

BOARD OF SUPERVISORS



TUESDAY, AUGUST 11, 2020
5:00 P.M.

AGENDA

Tuesday, August 11, 2020
5:00 PM

5:00 CALL MEETING TO OPEN SESSION (Judy Wyant, Chair)
Invocation and Pledge of Allegiance

MINUTES OF PREVIOUS MEETINGS

Request adoption of the July 14, 2020 meeting minutes (Pg. 3-14)

FINANCIAL STATUS

Inform the Board of the County's financial status – Lisa Richardson

PAYMENT OF INVOICES

Consideration of appropriations and accounts payable as listed on the additional agenda

5:15 Citizen's Time

5:30 Public Hearing – Nuisance Complaint – 248 Bent Lane, Saltville – Clegg Williams
(Pg. 15-16)

- o Open Public Hearing
- o Reading of Public Hearing Notice
- o Read the Rules of Public Hearings/Motion to waive reading of the rules
- o Public Comment
- o Close Public Hearing

1. New Business

- a. FOIA Training 2020 (Pg. 17) – Lisa Richardson
- b. SRO Resolution (Pg. 18) – Aaron Sizemore
- c. Virginia Telecommunications Initiative (VATI) Application Update – Aaron Sizemore
- d. Committee Recommendations
 - 1. Personnel Committee – Judy Wyant, Chair (Pg. 19)
 - 2. Budget Committee – Charlie Atkins, Chair (Pg. 20)
 - 3. Appointment Committee – Judy Wyant, Chair (Pg. 21)
 - 4. Water and Sewer Committee – Lori Deel, Chair (Pg. 26-27)

2. Old Business

- a. Food Pantry CDBG Contract Items – Brian Reed, MRPDC (Pg. 28-39)
- b. VACO Annual Conference Update – Lisa Richardson (Pg. 40-41)

3. **Attorney Report – Scot Farthing**
4. **Supervisor Comment Time**
5. **Continue Meeting – August 27, 2020 at 7:00 p.m.**


The Smyth County Board of Supervisors held a regular meeting on Tuesday, July 14, 2020. 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: Chair, Judy Wyant, Royal Oak District Supervisor; Vice Chair Lori H. Deel, Rye Valley District Supervisor; Charles Atkins, Atkins District Supervisor; Wade H. Blevins Jr., Chilhowie District Supervisor; Kristopher S. Ratliff, Park District Supervisor (5)

ABSENT: Phil Stevenson, North Fork District Supervisor; Roscoe Call, Saltville District Supervisor (2)

STAFF: County Administrator Shawn Utt; Interim County Administrator Aaron Sizemore; Assistant County Administrator Lisa Richardson; Administrative Assistant Christy Bise (4)

OTHERS: Smyth County Sheriff's Deputy; Stephanie Porter Nichols with Smyth County News and Messenger

 7/14/2020 5:02 PM Chair, Royal Oak District Supervisor Judy Wyant called the meeting to order and welcomed everyone. She welcomed Mr. Utt to his first meeting in his new role as County Administrator. Lisa Richardson, Assistant County Administrator, led the pledge of allegiance and Kendra Hayden, Administrative Assistant, gave the invocation.

 7/14/2020 5:04 PM Atkins District Supervisor Charles Atkins made a motion to approve the minutes of the June 9, 2020 meeting. Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel
Chilhowie District Supervisor Wade H. Blevins Jr.,
Atkins District Supervisor Charles Atkins and
Park District Supervisor Kris Ratliff.

NAYS: None.

ABSTAINERS: None.

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

County Administration Fund:	\$5,000.00
Total County Appropriation (Plus Carryover):	\$1,854,000.00
Social Services	
(July 15 - 31, 2020)	\$365,000.00
(August 1 - 11, 2020)	\$60,000
Total Social Services:	\$425,000.00
Schools-Operating Fund	
Instruction	\$660,000.00
Administration, Attendance, & Health	\$80,000.00
Transportation	\$95,000.00
Facilities	\$400,000.00
School Food Service	\$350,000.00
Technology	\$100,000.00
Total School Operating Fund:	\$1,685,000.00
School Debt and Capital Outlay	\$700,000.00
School Textbook Fund	\$200,000.00
EDA Fund 4	\$15,000.00
Sheriff Dept Fund 748	\$266.41
Recovery Court Fund 749	\$182.77

Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: *Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel
Chilhowie District Supervisor Wade H. Blevins Jr.,
Atkins District Supervisor Charles Atkins and
Park District Supervisor Kris Ratliff.*

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson*

 7/14/2020 5:11 PM Chair, Royal Oak District Supervisor Judy Wyant opened citizen's time.

