

BOARD OF SUPERVISORS



THURSDAY, NOVEMBER 12, 2020
5:00 P.M.

AGENDA

Thursday, November 12, 2020
5:00 PM

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

MINUTES OF PREVIOUS MEETINGS

Request adoption of the October 13, 2020 meeting minutes (Pg. 4-16)

FINANCIAL STATUS

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

PAYMENT OF INVOICES

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

5:15 Citizen's Time

1. Old Business

- a. "Unity Day" Follow-up – Shawn Utt (Pg. 17-19)
- b. Committee Reports/Recommendations
 - i. Building and Grounds Committee – Lori Deel, Chair (Pg. 20-21)
 - ii. Public Safety Committee – Lori Deel, Chair (Pg. 22)
 - iii. Budget Committee – Charlie Atkins, Chair (Pg. 23-25)

2. New Business

- a. Resolution Regarding Qualified Immunity – Sheriff Chip Shuler (Pg. 26)

3. County Attorney Report

4. County Administrator/Staff Reports

5. Supervisor Comment Time

- 6. **Closed Session** – Code of Virginia Section 2.2-3711-A (8) Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel regarding a proposal from the Smyth County Community Foundation

7. Continue Meeting – Thursday, November 19, 2020 at 7:00 p.m.



Smyth County, Virginia
121 Bagley Circle, Suite 100
Marion, VA 24354
(276) 783-3298 p

Atkins District
Chilhowie District
North Fork District
Park District
Royal Oak District
Rye Valley District
Saltville District

Charles E. Atkins
Michael L. Sturgill
Charles P. Stevenson
Kristopher S. Ratliff, DPh
Judy Wyant
Lori H. Deel
Roscoe D. Call

County Administrator
Assistant County Administrator

Shawn M. Utt
Alicia Richardson

November 9, 2020

To: Members, Smyth County Board of Supervisors

CC: Smyth County Leadership Team

From: Shawn M. Utt, Smyth County Administrator

RE: Packet summary – November 12, 2020 Board meeting

Below are summaries related to specific agenda items. Should additional information become available, we will provide as quickly as possible:

Invocation – The pledge of allegiance will be led by Manuel Street, County GIS Coordinator. Pastor Latara Turner-Cross of Mr. Zion Temple Family Worship Center in Marion will provide the invocation for the meeting.

Minutes – the minutes of the October 13th meeting are **enclosed** (**Att. 1**) for the Board's review and approval.

Financial Status – Lisa Richardson will provide the most recent financials for the Board's review.

Payment of Invoices – Appropriations and accounts payable items to be provided with the supplemental agenda.

Citizen's Time – Time has been set aside for citizens to provide comments to the Board on general items of interest or concern.

1. **Old Business Items:**

- a. **"Unity Day" Follow-up** – Following up on discussions from the past few Board meetings and a presentation by Mr. Herbert Clay, I recently met with representatives of the JEPC (Justice. Equality. Peace. Change), a local grassroots organization that focuses on working to end racial and prejudicial inequalities. The group recently worked with the Marion Town Council on a resolution (see **enclosed**, **Att. 2**) calling for an end to racism and discrimination. The group is also working with other local governments in an effort to bring as many folks to the table as possible, similar to Mr. Clay's call for a "day of unity". The Bristol City Council recently adopted a similar resolution (see **enclosed**, **Att. 3**) with a different narrative but with the same goal. We expect some members of the JEPC group along with Mr. Clay to attend the Board meeting to discuss their request and answer any questions the Board may have of them.

b. Committee Reports/Recommendations:

- i. Buildings & Grounds Committee – minutes of the meeting are enclosed, **Att. 4.**
- ii. Public Safety Committee – minutes of the meeting are enclosed, **Att. 5.**
- iii. Budget Committee – minutes of the meeting are enclosed, **Att. 6.**

2. New Business Items:

- a. Resolution Regarding Qualified Immunity – Sheriff Shuler is requesting the Board of Supervisors' support and adoption of the enclosed resolution (**Att. 7**). During the past General Assembly session, there were several bills presented related to the national "police reform" movement. Some bills targeted the judicial doctrine known as "Qualified Immunity". Qualified Immunity is a judicially created doctrine that shields government officials (law enforcement in this case) from being held personally liable for constitutional violations for monetary damages under Federal law as long as the government officials did not violate a clearly established law. The issue arises if this is taken away from the law enforcement community, the result will be a drastic exodus of officers/deputies from the workforce with no true gain. Sheriff Shuler plans to provide additional information at the meeting and will be available answer any questions the Board may have.
- 3. Report from County Attorney: Scot Farthing will provide any updates he may have on various projects he has been working on.
 - 4. Report from County Administrator/Staff: Time has been reserved on the agenda to allow the County Administrator and/or staff to provide input and various updates as needed.
 - 5. Supervisor Comment Time: Roundtable discussion for individual Board members.
 - 6. Closed Session under Code of Virginia Section 2.2-3711-A (8) – regarding a proposal from the Smyth County Community Foundation.

