

# BOARD OF SUPERVISORS



TUESDAY, JUNE 9, 2020  
5:00 P.M.

# AGENDA

Tuesday, June 9, 2020

5:00 PM

## **5:00 CALL MEETING TO OPEN SESSION (Judy Wyant, Chair)**

Invocation and Pledge of Allegiance

## **MINUTES OF PREVIOUS MEETINGS (Pg. 3-35)**

Request adoption of the May 12<sup>th</sup>, May 18<sup>th</sup>, and May 28<sup>th</sup>, 2020 meeting minutes

## **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 CITIZENS TIME**

## **5:25 Smyth Strong Loan Pool Fund Update – Kendra Hayden**

## **PUBLIC HEARINGS**

### **5:30 Public Hearing – Smyth County Public Schools FY20-21 Budget (Pg. 36)**

### **6:00 Public Hearing – Konnarock/Green Cove/Laurel Valley Festival Application (Pg. 38)**

### **6:15 Public Hearing – Rich Valley Fair Festival Application (Pg. 39)**

### **6:30 Public Hearing – Proposed Ordinance Amendment (Pg. 40)**

#### **1. New Business**

a. CDBG COVID-19 Grant – Aaron Sizemore (Pg. 41-43)

b. Lee Highway Sewer Connection – Lori Deel

#### **2. Old Business**

a. CARES Coronavirus Relief Funds – Aaron Sizemore (Pg. 44-66)

3. **Committee Recommendations**

a. **Building and Grounds Committee – Lori Deel, Chair (Pg. 67)**

b. **Budget Committee – Charlie Atkins, Chair**

4. **Attorney Report – Scot Farthing**

5. **Budget Adoption Procedure – Aaron Sizemore**

6. **Closed Session**

Code of Virginia, Section 2.2-3711 A.1: Personnel: Consideration of employment of a new County Administrator

7. **Supervisor Comment Time**

The Smyth County Board of Supervisors held a regular meeting on Tuesday, May 12, 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.


 5/12/2020 5:08 PM Chairman, Royal Oak District Judy Wyant called the meeting to order and welcomed everyone.

**PRESENT:** Chair, Judy Wyant, Royal Oak District Supervisor; Vice-Chair Lori H. Deel, Rye Valley District Supervisor (electronically); Charles Atkins, Atkins District Supervisor; Wade H. Blevins Jr., Chilhowie District Supervisor; Phil Stevenson, North Fork District Supervisor; Kristopher S. Ratliff, Park District Supervisor (electronically); Roscoe Call, Saltville District Supervisor (electronically) (7)


**ABSENT:** None


**STAFF:** Interim County Administrator Aaron Sizemore; Assistant County Administrator Lisa Richardson; County Attorney Scot Farthing (electronically); Administrative Assistant Christy Bise

**OTHERS:** Sheriff Chip Shuler; Stephanie Porter Nichols with Smyth County News and Messenger

 5/12/2020 5:08 PM Chair, Royal Oak District Supervisor Judy Wyant opened the public hearing on the amendments to the FY19-20 budget which would increase the adopted budget to \$90,484,539.


Interim County Administrator Aaron Sizemore noted, since the building is currently closed to the public, an e-mail account had been set up for citizens to submit any comments via e-mail prior to the public hearing. No comments were received.

 5/12/2020 5:10 PM With no public comments and no comments from the Board, Chair, Royal Oak District Supervisor Judy Wyant closed the public hearing.

 5/12/2020 5:10 PM Atkins District Supervisor Charles Atkins made a motion to waive the reading of the rules for the public hearing. Vice-Chair Rye Valley District Supervisor Lori Deel seconded the motion.


After consideration, the motion PASSED by the following roll-call vote:

<b>AYES:</b>	Atkins District Supervisor – Charles Atkins North Fork District Supervisor – Phil Stevenson Park District Supervisor – Kris Ratliff Royal Oak District Supervisor – Judy Wyant Rye Valley District Supervisor – Lori Deel Saltville District Supervisor – Roscoe D. Call
<b>NAYES:</b>	Chilhowie District Supervisor – Wade H. Blevins Jr.
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

 5/12/2020 5:11 PM Interim County Administrator Aaron Sizemore asked if the Board would like to waive the rules and consider adopting the amended budget at tonight's meeting. Atkins District Supervisor Charles Atkins made a motion to waive the rules and vote on the amended budget. Rye Valley District Supervisor Lori Deel seconded the motion.


After consideration, the motion PASSED by the following roll-call vote:

<b>AYES:</b>	Atkins District Supervisor – Charles Atkins Park District Supervisor – Kris Ratliff Royal Oak District Supervisor – Judy Wyant Rye Valley District Supervisor – Lori Deel Saltville District Supervisor – Roscoe D. Call
<b>NAYES:</b>	Chilhowie District Supervisor – Wade H. Blevins Jr. North Fork District Supervisor – Phil Stevenson
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

 5/12/2020 5:13 PM Interim County Administrator Aaron Sizemore called for a vote to accept the amended FY19-20 budget as presented in the public hearing.

After consideration, the motion PASSED by the following roll-call vote:

<b>AYES:</b>	Atkins District Supervisor – Charles Atkins Park District Supervisor – Kris Ratliff Royal Oak District Supervisor – Judy Wyant Rye Valley District Supervisor – Lori Deel Saltville District Supervisor – Roscoe D. Call
<b>NAYES:</b>	Chilhowie District Supervisor – Wade H. Blevins Jr. North Fork District Supervisor – Phil Stevenson
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None


 5/12/2020 5:15 PM Interim County Administrator Aaron Sizemore presented the following budget committee recommendations from the March 26, 2020 meeting:

- Victim Witness Program – transfer \$3,500 from 22011-1002 Part-time salaries and 22011-2001 FICA to 22011-5401 Office Supplies and Equipment
- Sheriff's Office – transfer \$30,000 from 011010-9008 Board Emergency Funds to 21070-5408 Vehicle and Power Equipment
- Aid to Localities Fire Programs – transfer \$2,990 from 011010-9008 Board Emergency Funds to 032020-5604-7 Fire Program Fund

After consideration, the motion PASSED by the following roll-call vote:

<b>AYES:</b>	Atkins District Supervisor – Charles Atkins Park District Supervisor – Kris Ratliff
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	Royal Oak District Supervisor – Judy Wyant
	Rye Valley District Supervisor – Lori Deel
	Saltville District Supervisor – Roscoe D. Call
<b>NAYES:</b>	Chilhowie District Supervisor – Wade H. Blevins Jr.
	North Fork District Supervisor – Phil Stevenson
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

 5/12/2020 5:18 PM Interim County Administrator Aaron Sizemore presented the following budget committee recommendations from the May 7, 2020 meeting.

**Circuit Court Clerk's Office - \$3,918.74**

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
001-021060-3005 (Services Contracts-Maintenance)	001-021060-1003 (Part-time Wages)	\$137.03
001-021060-3006 (Printing and Binding)	001-021060-1003 (Part-time Wages)	\$626.19
001-021060-5401 (Office Supplies)	001-021060-1003 (Part-time Wages)	\$1,809.20
001-021060-5501 (Travel Mileage)	001-021060-1003 (Part-time Wages)	\$294.32
001-021060-5504 (Travel Conference)	001-021060-1003 (Part-time Wages)	\$50.00
001-021060-5201 (Postal)	001-021060-1003 (Part-time Wages)	\$1,002.00

**Commonwealth Attorney's Office - \$250.00**

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
001-022010-5505 (Travel/Subsistencies )	001-022010-5801 (Dues)	\$250.00

**Maintenance Department - \$4,000.00**

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
001-043020-5101 (Courthouse Electrical)	001-043020-3004 (Courthouse Repair and Maintenance)	\$1,000.00
001-043020-5101 (Courthouse Electrical)	001-043020-5405 (Courthouse Janitorial)	\$1,000.00
001-043040-5101 (County Bldg Electrical)	001-043040-5407 (County Bldg Repair & Maintenance)	\$1,000.00
001-043040-5101 (County Bldg Electrical)	001-043040-5405	\$500.00
001-043040-5101 (County Bldg Electrical)	001-043030-5103 (County Bldg Water/Sewer)	\$500.00

**Water and Sewer Department - \$5,818.00**

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
501-085060-0010 (Vehicle Purchase)	501-085010-5405 (Maintenance)	\$5,818.00

**Circuit Court - \$500.00**

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
001-021010-5806 (Research-Legal Clerk)	001-021010-3005 (Service Contracts-Maintenance)	\$150.00
001-021010-5806 (Research-Legal Clerk)	001-021010-5201 (Postal Services)	\$110.00
001-021010-5806 (Research-Legal Clerk)	001-021010-5401 (Office Supplies)	\$240.00

**Commissioner of Revenue - \$4,844.96**

Approved tax relief refund for a 100% disabled American Veteran.

**MRPDC Water Grant Refund - \$30,000**

Increase both the revenue and expenditures to meet the local match requirements.

**Pre-Audit Services**

Recommendation to award the pre-audit services contract to Hicok, Fern and Brown

After consideration, the motion PASSED by the following roll-call vote:

<b>AYES:</b>	Atkins District Supervisor – Charles Atkins Chilhowie District Supervisor – Wade H. Blevins Jr. North Fork District Supervisor – Phil Stevenson Park District Supervisor – Kris Ratliff Royal Oak District Supervisor – Judy Wyant Rye Valley District Supervisor – Lori Deel
<b>NAYES:</b>	None
<b>ABSTAIN:</b>	Saltville District Supervisor – Roscoe D. Call
<b>ABSENT:</b>	None


Atkins District Supervisor Charles Atkins wanted to clarify the original request from the Commonwealth Attorney's office. It was submitted for \$500 to come from a reimbursed line item and be transferred to a non-reimbursable County line. The item was tabled at the budget committee meeting to obtain further clarification. The Commonwealth Attorney's office resubmitted the request for \$250 to be transferred from one County line item to another. Atkins District Supervisor Charles Atkins made a motion to approve the transfer as submitted from Travel/Subsistencies to Dues. Rye Valley District Supervisor Lori Deel seconded the motion.


After consideration, the motion PASSED by the following roll-call vote:

<b>AYES:</b>	Atkins District Supervisor – Charles Atkins Chilhowie District Supervisor – Wade H. Blevins Jr. North Fork District Supervisor – Phil Stevenson Park District Supervisor – Kris Ratliff
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	Royal Oak District Supervisor – Judy Wyant
	Rye Valley District Supervisor – Lori Deel
	Saltville District Supervisor – Roscoe D. Call
<b>NAYES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

 5/12/2020 5:24 PM Interim County Administrator Aaron Sizemore presented information from the building and grounds committee concerning the relocation of the Voter Registrar's Office due to early and expanded absentee voting requirements. The committee instructed Mr. Sizemore to contact the owner of the old Food Country building, Ralph Price, to obtain more information about that site. Mr. Sizemore toured the building and gathered space, parking, cost, and rental income information from Mr. Price and presented it back to the committee. The committee motioned for an RFP to be put out for office space to house the Voter Registrar's Office and it concludes on May 22, 2020. Mr. Sizemore will present the results of the RFP at the next board meeting.

 5/12/2020 5:26 PM Chair, Royal Oak District Supervisor Judy Wyant asked for a motion to approve the minutes from the March 10, 2020, April 15, 2020, and April 21, 2020 Board of Supervisors meetings. She noted a correction to the April 21<sup>st</sup> minutes where Mr. Ratliff was listed under the wrong supervisor area. Park District Supervisor Kris Ratliff made a motion to approve the minutes as presented with the noted correction. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following roll-call vote:

<b>AYES:</b>	Atkins District Supervisor – Charles Atkins
	Chilhowie District Supervisor – Wade H. Blevins Jr.
	Park District Supervisor – Kris Ratliff
	Royal Oak District Supervisor – Judy Wyant
	Rye Valley District Supervisor – Lori Deel
	Saltville District Supervisor – Roscoe D. Call
<b>NAYES:</b>	None
<b>ABSTAIN:</b>	North Fork District Supervisor – Phil Stevenson
<b>ABSENT:</b>	None


 5/12/2020 5:28 PM Two substitute representative appointments were presented for the Board of Equalization – Lou Don and Greg Armstrong. A motion was made by Atkins District Supervisor Charles Atkins to approve the two appointments. The motion was seconded by North Fork District Supervisor Phil Stevenson.

After consideration, the motion PASSED by the following roll-call vote:

<b>AYES:</b>	Atkins District Supervisor – Charles Atkins
	Chilhowie District Supervisor – Wade H. Blevins Jr.
	North Fork District Supervisor – Phil Stevenson
	Park District Supervisor – Kris Ratliff
	Royal Oak District Supervisor – Judy Wyant




	Rye Valley District Supervisor – Lori Deel
	Saltville District Supervisor – Roscoe D. Call
<b>NAYES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

 5/12/2020 5:29 PM Mr. Sizemore noted that the rate of pay will need to be set for the Board of Equalization representatives. The current rate is \$100 per day and \$50 for three hours or less. Atkins District Supervisor Charles Atkins made a motion to continue with the same rates. Park District Supervisor Kris Ratliff seconded the motion.