 7/14/2020 5:11 PM With no one wishing to speak, Chair, Royal Oak District Supervisor Judy Wyant closed citizen's time.



Smyth County, Virginia
127 Hagley Circle, Suite 110
Marion, VA 24374

Park District
Ken Ratliff

High Valley District
Loren Hill

Salvage District
Rescoe Call

North Fork District
Phil Stovall

Adams District
Charles Adams

Chilhowee District
Wade H. Hixson, Jr.

Upper Case District
L.G. Wooten

Maria Richardson
Assistant County Administrator

VDOT SMARTSCALE PROJECT RESOLUTION - 2020

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
US Route 11 at Rifton Drive

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 14 day of July, 2020,

Smyth County, Virginia

Motion by: Ratliff

Seconded by: Deel

Aye 5

Nay 0

Absent 2



Judy Wyant, Chair



Lisa Richardson, Clerk

Smyth County Board of Supervisors
P.O. (276) 783-3298 | Fax: (276) 783-9311 | www.smythcounty.org

**MEMORANDUM OF UNDERSTANDING BETWEEN
VIRGINIA'S INDUSTRIAL ADVANCEMENT ALLIANCE & SMYTH COUNTY**

WHEREAS, Virginia's Industrial Advancement Alliance, hereafter referred to as VIAA, has been created as an economic development partnership by the localities Smyth, Wythe, Grayson, Carroll, and Bland Counties and City of Galax; and

WHEREAS, Smyth County, has a need for economic development support services, administrative services and business retention and expansion

WHEREAS, VIAA, can provide assistance to Smyth County

NOW THEREFORE, Smyth and VIAA hereto do mutually agree as follows:

VIAA shall provide economic development support services from July 1, 2020 through June 30, 2021. The compensation to be paid to VIAA for the economic development services shall not exceed \$40,000 per year; however, if expenses exceed \$40,000, VIAA shall be allowed to submit additional invoices for actual expenses incurred.

The following services shall be provided:

Economic Development Services

- Under supervision of the VIAA Executive Director, VIAA will provide project management services that include all RFI and prospect opportunities for Pathway Park.
- Provide no fewer than 8 hours per week of economic development support services that focuses on local economic development initiatives and needs including marketing, data/research, planning, and project management.

Business Retention and Expansion

- Implement Business Retention and Expansion (BRE) Outreach Program under the Supervision of VIAA's Executive Director and in conjunction with locality
- Build and track meetings in a joint CRM system to ensure proper documentation of information gathered from meetings and surveys of regional employers. This information will be shared with the Chief Administrative Officer of Smyth County and to the IDA and BOS upon request.

This Memorandum of Understanding may be amended from time to time by written authorization of Smyth and VIAA and shall be subject to renegotiations if such amendment results in a change in the scope of services.

Smyth County Administrator: _____

VIAA Chairman: _____

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 vote:

*AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel
Chilhowie District Supervisor Wade H. Blevins Jr.,
Atkins District Supervisor Charles Atkins and
Park District Supervisor Kris Ratliff.*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson*

 7/14/2020 5:30 PM Chair, Royal Oak District Supervisor Judy Wyant noted that Mr. Farthing is out of town and no attorney report will be presented.

 7/14/2020 5:30 PM Chair, Royal Oak District Supervisor Judy Wyant opened supervisor comment time.

Park District Supervisor Kris Ratliff wanted to thank local law enforcement agencies, including Marion, Smyth County, Chilhowie, Saltville, Wytheville, Damascus, and Bristol, for their protection of Town property. He stated that the money spent outweighs the expense that could have possibly been incurred.

Atkins District Supervisor Charles Atkins also wanted to thank local law enforcement. He welcomed Mr. Utt to his new position and is anxious to see the County grow and get things going again after COVID is past.

