.92 from Fund 307 for the Adwolfe Sewer Project.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.



12/11/2018 5:15 PM Chairman, Park District Supervisor M. Todd Dishner opened Citizens Time.

No one was signed up to speak, however, Citizen's time remained open while other business was discussed should anyone wish to speak.



12/11/2018 5:15 PM Atkins District Supervisor Charles Atkins brought forward the following recommendation from the Animal Control Committee.

**Item #1:** It is the Committee's recommendation to approve payment of the following claim totaling \$400.00 (appropriated from the Animal Control, Claims & Bounties #003-091060-5802).

	<u>NAME</u>	<u>APPROVED</u>
1)	Lib Burress-One (1) Holstein Steer	\$400.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

**Item #2:** It is the Committee's recommendation to assign funds received from the sale of Animal Friendly Plates by the DMV to the Smyth County Humane Society in the amount of \$450.00.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

Rye Valley District Supervisor Rick K. Blevins brought forward the following recommendations from the Appointment Committee. Mr. Blevins stated that he felt it was an expectation for each Board Member that is appointed to a Committee/Board to attend the meetings.

**Item #1:** It is the Committee's recommendation to reappoint Charles Atkins to the District Three Governmental Cooperative Board for a three (3) year term, beginning July 1, 2019 and ending December 31, 2021.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

**Item #2:** It is the committee's recommendation to appoint Joanne Groseclose, 241 Magnolia Street, Marion to the Mt. Rogers Community Services Board for a three (3) year term, beginning January 1, 2019 and ending December 31, 2021.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

**Item #3:** It is the Committee's recommendation to appoint Jeffrey Dunnack, Production Manager at Scholle IPN, as a member to the New River/Mt. Rogers Workforce Development Board for a three (3) year term beginning January 1, 2019 and ending December 31, 2021.

After consideration, the motion PASSED by the following vote:

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

Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

**Item #4:** It is the Committee's recommendation to re-appoint Royal Oak District Supervisor Judy Wyant, 1494 Scratch Gravel Road, Marion, as a member to the New River/Mt. Rogers Workforce Investment Area Consortium Board under a (1) year term beginning January 1, 2019 and ending December 31, 2019, with Atkins District Supervisor Charles Atkins serving as an alternate.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

**Item #5:** It is the Committee's recommendation to reappoint Curtis Pennington to the Smyth-Wythe Airport Commission for a four (4) year term, beginning January 1, 2019 and ending December 31, 2022.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

**Item #6:** It is the Committee's recommendation to appoint G. Blake Frazier, P.O. Box 91, Marion to the Community Policy Management Team, filling the remainder of the term for Teresa Wilkerson, which will expire June 30, 2019.

After consideration, the motion PASSED by the following vote:

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

**NAYS:** Royal Oak District Supervisor Judy Wyant.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

Scott Simpson, Assistant County Administrator presented the following recommendations from the Building and Grounds Committee.

**Item #1:** It is the Committee's recommendation to reject the bid received from Mt. Rogers Community Services Board in the amount of \$91,415.00 for the Cornerstone Building that was advertised for sealed bids.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

**Item #2:** Currently Smyth County has a contract for HVAC services for all buildings, for a total of five (5) years, renewing annually. It is the Committee's recommendation to rebid the HVAC contract, due to the last renewal being March 2019.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.




12/11/2018 5:27 PM With no one wishing to speak, Chairman, Park District Supervisor M. Todd Dishner closed Citizens Time.



12/11/2018 5:28 PM Chairman, Park District Supervisor M. Todd Dishner presented Mayville Engineering Company Representative, Frank Castanon with an incentive check in the amount of \$323,200.00. Mr. Dishner informed the Board that MEC had met certain requirements set forth in their

Performance Agreement, allowing for the incentive payment. Mr. Dishner thanked Mr. Castanon for being a valuable employer located in Smyth County.