After consideration, the motion PASSED by the following roll-call vote:

<b>AYES:</b>	Atkins District Supervisor – Charles Atkins
	Chilhowie District Supervisor – Wade H. Blevins Jr.
	North Fork District Supervisor – Phil Stevenson
	Park District Supervisor – Kris Ratliff
	Royal Oak District Supervisor – Judy Wyant
	Rye Valley District Supervisor – Lori Deel
	Saltville District Supervisor – Roscoe D. Call
<b>NAYES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

 5/12/2020 5:30 PM North Fork District Supervisor Phil Stevenson made a motion to reappointment Patsy Waddle to the Social Services Board. He commended Ms. Waddle for doing an outstanding job during her previous term. The motion was seconded by Chilhowie District Supervisor Wade Blevins.

After consideration, the motion PASSED by the following roll-call vote:


<b>AYES:</b>	Atkins District Supervisor – Charles Atkins
	Chilhowie District Supervisor – Wade H. Blevins Jr.
	North Fork District Supervisor – Phil Stevenson
	Park District Supervisor – Kris Ratliff
	Royal Oak District Supervisor – Judy Wyant
	Rye Valley District Supervisor – Lori Deel
	Saltville District Supervisor – Roscoe D. Call
<b>NAYES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

 5/12/2020 5:31 PM Chair Royal Oak District Supervisor Judy Wyant nominated Rye Valley District Supervisor Lori Deel to serve on the New River Mount Rogers Workforce Development Board. Atkins District Supervisor Charles Atkins made a motion to approve this appointment. Chilhowie District Supervisor Wade Blevins seconded the motion.

After consideration, the motion PASSED by the following roll-call vote:

**AYES:** Atkins District Supervisor – Charles Atkins  
Chilhowie District Supervisor – Wade H. Blevins Jr.  
North Fork District Supervisor – Phil Stevenson  
Park District Supervisor – Kris Ratliff  
Royal Oak District Supervisor – Judy Wyant  
Rye Valley District Supervisor – Lori Deel  
Saltville District Supervisor – Roscoe D. Call

**NAYES:** None  
**ABSTAIN:** None  
**ABSENT:** None


 5/12/2020 5:32 PM Atkins District Supervisor Charles Atkins made a motion to appoint Patton Graham, 111 N. Park Street, Marion, VA, to the Smyth County Public Library Board effective immediately. Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following roll-call vote:

**AYES:** Atkins District Supervisor – Charles Atkins  
Park District Supervisor – Kris Ratliff  
Royal Oak District Supervisor – Judy Wyant  
Rye Valley District Supervisor – Lori Deel  
Saltville District Supervisor – Roscoe D. Call

**NAYES:** Chilhowie District Supervisor – Wade H. Blevins Jr.  
North Fork District Supervisor – Phil Stevenson


**ABSTAIN:** None  
**ABSENT:** None

 5/12/2020 5:33 PM Rye Valley District Supervisor Lori Deel made a motion to appoint Angie Blevins to the Social Services Board. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following roll-call vote:


**AYES:** Atkins District Supervisor – Charles Atkins  
Chilhowie District Supervisor – Wade H. Blevins Jr.  
North Fork District Supervisor – Phil Stevenson  
Park District Supervisor – Kris Ratliff  
Royal Oak District Supervisor – Judy Wyant  
Rye Valley District Supervisor – Lori Deel  
Saltville District Supervisor – Roscoe D. Call

**NAYES:** None  
**ABSTAIN:** None  
**ABSENT:** None

 5/12/2020 5:36 PM A motion was made by Rye Valley District Supervisor Lori Deel to schedule the public hearing for the Konnarock Green Cove festival permit on June 9, 2020 at 6:00 p.m. The motion was seconded by Chilhowie District Supervisor Wade Blevins.


After consideration, the motion PASSED by the following roll-call vote:


<b>AYES:</b>	Atkins District Supervisor – Charles Atkins Chilhowie District Supervisor – Wade H. Blevins Jr. North Fork District Supervisor – Phil Stevenson Park District Supervisor – Kris Ratliff Royal Oak District Supervisor – Judy Wyant Rye Valley District Supervisor – Lori Deel Saltville District Supervisor – Roscoe D. Call
<b>NAYES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

 5/12/2020 5:37 PM A motion was made by North Fork District Supervisor Phil Stevenson to schedule the public hearing for the Rich Valley Fair permit on June 9, 2020 at 6:15 p.m. The motion was seconded by Saltville District Supervisor Roscoe Call.

After consideration, the motion PASSED by the following roll-call vote:

<b>AYES:</b>	Atkins District Supervisor – Charles Atkins Chilhowie District Supervisor – Wade H. Blevins Jr. North Fork District Supervisor – Phil Stevenson Park District Supervisor – Kris Ratliff Royal Oak District Supervisor – Judy Wyant Rye Valley District Supervisor – Lori Deel Saltville District Supervisor – Roscoe D. Call
<b>NAYES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

 5/12/2020 5:39 PM Attorney Report – County Attorney Scot Farthing stated that he had nothing to report at this time.

 5/12/2020 5:39 PM Interim County Administrator Aaron Sizemore presented a certification of receipt of coronavirus relief funds from the Commonwealth of Virginia for consideration. The county's portion would be a little over \$2.6 million and the money can only be spent towards expenditures incurred due to the pandemic between March 1, 2020 and December 30, 2020. Any funds not used by the end of December will have to be returned. Once the relief money hits the general fund, the Board of Supervisors will determine how to use the funds and comply with the spending specifications. The portion of these funds going to the towns will be distributed through the County based on population. The deadline to apply for the funds is May 22, 2020. Atkins District Supervisor Charles Atkins made a motion to sign the certification to apply for the coronavirus relief funds. Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following roll-call vote:

**AYES:** Atkins District Supervisor – Charles Atkins  
Chilhowie District Supervisor – Wade H. Blevins Jr.  
North Fork District Supervisor – Phil Stevenson  
Park District Supervisor – Kris Ratliff  
Royal Oak District Supervisor – Judy Wyant  
Rye Valley District Supervisor – Lori Deel  
Saltville District Supervisor – Roscoe D. Call

**NAYES:** None

**ABSTAIN:** None

**ABSENT:** None

**CERTIFICATION for RECEIPT of  
CORONAVIRUS RELIEF FUND PAYMENTS  
by  
SMYTH COUNTY, VIRGINIA**

We the undersigned represent **SMYTH COUNTY, VIRGINIA**  
(the locality), and we certify that:

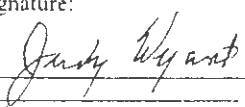
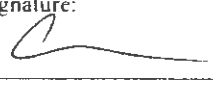
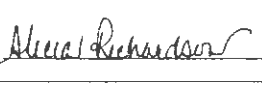
1. we have the authority to request direct payment on behalf of the locality from the Commonwealth of Virginia of revenues from the Coronavirus Relief Fund (CRF) pursuant to section 601(b) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020).
2. we understand that the Commonwealth of Virginia will rely on this certification as a material representation in making a direct payment to the locality.
3. the locality's proposed uses of the funds received as direct payment from the Commonwealth of Virginia under section 601(b) of the Social Security Act will be used only to cover those costs that:
  - a. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
  - b. were not accounted for in the budget most recently approved as of March 27, 2020, for the locality; and
  - c. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.
4. any funds that are not expended or that will not be expended on necessary expenditures on or before December 30, 2020, by the locality or its grantee(s), must be returned to Commonwealth of Virginia no later than December 30, 2020, and that the Commonwealth of Virginia is entitled to invoke state aid intercept to recover any such unexpended funds that have not been returned to the Commonwealth within 30 days of December 30, 2020.
5. we understand that the locality will not receive continued funding beyond December 30, 2020, from any source to continue paying expenses or providing services that were initiated or previously supported from CRF funds prior to December 30, 2020.
6. funds received as a direct payment from the Commonwealth of Virginia pursuant to this certification must adhere to official federal guidance issued or to be issued regarding what constitutes a necessary expenditure.
7. any CRF funds expended by the locality or its grantee(s) in any manner that does not adhere to official federal guidance shall be returned to the Commonwealth of Virginia within 30 days of a finding that the expenditure is disallowed, and that the Commonwealth of Virginia is entitled to invoke state aid intercept to recover any and all such funds that are not repaid within 30 days of a finding that the expenditure is disallowed.
8. as a condition of receiving the CRF funds pursuant to this certification, the locality shall retain documentation of all uses of the funds, including but not limited to payroll time records, invoices, and/or sales receipts. Such documentation shall be produced to the Commonwealth of Virginia upon request.
9. the locality must maintain proper accounting records to segregate these expenditures from those supported by other fund sources and that all such records will be subject to audit.

10. any funds provided pursuant to this certification cannot be used as a revenue replacement for lower than expected revenue collections from taxes, fees, or any other revenue source.
11. any CRF funds received pursuant to this certification will not be used for expenditures for which the locality has received funds from any other emergency COVID-19 supplemental funding (whether state, federal, or private in nature) for that same expense nor may CRF funds be used for purposes of matching other federal funds unless specifically authorized by federal statute, regulation, or guideline.

**For counties only**

12. an equitable share of CRF funds received pursuant to this certification shall be shared with and granted to each town within its jurisdiction. Such grant(s) shall be used solely for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), that were not accounted for in the budget most recently approved as of March 27, 2020, and that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. The county issuing the grant is responsible for the ensuring compliance with the documentation requirements required by this certification and shall ensure that the use of the funds meets the requirements set forth in this certification.

We certify that we have read the above certification and our statements contained herein are true and correct to the best of our knowledge.

By: Judy Wyant	By: Aaron Sizemore	By: Lisa Richardson
Signature: 	Signature: 	Signature: 
Title: Chair	Title: Interim County Administrator	Title: Assist. County Administrator
Date: 5/12/2020	Date: 5/13/2020	Date: 5-13-2020

 5/12/2020 5:42 PM Rye Valley District Supervisor Lori Deel made a motion to approve the payment of invoices as listed on the additional agenda. Park District Supervisor Kris Ratliff seconded the motion.


After consideration, the motion PASSED by the following roll-call vote:


**AYES:** Chilhowie District Supervisor – Wade H. Blevins Jr.  
North Fork District Supervisor – Phil Stevenson  
Park District Supervisor – Kris Ratliff  
Royal Oak District Supervisor – Judy Wyant  
Rye Valley District Supervisor – Lori Deel  
Saltville District Supervisor – Roscoe D. Call

**NAYES:** None

**ABSTAIN:** Atkins District Supervisor – Charles Atkins

**ABSENT:** None

 5/12/2020 5:44 PM Interim County Administrator Aaron Sizemore presented information on the RFP for forensic audit services. Two responses were received back from the RFP – one did not specify a price and the other was for an alternative to the RFP which was not accurate in what was advertised. The Board discussed the necessity and expense of a forensic audit and felt the current audit process was sufficient, but any vague areas should be looked at in more detail for the protection of the Board, the County, and its employees. The Board would also like to see clearer communication with the auditors. The Board agreed by consensus to table the matter for now, finish out the current fiscal year with the audit process that's already in place, and then analyze further once the audit is complete.

 5/12/2020 5:52 PM Interim County Administrator Aaron Sizemore reported that there were no responses to the full-time attorney RFP. The County currently has two attorneys on retainer – Mr. Farthing and Patton Graham – who are keeping all current legal matters up-to-date. Mr. Farthing stated that he would like to keep working with the County and is willing to reduce his rate to \$200 per hour to help with a new County Administrator coming on-board. North Fork District Supervisor Phil Stevenson made a motion to continue working with Mr. Farthing at a rate of \$200 per hour. Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following roll-call vote:

**AYES:** Atkins District Supervisor – Charles Atkins  
North Fork District Supervisor – Phil Stevenson  
Park District Supervisor – Kris Ratliff  
Royal Oak District Supervisor – Judy Wyant  
Rye Valley District Supervisor – Lori Deel  
Saltville District Supervisor – Roscoe D. Call

**NAYES:** Chilhowie District Supervisor – Wade H. Blevins Jr.

**ABSTAIN:** None

**ABSENT:** None

 5/12/2020 5:59 PM Supervisor Comment Time

Park District Supervisor Kris Ratliff urged everyone to be safe and support local business.



Saltville District Supervisor Roscoe Call said for everyone to be safe and he hoped to see everyone in person at the next meeting.

Rye Valley District Supervisor Lori Deel read a resolution in support of the 2020 graduates. Royal Oak District Supervisor Judy Wyant said the Board would like to do something special for the graduates and asked for ideas. Rye Valley District Supervisor Lori Deel made a motion to adopt the resolution. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following roll-call vote:

<b>AYES:</b>	Atkins District Supervisor – Charles Atkins Chilhowie District Supervisor – Wade H. Blevins Jr. North Fork District Supervisor – Phil Stevenson Park District Supervisor – Kris Ratliff Royal Oak District Supervisor – Judy Wyant Rye Valley District Supervisor – Lori Deel Saltville District Supervisor – Roscoe D. Call
<b>NAYES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None



Smyth County, Virginia  
121 Bagley Circle, Suite 100  
Marion, VA 24354

Royal Oak District  
Judy Wyant (Chair)

Rye Valley District  
Lori Deel (Vice Chair)

Saltville District  
Roscoe Call

North Fork District  
Phil Stevenson

Atkins District  
Charles Atkins

Chilhowie District  
Wade Blevins, Jr.