ATTACHMENT 1

The Smyth County Board of Supervisors held a regular meeting on Tuesday, October 13, 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; Michael Sturgill, Chilhowie District Supervisor; Kristopher S. Ratliff, Park District Supervisor Roscoe Call, Saltville District Supervisor (6)

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

STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; County Attorney Scot Farthing; Emergency Services Coordinator Curtis Crawford; Administrative Assistants Kendra Hayden and Christy Bise (6)

OTHERS: Smyth County Sheriff's Department Deputy; Stephanie Porter-Nichols, Smyth County News; several citizens

 10/13/2020 5:01 PM Chair, Royal Oak District Supervisor Judy Wyant called the meeting to order and welcomed everyone to the meeting.

 10/13/2020 5:01 PM Reverend Emily Edmondson, Christ Episcopal Church, gave the invocation.

 10/13/2020 5:02 PM Shawn Utt, County Administrator, led the Pledge of Allegiance.

 10/13/2020 5:03 PM Vice Chair, Rye Valley District Supervisor Lori Deel read the following resolution in honor of Adwolfe Volunteer Fire Fighter Charles "Dog" Woods who passed away at the scene of a fire on September 23, 2020.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION IN HONOR OF FIREFIGHTER CHARLES "DOG" WOODS

WHEREAS, Charles C. "Dog" Woods, a dedicated, courageous, and beloved firefighter, who was born in and has been a lifelong resident of Smyth County; and,

WHEREAS, Firefighter Woods served his community for 34 years as a member of Adwolfe Volunteer Fire Department, Marion Lifesaving Crew, and Marion Fire Department; and,

WHEREAS, on the morning of September 23rd, 2020, Firefighter Woods answered the call to protect his community and assist a neighbor in a time of need, and responded to a house fire in the call of duty, and during that duty made the ultimate sacrifice; and

WHEREAS, Firefighter Woods lived selflessly, always thinking of others in life by providing aid to neighbors and the communities of Smyth County and even in death in being an organ donor; and,

WHEREAS, to honor his bravery and service to others, full fireman's honors were rendered by the Adwolfe Volunteer Fire Department during Firefighter Woods's interment; and,

WHEREAS, Firefighter Woods was a dedicated husband of 35 years to his wife, Missy and father of two sons, Zach and Jimmy, both of whom have followed in his footsteps to serve the community; and,

THEREFORE, BE IT RESOLVED that the Smyth County Board of Supervisors would like to formally honor the family of Firefighter Woods for their support that allowed him to faithfully serve his community in so many ways for so many years; and

THEREFORE, BE IT FURTHER RESOLVED that the Smyth County Board of Supervisors hereby note with great sadness the sacrifice of Firefighter Charles "Dog" Woods, a dedicated firefighter/EMT and a beloved member of the Adwolfe community and the Smyth County community as a whole.

Adopted this the 13th day of October, 2020

ATTEST:

**SMYTH COUNTY
BOARD OF SUPERVISORS**

Shawn M. Utt, Clerk

Judy Wyant, Chair

A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to adopt the resolution. Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Atkins District Supervisor Charles Atkins

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

The resolution was presented to members of Mr. Woods' family along with members of the Adwolfe Volunteer Fire Department. The fire department thanked the County for their support during this difficult time. The Board expressed their condolences to Mr. Woods' family and fire department members.



10/13/2020 5:10 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel, seconded by Saltville District Supervisor Roscoe Call, to approve the minutes of the September 9, 2020 meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Atkins District Supervisor Charles Atkins

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.



10/13/2020 5:10 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel, seconded by Saltville District Supervisor Roscoe Call, to approve the minutes of the September 24, 2020 meeting.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and

Atkins District Supervisor Charles Atkins

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 10/13/2020 5:11 PM Assistant County Administrator Lisa Richardson reviewed the County financial information.

 10/13/2020 5:15 PM Saltville District Supervisor Roscoe Call made a motion to approve the following payment of invoices:

General County	
Accounts Payable Listing:	\$2,129,838.85
Payroll:	\$730,000.00
Auto Draft Rural Development:	\$15,515.00
Utilities/Misc	\$30,000.00
County Administration Fund:	\$5,000.00
Total County Appropriation (Plus Carryover):	\$2,900,000.00

Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Atkins District Supervisor Charles Atkins

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 10/13/2020 5:16 PM Saltville District Supervisor Roscoe Call made a motion to approve the following Social Services appropriations:

Social Services	
(October 14 – 31, 2020)	\$385,000.00
(November 1 – 10, 2020)	\$60,000.00
Total Social Services:	\$445,000.00

Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Atkins District Supervisor Charles Atkins

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 10/13/2020 5:16 PM Saltville District Supervisor Roscoe Call made a motion to approve the following School Board appropriations:

Schools-Operating Fund	
Instruction	\$2,900,000.00
Administration, Attendance, & Health	\$125,000.00
Transportation	\$140,000.00
Facilities	\$335,000.00
School Food Service	\$225,000.00
Technology	\$100,000.00
Total School Operating Fund:	\$3,825,000.00

Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff, and
Atkins District Supervisor Charles Atkins

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: North Fork District Supervisor Phil Stevenson

 10/13/2020 5:16 PM Saltville District Supervisor Roscoe Call made a motion to approve the following School Board appropriations:

School Debt and Capital Outlay	\$220,000.00
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Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff, and
Atkins District Supervisor Charles Atkins

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: North Fork District Supervisor Phil Stevenson

 10/13/2020 5:17 PM Saltville District Supervisor Roscoe Call made a motion to approve the following CDBG Fund 303 appropriation:

CDBG Food Pantry Fund 303	\$6,025.00
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Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Atkins District Supervisor Charles Atkins

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 10/13/2020 5:17 PM Saltville District Supervisor Roscoe Call made a motion to approve the following Fund 748 appropriation:

Sheriff Dept Fund 748	\$2,058.85
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Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.


After consideration, the motion PASSED by the following vote:

AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Atkins District Supervisor Charles Atkins


NAYS: None.

ABSTAINERS: None.


ABSENT: North Fork District Supervisor Phil Stevenson

 10/13/2020 5:17 PM Chair, Royal Oak District Supervisor Judy Wyant opened citizen's time. Roby Parks, Jr, 187 Churchland Drive, Atkins, presented information about an on-going problem with the property located at 190 Churchland Drive, Atkins. Mr. Parks has been in contact with the Health Department, Sheriff's Department, Virginia State Police, and the County's Building and Zoning Department concerning junk cars, campers, and sewage issues related to that property. Mr. Parks reported that the Health Department has issued citations for sewage violations in the past, but when they come back and check the property is in compliance. Mr. Parks believes this is a nuisance and downgrading the value of his property. Chair, Royal Oak District Supervisor Judy Wyant deferred this matter to the County Attorney for more research and asked him to follow-up with Mr. Utt to get the issue resolved.

 10/13/2020 5:27 PM Jason Pratt, 159 Churchland Drive, Atkins, echoed what Mr. Parks said about the property located at 190 Churchland Drive. Mr. Pratt stated he has spoken with the Virginia State Police, VDOT, and the Commonwealth Attorney's Office and nothing has been resolved.

 10/13/2020 5:31 PM Nathan Gary, Saltville Rescue Squad, provided an update to the Board of the status of the squad. Mr. Gary provided call reports for the month of September and reported they are currently operating in the black. Saltville District Supervisor Roscoe Call and Chair, Royal Oak District Supervisor Judy Wyant commended Mr. Gary and the squad for their hard work. Mr. Gary asked about the status of the new ambulance that has been ordered for Saltville and Mr. Crawford stated the expected arrival is in December.

 10/13/2020 5:34 PM Chair, Royal Oak District Supervisor Judy Wyant closed citizen's time.

 10/13/2020 5:34 PM Mr. Utt presented a budget amendment request in the amount of \$111,541 for two items. One is a grant for mass casualty response from the Virginia Department of Emergency Management in the amount of \$27,973. This grant requires no local match from the County. The second request is from the School Board for window replacement at Marion Senior High School using FY20 rollover funds in the amount of \$83,568. *Park District Supervisor Kris Ratliff made a motion to approve the budget amendment request and adopt the following resolution:*



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION SMYTH COUNTY BUDGET FISCAL YEAR 2020-2021 – AMENDMENT #2

WHEREAS, the Smyth County Board of Supervisors, on June 30, 2020 adopted the Fiscal Year 2020-2021 Budget in the original amount of \$94,209,332; and

WHEREAS, the Smyth County Board of Supervisors adopted an amended budget for Fiscal Year 2020-2021 in the amount of \$97,135,790; and,

WHEREAS, the aggregate amount of budget amendment #2 is \$111,541 which would increase the Fiscal Year 2020-2021 budget to a total of \$97,247,331 as described in greater detail on Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors sets forth and approves the amended Smyth County Budget for the fiscal year 2020-2021 in the amount of \$97,247,331.


BE IT FURTHER RESOLVED, the approval of this budget shall not constitute an appropriation of funds.

Adopted this the 13th day of October, 2020

SMYTH COUNTY
ATTENT:


Shawn M. Utt, Clerk

BOARD OF SUPERVISORS


Judy Wyant, Chair

Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Atkins District Supervisor Charles Atkins

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 10/13/2020 5:36 PM Vice Chair, Rye Valley District Supervisor Lori Deel presented the following recommendations from the Water and Sewer Committee meeting on October 6, 2020:

- The Bank of Marion had requested a reduction in the water and sewer lien the County has on the property located at 1902 Ashton Lane, Marion.
North Fork District Supervisor Phil Stevenson made a motion to deny the Bank of Marion's request for a reduction of the County's lien on the property located at 1902 Ashton Lane, Marion. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved. Additionally, North Fork District Supervisor Phil Stevenson motioned that, upon approval from the Health Department, the sewer be plugged off at this property. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.
- Pump and haul permit request for 1105 South Main Street, Marion.
The committee unanimously agreed to table this matter until the Health Department makes their determination on the request.
- Deep sewer taps requiring special equipment that have to be contracted out to a third party at a higher cost.
North Fork District Supervisor Phil Stevenson made a motion to leave the sewer connection fees the same and buy a trench box this fiscal year and reassess the fee schedule in the future. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.
- Additional refund request from Mrs. Foster for deceased son's property located on Harris Lane.
North Fork District Supervisor Phil Stevenson made a motion to deny the additional refund request from Mrs. Foster for sewer fees paid by her deceased son. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.