Vice Chair, Rye Valley District Supervisor Lori Deel stated she had received calls from the Humane Society concerning the current operating status of animal control. Mr. Sizemore noted that the shelter is currently closed and not taking in animals due to lack of proper isolation since animals have been shown to be carriers of COVID. Ms. Deel read the following letter for the record at the request of one of her constituents:

*The Va Dept Of Health Should be inspecting these organized events to see
if these are being provided by these organizers*

*Legally you cant stop the protest but you can stop a organized event such as
these*

*These organized protest events not only have set back racist views back
(100) years but have widened the racial gap that was getting closer all
though slowly*

*It has also put fear into people minds that they are afraid to come to
Marion to shop in fear of being attacked by these protesters
Whether the violence happens here or some where else it is on there minds*

*I want to ask you a question I don't want a reply just ask you to
answer it in your own mind
When you see a protest on television or in the paper what is the first thing
that comes to mind
Is this a peaceful protest about Black Lives or is it what are they going
to burn ,loot or destroy this time*

*We are at a cross roads at this time in America
We are no close to a Race War it is scary if this doesn't come to a swift end
very soon
The end of this just as well start in Smyth County*

*This young boy has had his 15 minutes of fame enough is enough'
We have been very lucky that we have had no damage or no injuries (YET)
If this continues it will only just get worse its not whether it will happen
but when*

*I respectfully ask for me my family and all of the residents of Smyth County
that you put a end to this in Smyth County and let the healing begin*

I am sending this letter to the following

*Smyth County Board Of Supervisors
Town Of Marion
Town Of Chishowie
Town Of Saltville
Va Dept Of Health*

I hope this will be read into the record at your next meeting

Sincerely Robert J Owens

BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS

The Smyth County Board of Supervisors will conduct a public hearing in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia on Tuesday, August 11, 2020, at 5:30 P.M. or as soon thereafter to receive public input on whether the property referenced below constitutes a public nuisance as defined by Smyth County Code, Article 3, Section 20-64,:

248 Bent Lane, Saltville identified as Tax Map No. 31-A-22A.

Publication is required in cases where the property owner is unknown or the County has been unable to locate the owner. Those with an ownership interest in the property should contact Clegg Williams at 276-706-8315. Should the property be declared a public nuisance and the owner(s) do not file a plan to abate or raze the nuisance at his/her cost, the County will file a complaint with the Circuit Court and take action to remove the nuisance. The cost will be charged to the owner and is a lien against the property ranking on parity with real estate taxes. Failure to pay nuisance abatement charges may result in the property being sold for nuisance abatement costs as well as delinquent real estate taxes pursuant to Virginia Code §58.1-3965, (1950), as amended.

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

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

Done by order of the Board of Supervisors
Shawn Utt, County Administrator

Christy Bise

From: Lisa Richardson <lrichardson@smythcounty.org> on behalf of Lisa Richardson
Sent: Monday, July 13, 2020 12:03 PM
To: Christy Bise; County Administrator; sutt@smythcounty.org
Subject: FW: FOIA Training 2020

Christy
Please put this in the packet for the AUGUST 2020 meeting.
Thanks.
Lisa

From: Virginia FOIA Council <FOIA-NOTICE@LISTSERV.LEG.VIRGINIA.GOV> On Behalf Of FOIA Council
Sent: Wednesday, July 1, 2020 11:40 AM
To: FOIA-NOTICE@LISTSERV.LEG.VIRGINIA.GOV
Subject: FOIA Training 2020

To all interested parties:

The statutory provisions requiring FOIA training for FOIA officers and local elected officials have been amended effective today, July 1, 2020 (see §§ [2.2-3704.2](#) and [2.2-3704.3](#)). Please note that the training for local elected officials includes constitutional officers and the executive directors and members of industrial development authorities and economic development authorities as well as other local elected officials. The [FOIA Training](#) web page on the FOIA Council website has been updated to reflect the free training currently available, including links to online courses for both FOIA officers and local elected officials. Both versions of online training allow the user to print or save a certificate showing that the training has been completed.

For FOIA officers, please note the following changes:

Regional public bodies are now required to have FOIA officers, just as state and local public bodies are required to do;

Training for FOIA officers only needs to be completed once every two years instead of annually;
FOIA officers are no longer required to report their contact information to the FOIA Council each year. Instead, they are only required to report it when they first become FOIA officers and then update it if the information changes.

For local elected officials, please note that the training may be presented in-person or online either by the FOIA Council or the local government attorney for the public body. Those officials who hold office on July 1, 2020, have until December 31, 2020, to complete the training. Thereafter, training must be completed within two months of an official taking office. After the initial training, officials are required to receive FOIA training again once every two calendar years. The FOIA Council does not track who takes the online local elected officials training, so anyone who takes the local elected officials course will need to print or save their own certificates to document their training. That statute requires that clerks of local governing bodies and school boards keep records showing when the officials completed training for five years.