Park District  
Kris Ratliff

Aaron Sizemore  
Interim County Administrator

Alicia Richardson  
Assistant County Administrator

## RESOLUTION

WHEREAS, the COVID-19 pandemic has wreaked havoc across the world, and created unprecedented, historical times as millions of people have been infected with the horrible virus; and

WHEREAS, the COVID-19 pandemic has created times of uncertainty and new challenges for the education system, forcing teachers to develop new ways of teaching students and forcing students to adapt to new ways of learning; and

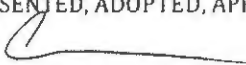
WHEREAS, the COVID-19 pandemic has introduced a "new normal", filled with numerous challenges, it did not stop the Senior Class of 2020 from accomplishing their goal of graduating; and

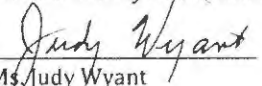
WHEREAS, the Senior Class of 2020 is now part of history, as they have adapted to changes, persisted in completing assignments, and managed to obtain diplomas during this unprecedented time; and

WHEREAS, by resolution, the Smyth County Board of Supervisors would like to recognize and commend the Class of 2020 from Chilhowie High School, Marion Senior High School, and Northwood High School.

NOW THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors hereby, congratulates all graduating Seniors in Smyth County and wishes them well on all endeavors.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 12<sup>th</sup> day of May, 2020.

  
Mr. Aaron Sizemore  
Interim County Administrator

  
Ms. Judy Wyant  
Chairperson  
Smyth County Board of Supervisors


Smyth County Board of Supervisors  
Ph. (276) 783-3298 | Fax (276) 783-9314 | [www.smythcounty.org](http://www.smythcounty.org)

Chilhowie District Supervisor Wade Blevins urged everyone to stay safe.

North Fork District Supervisor Phil Stevenson had no comment.

Chair, Royal Oak District Supervisor Judy Wyant ordered a called meeting of the Board on Monday, May 18, 2020 at 5:00 p.m. for discussion concerning the County Administrator position. She also stated that we want to keep the County as safe as possible during this time and also asked for support of local business.

Atkins District Supervisor Charles Atkins noted that reports show water losses are going down and hopes that trend continues.


 5/12/2020 6:06 PM Chair, Royal Oak District Supervisor Judy Wyant continued the meeting until Thursday, May 28, 2020 at 5:00 p.m.


The Smyth County Board of Supervisors held a special called meeting on Monday, May 18, 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:** Saltville District Supervisor Roscoe Call; North Fork District Supervisor Phil Stevenson (2)

**STAFF:** Interim County Administrator Aaron Sizemore; Assistant County Administrator Lisa Richardson; Administrative Assistant Christy Bise (3)

 5/18/2020 5:06 PM Chair, Royal Oak District Supervisor Judy Wyant called the special called meeting to order.

 5/18/2020 5:06 PM A motion was made by Atkins District Supervisor Charles Atkins 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. Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, 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  
Park District Supervisor Kris Ratliff.

**NAYS:** None.

**ABSTAINERS:** None.

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

(Administrative Assistant Christy Bise left the meeting)

5/18/20 7:07 PM It was moved by Atkins District Supervisor Charles Atkins, seconded by Rye Valley District Supervisor Lori Deel, 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, 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  
Park District Supervisor Kris Ratliff.

**NAYS:** None.

**ABSTAINERS:** None.

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

A motion was made by Rye Valley District Supervisor Lori Deel to adjourn the special called meeting. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:

**AYES:** Chairman, 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  
Park District Supervisor Kris Ratliff.

**NAYS:** None.

**ABSTAINERS:** None.

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


The Smyth County Board of Supervisors held a continued meeting on Thursday, May 28, 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: Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor Wade H. Blevins Jr.; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant; Rye Valley District Supervisor Lori Deel; Park District Supervisor Kris Ratliff (7)

Absent: None

Staff Present: Interim County Administrator Aaron Sizemore; Assistant County Administrator Lisa Richardson; County Attorney Scot Farthing; Administrative Assistant Christy Bise; Administrative Assistant Kendra Hayden (5)

Others Present: Dr. Dennis Carter, Julie Bear, Chris Ballenger, Kyle Rhodes, Mike Sturgill, Smyth County Schools; Sheriff Chip Shuler and Deputy Lowe, Smyth County Sheriff's Office; Rob Farmer, Smyth County Public Library; Stephanie Porter-Nichols, Smyth County News

 5/28/2020 5:04 PM Chair, Royal Oak District Supervisor Judy Wyant, called the meeting to order and welcomed those in attendance.

 5/28/2020 5:05 PM Kendra Hayden, Administrative Assistant, presented a broadband update to the Board. She provided a summary sheet outlining recommendations from the Broadband Management Team on how to move forward with the project. She asked the Board's consideration of approving these recommendations which would allow the committee to go deeper into the planning grant process. Royal Oak District Supervisor Judy Wyant commended the group for the comprehensive plan that has been developed. *Rye Valley District Supervisor Lori Deel made a motion to approve the recommendations presented from the Broadband Management Team. Saltville District Supervisor Roscoe Call seconded the motion.*


After consideration, the motion PASSED by the following vote:

AYES: Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor Wade H. Blevins Jr.,  
Atkins District Supervisor Charles Atkins,  
Royal Oak District Supervisor Judy Wyant,  
Rye Valley District Supervisor Lori Deel, and  
Park District Supervisor Kris Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 5/28/2020 5:07 PM Sheriff Chip Shuler presented mutual aid and cooperation agreements from Washington and Tazewell Counties. He noted these are standard agreements up for renewal that the County has in place with other local counties. *Rye Valley District Supervisor Lori Deel made a motion to accept the mutual aid and cooperation renewal agreements from Washington and Tazewell Counties. Atkins District Supervisor Charles Atkins seconded the motion.*


After consideration, the motion PASSED by the following vote:


AYES: Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor Wade H. Blevins Jr.,  
Atkins District Supervisor Charles Atkins,  
Royal Oak District Supervisor Judy Wyant,  
Rye Valley District Supervisor Lori Deel, and  
Park District Supervisor Kris Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 5/28/2020 5:09 PM Dr. Dennis Carter, Superintendent for Smyth County Schools, presented information to the Board concerning the School Board Budget for FY20-21. The Board expressed appreciation to the schools for the adjustments that had to be made over the last few months to finish out the school year.

 5/28/2020 5:34 PM *Atkins District Supervisor Charles Atkins made a motion to schedule a public hearing for the FY20-21 Smyth County Schools Budget on Thursday, June 9, 2020 at 5:30 p.m. Saltville District Supervisor Roscoe Call seconded the motion.*


After consideration, the motion PASSED by the following vote:

AYES: Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor Wade H. Blevins Jr.,  
Atkins District Supervisor Charles Atkins,  
Royal Oak District Supervisor Judy Wyant,  
Rye Valley District Supervisor Lori Deel, and  
Park District Supervisor Kris Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 5/28/2020 5:36 PM Royal Oak District Supervisor Judy Wyant discussed the current situation with the Smyth County Public Library Board. In the past, the Library Board had been reduced by the Board of Supervisors from a 7-member Board to a 5-member Board. Citizens have requested that the 7-member Library Board be reinstated. After discussion, *Atkins District Supervisor Charles Atkins made a motion to go back to a 7-member district specific Smyth County Library Board effective July 1, 2020. Park District Supervisor Kris Ratliff seconded the motion.* North Fork District Supervisor Phil Stevenson questioned the need for the Library Board appointments to be district specific. County Attorney Scot Farthing noted that documents would need to be amended to conform with the motion of going from a 5-member board back



to a 7-member district specific board. The Board agreed they would make appointments now to fill the current vacant seats on the 5-member board through June 30, 2020 when the terms expire, and then amend the documents prior to appointing the district specific 7-member Board starting July 1, 2020. *The motion stands.*


After consideration, the motion PASSED by the following vote:

AYES: Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor Wade H. Blevins Jr.,  
Atkins District Supervisor Charles Atkins,  
Royal Oak District Supervisor Judy Wyant,  
Rye Valley District Supervisor Lori Deel, and  
Park District Supervisor Kris Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 5/28/2020 5:42 PM Chilhowie District Supervisor Wade Blevins made a motion to appoint Jim Paine to the Smyth County Library Board. North Fork District Supervisor Phil Stevensan seconded the motion.


After consideration, the motion PASSED by the following vote:

AYES: Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor Wade H. Blevins Jr.,  
Atkins District Supervisor Charles Atkins,  
Royal Oak District Supervisor Judy Wyant,  
Rye Valley District Supervisor Lori Deel, and  
Park District Supervisor Kris Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 5/28/2020 5:44 PM Rye Valley District Supervisor Lori Deel made a motion to appoint Donna Rupard Greer to the Smyth County Library Board. Saltville District Supervisor Roscoe Call seconded the motion.


After consideration, the motion PASSED by the following vote:


AYES: Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor Wade H. Blevins Jr.,  
Atkins District Supervisor Charles Atkins,  
Royal Oak District Supervisor Judy Wyant,  
Rye Valley District Supervisor Lori Deel, and  
Park District Supervisor Kris Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 5/28/2020 5:44 PM Atkins District Supervisor Charles Atkins presented a recommendation from the budget committee for a transfer request from the solid waste fuel line item (042030-5406) into landfill maintenance (042030-3025) for improvements to the scale house at the landfill. A pre-made building will be constructed off-site and transported to the landfill for final completion by County staff. The recommendation from the budget committee was unanimously approved.

 5/28/2020 5:46 PM Saltville District Supervisor Roscoe Call presented a recommendation from the ordinance committee concerning an amendment to the Smyth County, Virginia Code of Ordinances, Division 4. Cost Assessment for Prisoner Processing, Section 23-160. The proposed amendment would change the \$10.00 sum currently specified in this ordinance to \$20.00 in accordance with Senate Bill 149 approved by Governor Northam on 4/29/2020 to be effective 07/01/2020. The additional revenue funds collected from this amendment are designated to go toward courthouse security only. The recommendation from the ordinance committee was unanimously approved. *A motion was made by Rye Valley District Supervisor Lori Deel to set a public hearing for the proposed ordinance amendment to Smyth County, Virginia Code of Ordinances, Division 4. Cost Assessment for Prisoner Processing, Section 23-160 on Tuesday, June 9, 2020 at 6:30 p.m. The motion was seconded by Roscoe Call.*


After consideration, the motion PASSED by the following vote:


AYES: Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor Wade H. Blevins Jr.,  
Atkins District Supervisor Charles Atkins,  
Royal Oak District Supervisor Judy Wyant,  
Rye Valley District Supervisor Lori Deel, and  
Park District Supervisor Kris Ratliff.


NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 5/28/2020 5:47 PM Rye Valley District Supervisor Lori Deel reported that the EMS Committee had met earlier today for discussion concerning the future of the EMS programs within the county. The discussion centered around areas lacking in service and how county money could be used efficiently to fund the programs going forward. A county-wide system will be looked at in the future on a 3-year, 5-year, 10-year plan basis.

 5/28/2020 5:49 PM Interim County Administrator Aaron Sizemore noted that the RFP for the relocation of the Voter Registrar's Office had closed and three proposals were received. The building and grounds committee will be meeting to review the proposals and come back with a recommendation to the Board in the near future.

 5/28/2020 5:49 PM Rye Valley District Supervisor Lori Deel made a motion to appoint Alma Roland to serve on the Virginia Highlands Community College Board. Ms. Roland is a retired dean from VHCC. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:


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


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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 5/28/2020 5:50 PM County Attorney Scot Farthing informed the Board that the Supreme Court had made a ruling in favor of the Friends of the Library case this morning, overturning the decision made by the Circuit Court. The case will go back to the Circuit Court for determination on the fees to be paid.

 5/28/2020 5:51 PM Interim County Administrator Aaron Sizemore presented a final support agreement of refinancing the regional jail debt. The documents reflect \$3.3 million in savings with no additional cost to the county. *Atkins District Supervisor Charles Atkins made a motion in support of the Southwest Virginia Regional Jail Authority 2020 financing documents. Park District Supervisor Kris Ratliff seconded the motion.*

After consideration, the motion PASSED by the following vote:

AYES: Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor Wade H. Blevins Jr.,  
Atkins District Supervisor Charles Atkins,  
Royal Oak District Supervisor Judy Wyant,  
Rye Valley District Supervisor Lori Deel, and  
Park District Supervisor Kris Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

**CERTIFICATE OF THE  
COUNTY OF SMYTH, VIRGINIA**

The undersigned Chairman of the Board of Supervisors of the County of Smyth, Virginia (the "**Governing Body**") and the Interim County Administrator of the County of Smyth, Virginia (the "**Member Jurisdiction**"), certify the following:

1. A meeting of the Governing Body was held on April 10, 2001, at which meeting the following duly elected members were present and absent:

**PRESENT:** Sheila Widener  
Darlene R. Neitch  
Michael D. Roberts  
Donnie W. Fullen  
Thomas B. Bishop  
J.S. Staley, Jr.  
Suzanne B. Jennings

**ABSENT:** None

being all of the members of the Governing Body on the date of such meeting

2. A resolution (the "**Authorizing Resolution**") creating the Southwest Virginia Regional Jail Authority (the "**Authority**") was adopted by a majority of the members of the Governing Body by the following roll call vote, as recorded in the minutes of such meeting as follows:

**AYES:** Sheila Widener  
Michael D. Roberts  
Donnie W. Fullen  
Thomas B. Bishop  
J.S. Staley, Jr.  
Suzanne B. Jennings

**NAYS:** Darlene R. Neitch

3. Attached hereto as **Exhibit A** is a true, complete, and correct copy of such Authorizing Resolution as recorded in the Minutes of such meeting
4. Such Authorizing Resolution has not been repealed, revoked, rescinded, or amended but is in full force and effect on this date.
5. B. C. Shuler, as the Sheriff of Smyth County, Virginia, serves as a member of the Authority from the Member Jurisdiction. The Governing Body has appointed Charles Atkins and \_\_\_\_\_ to act as the Member Jurisdiction's other representatives to the Authority and who serve at the will of the Governing Body. The term of the Sheriff as a member of the Authority expires when his term as sheriff

of the Member Jurisdiction expires. As of March 10, 2020 and the date of this certificate, the duly authorized and appointed members of the Authority Board appointed by the Member Jurisdiction were and are Sheriff B. C. Shuler, Charles Atkins, and \_\_\_\_\_.