The Board unanimously approved all four recommendations from the Water and Sewer Committee.


 10/13/2020 5:42 PM Atkins District Supervisor Charles Atkins presented the following recommendations from the Animal Damage Committee meeting on October 6, 2020.


- Amanda McClure – 10 chickens – After review and discussion, *North Fork District Supervisor Phil Stevenson made a motion approving \$30.00 to be paid for the claim. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved.*
- Walter Thorpe – 6 chickens, 1 duck – After review and discussion, *North Fork District Supervisor Phil Stevenson made a motion approving \$70.00 to be paid for the claim. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved.*
- Wayne Talbert – 1 sheep – After review and discussion, *North Fork District Supervisor Phil Stevenson made a motion to deny the claim based on the inability to determine how the sheep died. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved.*

- Tiphney Evans – 1 pregnant goat – After review and discussion, *North Fork District Supervisor Phil Stevenson made a motion to deny the claim based on the inability to determine how the goat died. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved.*

The Board unanimously approved all four recommendations from the Animal Damage Committee.

 10/13/2020 5:45 PM County Attorney Scot Farthing stated he had nothing to report at this time.

 10/13/2020 5:45 PM Mr. Utt reported he had met with Herbert Clay about his request for a “Day of Unity” to bring groups from various sides of many issues together as a show of solidarity. After discussion, Mr. Utt and Mr. Clay agreed to get a larger group together to discuss a future plan. Mr. Utt presented information on a 5-year Capital Improvement Plan (CIP) he is working on with County leadership staff. He is conducting an internal audit of needs from each department and anticipates presenting an initial draft of the CIP to the Board at their December meeting. Mr. Utt also discussed a proposed retreat for the Board to get together and have discussion about a variety of issues. No date or location has been determined yet, and he asked the Board to provide him with any ideas they might have. Mr. Utt is currently working to get a third-party facilitator to assist with the retreat. Mr. Utt reported that Aaron Sizemore has been working with the Virginia Department of Mines, Minerals and Energy to get a copy of the mineral extraction permit for the mines in Saltville. The permit shows the County boundary relative to the location of both the salt and gas wells using the boundary line shown on USGS mapping. Mr. Utt is asking the Board if they would like to continue with the \$14,000 boundary survey that was previously authorized. Saltville District Supervisor Roscoe Call reported that the gas company has two wells that he believes split the Smyth and Washington County lines. Mr. Call also reported that a new well (#5) will be drilled soon. Mr. Call recommended the survey move forward because there is good potential for capital investment of the company and revenue for the County. Mr. Utt noted that he wanted clarification for moving forward with the survey and no action from the Board is required at this time.

 10/13/2020 5:53 PM Mr. Utt reported that new information had come to his attention this afternoon and he is requesting the Board to add a closed session to the agenda before adjournment under Virginia Code Section 2.2-3711(A)5 discussion concerning a prospective business or industry, or the expansion of an existing business and industry, where no previous announcement has been made of the business’ or industry’s interest in locating or expanding its facilities in the community regarding Project Twin Rivers.

A motion was made by Saltville District Supervisor Roscoe Call to amend the agenda to add closed session. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:


AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and

Atkins District Supervisor Charles Atkins


NAYS: None.


ABSTAINERS: None.


ABSENT: North Fork District Supervisor Phil Stevenson


 10/13/2020 5:54 PM Supervisor Comment Time – Park District Supervisor Kris Ratliff welcomed the new Emergency Management Coordinator, Curtis Crawford. Mr. Crawford expressed his thanks for the opportunity and looks forward to working with the County and the Board. Mr. Ratliff also recognized School Board member Mac Buchanan and thanked him for coming to the meeting. He thanked Mr. Parks for coming before the Board and expressing his concerns and hopes to get the matter resolved. He thanked law enforcement for their presence at the meeting. Lastly, he stressed the importance of getting a flu shot and taking care of family members.

 10/13/2020 5:57 PM Atkins District Supervisor Charles Atkins reminded everyone the November meeting will be held on the second Thursday, November 12th. He encouraged everyone to be safe and appreciates that way the Board is working together to get things accomplished.