Other interested parties may take the free online FOIA training courses, but they are not required to do so.

Additionally, please note that COIA (Conflicts of Interest Act) training is a separate requirement from FOIA training. For information about COIA training, please contact the Virginia Conflict of Interest and Ethics Advisory Council (<http://ethics.dls.virginia.gov/>).

Please do not hesitate to contact us if you have any questions or need additional information.



New Conflicts of Interests training requirement for local elected officials

July 3, 2019



As of July 1, 2019, all local elected officials (including constitutional officers) are required to complete training on the Conflict of Interests Act once every two years.

This training is provided by the Virginia Conflict of Interest and Ethics Advisory Council and is now available on the Council's website: <http://ethics.dls.virginia.gov/>.

The online training consists of a 55-minute module including a question and answer section of the presentation.

Any local elected official who is already in office as of July 1, 2019, has until December 31, 2019, to complete their first training. Any local elected official who takes office after July 1, 2019, must take their first training within two months of assuming office. Documentation of each local elected official's training must be maintained by the clerk of the local governing body or school board.

VACo Contact: Phyllis Errico, Esq., CAE



A meeting of the Smyth County Personnel Committee was held at the County Office Building on Monday, August 3, 2020 at 2:00 p.m.

Committee Members Present:

Royal Oak District Supervisor Judy Wyant, Chair
Atkins District Supervisor, Charlie Atkins
Park District Supervisor Kris Ratliff (by phone)

Staff Members:

County Administrator, Shawn Utt
Assistant County Administrator, Lisa Richardson
Administrative Assistant, Christy Blise

Others Present:

Solid Waste Foreman, Wally Blevins

Chair, Royal Oak District Supervisor Judy Wyant called the meeting to order at 2:04 PM.

Shawn Utt discussed the Memorandum of Understanding (MOU) with Mount Rogers Planning District Commission for the continued services of Aaron Sizemore as a staff planner/project manager. The MOU outlines the services to be provided at a rate of \$2,000 a month for 16 hours of service per week. The funds for these services were included in the County's FY20-21 budget. Corrections were noted in the MOU to replace Town with County, include a beginning date, and to add a 30-day termination clause.

- *Atkins District Supervisor Charles Atkins made a motion to approve signing the MOU with Mt. Rogers PDC for the staff planner/project manager with the noted corrections. Park District Supervisor Kris Ratliff seconded the motion and it was unanimously approved.*

Shawn Utt informed the committee that several applications were received for the Emergency Management Coordinator position. After review of the applications, eight have been chosen for interviews. The interviews are scheduled to be held on August 20th. Judy Wyant requested copies of the eight applications be e-mailed to her.

Wally Blevins presented information on the job duties for the scale house operator. He is requesting that these duties be reviewed for consideration of a salary increase. Shawn Utt stated he would like to review the duties and look at creating a new job description for this position. The committee unanimously agreed for Mr. Utt to review the duties of this position and he will come back to the committee with a recommendation once completed.

Mr. Utt also noted he would be reviewing the County's organizational chart in the coming weeks.

With no further business to discuss, Atkins District Supervisor Charles Atkins made a motion to adjourn, seconded by Park District Supervisor Kris Ratliff. The meeting was adjourned at 2:23 PM.

A meeting of the Smyth County Appointment Committee was held at the County Office Building on Monday, August 3, 2020 at 3:15 p.m.

Committee Members Present:

Royal Oak District Supervisor Judy Wyant, Chair
Atkins District Supervisor, Charlie Atkins

Committee Members Absent:

Saltville District Supervisor Roscoe Call

Staff Members:

County Administrator, Shawn Utt
Interim County Administrator Aaron Sizemore
Assistant County Administrator, Lisa Richardson
Administrative Assistant, Christy Bise

Chair, Royal Oak District Supervisor Judy Wyant called the meeting to order at 3:15 PM.

The committee reviewed and discussed the status of district-specific and non-district specific appointments to various Boards and Committees.

(see attached memo from County Administrator Shawn Utt)

Appointment recommendations will be presented at the August 11, 2020 Board Meeting.

The meeting was adjourned at 4:05 PM.