6. Scot Farthing, Esquire is the duly appointed, qualified, and serving Interim County Attorney.
7. Aaron Sizemore is the Interim County Administrator and the duly appointed, qualified, and serving Clerk of the Governing Body.
8. No resolution or ordinance of the Governing Body has been adopted requesting or authorizing the withdrawal of the Member Jurisdiction from the Authority.
9. A meeting of the Governing Body was held on February 11, 2003, at which meeting the following duly elected members were present and absent:

**PRESENT:** Wade H. Blevins, Jr.  
Darlene R. Neitch  
Michael D. Roberts  
Donnie W. Fuller  
Marvin R. Perry  
J.B. Staley, Jr.  
Susanne B. Jennings

**ABSENT:** None

being all of the members of the Governing Body on the date of such meeting.

10. A resolution (**the "Service Agreement Resolution"**) authorizing the Member Jurisdiction to enter into a Service Agreement among the Authority, the Member Jurisdiction and the other eight members of the Authority, dated as of April 1, 2003 (**the "Original Service Agreement"**) was adopted by a majority of the members of the Governing Body by the following roll call vote, as recorded in the minutes of such meeting as follows:

**AYES:** Wade H. Blevins, Jr.  
Michael D. Roberts  
Donnie W. Fuller  
Marvin R. Perry  
J.B. Staley, Jr.  
Susanne B. Jennings

**NAYS:** Darlene R. Neitch

11. Attached hereto as **Exhibit B** is a true, complete and correct copy of such Service Agreement Resolution as recorded in the Minutes of such meeting.
12. A meeting of the Governing Body was held on June 14, 2005, at which meeting the following duly elected members were present and absent:

**PRESENT:** Wade H. Blevins, Jr.  
Darlene R. Neitch  
Michael D. Roberts  
Charlie Clark  
Marvin R. Perry  
Harold Slemp  
Todd Dishner

**ABSENT:** None

being all of the members of the Governing Body on the date of such meeting

13. A resolution (the "**Amendment Resolution**") authorizing the Member Jurisdiction to enter into an Amended Service Agreement among the Authority, the Member Jurisdiction and the other nine members of the Authority, dated as of July 1, 2005 (the "**Amended Service Agreement**," and, together with and amending the **Original Service Agreement**, the "**Service Agreement**") was adopted by a majority of the members of the Governing Body by the following roll call vote, as recorded in the minutes of such meeting as follows:

**AYES:** Wade H. Blevins, Jr.  
Darlene R. Neitch  
Michael D. Roberts  
Charlie Clark  
Marvin R. Perry  
Harold Slemp  
Todd Dishner

**NAYS:** None

14. Attached hereto as **Exhibit C** is a true, complete and correct copy of such Amendment Resolution as recorded in the Minutes of such meeting.
15. Such Service Agreement Resolution, as amended by the Amendment Resolution, has not been repealed, revoked, rescinded, or amended but is in full force and effect on this date.
16. A meeting of the Governing Body was held on March 10, 2020, at which meeting the following duly elected members were present and absent:

**PRESENT:** Roscoe D. Call  
Wade Blevins  
Kristopher S. Ratliff  
Charles E. Atkins  
Judy Wyant  
Lori H. Deel

**ABSENT:** Charles P. Stevenson

being all of the members of the Governing Body on the date of such meeting.

17. A resolution (**the “Support Agreement Resolution”**) authorizing the Member Jurisdiction to enter into an Amended and Restated Support Agreement among the Authority, the Member Jurisdiction, and the Virginia Resources Authority (“**VRA**”), dated as of June 1, 2020 (**the “VRA Support Agreement”**) was adopted by a majority of the members of the Governing Body by the following roll call vote, as recorded in the minutes of such meeting as follows:

**AYES:** Roscoe D. Call  
Wade Blevins  
Kristopher S. Ratliff  
Charles E. Atkins  
Judy Wyant  
Lori H. Deel

**NAYS:** None

18. Attached hereto as **Exhibit D** is a true, complete, and correct copy of such Support Agreement Resolution as recorded in the Minutes of such meeting.
19. Such Support Agreement Resolution has not been repealed, revoked, rescinded, or amended but is in full force and effect on this date.
20. The Service Agreement and the Support Agreement have each been duly executed and delivered by the Member Jurisdiction. The Member Jurisdiction is not in default in its obligations under the Service Agreement or the Support Agreement. A copy of the Service Agreement is attached hereto as **Exhibit E** and a copy of the VRA Support Agreement is attached hereto as **Exhibit F**.
21. No litigation or administrative action of any kind is currently pending or threatened to (a) restrain or enjoin the execution and delivery of the Service Agreement or the Support Agreement (**together, the “Agreements”**), (b) in any way contest or challenge the due adoption of the Authorizing Resolution, the Service Agreement Resolution, the Amendment Resolution, or the Support Agreement Resolution, or (c) question the title of the officers of the Member Jurisdiction to their respective offices



or the officers who executed the Service Agreement or who are executing the Support Agreement.

22. The authorization, execution, and delivery of the Agreements and the compliance with the provisions thereof, are within the corporate powers of the Governing Body and do not and will not conflict with or constitute a violation of, breach of, or default under (i) any federal or Virginia constitutional provision or any other provision of Virginia law, (ii) any agreement or other instrument to which the Governing Body is a party or by which the Governing Body is bound, or (iii) to the best of my knowledge after due investigation, any order, rule, or regulation of any court or governmental agency or body having jurisdiction over the Governing Body or any of its properties.
23. There have been obtained all consents, approvals, authorizations, and orders of governmental or regulatory authorities, if any, which are required to be obtained by the Member Jurisdiction as conditions precedent to the execution, delivery, and performance of the Member Jurisdiction's obligations under the Agreements.

Dated: ~~July 28, 2020~~  
June 28, 2020

COUNTY OF SMYTH, VIRGINIA

By: *Judy Wyant*

Name: Judy Wyant  
Title: Chairman, Board of Supervisors

By: *[Signature]*

Name: Aaron Sizemore  
Title: Interim County Administrator

**AMENDED AND RESTATED SUPPORT AGREEMENT  
SOUTHWEST VIRGINIA REGIONAL JAIL AUTHORITY AND SMYTH COUNTY**

**THIS AMENDED AND RESTATED SUPPORT AGREEMENT** (this "Support Agreement") is made as of June 1, 2020, among the **COUNTY OF SMYTH, VIRGINIA** (the "County"), **SOUTHWEST VIRGINIA REGIONAL JAIL AUTHORITY** (the "Jail Authority"), and the **VIRGINIA RESOURCES AUTHORITY ("VRA")**, as purchaser of the Local Bond, as hereinafter defined, pursuant to an Indenture of Trust dated as of June 1, 2013 (the "Indenture"), between the Jail Authority and **REGIONS BANK**, as Trustee, and a Local Bond Sale and Financing Agreement dated as of April 14, 2020 (the "Local Bond Sale and Financing Agreement"), between VRA and the Jail Authority.

**RECITALS:**

**WHEREAS**, the Jail Authority is a regional jail authority pursuant to Section 53.1-95.2 et seq. of the Code of Virginia, as amended, and a public instrumentality of the Commonwealth of Virginia by resolutions duly adopted by the governing bodies of the Counties of Buchanan, Dickenson, Lee, Russell, Scott, Smyth, Tazewell, Washington and Wise, Virginia and the City of Norton, Virginia (collectively, the "Member Jurisdictions") for the purpose of developing regional jail facilities (collectively, the "Regional Jail") to be operated on behalf of the Member Jurisdictions by the Authority;

**WHEREAS**, the Jail Authority has determined that it is in its best interest to issue and sell its Jail Facilities Revenue Refunding Bond, Series 2020 in an original aggregate principal amount of \$37,880,000 (the "Local Bond") to VRA pursuant to the terms of the Local Bond Sale and Financing Agreement to finance the refunding, redemption and defeasance of all or a portion of the Authority's outstanding \$65,955,000 Jail Facilities Revenue and Refunding Bond, Series 2013 (the "2013 Bond") issued to finance and refinance the costs of constructing, renovating and improving the Regional Jail;

**WHEREAS**, VRA requires each Member Jurisdiction, as a condition to the purchase by VRA of the Local Bond, to enter into a Support Agreement; and

**WHEREAS**, in connection with the issuance by the Jail Authority and the purchase by VRA of the Local Bond, the Board of Supervisors of the County (the "Board") adopted on March 10, 2020, a resolution authorizing, among other things, the execution and delivery of an agreement providing for a non-binding obligation of the Board to consider certain appropriations in support of the Local Bond.

**WHEREAS**, the Board, the Authority and VRA wish to enter into this Amended and Restated Support Agreement to reflect the refunding of the 2013 Bond and the issuance and sale of the Local Bond.

## AGREEMENT

**NOW, THEREFORE**, for and in consideration of the foregoing and of the mutual covenants herein set forth, the parties hereto agree as follows:

1. Unless otherwise defined, each capitalized term used in this Support Agreement shall have the meaning given it in the Local Bond Sale and Financing Agreement.
2. The Jail Authority shall use its best efforts to issue the Local Bond, and to use the proceeds thereof to pay the costs of refunding the 2013 Bond and refinancing the Regional Jail.
3. No later than May 15 of each year, beginning May 15, 2021, the Jail Authority shall notify the County of the County's share (**the "Annual Deficiency Amount"**), pursuant to the Service Agreement, of the amount by which the Jail Authority reasonably expects the Revenues to be insufficient to pay (i) the debt service obligations under the Local Bond Sale and Financing Agreement and the Local Bond and any unrefunded debt service due on the 2013 Bond, if any, (ii) the Operation and Maintenance Expenses, and (iii) any other payments due and owing by the Jail Authority under the Local Bond Sale and Financing Agreement in full as and when due during the County's fiscal year beginning the following July 1.
4. The County Administrator of the County (**the "County Administrator"**) shall include the Annual Deficiency Amount in his budget submitted to the Board for the following fiscal year as an amount to be appropriated to or on behalf of the Jail Authority. The County Administrator shall deliver to VRA within ten days after the adoption of the County's budget for each fiscal year, but not later than July 15 of each year, a certificate stating whether the Board has appropriated to or on behalf of the Jail Authority an amount equal to the Annual Deficiency Amount.
5. If at any time Revenues shall be insufficient to make any of the payments referred to in paragraph 3 hereof, the Jail Authority shall notify the County of the amount of such insufficiency and the County Administrator shall request a supplemental appropriation from the Board in the amount necessary to make such payment.
6. The County Administrator shall present each request for appropriation pursuant to paragraph 5 above to the Board, and the Board shall consider such request at the Board's next regularly scheduled meeting at which it is possible to satisfy any applicable notification requirement. Promptly after such meeting, the County Administrator shall notify VRA as to whether the amount so requested was appropriated. If the Board shall fail to make any such appropriation, the County Administrator shall add the amount of such requested appropriation to the Annual Deficiency Amount reported to the County by the County Administrator for the County's next fiscal year.
7. The Board hereby undertakes a non-binding obligation to appropriate such amounts as may be requested from time to time pursuant to paragraphs 4 and 5 above, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. The Board, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, hereby states its intent to

make such appropriations in future fiscal years, and hereby recommends that future Boards of Supervisors do likewise.

8. The County acknowledges and agrees that (i) VRA would not purchase the Local Bond without the security and credit enhancement provided by this Support Agreement, (ii) VRA will be an express, intended third party beneficiary of the Service Agreement and (iii) VRA is treating this Support Agreement as a "local obligation" within the meaning of Section 62.1-199 of the Code of Virginia of 1950, as amended, including amendments thereto taking effect as of July 1, 2011 (**the "Virginia Code"**), which in the event of a nonpayment hereunder authorizes VRA or the Trustee to file an affidavit with the Governor that such nonpayment has occurred pursuant to Section 62.1-216.1 of the Virginia Code. In purchasing the Local Bond, VRA is further relying on Section 62.1-216.1 of the Virginia Code, providing that if the Governor is satisfied that the nonpayment has occurred, the Governor will immediately make an order directing the Comptroller to withhold all further payment to the County of all funds, or of any part of them, appropriated and payable by the Commonwealth of Virginia to the County for any and all purposes, and the Governor will, while the nonpayment continues, direct in writing the payment of all sums withheld by the Comptroller, or as much of them as is necessary, to VRA, so as to cure, or cure insofar as possible, such nonpayment

9. Nothing herein contained is or shall be deemed to be a lending of the credit of the County to the Jail Authority, VRA or to any holder of the Local Bond or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the County, nor shall anything herein contained legally bind or obligate the Board to appropriate funds for the purposes described herein.