 10/13/2020 5:58 PM Vice Chair, Rye Valley District Supervisor Lori Deel thanked the Board for their support of the Adwolfe Fire Department and Mr. Woods' family. She commended Mr. Utt for his leadership and thinking ahead with a new vision and she looks forward to great things. She also welcomed Mr. Crawford to his new position and thanked him for the work he has done so far. Ms. Deel echoed what Mr. Atkins said about the Board working together to do what's best for the citizens. She is glad to be moving forward with the salt mines situation and hopes for large returns. She is also relieved that schools are going back to semi-normal schedules and encouraged everyone to be kind to teachers and the School Board with all the tough decisions that have to be made. Lastly, she encouraged everyone to stay safe and be mindful.

 10/13/2020 5:59 PM Chair, Royal Oak District Supervisor Judy Wyant welcomed Mr. Crawford and stated she is glad to have his expertise and guidance. She added that the health and welfare of our community is primary and we need to do everything possible to keep everyone healthy. She thanked Mr. Utt for his good use of taxpayer dollars. Ms. Wyant thanked everyone, including the School Board, for their hard work this year and she looks forward to planning the capital improvement projects in the coming year.

 10/13/2020 6:01 PM Chilhowie District Supervisor Michael Sturgill welcomed Mr. Crawford and looks forward to his work. He also thanked EMS for doing a great job and for their dedication and sacrifice. Mr. Sturgill thanked Mr. Buchanan for attending tonight's meeting and he appreciates that hard work of the School Board. He thanked law enforcement for the protection of the County and Mr. Utt and his team for their leadership.

 10/13/2020 6:02 PM Saltville District Supervisor Roscoe Call welcomed everyone who attended tonight's meeting. He expressed concern over the convenience station workers who are working on the front-lines of COVID and only being paid minimum wage. Mr. Call understands that minimum

wage is going up January 1, 2021, but he would like to make a motion to raise all County minimum wage employees' pay to the new amount effective November 1, 2020 instead of waiting until January to show gratitude and appreciation. Board Members also discussed the idea of doing a one-time bonus now and then giving the raise as scheduled in January. Mr. Utt recommended that staff do more research on this issue and bring the information back before the Board at the November meeting. *Saltville District Supervisor Roscoe Call amended his motion to direct staff to research the wage/bonus issue and create a plan to present at the November Board Meeting. Atkins District Supervisor Charles Atkins seconded the motion.* Mr. Atkins said that, as discussed in budget meetings, all salaries need to be looked at based on the minimum wage increase. Mr. Ratliff asked about the status of the salary study approved by the Board and asked if staff could also provide the Board with a roster of current positions and salaries at the November meeting.


After consideration, the motion PASSED by the following vote:

AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Atkins District Supervisor Charles Atkins

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 10/13/2020 6:08 PM A motion was made by Atkins District Supervisor Charles Atkins to enter into closed session under Virginia Code Section 2.2-3711(A)5 discussion concerning a prospective business or industry, or the expansion of an existing business and industry, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community regarding Project Twin Rivers. Saltville District Supervisor Roscoe Call seconded the motion.


After consideration, the motion PASSED by the following vote:

AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Atkins District Supervisor Charles Atkins

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 10/13/2020 6:21 PM It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe Call, to adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION
CERTIFICATION OF CLOSED SESSION

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

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

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

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Atkins District Supervisor Charles Atkins*

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.



10/13/2020 6:23 PM A motion was made by Saltville District Supervisor Roscoe Call, seconded by Chilhowie District Supervisor Michael Sturgill, to adjourn.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Royal Oak District Supervisor Judy Wyant,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Saltville District Supervisor Roscoe D. Call,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Atkins District Supervisor Charles Atkins*

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

**TOWN OF MARION**

P.O. Box 1005
138 West Main Street
Marion, VA. 24354
Phone: 276-783-4113 Fax: 276-783-8413
www.marionva.org

Council:
David P. Helms, Mayor
Dr. James L. Gates, Vice Mayor
Larry Carter Bill Weaver
Suzanne Jennings Tricia Spencer
Jim Barker Avery Cornett

WHEREAS, the Council of the Town of Marion condemns events of racism, discrimination, and inequality that exist in our community, our nation, and our world; and

WHEREAS, racism and discrimination unfairly disadvantages specific individuals and communities, and the Town of Marion's collective prosperity depends upon the equitable access to opportunity for every resident regardless of the color of their skin, or any other protected class; and

WHEREAS, racism causes persistent discrimination and disparate outcomes in many areas of life, including housing, education, employment and criminal justice; and

WHEREAS, no change will be realized until all citizens of this community, this Commonwealth, and this nation stand besides those standing for justice.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF MARION, VIRGINIA, THAT WE acknowledge that racism and discrimination affects our entire country, and will continue to work to progress as an equitable and justice-oriented organization, promoting equity through all policies approved by the Council, will support community efforts to address issues of racism and discrimination in any and every form where it exists, and to engage actively and authentically with every citizen to ensure equal treatment and justice for all.

Be It Further resolved, that the Town Council of the Town of Marion denounces racism, sexism, xenophobia and/or discrimination for any reason, and hereby officially voices our continuing support of efforts to address racism and discrimination in the Town of Marion, Commonwealth of Virginia, and nationwide.