 12/11/2018 5:31 PM Rye Valley District Supervisor Rick K. Blevins made a motion to approve the Speyside Commonwealth Opportunity Fund and Tobacco Region Opportunity Fund Agreements as presented by County Attorney, Jeff Campbell (**Attachment #1 and #2**). Saltville District Supervisor Roscoe D. Call seconded the motion.


After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

 12/11/2018 5:32 PM Rye Valley District Supervisor Rick K. Blevins made a motion to approve a Commonwealth Opportunity Fund Performance agreement with an unnamed business as discussed during closed session. Saltville District Supervisor Roscoe D. Call seconded the motion.


After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,  
Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

 12/11/2018 5:32 PM Michael Carter, County Administrator presented a Resolution as shown below for Broadband services and read aloud for the record (below is altered resolution per motion).

#### A RESOLUTION

APPROVING THE FILING OF A GRANT APPLICATION WITH THE

TOBACCO REGIONAL REVITALIZATION COMMISSION



WHEREAS, The Tobacco Region Revitalization Commission (TRRC) will accept applications for a second round of Last Mile Broadband (LMB) funding in Spring 2019 for up to \$5 million and will be made available for assisting in the construction of “last-mile” broadband telecommunications infrastructure in the unserved areas of the tobacco region. Guidelines for the grant applications were posted in November of 2018 and the deadline for pre-applications has been set for December 21, 2018; and

WHEREAS, the program guidelines for grant applications, requires a government entity as the applicant with a qualified and experienced private sector broadband provider as the co-applicant; and

WHEREAS, Comcast Corporation has recently considered plans to provide service to an unserved area in the eastern end of the Smyth County. This project will bring high speed internet to the selected portion of Smyth County.

NOW THEREFORE BE IT RESOLVED, the Board of Supervisors of the County of Smyth does hereby approve the submittal of a grant pre-application to the Tobacco Region Revitalization Commission to assist in constructing “last-mile” broadband telecommunications infrastructure in a portion of the unserved areas of the tobacco region.

AND FURTHER IT BE RESOLVED, by adoption of this resolution, the Board of Supervisors of Smyth County authorizes the County Administrator to take such action necessary to file the grant pre-application with the Tobacco Commission identifying the co-applicant as Comcast Corporation.

ADOPTED this 11<sup>th</sup> day of December, 2018.

Recorded Vote

A COPY TEST:

Moved by:

Seconded by:

Yeas:

Nays:

\_\_\_\_\_  
Michael L. Carter, County Administrator

Royal Oak District Supervisor Judy Wyant questioned why Comcast was chosen as the joint-applicant.

Atkins District Supervisor Charles Atkins made a motion to adopt the Resolution as presented, with a change being made to the wording in paragraph four (4). Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:


**AYES:** Chairman, Park District Supervisor M. Todd Dishner,  
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,

Saltville District Supervisor Roscoe D. Call,  
Atkins District Supervisor Charles Atkins and  
Royal Oak District Supervisor Judy Wyant.

**NAYS:** None.

**ABSTAINERS:** None.


**ABSENT:** North Fork District Supervisor Phil Stevenson and  
Chilhowie District Supervisor R. Curtis Rhea.

 12/11/2018 5:42 PM Tom Burkett, Smyth County Treasurer spoke and provided an update to the Board of Supervisors on the delinquent County taxes. Mr. Burkett explained the process the Treasurer's Office takes to try and collect the delinquent taxes.

Several Board Members asked Mr. Burkett questions concerning the delinquent taxes and the handling of documents within the Treasurer's Office.

Royal Oak District Supervisor Judy Wyant questioned the Budget Planning process and asked Mr. Burkett if the Treasurer's Office was a part of the process.

 12/11/2018 5:53 PM Chilhowie District Supervisor R. Curtis Rhea entered the meeting.

 12/11/2018 6:03 PM Emily Viers, Robinson, Farmer and Cox Accounting Firm presented the Audit for the County for the Fiscal Year ending June 30, 2018. Ms. Viers highlighted a few items including an increase in the unrestricted fund balance for the fourth year in a row. The audit, federal programs and procurement process has an unqualified opinion, which means there were no material weaknesses found within the audit. Ms. Viers asked for the Board Members to review the document in full and notify their firm should they have any questions.

