

# BOARD OF SUPERVISORS



THURSDAY, AUGUST 26, 2021  
5:00 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

**MEETING AGENDA**  
**SMYTH COUNTY BOARD OF SUPERVISORS**  
Thursday, August 26, 2021  
5:00 PM

- 1) **CALL MEETING TO ORDER** Chairman  
*Pledge of Allegiance & Invocation*
- 2) **AMENDMENTS TO AGENDA / ADOPTION OF AGENDA** Chairman
- 3) **SPECIAL RECOGNITIONS** Chairman  
a. Commonwealth Opportunity Fund Presentation
- 4) **MINUTES OF PREVIOUS MEETINGS** Chairman  
a. Minutes of August 10, 2021 Board meeting (Pg 6-19)  
b. Minutes of August 16, 2021 Community Input meeting  
(Pg 20-21)
- 5) **PUBLIC HEARINGS** Chairman  
a. FY 2021/22 Budget Amendment #1 (Pg 22-25)
- 6) **PRESENTATIONS** Chairman  
a. Economic Development Planning, Smyth County Tourism,  
Smyth County Chamber of Commerce & Smyth County  
Economic Development
- 7) **PAYMENT OF INVOICES/ACCOUNTS PAYABLE** Chairman  
*None anticipated at this time*
- 8) **CITIZENS TIME** Chairman  
*The Board welcomes your input. You may address the Board using the sign-in sheet located in the rear of the room. At this time, you may address the Board on items that may or may not be on the agenda. Time limit is three (3) minutes.*
- 9) **OLD BUSINESS** Chairman  
a. Report from Community Input Meeting on Meals Tax (Pg 26-27)  
b. ARPA Review Committee Appointments from Each District  
(Pg 28-29)

*Agenda continued on back*

- |     |   |                             |
|-----|---|-----------------------------|
| 10) | <b>NEW BUSINESS</b>                             | Chairman                    |
|     | a. Proposed Recreation Committee / Partnership  |                             |
| 11) | <b>REPORT FROM COUNTY ATTORNEY</b>              | Scot Farthing, County Att'y |
| 12) | <b>REPORT FROM COUNTY ADMINISTRATOR / STAFF</b> | Shawn Utt, County Admin.    |
| 13) | <b>SUPERVISOR COMMENT TIME</b>                  | Board Members               |
| 14) | <b>CLOSED SESSION</b>                           |                             |





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*Roscoe D. Call*

*County Administrator*  
*Assistant County Administrator*

*Shawn M. Utt*  
*Alicia Richardson*

August 23, 2021

To: Members, Smyth County Board of Supervisors

CC: Smyth County Leadership Team

From: Shawn M. Utt, Smyth County Administrator

RE: Packet summary – August 26, 2021 Board meeting

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

1. **Call to Order, Pledge of Allegiance & Invocation** – The pledge of allegiance will be led by Shawn Utt, County Administrator. The invocation will be provided by Kendra Hayden.
2. **Amendments to Agenda** – if any are necessary, they will be presented at the meeting.
3. **Special Recognitions**
  - A. **Commonwealth Opportunity Fund Presentation** - Scholle IPN's expansion in 2018 provided a capital investment of \$10,290,000.00 within 36 months (\$3.24MM in building upfits and \$7.05MM in production related machinery). The expansion created 42 new jobs over the baseline of 108 at an average wage of \$43,806 plus a benefits package. The Commonwealth Opportunity Fund grant threshold requirements have been verified by the Virginia Economic Development Partnership (VEDP) with authorization to release the funds. Smyth County happily awards the full grant funds of \$125,000.00 to Scholle, IPN. Representatives from Scholle will be here to accept the check.
4. **Minutes of Previous Meeting(s)** – the minutes of the August 10, 2021 (**Att. 1**) Board meeting and the August 16, 2021 (**Att. 2**) community input meeting are **enclosed** for the Board's review and approval. Additional time has been set aside on the agenda under item 9.a for a review and discussion of the meals tax community input meeting.
5. **Public Hearing**
  - a. **FY 2021/22 Budget Amendment #1** – As part of the budget roll-over process, we have put together the **enclosed** (**Att. 3**) summary of items to be included in the FY21/22 budget amendment #1. In total, the proposed amendment is in the amount of \$5,330,083 and includes the School Board rollover request from last fiscal year (\$210,678), School Board ESSER II stimulus fund request (\$973,911), the first round of ARPA stimulus funding (\$2,923,675), grant funding rollover (\$606,819 in total), EDA land sale proceeds (\$450,000), rollover funds from CARES Act for emergency management vehicle/equipment (\$50,000), the acceleration of the operational hours at the Convenience Stations (\$15,000) and the Explorer's After-School Program partnership with the schools (\$100,000). Since the total amount exceeds the 1%



threshold of the County budget, a public hearing is required prior to action by the Board. Accordingly, we have advertised said public hearing for this evening's meeting.