NON-DISTRICT SPECIFIC APPOINTMENTS:

- **Appalachian Juvenile Commission** – The County Administrator serves as the County’s representative on this commission. Therefore, Board action is necessary to appoint Mr. Shawn Utt to serve with his term to be co-terminus with his employment.
- **District Three Governmental Cooperative** –Mr. Atkins has served for the past several years as the County’s representative but his term has expired. We also need to appoint an alternate to replace the expired term of Mr. Dishner. The Appointments Committee would like to recommend Dr. Ratliff to serve as the alternate with a term through August 31, 2021.
- **Emergency Services Communications Committee** – This committee is separate from the Board’s Emergency Communications Committee with two members serving along with Sheriff Shuler, a representative from the Fire Departments and 911 Coordinator to hear of general concerns from citizens and the public safety realm. The Appointments Committee would like to recommend Ms. Deel and Dr. Ratliff consider serving due to their presence on the Board’s Emergency Communications Committee. In addition, the County Administrator will need to be officially appointed to this committee. The terms would be through December 31, 2023.
- **Emergency Services Director** – Traditionally, one of the main roles of the County Administrator is to serve as the County’s Director of Emergency Services. When the appointment of Mr. Utt as County Administrator was made, it did not include his service as Director of Emergency Services. The Appointments Committee recommends making the official appointment at this time with his term to be co-terminus with his employment.
- **Energy Coordinator** – Again, a traditional role of a County Administrator is to serve as the Energy Coordinator. When the appointment of Mr. Utt as County Administrator was made, it did not include his service as County’s Energy Coordinator. The Appointments Committee recommends making the official appointment at this time with his term to be co-terminus with his employment.
- **Keep Southwest Virginia Beautiful** – Manuel Street has served as the County’s representative and his term recently expired. The Appointments Committee would like to recommend reappointing him to that position.
- **Smyth County Board of Building Code Appeals** – the terms for the 5-member board have expired. The members, Cameron Wolfe, Les Whitt, Bill Huber, Brian Reynolds and Jim May (as alternate) are recommended to be reappointed.
- **Marion Downtown** – the Board’s representative for the Marion Downtown committee was Todd Dishner. His term has expired and there is a need to continue to have a representative from the Board of Supervisors. Mr. Atkins has volunteered to serve and the Appointments Committee would recommend that he be reappointed to serve a term through August 31, 2021.
- **Mount Rogers PDC Regional Hazard Mitigation Plan Advisory Committee** – In the past, the County Administrator has served as the County’s representative on this committee along with the Emergency Management Coordinator. The Appointments Committee recommends the appointment of Shawn Utt with a term that is co-terminus with his employment.

- **Wytheville Community College** – the term of Charles Clatterbuck has expired and he is not eligible for reappointment since he has served two consecutive terms. The Appointments Committee discussed the requirements from WCC for Board members and Mr. Atkins was going to reach out to a prospective candidate to gauge his possible interest in serving. If he was successful and the Board chooses to proceed, the term for this appointment would be through June 30, 2024.

to be put in the renter's name and it passed with a 5-1 vote. It was reconsidered a few months later and resulted in a 3-3 vote with 1 abstention. Ms. Walters informed the committee that the County's water department does allow water/sewer accounts to be put in the tenant's name with \$150 deposit, if requested by the tenants and agreed to by the land owner. Signed waivers are required. Committee members felt this policy voted on in 2008 had been presented back to the Board and overturned. The committee asked that the records be checked to confirm. Mr. Martin stated that as long as the County was allowing tenants to put applications in their name, the County would be in compliance with Virginia Code.

Mrs. Richardson asked the committee to consider, given the current state of emergency due to the COVID-19 pandemic, the status of the \$50 cut-off fees since March 2020 that are charged each month the water/sewer bills are not paid.

- *After discussion by the committee, North Fork District Supervisor Phil Stevenson made a motion to waive the \$50 monthly service fee, but not the water usage fees or penalties, on bills paid prior to August 31, 2020. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

The meeting was adjourned at 2:39 p.m.

Smyth County

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION PLAN

Smyth County will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate-income dwelling unit as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended. All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion.

Before obligating or expending funds that will directly result in such demolition or conversion, the County will make public and advise the state that it is undertaking such an activity and will submit to the state, in writing, information that identifies:

- (1) a description of the proposed assisted activity;
- (2) the general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
- (3) a time schedule for the commencement and completion of the demolition or conversion;
- (4) the general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
- (5) the source of funding and a time schedule for the provision of replacement dwelling units;
- (6) the basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and
- (7) information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low- and moderate-income households in the jurisdiction.