Given this day, October 19, 2020

David P Helms, Mayor

Cindy Stanley, Clerk



Bill Rush, Town Manager
Cindy Stanley, Dir. Of Finance/Town Clerk
Ken Heath, Dir. Of Comm. & Economic Dev.
Tony Muncy, Dir. Of Public Works

John Clair, Chief of Police
Billy Hamm, Dir. Of Purchasing
Terry Jennings, Dir. Of Recreation
Mark Fenyk, Counsel





City of Bristol, Virginia

300 Lee Street, Bristol, Virginia 24201 (276) 645-7333

FAX: (276) 821-6278

Website: www.bristolva.org



RESOLUTION TO SEEK UNDERSTANDING, RECONCILIATION AND SOLUTIONS IN ORDER TO PROVIDE A BETTER COMMUNITY FOR ALL CITIZENS WITHOUT REGARD TO RACE, SEX, RELIGION, POLITICAL AFFILIATION OR ECONOMIC STANDING

UPON the events and challenges confronting our community and nation, which have their genesis in the historical disparities of our past and indifferences in our present, and with the intent to acknowledge, confront and remedy the same, we state the following:

Whereas, the City of Bristol, Virginia embraces the truths that its citizens have been created equal and deserve equal opportunities and fair treatment; and

Whereas, the City of Bristol, Virginia encourages civility during the discussion and debate of all issues; and

Whereas, the City of Bristol, Virginia recognizes that we are one people with the common bonds of hope and humanity and that our future prosperity can only be achieved through unity; and

Whereas, the City of Bristol, Virginia recognizes that our common aspirations outweigh our differences; and

Whereas, the City of Bristol, Virginia celebrates and values the diversity, identity, and heritage of all its citizens; and

Whereas, the City of Bristol, Virginia pledges to achieve the ideals of equality for our citizens and all peoples, regardless of gender, age, race, color, religion, creed, political affiliation, economic stature or any other differentiation; now, therefore, be it

RESOLVED that the City Council of Bristol, Virginia denounces and condemns racism in all of its forms, commits to working towards unity and understanding, and endeavors to be an example and an encouragement for other municipalities to do the same; and

Be it further resolved that the City of Bristol, Virginia condemns all forms of hate which jeopardize the decency of the life for all Americans; and

Be it further resolved, that the City of Bristol, Virginia will set the standard to achieve racial unity in Bristol by leading by example through our actions and words; and

Be it further resolved that the City of Bristol, Virginia will be leaders to people of all colors to empower them as needed and to provide them protection from acts of racism and other forms of discrimination; and

Be it further resolved that the City of Bristol, Virginia wants to ensure all community members regardless of skin color and ethnicity to feel safe, included, equal and protected.

ADOPTED this 27th day of October, 2020.



(SEAL)

Attest: Nicole Storm
CLERK OF THE CITY OF
BRISTOL, VIRGINIA

CITY COUNCIL

By
Clerk

By
Mayor

ATTACHMENT 4

A meeting of the Smyth County Building and Grounds Committee was held at the County Office Building on Thursday, November 5, 2020 at 10:00 a.m.

Committee Members Present:

Rye Valley District Supervisor Lori Deel, Chair
Park District Supervisor Kris Ratliff

Committee Members Absent:

Saltville District Supervisor Roscoe Call

Staff Members:

Shawn Utt, County Administrator
Lisa Richardson, Assistant County Administrator
Clegg Williams, Building and Zoning Administrator
Christy Bise, Administrative Assistant

Chair, Rye Valley District Supervisor Lori Deel called the meeting to order at 10:00 a.m.

Mr. Utt reviewed the bids received for the Cornerstone Building. Two bids were received – one from Mt. Rogers CSB in the amount of \$128,000 and one from Campbell Law Firm in the amount of \$98,500. The committee discussed various options for the building. After discussion and consideration,

Park District Supervisor Kris Ratliff made a motion to transfer ownership of the Cornerstone property to the Smyth County Economic Development Authority (EDA) and direct them to put out an RFP for a realtor to sell the property at a negotiated minimum price with the profits to be split 50/50 with the County. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously carried.

The committee discussed the status of the Riverside Community Center which is currently occupied by the Riverside Ruritan Club. The Center has been used for a voting location in the past, but there have been accessibility issues. The County owns the building and the Ruritan's have been leasing the location, but the lease has expired. After discussion,

Park District Supervisor Kris Ratliff made a motion to transfer ownership of the Riverside Community Center to the Riverside Ruritan Club. The County will notify the Electoral Board of the transfer of ownership. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously carried.

Mr. Utt and Mr. Williams discussed the heating system for the Morrison Building. A boiler RFP was done several years ago, but it has since expired. The previous RFP was very basic and did not include specifics for what was needed to properly heat the entire building. With the transfer of ownership of the building from the State to the County, water and steam was to be provided by the State for another 1-2 years before being turned off. The deed of transfer has not been completed yet. After discussion,

Park District Supervisor Kris Ratliff made a motion to hire a mechanical engineer to evaluate the heat needs for the Morrison Building and develop the specifications to be put out for bid. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously carried.