**6. Presentations**

- a. **Economic Development Planning Presentation** – The staff with Chamber of Commerce (Sarah Gillespie), Tourism (Amanda Livingston) and County Economic Development (Kendra Hayden) will be at the meeting to provide an update to the Board on their plan for economic development.

**7. Payment of Invoices/Accounts Payable/Additional Appropriations** *None anticipated at this time.*

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

**9. Old Business Items:**

- a. **Report from Community Input Meeting on Meals Tax** – In addition to the draft minutes included in item 4 above, I have compiled the enclosed (**Att. 4**) memo summarizing some of the top issues and potential mitigation measures and corrections. The board may choose to discuss the meeting in greater depth.
- b. **ARPA Review Committee Appointments from Each District** – As we discussed at the August 10<sup>th</sup> meeting, we are looking to have a citizen member from each magisterial district represented on the review committee. We will be reaching out to other agencies of the County to gather project ideas in addition to County departments as we start compiling project ideas. The US Department of Treasury has released the reporting guidelines of which Appendix A includes a list of project categories we can use when considering investments. I have enclosed (**Att. 5**) a copy for your information.

**10. New Business Items:**

- a. **Proposed Recreation Committee / Partnership** – At the August meeting of the Smyth12, discussion ensued regarding the recreational opportunities in the County, the vast majority of which is led by each of the three Towns with only financial contributions made by the County. At a previous Board meeting, it was discussed that a potential project for the ARPA funding could/should be something for the youth of the County. With that in mind, the Smyth12 discussed the possibility of a joint recreation department venture between the County and all three Towns, the structure of which has yet to be discussed but would likely include funding from each of the Towns as well as the County. I wanted to put this on the Board's radar as we begin moving forward not only with considering project options for the ARPA funding but also as we move forward on the Board's vision of what the next ten years has to offer. This item will be discussion-only and no action at this time is expected.
11. **Report from County Attorney:** Time has been reserved on the agenda to allow the County Attorney to provide input and various updates as needed.
12. **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.

13. **Supervisor Comment Time**: Roundtable discussion for individual Board members.
14. **Closed Session under Code of Virginia Section 2.2-3711(a)** *None scheduled at this time*


The Smyth County Board of Supervisors held its regular meeting on Tuesday, August 10, 2021 at 5:00 p.m. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.


**PRESENT:** Vice Chair Rye Valley District Supervisor Lori H. Deel, Park District Supervisor Kris Ratliff; Saltville District Supervisor Roscoe Call; Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor Judy Wyant


**ABSENT:** Chair Atkins District Supervisor Charles Atkins; North Fork District Supervisor Phil Stevenson

**STAFF:** County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; Administrative Assistant Paula Harvey; Emergency Services Coordinator Curtis Crawford; Building and Zoning Administrator Clegg Williams

**OTHERS:** Smyth County Sheriff's Deputy and citizens

 8/10/2021 5:01 PM Vice Chair, Rye Valley District Supervisor Lori Deel called the meeting to order and welcomed everyone.

 8/10/2021 5:01 PM Curtis Crawford, Emergency Services Coordinator, led the Pledge of Allegiance. Rev. Emily Edmondson of Christ Episcopal Church (Marion), gave the invocation.

 8/10/2021 5:03 PM A motion was made by Saltville District Supervisor Roscoe Call to adopt the agenda as presented. Chilhowie District Supervisor Michael Sturgill seconded the motion.

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


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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson



 8/10/2021 5:04 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the July 13, 2021 meeting as presented. Chilhowie District Supervisor Michael Sturgill seconded the motion.


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

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

 8/10/2021 5:04 PM Vice Chair, Rye Valley District Supervisor Lori Deel opened the Public Hearing for the Declaration of Public Nuisance for 151 Rolling Hills Drive, Marion, VA and 409 Flat Ridge Road, Sugar Grove, VA.

- *A motion was made by Royal Oak District Supervisor Judy Wyant to waive the reading of the rules for public hearings. Saltville District Supervisor Roscoe Call seconded the motion.*

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

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

*NAYS: None.*


*ABSTAINERS: None.*


*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

Clegg Williams, Building and Zoning Administrator advised the property located at 151 Rolling Hills Drive, Marion has been abated and that the file has been closed as being satisfied.

Mr. Williams gave information concerning the property located at 409 Flat Ridge Road, Sugar Grove and presented his findings regarding activity over the last several months. Mr. Williams

noted that there has not been much improvement on the property and that the complaint endangers residents and the safety of the County.

 8/10/2021 5:08 PM John Overbay, 3180 Lee Highway, Marion, owner of the property that the mobile home is located at 409 Flat Ridge Road, Sugar Grove, spoke about the tenant and indicated that he has three small children that he is raising by himself. Mr. Overbay said the neighbor that lives directly behind the mobile home called him and said that the tenant was hauling stuff off the property. Mr. Overbay advised the tenant sells scrap metal to raise extra money. Mr. Overbay added that he doesn't see anyone at the meeting that filed the complaint and feels that he doesn't need to be present.

 8/10/2021 5:10 PM With no one else wishing to speak, Vice Chair, Rye Valley District Supervisor Lori Deel closed the public hearing for the Public Nuisance.