Smyth County will provide relocation assistance to each low/moderate-income household displaced by the demolition of housing or by the direct result of assisted activities. Such assistance shall be that provided under Section 104 (d) of the Housing and Community Development Act of 1974, as amended, or the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

**SMYTH COUNTY
LOCAL BUSINESS AND EMPLOYMENT PLAN**

1. Smyth County designates as its Local Business and Employment Project area the boundaries of Smyth County.
2. The County, its contractors, and designated third parties shall in utilizing Community Improvement Grant funds utilize businesses and lower income residents of the project area in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for work and for procurement of materials, equipment or services of the County, its contractors, designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by the persons residing in the Project Area are:

a) The County shall ascertain what work and procurement are likely to take place through the use of Community Development Block Grant (CDBG) Funds.

b) The County shall ascertain through various and appropriate sources including

The Smyth County News & Messenger

Bristol Herald Courier

Project Area Newspapers of General Circulation

the business concerns within the Project Area which are likely to provide materials, equipment and services which will be utilized in the activities funded through the CDBG grant.

c) The identified business concerns shall be apprised of opportunities to submit bids, quotes or proposals for work or procurement contracts which utilize CDBG funds.

d) To the greatest extent feasible the identified business and any other project area business concerns shall be utilized in activities, which are funded with CDBG funds.

4. In the utilization of trainees or employees for activities funded through CDBG grants, Smyth County its contractors and designated third parties shall take the following steps to utilize lower income persons residing in the Project Area.

a) The County in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees, which are likely to be utilized during the project by CDBG funds.

b) The County shall advertise through the following sources

The Smyth County News & Messenger

Bristol Herald Courier

Project Area Newspaper of General Circulation

the availability of such positions with the information on how many to apply.

Fair Housing Certification

Compliance with Title VIII of the Civil Rights Act of 1968

Whereas, Smyth County has been offered and intends to accept federal funds authorized under the Housing and Community Development Act of 1974, as amended, and

Whereas, recipients of funding under the Act are required to take action to affirmatively further fair housing;

Therefore, Smyth County agrees to take at least one action to affirmatively further fair housing each grant year, during the life of its project funded with Community Development Block Grant funds. The action taken will be selected from a list provided by the Virginia Department of Housing and Community Development.

Alicia Richardson, Assistant County Administrator

Judy Wyant, Chair

Date

**Environmental Review
for Activity/Project that is Exempt or
Categorically Excluded Not Subject to Section 58.5
Pursuant to 24 CFR Part 58.34(a) and 58.35(b)**

Project Information

Project Name: Smyth County Food Pantry Assistance Project

Responsible Entity: Smyth County Virginia

Grant Recipient (if different than Responsible Entity):

State/Local Identifier:

Preparer: Brian J. Reed, MRPDC Staff

Certifying Officer Name and Title: Shawn Utt, County Administrator

Consultant (if applicable):

Project Location: Atkins, Chilhowie, Marion, Saltville

Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.25]:

Purchase and provide equipment, supplies, and materials necessary to support four food pantries to carry out a public service of alleviating food insecurity for up to 2000 people.

Level of Environmental Review Determination:

Activity/Project is Exempt per 24 CFR 58.34(a): Purchases only no construction

Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b):

Funding Information

Grant Number	HUD Program	Funding Amount
20-20-24 UN/Cov19	CDBG	\$440.000

responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure

Preparer Signature: _____ Date: _____

Name/Title/Organization: _____

Responsible Entity Agency Official Signature:

_____ Date: _____

Name/Title: _____

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

8. These rules shall be constructed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that County complies with Section 504 and the HUD regulations.

Adopted by the Smyth County Board of Supervisors on _____, 2020.

Alicia Richardson, Assistant County Administrator

Judy Wyant, Chair

The virtual Annual Conference will take place on November 9-11. An agenda, a registration form and other information will be available soon.

We're confident we will develop a virtual Annual Conference that retains the energy, education, and engagement that have always been the hallmark of our in-person conference.

We want to thank the Hilton Norfolk The Main and the Norfolk Waterside Marriott for working with us through our decision process. We were really looking forward to experiencing the hospitality and world-class facilities and amenities of our host hotel - The Main.

If you booked a room at either hotel, please allow some time for the hotel to cancel your reservation and process your refund. No action is necessary on your part.

Please don't hesitate to contact [Valerie Russell](#) or [Karie Walker](#) with any questions or concerns.

Can't wait to see you in November! Stay safe and take care.

Virginia Association of Counties | 1207 East Main Street, Richmond, VA 23219

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