10. Any notices or requests required to be given hereunder shall be deemed given if sent by registered or certified mail, postage prepaid, addressed (i) if to the County, to 121 Bagley Circle, Suite 100, Marion, VA 24354 Attention: County Administrator, (ii) if to the Jail Authority, to 16325 Taylor Place, Suite 400, Abingdon, Virginia 24211, Attention: Administrator, and (iii) if to VRA, to 1111 East Main Street, Suite 1920, Richmond, Virginia 23219, Attention: Executive Director. Any party may designate any other address for notices or requests by giving notice.

11. It is the intent of the parties hereto that this Support Agreement shall be governed by the laws of the Commonwealth of Virginia.

12. This Support Agreement shall remain in full force and effect until the Local Bond and all other amounts payable by Jail Authority under the Local Bond Sale and Financing Agreement have been paid in full.

13. This Support Agreement may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

[REMAINDER OF PAGE LEFT BLANK: SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have each caused this Support Agreement to be executed in their respective names as of the date first above written.

COUNTY OF SMYTH, VIRGINIA


By:   
Chairman, Board of Supervisors

SOUTHWEST VIRGINIA REGIONAL JAIL  
AUTHORITY

By: \_\_\_\_\_  
Chairman

VIRGINIA RESOURCES AUTHORITY

By: \_\_\_\_\_  
Executive Director

 5/28/2020 5:52 PM A motion was made by Rye Valley District Supervisor Lori Deel to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.1; Persannel Matters**; Discussion, consideration, or interviews of prospective candidates for employment; assignment, oppointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. The motion was seconded by Atkins District Supervisor Charles Atkins.

After consideration, the motion PASSED by the following vote:

AYES: Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor Wade H. Blevins Jr.,  
Atkins District Supervisor Charles Atkins,  
Royal Oak District Supervisor Judy Wyant,  
Rye Valley District Supervisor Lori Deel, and  
Park District Supervisor Kris Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

*It was moved by North Fork District Supervisor Phil Stevenson, 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: Saltville District Supervisor Roscoe D. Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor Wade H. Blevins Jr.,  
Atkins District Supervisor Charles Atkins,  
Royal Oak District Supervisor Judy Wyant,  
Rye Valley District Supervisor Lori Deel, and  
Park District Supervisor Kris Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Supervisor Comment Time:

Saltville District Supervisor Roscoe Call, Chilhowie District Supervisor Wade Blevins, North Fork District Supervisor Phil Stevenson, and Atkins District Supervisor Charles Atkins encouraged everyone to be safe.

Royal Oak District Supervisor Judy Wyant stated it was good to see everyone back in person at the meeting and she appreciates everyone's hard work and endurance during the pandemic.

Rye Valley District Supervisor Lori Deel thanked everyone for attending the meeting tonight and she appreciated the input and discussion. She anticipates the budget process being wrapped up soon.

Park District Supervisor Kris Ratliff asked the Board to take a look at refinancing some of the school board debt to save money and reduce the debt load. He stated Southwest Virginia has not been affected like larger cities during this pandemic and he asked everyone to take the virus seriously, use common sense, wash their hands, and respect other people whether wearing a mask or not.

The meeting was adjourned by Chair, Royal Oak District Supervisor Judy Wyant.

**NOTICE OF PUBLIC HEARING  
ON THE SMYTH COUNTY SCHOOL BUDGET  
FOR FISCAL YEAR COMMENCING  
July 1, 2020– June 30, 2021  
On June 9, 2020 at 5:30 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, 2020. The public hearing will be held in the **Board of Supervisors meeting room, 121 Bagley Circle, Smyth County Office Building on Tuesday, June 9, 2020 at 5:30 p.m., or soon thereafter.**

Interested persons may express their views by emailing [citizen@smythcountv.org](mailto:citizen@smythcountv.org) prior to the meeting. Written comments may also be mailed to County Administrator, 121 Bagley Circle, Suite 100, Marion, VA 24354; or by fax to (276) 783-9314. All emails, written comments and faxes must be received by 2:00 PM Tuesday, June 9, 2020. A full copy of the proposed Smyth County School Board budget is available for public review at the County Administrator's Office during regular business hours. Anyone having questions regarding the above may contact the County Administrator's Office at 276-783-3298, Monday through Friday from 8:00 AM to 5:00 PM. In compliance with the provisions of 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 24 hours prior to the hearing.

By order of the Smyth County Board of Supervisors  
Aaron Sizemore, Interim County Administrator

<b>Smyth County School Board</b>			
<b>Operations Budget For the Year Ending June 30, 2021</b>			
<b>Revenue Summary for Operations Budget</b>			
	<b>2019-2020</b>	<b>2020-2021</b>	<b>Difference</b>
State Revenue	\$ 27,586,055	\$ 28,807,106	\$ 1,221,051
Local Revenue	\$ 7,815,575	\$ 8,215,575	\$ 400,000
Federal Revenue	\$ 5,529,055	\$ 5,529,055	\$ -0-
State Sales Tax	\$ 4,973,005	\$ 4,374,821	\$ (598,184)
Other Revenue	\$ 2,657,641	\$ 2,476,132	\$ (181,509)
<b>TOTAL OPERATIONS</b>	<b>\$ 48,561,331</b>	<b>\$ 49,402,689</b>	<b>\$ 841,358</b>
<b>Expenditure Summary for Operations Budget</b>			
	<b>2019-2020</b>	<b>2020-2021</b>	<b>Difference</b>
Instruction	\$ 35,056,046	\$ 35,686,768	\$ 630,722
Administration	\$ 1,454,563	\$ 1,468,814	\$ 14,251
Transportation	\$ 2,513,032	\$ 2,546,120	\$ 33,088
Facilities	\$ 4,340,455	\$ 4,494,531	\$ 154,076
Food Service	\$ 3,802,506	\$ 3,773,795	\$ (28,711)
Technology	\$ 1,394,729	\$ 1,432,661	\$ 37,932
<b>TOTAL OPERATIONS</b>	<b>\$ 48,561,331</b>	<b>\$ 49,402,689</b>	<b>\$ 841,358</b>



**Smyth County School Board**  
**Capital Outlay and Debt Service Budget For the Year Ending June 30, 2021**

**Revenue Summary for Capital Outlay and Debt Service Budget**

	<b>2019-2020</b>	<b>2020-2021</b>	<b>Difference</b>
Local Funds - Capital Outlay	\$ -0-	\$ -0-	\$ -0-
Local Funds - Debt Service	\$ 2,192,564	\$ 2,191,042	\$ (1,522)
Other Funds – Interest Rebate	\$ 487,113	\$ 487,113	\$ -0-
<b>TOTAL CAPITAL OUTLAY</b>	<b>\$ 2,679,677</b>	<b>\$ 2,678,155</b>	<b>\$ (1,522)</b>

**Expenditure Summary for Capital Outlay and Debt Service Budget**

	<b>2019-2020</b>	<b>2020-2021</b>	<b>Difference</b>
Capital Outlay – Facilities	\$ -0-	\$ -0-	\$ -0-
Capital Outlay - Debt Service	\$ 2,679,677	\$ 2,678,155	\$ (1,522)
<b>TOTAL CAPITAL OUTLAY</b>	<b>\$ 2,679,677</b>	<b>\$ 2,678,155</b>	<b>\$ (1,522)</b>

## PUBLIC HEARING NOTICE

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, June 9, 2020 at 6:00 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 Community Association has submitted a festival application for an event to be held on Sunday, September 20, 2020. This event will be held at the Konnarock Community Center, 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  
Aaron Sizemore, Interim County Administrator

## PUBLIC HEARING NOTICE

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, June 9, 2020 at 6:15 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 Rich Valley Agricultural and Fair Association has submitted a festival application for a ten-day event to be held at the Rich Valley Agricultural Fairgrounds, 325 Long Hollow Road, Saltville, Virginia, 24370 during the following dates/times:*

Saturday, July 18, 2020 – 7:00 p.m. to completion, except music events which will end by midnight per the Smyth County Code Section 5-98

Friday, July 24, 2020 – 7:00 p.m. to completion, except music events which will end by midnight per the Smyth County Code Section 5-98

Saturday, July 25, 2020 – 10:00 a.m. to completion, except music events which will end by midnight per the Smyth County Code Section 5-98

Sunday, July 26, 2020 – 6:00 p.m. to completion, except music events which will end by midnight per the Smyth County Code Section 5-98

Monday, July 27, 2020 – 10:00 a.m. to completion, except music events which will end by midnight per the Smyth County Code Section 5-98

Tuesday, July 28, 2020 – 10:00 a.m. to completion, except music events which will end by midnight per the Smyth County Code Section 5-98

Wednesday, July 29, 2020 – 6:00 p.m. to completion, except music events which will end by midnight per the Smyth County Code Section 5-98

Thursday, July 30, 2020 – 6:00 p.m. to completion, except music events which will end by midnight per the Smyth County Code Section 5-98

Friday, July 31, 2020 – 8:00 a.m. to completion, except music events which will end by midnight per the Smyth County Code Section 5-98

Saturday, August 1, 2020 – 9:00 a.m. to 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  
Aaron Sizemore, Interim County Administrator

SMYTH COUNTY ORDINANCE AMENDMENT  
NOTICE OF PUBLIC HEARING

The Board of Supervisors of Smyth County, Virginia will hold a public hearing to receive public input regarding a proposed amendment to the following County ordinance:

*Division 4. Cost Assessment for Prisoner Processing, Section 23-160 – Assessment and Collection. Proposed amendment to change the \$10.00 sum currently provided for in this ordinance to \$20.00 as provided for in Senate Bill 149 in the 2020 Session of the Virginia General Assembly, effective 07/01/2020.*

The public hearing will be held Tuesday, June 9, 2020 at 6:30 p.m., or soon thereafter, in the Board Room of the Smyth County Administration Building, 121 Bagley Circle, Marion, VA 24354.

Interested persons may express their views by emailing [citizen@smythcounty.org](mailto:citizen@smythcounty.org) prior to the meeting. Written comments may also be mailed to County Administrator, 121 Bagley Circle, Suite 100, Marion, VA 24354; or by fax to (276) 783-9314. All emails, written comments and faxes must be received by 2:00 PM Tuesday, June 9, 2020. A copy of the full text of the proposed amendment is available for public review online at [www.smythcounty.org](http://www.smythcounty.org) or by contacting the County Administrator's Office. Anyone having questions regarding the above may contact the County Administrator's Office at 276-783-3298, Monday through Friday from 8:00 AM to 5:00 PM.

In compliance with the provisions of 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 24 hours prior to the hearing.

BY ORDER OF THE BOARD OF SUPERVISORS  
SMYTH COUNTY, VIRGINIA  
Aaron Sizemore, Interim County Administrator

## Community Development Block Grant (CDBG) Virginia Funding Opportunities for COVID-19 Response

DHCD is making available current CDBG funding to small cities, towns, and rural counties to respond to local needs related to COVID-19 response. See pages 62-63 of the 2020 Virginia CDBG Program Design for a listing of eligible localities ([www.dhcd.virginia.gov/sites/default/files/Docx/cdbg/cdbg-program-design.pdf](http://www.dhcd.virginia.gov/sites/default/files/Docx/cdbg/cdbg-program-design.pdf)).

DHCD is also closely monitoring availability of funding for all localities through the recently passed CARES Act (federal stimulus) and will post additional details when this funding becomes available.

### Goals:

1. Assist units of local government and communities respond to the health and economic impact of COVID-19 by supporting Urgent Need recovery activities.
2. Collect best practices and create a network of resource sharing.
3. Provide up to \$6,550,000 in Planning and Open Submission (including urgent need) Community Development Block Grant (CDBG) funding during the 2020 funding cycle to address issues created or worsened by COVID-19.

### About the Initiative:

Using Program Year 2020 CDBG funds, in accordance with DHCD's 2020 CDBG Program Design, DHCD can immediately accept applications for COVID-19 related Planning Grants and for COVID-19 related Open Submission applications, including Urgent Need Applications. All application information in the Program Design applies to the COVID-19 environment, except as noted below with an asterisk (\*) and further described at the end of this document.

Planning Grants	Community Organizing, Needs Assessment, Project Planning	\$10,000 - \$45,000 per grant, up to \$1,000,000
Open Submission Program Urgent Need Grants	Community Service Facilities, and Public Services. Preference for projects that can benefit 51% Low- and Moderate-Income (LMI) benefit.	\$1,000,000 Total. Requests for Community Service Facility grants will not exceed \$800,000.
Open Submission Programs: Innovation Fund, Construction-Ready Water and Sewer, and Community Economic Development Grants	See 2020 Program Design. Focus on solutions to COVID-19-related circumstances and on circumstances made worse by COVID-19. Must document 51% LMI benefit.	Up to \$4,650,000 Total. See Program Design for individual project type caps
	<b>TOTAL</b>	<b>\$6,650,000*</b>

DHCD is particularly interested in supporting communities with their COVID-19 related projects that can be implemented and deliver benefits quickly. Following are examples of projects in which DHCD is hearing of immediate community needs, but please approach DHCD with all project ideas and needs, as these examples are not all-encompassing:

#### **Homelessness and Health Care:**

- Construct (longer term) or rehab and retrofit (shorter term) structures that can be used as (for example) shelters for persons experiencing homelessness (especially shelters needing upgrades and retrofits to increase ability to follow social distancing best practices), or testing centers, emergency inpatient health care facilities, outpatient treatment clinics, and quarantine sites;
- Cover acquisition costs for buildings to be used as outlined above;
- Cover acquisition costs for equipment that can be used for telemedicine purposes;
- Provide supportive services, on-site, at supportive housing residences; and
- Provide emergency payment of rent and utilities (paid directly to the landlord and utility provider over a limited period of time) related to homeless assistance.