(minutes continue on next page)

Mr. Utt discussed the empty space at the Courthouse beside General District Court that could be used for Southwest Virginia Community Corrections offices. Some money remains in the Courthouse bond that can be applied toward renovation costs, along with replacement cost of a sewer pipe.

Park District Supervisor Kris Ratliff made a motion to utilize remaining Courthouse bond funds to do the necessary renovations to house the Community Corrections offices and to complete the sewer line repairs. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously carried.

The meeting was adjourned at 11:00 a.m.

DRAFT

ATTACHMENT 5

A meeting of the Smyth County Public Safety-EMS Committee was held at the County Office Building on Thursday, November 5, 2020 at 11:00 a.m.

Committee Members Present:

Rye Valley District Supervisor Lori Deel, Chair
Chilhowie District Supervisor Mike Sturgill
Park District Supervisor Kris Ratliff

Staff Members:

Shawn Utt, County Administrator
Lisa Richardson, Assistant County Administrator
Curtis Crawford, Emergency Management Coordinator
Shannon Williams, 911 Coordinator

Chair, Rye Valley District Supervisor Lori Deel called the meeting to order at 11:07 a.m.

The committee discussed information concerning the radio system and the use of UHF/VHF radio coverage. The County currently uses a VHF system, which is aging out. UHF provides "in building" coverage and has a broader range than VHF. During the next budget cycle, improved communication options need to be considered.

COVID-related purchases were reviewed and discussed. SCBA has been purchased and distributed equally among all agencies. The new ambulance will be delivered soon and a lease agreement, driving policy, and expectations of what the agency will provide to the County are being developed and will be presented at the December Board of Supervisors meeting. The committee also discussed future emergency vehicle rotation, insurance, maintenance, and billing options.

A motion was made by Chilhowie District Supervisor Mike Sturgill for the Board of Supervisors to send a letter of support to each of the Fire Departments. The motion was seconded by Park District Supervisor Kris Ratliff and unanimously approved.

Mr. Crawford presented data related to call rates and response times for the various agencies throughout the County.

Information about the Local Emergency Management Performance Grant (LEMPG) was presented for review. The grant funds will be used to improve communication, develop an outreach plan, building partnerships, training, infrastructure, and for the purchase of COVID-19 needed supplies. The grant portion would be \$49,804 and would require a local match from the County in the amount of \$49,804 which could come from CARES Act money.

Mr. Crawford reviewed mass notification systems that could be purchased as part of the LEMPG to improve notifications throughout the County. He also discussed using social media to increase outreach.

The committee discussed the type of information and data they would like to be presented at future meetings.

The meeting was adjourned at 1:13 p.m.

ATTACHMENT 6

A meeting of the Smyth County Budget Committee was held at the County Office Building on Friday, November 6, 2020 at 11:00 a.m.

Committee Members Present:

Atkins District Supervisor Charles Atkins, Chair
Royal Oak District Supervisor Judy Wyant
Rye Valley District Supervisor Lori Deel

Staff Members:

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

Chair, Atkins District Supervisor Charles Atkins called the meeting to order at 11:00 a.m.

Mr. Utt presented three budget amendment requests from the School Board:

1. **Governor's Emergency Education Relief Funds (GEER):** these funds were provided to the School System to purchase backpack foggers, mobile hot spots for students who need them (and have cell coverage at home), and water bottle fill stations for every school. The amount of GEER funds is \$227,625.
2. **Coronavirus Relief Funds (CRF):** these funds were provided by the Governor and have the same spending deadline as the County's CARES Act funding (spent by Dec. 30th). The Superintendent is recommending the purchase of buses, Chromebooks for teachers and miscellaneous reimbursements for costs incurred last school year (mostly OT-type). The amount of CRF funds is \$709,170.
3. **Smyth County CARES Act Funds:** Following their anticipated action to approve their budget on November 9th, we will need for formally appropriate the County's contribution (\$776,157) into Fund 009.

The School Board's budget committee has approved the requests and they will be presented to the School Board at their meeting on Monday, November 9th for consideration.

Mr. Utt presented information on an Emergency Management grant and additional CARES Act funding for broadband. The VDEM grant is for an additional \$49,804 and will need to be included in the budget prior to moving forward. It does require a local match, but that money could come from CARES Act funds. The Governor announced an investment into broadband networks statewide, and the County received two local requests. One from Point Broadband to provide additional service in the Rich Valley area and one from SmythNet to provide upgrades to the backbone of their services which would increase service capabilities for 1,024 customers. No County funds would be required for any of the requests.

	Joint Applicant	Amount	Grant	Match
Application #1	Point Broadband LLC	\$262,875	\$191,427	\$71,448
Application #2	Point Broadband LLC	\$140,405	\$122,165	\$18,240
Application #3	SmythNet	\$ 65,600	\$ 65,600	\$0
	TOTAL	\$468,880	\$379,192	\$94,688

The total budget amendment would be in the amount of \$2,141,948.