 12/11/2018 6:27 PM Supervisor Comment Time:

Royal Oak District Supervisor Judy Wyant thanked everyone who attended the meeting.


Rye Valley District Supervisor Rick K. Blevins stated the he appreciates everyone and wished everyone a nice Holiday season.


Atkins District Supervisor Charles Atkins stated that he hoped everyone had a nice Christmas.

Chilhowie District Supervisor R. Curtis Rhea apologized for being late to the meeting.

Saltville District Supervisor Roscoe D. Call wished everyone a Merry Christmas.

Park District Supervisor M. Todd Dishner stated that he appreciates everyone in attendance of the meeting and wished everyone a Merry Christmas.

 12/11/2018 6:30 PM Chairman, Park District Supervisor M. Todd Dishner continued the meeting to December 27<sup>th</sup>, 2018 at 7:00 P.M.

 12/11/2018 6:30 PM Meeting Adjourned.

DRAFT

The Smyth County Board of Supervisors held its continued meeting at 7:00 p.m., **Thursday, December 27, 2018**. 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, Park District Supervisor M. Todd Dishner; Vice-Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea; Atkins District Supervisor Charles Atkins (6)

North Fork District Planning Commissioner Norman Sparks; Park District Planning Commissioner Joel Pugh; 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 Tony Dean; Saltville District Supervisor David Spence (7)

**ABSENT:** Royal Oak District Supervisor Judy Wyant (1)

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

**Others Present:** Linda Burchette, Smyth County News and Messenger and a Deputy with Smyth County Sheriff's Office

Chairman of the Board of Supervisors, M. Todd Dishner and Norman Sparks Chairman of the Planning Commission, called the joint public hearing to order. 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, December 27, 2018, 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 Clinch Valley Community Action for a Special Use Permit to establish a Childcare Center. The property is owned by John Fredrick Riley and is addressed as 5894 Lee Highway in Atkins, identified as Tax Map No. 48-A-47F and is zoned Commercial.*

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

Chilhowie District Supervisor R. Curtis Rhea made a motion to waive the reading of the rules relating to Public Hearings. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.


ABSENT: Royal Oak District Supervisor Judy Wyant.


Clegg Williams, Building and Zoning Administrator explained Clinch Valley Community Action's request for the rezoning, stating they would like to establish a Childcare Center on the property identified above. Mr. Williams identified Mr. Riley and Mr. Sheets were present to answer any questions.

Several Board Members questioned the sewer capacity for the building, and what the plan would be to accommodate the children that would be attending the Center.

No one chose to speak concerning this application.

Board of Supervisors Chairman, Park District Supervisor M. Todd Dishner and Planning District Commission Chairman Norman Sparks closed the joint public hearing.

 12/27/2018 7:26 PM Chairman, Park District Supervisor M. Todd Dishner called the Board of Supervisors Meeting back to order.

 12/27/2018 7:26 PM Chairman, Park District Supervisor M. Todd Dishner announced that Ed Whitmore, whom had worked and served Smyth County for many years had passed away. Several Board Members expressed their condolences and stated how fortunate they were to have worked with Mr. Whitmore.



12/27/2018 7:27 PM A motion was made by Rye Valley District Supervisor Rick K. Blevins to enter into closed session under Code of Virginia, Section 2.2-3711 – **Code of Virginia, Section 2.2-3711 A.1; Personnel Matters; Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body and A.5; Industrial/Business Prospects; discussion concerning a business or industry considering expansion with no previous announcement being made.** North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Judy Wyant.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Phil Stevenson, to adopt the following resolution certifying the business conducted in closed session as follows:

#### RESOLUTION

##### CERTIFICATION OF CLOSED SESSION

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

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

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

After consideration, the motion PASSED by the following vote:

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

Atkins District Supervisor Charles Atkins and  
Chilhowie District Supervisor R. Curtis Rhea.

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Judy Wyant.



12/27/2018 7:36 PM Meeting adjourned.

DRAFT