#### **General Community Support in the COVID-19 Environment:**

- Develop programs to keep individuals employed, for example, transitioning food and beverage industry workers into providing delivery services for food banks and pharmacies;
- Repurpose manufacturing equipment or facilities to create Personal Protective Equipment (PPE) products;
- Cover acquisition costs for digital equipment that would allow units of local government to conduct public business online; and
- Create small business assistance grants/loans for communities.

#### **Project Development Notes:**

DHCD strongly recommends working with local social service agencies, your Continuum of Care (CoC) homeless providers, health departments, and other providers to identify specific local needs. COVID-19 projects will not 'count' towards local funding caps, although DHCD will closely assess progress on funded projects before committing additional funds. Applications will be submitted through CAMS and will be collected and reviewed bi-weekly or more often if necessary.

**Localities planning to apply for COVID-19 CDBG funding are strongly urged to contact Matt Weaver at 804-371-7011 or [matthew.weaver@dhcd.virginia.gov](mailto:matthew.weaver@dhcd.virginia.gov) early in the planning process and to send a letter of interest to DHCD (attach letters via email to Matt Weaver).**

*\* This is the minimum funds available. DHCD is working to utilize existing funds for this announcement and will evaluate if more current year funds can be provided and what additional funds will be available with CARES Act (Stimulus funds).*

*\*\* Planning and Open Submission applications are accepted through the year until September 30, 2020. Competitive CDBG funding could assist COVID-19 response efforts in addition, including Public Services as described above, although the competitive application closes April 24, 2020. As stated in the 2020 CDBG Program Design, a new second round CDBG Competitive Grant Cycle will be opened September 1, 2020, closing November 30, 2020, if funds are available.*

## CDBG COVID-19 Application 2020

Complete the below questions to outline the proposed activities associated with the CDBG application for COVID-19 related activities.

Please Note that localities must conduct two (2) public hearings to engage citizens for input regarding the proposed activities outlined below (see the 2020 CDBG Program Design for guidance on public hearings).

1. Describe the proposed project and the need for the project. Does the project fulfill an identified community need? Are there additional community needs that can be addressed as part of the project?
2. Please provide all budget information available (i.e. construction costs, equipment costs, operations costs, etc.) including a description of any procurement needs if needed.
3. Please provide a timeline for completion of the project or activities associated with the project. Outline appropriate entities to undertake the activities outlined in the timeline.
4. Please describe persons from the local government and project partners including PDC, community non-profit organization, etc., that will be utilized to administer and manage the CDBG grant award. Outline what proposed role the individual will play including a description of the role.
5. Please describe the direct beneficiaries from the completion of the project/program (i.e. project service area, a particular demographic or subset of the local population, etc.).



## COMMONWEALTH of VIRGINIA

Aubrey L. Layne, Jr., MBA, CPA  
Secretary of Finance

P.O. Box 1475  
Richmond, Virginia 23218

May 12, 2020

To: County and City Elected Officials

Delivered Via: Chief Executive Officer, Manager, or Administrator

From: Aubrey L. Layne, Jr.  
Secretary of Finance

Subject: Local Allocations for Federal CARES Coronavirus Relief Funds

### Background

As most of you are aware, Congress passed and the President recently signed the *Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020*. This Act provides funding for a number of different programs to address the COVID-19 pandemic. A primary component of the CARES Act is \$150 billion in assistance to state, local, territorial, and tribal governments for the direct impact of the COVID-19 pandemic through the establishment of the Coronavirus Relief Fund (CRF).

Allocations were sent to states based on population. Each state received 55 percent of its share based on total state population and the remaining 45 percent was based on the local populations of each state's cities and counties. Localities with populations greater than 500,000 could apply to receive funds directly. All other CRF funds were distributed to the states to determine the allocations to localities.

Virginia has received approximately \$3.1 billion as its share of the CRF total. This amount does not include approximately \$200 million that went directly to Fairfax County since it qualified to receive its funding directly.

These funds may be used for qualifying expenses of state and local governments. The CARES Act provides that payments from the CRF only may be used to cover costs that:

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.



At this point, federal guidance indicates that the CRF funds can only be used for the direct costs associated with the response to the COVID-19 pandemic and cannot be used to make up for revenue shortfalls. State and local government officials have requested that this restriction be lifted or that additional federal funds be provided to address the loss of state and local revenue. To date, no action has been taken by Congress to allow that flexibility or to provide funding for that purpose.

### **Allocation of CRF Funds to Localities**

While the federal CARES Act does not require that states distribute funding to local governments with populations less than 500,000 residents, the Governor recognizes that localities are experiencing the same COVID-19 related expenses as the Commonwealth. Therefore, fifty (50) percent of the locally-based allocations will be distributed to counties and cities on or around June 1, 2020, by the Department of Accounts (DOA) after receipt of a signed certification from the locality. This distribution will be made to the local treasurer in the same manner that Car Tax Relief Payments are made.

Each locality's allocation will be based on the proportion that the locality's population represents of the statewide total population. Appendix A reflects the population used by US Treasury to allocate CRF funds to the states. This population data is the basis for determining the allocations to each locality.

This table also reflects each locality's share of the current distribution based on the population data displayed. Please note that the population data for each county includes the populations of the towns within its borders. Consequently, the allocation indicated for each county includes any allocations based on residents that live in the towns located within that county.

CRF funds should be considered "one time" monies and should not be used for ongoing services and/or base operations. Because the funds must be expended by December 30, localities are advised not to create services with expenses beyond that period. Any expenses beyond December 30, 2020, must be paid entirely by the locality from local funds.

### **Requirements for Use of Funds and Certifications**

#### **General**

The amounts listed in Appendix A reflect the funds that will be transferred to each locality after receipt of a certification form (Appendix D) from the locality signed by the chief executive officer, the chief financial officer, and the chief elected officer. Before signing the certification, I recommend that you read and understand the federal guidance and the frequently asked questions contained in Appendix B and Appendix C, respectively. The most recent information on this guidance and the frequently asked questions can be obtained at: <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>

Please note that the certification statement includes an acknowledgment that you may be required to return funds to the federal government if it is determined that those funds were spent for purposes that do not qualify. Since these funds are being provided to you “up front” rather than on a reimbursement basis, it is important for you to understand that the burden of ensuring that all CRF funds are spent for qualifying purposes falls to the local government. You are responsible for maintaining all necessary documentation to ensure compliance with the federal requirements.

If the federal government determines that you have used CRF funds for purposes that do not qualify, you must return those funds to the state promptly so that they may be returned to the federal government. As a condition of receiving CRF funds, you are agreeing that the state can use state aid intercept to recover any funds necessary for expenses that were not for a qualifying purpose or that were unexpended as of December 30, 2020.

#### For Counties Only

As previously stated, the population data for each county includes the populations of the towns within its borders. Consequently, the allocation indicated for each county includes any allocations based on residents that live in the towns located within that county.

Counties must ensure that an equitable share of the CRF funds it receives are shared with and granted to each town within its jurisdiction. Just as with the funds retained by the county, the funds granted to towns must be spent in accordance with the same requirements and the same documentation must be retained for audit purposes. The county issuing the grant is responsible for the ensuring compliance with the documentation requirements and must ensure that the use of the funds meets the requirements set forth by the federal government.

#### Submission of Certification

The certification in Appendix D contains more specific details on the responsibilities of the local governing body. A fillable .pdf form can be downloaded from the Secretary of Finance’s Website under “Recent News” at: <http://finance.virginia.gov/>

In order to receive your locality’s allocation, the signed certification form must be submitted no later than **May 22, 2020**, to the Department of Accounts in electronic or hard copy form:

By Email to: [GACCT@DOA.Virginia.gov](mailto:GACCT@DOA.Virginia.gov)

By US Mail to: Department of Accounts  
Attention: Local CRF Certification  
P.O. Box 1971  
Richmond, VA 23218-1971

If you have any questions about this process, you may contact my office at (804) 786-1148. If you have technical questions about the certification form or the distribution of the funds, please contact Melinda Pearson, Director, General Accounting, Department of Accounts, at [Melinda.Pearson@DOA.Virginia.gov](mailto:Melinda.Pearson@DOA.Virginia.gov) or by phone at 804-225-2376.

## Appendix A – Local Allocations

Annual Estimates of the Resident Population for Counties in Virginia: as of July 1, 2019	Statewide Total = 8,535,519	% of Total <sup>1</sup>	Current Allocation Base = \$744,691,122
Locality	Population		
.Accomack County, Virginia	32,316	0.3786%	\$2,819,446
.Albemarle County, Virginia	109,330	1.2809%	\$9,538,621
.Alleghany County, Virginia	14,860	0.1741%	\$1,296,478
.Amelia County, Virginia	13,145	0.1540%	\$1,146,851
.Amherst County, Virginia	31,605	0.3703%	\$2,757,414
.Appomattox County, Virginia	15,911	0.1864%	\$1,388,173
.Arlington County, Virginia	236,842	2.7748%	\$20,663,551
.Augusta County, Virginia	75,558	0.8852%	\$6,592,144
.Bath County, Virginia	4,147	0.0486%	\$361,810
.Bedford County, Virginia	78,997	0.9255%	\$6,892,184
.Bland County, Virginia	6,280	0.0736%	\$547,906
.Botetourt County, Virginia	33,419	0.3915%	\$2,915,679
.Brunswick County, Virginia	16,231	0.1902%	\$1,416,092
.Buchanan County, Virginia	21,004	0.2461%	\$1,832,518
.Buckingham County, Virginia	17,148	0.2009%	\$1,496,097
.Campbell County, Virginia	54,885	0.6430%	\$4,788,505
.Caroline County, Virginia	30,725	0.3600%	\$2,680,638
.Carroll County, Virginia	29,791	0.3490%	\$2,599,150
.Charles City County, Virginia	6,963	0.0816%	\$607,495
.Charlotte County, Virginia	11,880	0.1392%	\$1,036,484
.Chesterfield County, Virginia	352,802	4.1333%	\$30,780,614
.Clarke County, Virginia	14,619	0.1713%	\$1,275,451
.Craig County, Virginia	5,131	0.0601%	\$447,660
.Culpeper County, Virginia	52,605	0.6163%	\$4,589,583
.Cumberland County, Virginia	9,932	0.1164%	\$866,529
.Dickenson County, Virginia	14,318	0.1677%	\$1,249,190
.Dinwiddie County, Virginia	28,544	0.3344%	\$2,490,354
.Essex County, Virginia	10,953	0.1283%	\$955,607
.Fairfax County, Virginia	1,147,532	13.4442%	N/A
.Fauquier County, Virginia	71,222	0.8344%	\$6,213,845
.Floyd County, Virginia	15,749	0.1845%	\$1,374,040
.Fluvanna County, Virginia	27,270	0.3195%	\$2,379,202
.Franklin County, Virginia	56,042	0.6566%	\$4,889,448

.Frederick County, Virginia	89,313	1.0464%	\$7,792,215
.Giles County, Virginia	16,720	0.1959%	\$1,458,756
.Gloucester County, Virginia	37,348	0.4376%	\$3,258,469
.Goochland County, Virginia	23,753	0.2783%	\$2,072,358
.Grayson County, Virginia	15,550	0.1822%	\$1,356,678
.Greene County, Virginia	19,819	0.2322%	\$1,729,131
.Greensville County, Virginia	11,336	0.1328%	\$989,022
.Halifax County, Virginia	33,911	0.3973%	\$2,958,604
.Hanover County, Virginia	107,766	1.2626%	\$9,402,168
.Henrico County, Virginia	330,818	3.8758%	\$28,862,595
.Henry County, Virginia	50,557	0.5923%	\$4,410,903
.Highland County, Virginia	2,190	0.0257%	\$191,069
.Isle of Wight County, Virginia	37,109	0.4348%	\$3,237,617
.James City County, Virginia	76,523	0.8965%	\$6,676,337
.King and Queen County, Virginia	7,025	0.0823%	\$612,904
.King George County, Virginia	26,836	0.3144%	\$2,341,338
.King William County, Virginia	17,148	0.2009%	\$1,496,097
.Lancaster County, Virginia	10,603	0.1242%	\$925,071
.Lee County, Virginia	23,423	0.2744%	\$2,043,566
.Loudoun County, Virginia	413,538	4.8449%	\$36,079,596
.Louisa County, Virginia	37,591	0.4404%	\$3,279,670
.Lunenburg County, Virginia	12,196	0.1429%	\$1,064,054
.Madison County, Virginia	13,261	0.1554%	\$1,156,971
.Mathews County, Virginia	8,834	0.1035%	\$770,732
.Mecklenburg County, Virginia	30,587	0.3583%	\$2,668,598
.Middlesex County, Virginia	10,582	0.1240%	\$923,239
.Montgomery County, Virginia	98,535	1.1544%	\$8,596,799
.Nelson County, Virginia	14,930	0.1749%	\$1,302,585
.New Kent County, Virginia	23,091	0.2705%	\$2,014,601
.Northampton County, Virginia	11,710	0.1372%	\$1,021,652
.Northumberland County, Virginia	12,095	0.1417%	\$1,055,242
.Nottoway County, Virginia	15,232	0.1785%	\$1,328,933
.Orange County, Virginia	37,051	0.4341%	\$3,232,557
.Page County, Virginia	23,902	0.2800%	\$2,085,357
.Patrick County, Virginia	17,608	0.2063%	\$1,536,230
.Pittsylvania County, Virginia	60,354	0.7071%	\$5,265,654
.Powhatan County, Virginia	29,652	0.3474%	\$2,587,023
.Prince Edward County, Virginia	22,802	0.2671%	\$1,989,387
.Prince George County, Virginia	38,353	0.4493%	\$3,346,151
.Prince William County, Virginia	470,335	5.5103%	\$41,034,915
.Pulaski County, Virginia	34,027	0.3987%	\$2,968,725
.Rappahannock County, Virginia	7,370	0.0863%	\$643,004
.Richmond County, Virginia	9,023	0.1057%	\$787,222
.Roanoke County, Virginia	94,186	1.1035%	\$8,217,365