A motion was made by Rye Valley District Supervisor Lori Deel to set a public hearing at the November Board Meeting for December 8, 2020 at 5:30 p.m. for the proposed budget amendments. Royal Oak District Supervisor Judy Wyant seconded the motion and it was unanimously approved.

Mr. Utt presented information from the Commissioner of Revenue's office regarding the properties that have qualified for the Enterprise Zone Program and related incentives. At the September 8th Board meeting, the Board voted to approve Mt. View Properties and Richards Comm. Properties. The Commissioner is requesting to add in Royal Oak Real Estate LLC to the list. The value of the increase in assessment is \$8,867.69, which is the amount requested to be exonerated for the Enterprise Zone Program.

A motion was made by Rye Valley District Supervisor Lori Deel to approve the Enterprise Zone Program request. Royal Oak District Supervisor Judy Wyant seconded the motion and it was unanimously approved.

The committee discussed the request by Saltville District Supervisor Roscoe Call at the last Board of Supervisors meeting to increase the hourly rate of pay for convenience station workers effective November 1, 2020 to the new minimum wage amount of \$9.50. Mr. Utt stated the cost of this increase prior to May 1, 2021 would be approximately \$32,000 - \$33,000 with savings and unfilled vacancies helping to offset that cost. After reviewing minimum wage standards and expectations,

Royal Oak District Supervisor Judy Wyant made a motion to implement the minimum wage increase to \$9.50 per hour effective January 1, 2021, with a one-time \$500 bonus for all full-time employees and a one-time \$250 bonus for all part-time employees to be paid on November 30, 2020. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.

Mr. Utt presented a request from the Commissioner of Revenue's Office for a \$1,778.65 refund as part of the Veterans Tax Relief Program for a property located on Skyview Drive in Chilhowie.

Rye Valley District Supervisor Lori Deel made a motion to approve the tax refund request. Royal Oak District Supervisor Judy Wyant seconded the motion and it was unanimously approved.

Rye Valley District Supervisor Lori Deel discussed the need for upgrading the walking track at the Konnarock Center. She asked for consideration of using \$10,000 in CARES Act funds to pay for improvements to the track when, due to COVID, residents are limited on where they can go for exercise.

Rye Valley District Supervisor Lori Deel made a motion to appropriate \$10,000 of CARES Act funds to the Konnarock Center for walking track improvements if enough funding remains available and Atkins District Supervisor Charles Atkins seconded the motion. Royal Oak District Supervisor Judy Wyant abstained from the vote because she would like to see all areas of the County be evaluated for funding consideration. After further discussion, Ms. Wyant agreed with the motion and it was unanimously approved.

Mr. Utt asked the committee's consideration of keeping the discretionary fund in mind when processing next year's budget.

Royal Oak District Supervisor Judy Wyant reviewed the membership information for the AirMedCare Network for the County's consideration as part of next year's budget.

With no further business to discuss, the meeting was adjourned at 12:10 p.m.

DRAFT



***SMYTH COUNTY
BOARD OF SUPERVISORS***

A RESOLUTION IN OPPOSITION TO ANY LEGISLATIVE EFFORT TO REPEAL OR REVISE THE JUDICIAL DOCTRINE OF QUALIFIED IMMUNITY FOR LAW ENFORCEMENT OFFICIALS.

WHEREAS, the General Assembly of Virginia is considering possible repeal or revision of the judicial doctrine of qualified immunity, and

WHEREAS qualified immunity protects law enforcement officials from frivolous, vengeful, and harassing lawsuits while allowing full trial of any case with merit; and

WHEREAS any legislative repeal or revision of qualified immunity would manifestly harm law enforcement by putting law enforcement officers at constant risk of unjustified lawsuits for almost every action they take; and

WHEREAS, any legislative repeal or revision of qualified immunity would require the taxpayers of Smyth County to pay for the defense of any and every claim against law enforcement officials, no matter how frivolous or unjustified; and

WHEREAS, repeal or revision would contribute to making law enforcement officials hesitate or refrain from becoming involved in some high-conflict situations because of the fear of liability, even for actions taken in good faith, and such hesitation or restraint will jeopardize public safety; and

WHEREAS, repeal or revision would make it harder to recruit and to retain the most highly qualified candidates for deputy positions because of the fear of repeated unjustified lawsuits; and

WHEREAS efforts at repeal or revision represent ill-advised prejudice against the men and women of law enforcement who put their lives on the line every day to protect public safety,

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SMYTH COUNTY:

1. That Smyth County opposes any legislative repeal or revision of the judicial doctrine of qualified immunity and urges the County's delegation to the General Assembly to oppose any such effort.
2. The Clerk shall provide an attested copy of this resolution to all members of the County's delegation to the General Assembly.

Adopted by the Smyth County Board of Supervisors this ____ day of _____, 2020.

ATTEST:

**SMYTH COUNTY
BOARD OF SUPERVISORS**

Shawn M. Utt, Clerk

Judy Wyant, Chair