.Rockbridge County, Virginia	22,573	0.2645%	\$1,969,407
.Rockingham County, Virginia	81,948	0.9601%	\$7,149,647
.Russell County, Virginia	26,586	0.3115%	\$2,319,526
.Scott County, Virginia	21,566	0.2527%	\$1,881,550
.Shenandoah County, Virginia	43,616	0.5110%	\$3,805,328
.Smyth County, Virginia	30,104	0.3527%	\$2,626,458
.Southampton County, Virginia	17,631	0.2066%	\$1,538,237
.Spotsylvania County, Virginia	136,215	1.5959%	\$11,884,234
.Stafford County, Virginia	152,882	1.7911%	\$13,338,365
.Surry County, Virginia	6,422	0.0752%	\$560,295
.Sussex County, Virginia	11,159	0.1307%	\$973,580
.Tazewell County, Virginia	40,595	0.4756%	\$3,541,757
.Warren County, Virginia	40,164	0.4706%	\$3,504,154
.Washington County, Virginia	53,740	0.6296%	\$4,688,608
.Westmoreland County, Virginia	18,015	0.2111%	\$1,571,739
.Wise County, Virginia	37,383	0.4380%	\$3,261,523
.Wythe County, Virginia	28,684	0.3361%	\$2,502,568
.York County, Virginia	68,280	0.8000%	\$5,957,167
.Alexandria city, Virginia	159,428	1.8678%	\$13,909,478
.Bristol city, Virginia	16,762	0.1964%	\$1,462,420
.Buena Vista city, Virginia	6,478	0.0759%	\$565,181
.Charlottesville city, Virginia	47,266	0.5538%	\$4,123,776
.Chesapeake city, Virginia	244,835	2.8684%	\$21,360,910
.Colonial Heights city, Virginia	17,370	0.2035%	\$1,515,466
.Covington city, Virginia	5,538	0.0649%	\$483,169
.Danville city, Virginia	40,044	0.4691%	\$3,493,685
.Emporia city, Virginia	5,346	0.0626%	\$466,418
.Fairfax city, Virginia	24,019	0.2814%	\$2,095,565
.Falls Church city, Virginia	14,617	0.1712%	\$1,275,277
.Franklin city, Virginia	7,967	0.0933%	\$695,090
.Fredericksburg city, Virginia	29,036	0.3402%	\$2,533,279
.Galax city, Virginia	6,347	0.0744%	\$553,751
.Hampton city, Virginia	134,510	1.5759%	\$11,735,479
.Harrisonburg city, Virginia	53,016	0.6211%	\$4,625,442
.Hopewell city, Virginia	22,529	0.2639%	\$1,965,568
.Lexington city, Virginia	7,446	0.0872%	\$649,635
.Lynchburg city, Virginia	82,168	0.9627%	\$7,168,841
.Manassas city, Virginia	41,085	0.4813%	\$3,584,508
.Manassas Park city, Virginia	17,478	0.2048%	\$1,524,888
.Martinsville city, Virginia	12,554	0.1471%	\$1,095,288
.Newport News city, Virginia	179,225	2.0998%	\$15,636,690
.Norfolk city, Virginia	242,742	2.8439%	\$21,178,304
.Norton city, Virginia	3,981	0.0466%	\$347,327
.Petersburg city, Virginia	31,346	0.3672%	\$2,734,818

.Poquoson city, Virginia	12,271	0.1438%	\$1,070,597
.Portsmouth city, Virginia	94,398	1.1059%	\$8,235,862
.Radford city, Virginia	18,249	0.2138%	\$1,592,155
.Richmond city, Virginia	230,436	2.6997%	\$20,104,653
.Roanoke city, Virginia	99,143	1.1615%	\$8,649,844
.Salem city, Virginia	25,301	0.2964%	\$2,207,415
.Staunton city, Virginia	24,932	0.2921%	\$2,175,221
.Suffolk city, Virginia	92,108	1.0791%	\$8,036,068
.Virginia Beach city, Virginia	449,974	5.2718%	\$39,258,497
.Waynesboro city, Virginia	22,630	0.2651%	\$1,974,380
.Williamsburg city, Virginia	14,954	0.1752%	\$1,304,679
.Winchester city, Virginia	28,078	0.3290%	\$2,449,697
<b>Total Funds Distributed (excludes Fairfax County)</b>			<b>\$644,573,383</b>
Source: U.S. Census Bureau, Population Division			
Release Date: March 2020			

<sup>1</sup> **Note:** Percentages are displayed as rounded numbers, however, the distributions are calculated using the full values.

# Appendix B - Guidance From U.S. Treasury

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## **Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments April 22, 2020**

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.<sup>1</sup>

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

### ***Necessary expenditures incurred due to the public health emergency***

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government

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officials responsible for spending Fund payments.

<sup>1</sup> See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

***Costs not accounted for in the budget most recently approved as of March 27, 2020***

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

***Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020***

A cost is “incurred” when the responsible unit of government has expended funds to cover the cost.

***Nonexclusive examples of eligible expenditures***

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
  - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
  - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
  - Costs of providing COVID-19 testing, including serological testing.
  - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
  - Expenses for establishing and operating public telemedicine capabilities for COVID-19- related treatment.
2. Public health expenses such as:
  - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
  - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in



- connection with the COVID-19 public health emergency.
- Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
  - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
  - Expenses for public safety measures undertaken in response to COVID-19.
  - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
  4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
    - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
    - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
    - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
    - Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
    - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
    - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
  5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
    - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
    - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
    - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
  6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

*Nonexclusive examples of ineligible expenditures<sup>2</sup>*

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.<sup>3</sup>
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

<sup>2</sup> In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

<sup>3</sup> See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

<sup>1</sup> The Guidance is available at: <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>

## Appendix C - Frequently Asked Questions

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*The content below was provided by the US Department of the Treasury.*

### **Coronavirus Relief Fund Frequently Asked Questions April 22, 2020**

#### ***Do governments have to return unspent funds to Treasury?***

Yes. Section 601(f)(2) of the Social Security Act, as added by section 5001(a) of the CARES Act, provides for recoupment by the Inspector General of the Department of the Treasury of amounts received from the Coronavirus Relief Fund (the “Fund”) that have not been used in a manner consistent with section 601(d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.

#### ***May a State receiving a payment transfer funds to a local government?***

Yes, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Treasury Inspector General if they have not been used in a manner consistent with section 601(d) of the Social Security Act.

#### ***May governments retain assets purchased with these funds?***

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds provided by section 601(d) of the Social Security Act.

#### ***What records must be kept by governments receiving payment?***

A government should keep records sufficient to demonstrate that the amount of Fund payments to the government has been used in accordance with section 601(d) of the Social Security Act.

**Coronavirus Relief Fund  
Frequently Asked Questions  
Updated as of May 4, 2020**

The following answers to frequently asked questions supplement Treasury’s Coronavirus Relief Fund (“Fund”) Guidance for State, Territorial, Local, and Tribal Governments, dated April 22, 2020, (“Guidance”).<sup>1</sup> Amounts paid from the Fund are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”).

**Eligible Expenditures**

***Are governments required to submit proposed expenditures to Treasury for approval?***

No. Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19 and do not need to submit any proposed expenditures to Treasury.

***The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the “substantially dedicated” condition?***

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

***The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a “substantially different use” for purposes of the Fund eligibility?***

Costs incurred for a “substantially different use” include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty’s ordinary responsibilities.

Note that a public function does not become a “substantially different use” merely because it is provided from a different location or through a different manner. For example, although developing online instruction capabilities may be a substantially different use of funds, online instruction itself is not a substantially different use of public funds than classroom instruction.

***May a State receiving a payment transfer funds to a local government?***

Yes, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Treasury Department if they have not been used in a manner consistent with section 601(d) of the Social Security Act.

***May a unit of local government receiving a Fund payment transfer funds to another unit of government?***

Yes. For example, a county may transfer funds to a city, town, or school district within the county and a county or city may transfer funds to its State, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, a transfer from a county to a constituent city would not be permissible if the funds were intended to be used simply to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify as an eligible expenditure.

***Is a Fund payment recipient required to transfer funds to a smaller, constituent unit of government within its borders?***

No. For example, a county recipient is not required to transfer funds to smaller cities within the county’s borders.

***Are recipients required to use other federal funds or seek reimbursement under other federal programs before using Fund payments to satisfy eligible expenses?***

No. Recipients may use Fund payments for any expenses eligible under section 601(d) of the Social Security Act outlined in the Guidance. Fund payments are not required to be used as the source of funding of last resort. However, as noted below, recipients may not use payments from the Fund to cover expenditures for which they will receive reimbursement.

***Are there prohibitions on combining a transaction supported with Fund payments with other CARES Act funding or COVID-19 relief Federal funding?***

Recipients will need to consider the applicable restrictions and limitations of such other sources of funding. In addition, expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds, are not eligible uses of Fund payments.

***Are States permitted to use Fund payments to support state unemployment insurance funds generally?***

To the extent that the costs incurred by a state unemployment insurance fund are incurred due to

the COVID-19 public health emergency, a State may use Fund payments to make payments to its respective state unemployment insurance fund, separate and apart from such State's obligation to the unemployment insurance fund as an employer. This will permit States to use Fund payments to prevent expenses related to the public health emergency from causing their state unemployment insurance funds to become insolvent.

***Are recipients permitted to use Fund payments to pay for unemployment insurance costs incurred by the recipient as an employer?***

Yes, Fund payments may be used for unemployment insurance costs incurred by the recipient as an employer (for example, as a reimbursing employer) related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

***The Guidance states that the Fund may support a "broad range of uses" including payroll expenses for several classes of employees whose services are "substantially dedicated to mitigating or responding to the COVID-19 public health emergency." What are some examples of types of covered employees?***

The Guidance provides examples of broad classes of employees whose payroll expenses would be eligible expenses under the Fund. These classes of employees include public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency are also covered. Other eligible expenditures include payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19-related school closures. Please see the Guidance for a discussion of what is meant by an expense that was not accounted for in the budget most recently approved as of March 27, 2020.

***In some cases, first responders and critical health care workers that contract COVID-19 are eligible for workers' compensation coverage. Is the cost of this expanded workers compensation coverage eligible?***

Increased workers compensation cost to the government due to the COVID-19 public health emergency incurred during the period beginning March 1, 2020, and ending December 30, 2020, is an eligible expense.

***If a recipient would have decommissioned equipment or not renewed a lease on particular office space or equipment but decides to continue to use the equipment or to renew the lease in order to respond to the public health emergency, are the costs associated with continuing to operate the equipment or the ongoing lease payments eligible expenses?***

Yes. To the extent the expenses were previously unbudgeted and are otherwise consistent with section 601(d) of the Social Security Act outlined in the Guidance, such expenses would be eligible.

***May recipients provide stipends to employees for eligible expenses (for example, a stipend to employees to improve telework capabilities) rather than require employees to incur the eligible cost and submit for reimbursement?***

Expenditures paid for with payments from the Fund must be limited to those that are necessary due to the public health emergency. As such, unless the government were to determine that providing assistance in the form of a stipend is an administrative necessity, the government should provide such assistance on a reimbursement basis to ensure as much as possible that funds are used to cover only eligible expenses.

***May Fund payments be used for COVID-19 public health emergency recovery planning?***

Yes. Expenses associated with conducting a recovery planning project or operating a recovery coordination office would be eligible, if the expenses otherwise meet the criteria set forth in section 601(d) of the Social Security Act outlined in the Guidance.

***Are expenses associated with contact tracing eligible?***

Yes, expenses associated with contract tracing are eligible.

***To what extent may a government use Fund payments to support the operations of private hospitals?***

Governments may use Fund payments to support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency, but the form such assistance would take may differ. In particular, financial assistance to private hospitals could take the form of a grant or a short-term loan.

***May payments from the Fund be used to assist individuals with enrolling in a government benefit program for those who have been laid off due to COVID-19 and thereby lost health insurance?***

Yes. To the extent that the relevant government official determines that these expenses are necessary and they meet the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance, these expenses are eligible.

***May recipients use Fund payments to facilitate livestock depopulation incurred by producers due to supply chain disruptions?***

Yes, to the extent these efforts are deemed necessary for public health reasons or as a form of economic support as a result of the COVID-19 health emergency.

***Would providing a consumer grant program to prevent eviction and assist in preventing homelessness be considered an eligible expense?***

Yes, assuming that the recipient considers the grants to be a necessary expense incurred due to the COVID-19 public health emergency and the grants meet the other requirements for the use of Fund payments under section 601(d) of the Social Security Act outlined in the Guidance. As a general matter, providing assistance to recipients to enable them to meet property tax

requirements would not be an eligible use of funds, but exceptions may be made in the case of assistance designed to prevent foreclosures.

***May recipients create a “payroll support program” for public employees?***

Use of payments from the Fund to cover payroll or benefits expenses of public employees are limited to those employees whose work duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

***May recipients use Fund payments to cover employment and training programs for employees that have been furloughed due to the public health emergency?***

Yes, this would be an eligible expense if the government determined that the costs of such employment and training programs would be necessary due to the public health emergency.

***May recipients use Fund payments to provide emergency financial assistance to individuals and families directly impacted by a loss of income due to the COVID-19 public health emergency?***

Yes, if a government determines such assistance to be a necessary expenditure. Such assistance could include, for example, a program to assist individuals with payment of overdue rent or mortgage payments to avoid eviction or foreclosure or unforeseen financial costs for funerals and other emergency individual needs. Such assistance should be structured in a manner to ensure as much as possible, within the realm of what is administratively feasible, that such assistance is necessary.

***The Guidance provides that eligible expenditures may include expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. What is meant by a “small business,” and is the Guidance intended to refer only to expenditures to cover administrative expenses of such a grant program?***

Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. The amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure under section 601(d) of the Social Security Act, as outlined in the Guidance.

***The Guidance provides that expenses associated with the provision of economic support in connection with the public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, would constitute eligible expenditures of Fund payments. Would such expenditures be eligible in the absence of a stay-at-home order?***

Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measures or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.



***May Fund payments be used to assist impacted property owners with the payment of their property taxes?***

Fund payments may not be used for government revenue replacement, including the provision of assistance to meet tax obligations.

***May Fund payments be used to replace foregone utility fees? If not, can Fund payments be used as a direct subsidy payment to all utility account holders?***

Fund payments may not be used for government revenue replacement, including the replacement of unpaid utility fees. Fund payments may be used for subsidy payments to electricity account holders to the extent that the subsidy payments are deemed by the recipient to be necessary expenditures incurred due to the COVID-19 public health emergency and meet the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, if determined to be a necessary expenditure, a government could provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services.

***Could Fund payments be used for capital improvement projects that broadly provide potential economic development in a community?***

In general, no. If capital improvement projects are not necessary expenditures incurred due to the COVID-19 public health emergency, then Fund payments may not be used for such projects.

However, Fund payments may be used for the expenses of, for example, establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity or improve mitigation measures, including related construction costs.

***The Guidance includes workforce bonuses as an example of ineligible expenses but provides that hazard pay would be eligible if otherwise determined to be a necessary expense. Is there a specific definition of “hazard pay”?***

Hazard pay means additional pay for performing hazardous duty or work involving physical hardship, in each case that is related to COVID-19.

***The Guidance provides that ineligible expenditures include “payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” Is this intended to relate only to public employees?***

Yes. This particular nonexclusive example of an ineligible expenditure relates to public employees. A recipient would not be permitted to pay for payroll or benefit expenses of private employees and any financial assistance (such as grants or short-term loans) to private employers are not subject to the restriction that the private employers’ employees must be substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

***May counties pre-pay with CARES Act funds for expenses such as a one or two-year facility lease, such as to house staff hired in response to COVID-19?***

A government should not make prepayments on contracts using payments from the Fund to the extent that doing so would not be consistent with its ordinary course policies and procedures.

## **Questions Related to Administration of Fund Payments**

### ***Do governments have to return unspent funds to Treasury?***

Yes. Section 601(f)(2) of the Social Security Act, as added by section 5001(a) of the CARES Act, provides for recoupment by the Department of the Treasury of amounts received from the Fund that have not been used in a manner consistent with section 601(d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.

### ***What records must be kept by governments receiving payment?***

A government should keep records sufficient to demonstrate that the amount of Fund payments to the government has been used in accordance with section 601(d) of the Social Security Act

### ***May recipients deposit Fund payments into interest bearing accounts?***

Yes, provided that if recipients separately invest amounts received from the Fund, they must use the interest earned or other proceeds of these investments only to cover expenditures incurred in accordance with section 601(d) of the Social Security Act and the Guidance on eligible expenses. If a government deposits Fund payments in a government's general account, it may use those funds to meet immediate cash management needs provided that the full amount of the payment is used to cover necessary expenditures. Fund payments are not subject to the Cash Management Improvement Act of 1990, as amended.

### ***May governments retain assets purchased with payments from the Fund?***

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds provided by section 601(d) of the Social Security Act.

### ***What rules apply to the proceeds of disposition or sale of assets acquired using payments from the Fund?***

If such assets are disposed of prior to December 30, 2020, the proceeds would be subject to the restrictions on the eligible use of payments from the Fund provided by section 601(d) of the Social Security Act.

<sup>1</sup> The Guidance is available at: <https://home.treasury.gov/policy-issues/cares/state-and-local-governments>

# Appendix D - Certification for Use of Coronavirus Relief Fund

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*Note: Provided for reference only - download a fillable .pdf copy of this form from the Secretary of Finance's Website under "Recent News" at: <http://finance.virginia.gov/>*

**CERTIFICATION for RECEIPT of  
CORONAVIRUS RELIEF FUND PAYMENTS  
by  
[INSERT NAME OF LOCAL GOVERNMENT]**

We the undersigned represent [insert name of local government] (the locality), and we certify that:

1. we have the authority to request direct payment on behalf of the locality from the Commonwealth of Virginia of revenues from the Coronavirus Relief Fund (CRF) pursuant to section 601(b) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020).
2. we understand that the Commonwealth of Virginia will rely on this certification as a material representation in making a direct payment to the locality.
3. the locality's proposed uses of the funds received as direct payment from the Commonwealth of Virginia under section 601(b) of the Social Security Act will be used only to cover those costs that:
  - a. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
  - b. were not accounted for in the budget most recently approved as of March 27, 2020, for the locality; and
  - c. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.
4. any funds that are not expended or that will not be expended on necessary expenditures on or before December 30, 2020, by the locality or its grantee(s), must be returned to Commonwealth of Virginia no later than December 30, 2020, and that the Commonwealth of Virginia is entitled to invoke state aid intercept to recover any such unexpended funds that have not been returned to the Commonwealth within 30 days of December 30, 2020.
5. we understand that the locality will not receive continued funding beyond December 30, 2020, from any source to continue paying expenses or providing services that were initiated or previously supported from CRF funds prior to December 30, 2020.
6. funds received as a direct payment from the Commonwealth of Virginia pursuant to this certification must adhere to official federal guidance issued or to be issued regarding what constitutes a necessary expenditure.
7. any CRF funds expended by the locality or its grantee(s) in any manner that does not adhere to official federal guidance shall be returned to the Commonwealth of Virginia within 30 days of a finding that the expenditure is disallowed, and that the Commonwealth of Virginia is entitled to

- invoke state aid intercept to recover any and all such funds that are not repaid within 30 days of a finding that the expenditure is disallowed.
8. as a condition of receiving the CRF funds pursuant to this certification, the locality shall retain documentation of all uses of the funds, including but not limited to payroll time records, invoices, and/or sales receipts. Such documentation shall be produced to the Commonwealth of Virginia upon request.
  9. the locality must maintain proper accounting records to segregate these expenditures from those supported by other fund sources and that all such records will be subject to audit.
  10. any funds provided pursuant to this certification cannot be used as a revenue replacement for lower than expected revenue collections from taxes, fees, or any other revenue source.
  11. any CRF funds received pursuant to this certification will not be used for expenditures for which the locality has received funds from any other emergency COVID-19 supplemental funding (whether state, federal, or private in nature) for that same expense nor may CRF funds be used for purposes of matching other federal funds unless specifically authorized by federal statute, regulation, or guideline.

**For counties only**

12. an equitable share of CRF funds received pursuant to this certification shall be shared with and granted to each town within its jurisdiction. Such grant(s) shall be used solely for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), that were not accounted for in the budget most recently approved as of March 27, 2020, and that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. The county issuing the grant is responsible for the ensuring compliance with the documentation requirements required by this certification and shall ensure that the use of the funds meets the requirements set forth in this certification.

We certify that we have read the above certification and our statements contained herein are true and correct to the best of our knowledge.

By: _____	By: _____	By: _____
Signature: _____	Signature: _____	Signature: _____
Title: _____	Title: _____	Title: _____
Date: _____	Date: _____	Date: _____

**CERTIFICATION for RECEIPT of  
CORONAVIRUS RELIEF FUND PAYMENTS  
by  
ENTER LOCALITY NAME**

We the undersigned represent **ENTER LOCALITY NAME**  
(the locality), and we certify that:

1. we have the authority to request direct payment on behalf of the locality from the Commonwealth of Virginia of revenues from the Coronavirus Relief Fund (CRF) pursuant to section 601(b) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020).
2. we understand that the Commonwealth of Virginia will rely on this certification as a material representation in making a direct payment to the locality.
3. the locality 's proposed uses of the funds received as direct payment from the Commonwealth of Virginia under section 601(b) of the Social Security Act will be used only to cover those costs that:
  - a. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
  - b. were not accounted for in the budget most recently approved as of March 27, 2020, for the locality; and
  - c. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.
4. any funds that are not expended or that will not be expended on necessary expenditures on or before December 30, 2020, by the locality or its grantee(s), must be returned to Commonwealth of Virginia no later than December 30, 2020, and that the Commonwealth of Virginia is entitled to invoke state aid intercept to recover any such unexpended funds that have not been returned to the Commonwealth within 30 days of December 30, 2020.
5. we understand that the locality will not receive continued funding beyond December 30, 2020, from any source to continue paying expenses or providing services that were initiated or previously supported from CRF funds prior to December 30, 2020.
6. funds received as a direct payment from the Commonwealth of Virginia pursuant to this certification must adhere to official federal guidance issued or to be issued regarding what constitutes a necessary expenditure.
7. any CRF funds expended by the locality or its grantee(s) in any manner that does not adhere to official federal guidance shall be returned to the Commonwealth of Virginia within 30 days of a finding that the expenditure is disallowed, and that the Commonwealth of Virginia is entitled to invoke state aid intercept to recover any and all such funds that are not repaid within 30 days of a finding that the expenditure is disallowed.
8. as a condition of receiving the CRF funds pursuant to this certification, the locality shall retain documentation of all uses of the funds, including but not limited to payroll time records, invoices, and/or sales receipts. Such documentation shall be produced to the Commonwealth of Virginia upon request.
9. the locality must maintain proper accounting records to segregate these expenditures from those supported by other fund sources and that all such records will be subject to audit.

10. any funds provided pursuant to this certification cannot be used as a revenue replacement for lower than expected revenue collections from taxes, fees, or any other revenue source.
11. any CRF funds received pursuant to this certification will not be used for expenditures for which the locality has received funds from any other emergency COVID-19 supplemental funding (whether state, federal, or private in nature) for that same expense nor may CRF funds be used for purposes of matching other federal funds unless specifically authorized by federal statute, regulation, or guideline.

**For counties only**

12. an equitable share of CRF funds received pursuant to this certification shall be shared with and granted to each town within its jurisdiction. Such grant(s) shall be used solely for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), that were not accounted for in the budget most recently approved as of March 27, 2020, and that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. The county issuing the grant is responsible for the ensuring compliance with the documentation requirements required by this certification and shall ensure that the use of the funds meets the requirements set forth in this certification.

We certify that we have read the above certification and our statements contained herein are true and correct to the best of our knowledge.

By: Enter Local Official Name _____	By: Enter Local Official Name _____	By: Enter Local Official Name _____
Signature: _____	Signature: _____	Signature: _____
Title: Enter Local Official Title _____	Title: Enter Local Official Title _____	Title: Enter Local Official Title _____
Date: _____	Date: _____	Date: _____

A meeting of the Smyth County Building and Grounds Committee was held at the County Office Building on Tuesday, June 2, 2020 at 10:00 a.m.

Committee Members Present:

Rye Valley District Supervisor Lori Deel, Chair  
Saltville District Supervisor Roscoe Call

Committee Members Absent:

Park District Supervisor Kris Ratliff

Staff Members Present:

Interim County Administrator, Aaron Sizemore  
Voter Registrar, Sandy Elswick  
Administrative Assistant, Christy Bise

Chair, Rye Valley District Supervisor Lori Deel called the meeting to order at 10:04 a.m.

Interim County Administrator Aaron Sizemore reported that four responses were received from the RFP for relocation of the Voter Registrar's Office.

The committee discussed the Cornerstone Building which is owned by the County and located across the street from the courthouse. It is currently occupied by Mount Rogers staff and brings in a rental income to the County of \$667 per month. Other than creating an area to secure voting machines, this location would need little modification to meet the needs of the Registrar's Office.

- *The committee directed Interim County Administrator Aaron Sizemore to look into moving the Mount Rogers offices currently located in the Cornerstone Building to an area in the County Administration Building, freeing up that space to relocate the Voter Registrar's Office. Mr. Sizemore will report his findings at the next Board of Supervisor's meeting on Tuesday, June 9, 2020.*

Interim County Administrator Aaron Sizemore reported that the A/C has gone out at the Health Department. Trane has inspected the unit and there are so many leaks the unit will have to be replaced. A chiller can be rented to get them through the summer, but the unit will need to be replaced before next summer.

- *Saltville District Supervisor Roscoe Call made a motion for the maintenance department to obtain an estimate on renting a temporary chiller for the Health Department a/c unit to get them through the summer. Rye Valley District Supervisor Lori Deel seconded the motion.*

The meeting was adjourned at 10:38 a.m.