Mr. Williams advised that it is up to the Board to act on it and historically the Board chooses to waive the rules and vote. Saltville District Supervisor Roscoe Call asked Mr. Overbay if the mobile home tenant of 409 Flat Ridge Road, Sugar Grove was continuing to haul stuff off from the property and Mr. Overbay said that the tenant is continuing to clean up the best he can. Mr. Overbay indicated that he doesn't own the mobile home, but just rents the lot to the tenant. Park District Supervisor Kris Ratliff expressed concerns about the stability of the mobile home based on the pictures. Discussion continued.

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to table the matter until the September 13, 2021 Board of Supervisors meeting in order to allow the Building and Zoning department to re-inspect the property to avoid being declared a public nuisance pending removal of the remaining trash, garbage, refuse, litter, scrap metal and debris from the property with additional action being taken at that meeting if necessary.*

*Saltville District Supervisor Roscoe Call seconded the motion.*


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


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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

 8/10/2021 5:20 PM Assistant County Administrator, Lisa Richardson, reviewed the County financial information.

 8/10/2021 5:25 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following accounts payable listing:

<b><u>General County</u></b>	
<b>Accounts Payable Listing 7/16/2021 - 7/30/2021</b>	<b>\$505,563.28</b>
<b><u>Fund 303 CDBG Food Pantry Grant</u></b>	<b>\$13,478.05</b>
<b><u>Sheriff Fund 748</u></b>	<b>\$1,019.97</b>
<b><u>Recovery Court Fund 749</u></b>	<b>\$2,315.98</b>
	<b>\$522,377.28</b>

*Chilhowie District Supervisor Michael Sturgill seconded the motion.*


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

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

 8/10/2021 5:26 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following appropriation:

<b>Fund 760 - Commonwealth Attorney Federal Drug Asset</b>	<b>\$3,006.00</b>
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*Chilhowie District Supervisor Michael Sturgill seconded the motion.*

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

*AYES: Vice Chair, Rye Valley District Supervisor Lori Deel,  
Park District Supervisor Kris Ratliff,  
Royal Oak District Supervisor Judy Wyant,*




*Chilhowie District Supervisor Michael Sturgill, and  
Saltville District Supervisor Roscoe Call*

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

 8/10/2021 5:26 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following appropriation:

<b>School Board - Technology</b>	<b>\$100,000.00</b>
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*Royal Oak District Supervisor Judy Wyant seconded the motion.*


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


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


*NAYS: None.*

*ABSTAINERS: Chilhowie District Supervisor Michael Sturgill*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

 8/10/2021 5:27 PM Vice Chair, Rye Valley District Supervisor Lori Deel opened citizen's time.

 8/10/2021 5:27 PM With no one wishing to speak, Vice Chair, Rye Valley District Supervisor Lori Deel closed citizen's time.

 8/10/2021 5:28 PM County Administrator, Shawn Utt read the minutes from the Budget Committee meeting held on August 3, 2021. He noted that since the Budget Committee meeting, an additional amendment needed to be included in the proposed public hearing for the School System's ESSER II grant funding. Based on the discussions, the following committee recommendation was considered:

- *Royal Oak District Supervisor Judy Wyant made a motion to schedule a public hearing on August 26, 2021 at 5:00 p.m. or shortly thereafter for the FY21/22 Budget Amendment #1 in the amount of \$4,341,172. Rye Valley District Supervisor Lori Deel seconded the*

*motion. After further discussion, Royal Oak District Supervisor Judy Wyant amended her motion to include \$15,000.00 to go toward part-time wages for the County Convenience Stations setting the proposed amendment total at \$4,356,172 and Rye Valley District Supervisor Lori Deel seconded the amended motion. The motion was unanimously approved as amended.*

*After consideration, the Budget Committee recommendation FAILED by the following vote:*

*AYES: None.*

*NAYS: Vice Chair, Rye Valley District Supervisor Lori Deel,  
Park District Supervisor Kris Ratliff,  
Royal Oak District Supervisor Judy Wyant, and  
Saltville District Supervisor Roscoe Call*

*ABSTAINERS: Chilhowie District Supervisor Michael Sturgill*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins,  
North Fork District Supervisor Phil Stevenson*

Following the discussion regarding the additional funding for the School Board that needed to be included, the following was considered:

- *A motion was made by Royal Oak District Supervisor Judy Wyant to amend the FY21/22 Budget Amendment #1 in the amount of \$5,330,083 and to set the Public Hearing for August 26, 2021 at 5:00 p.m. or shortly thereafter.*

*Saltville District Supervisor Roscoe Call seconded the motion.*

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

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

*NAYS: None.*

*ABSTAINERS: Chilhowie District Supervisor Michael Sturgill*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

Additional Budget Committee recommendations included:

- *Royal Oak District Supervisor Judy Wyant made a motion to approve the \$9,000 budget transfer from the Supplemental Appropriations line (001-011010-8888) to the Commissioner of Revenue's budget for Assessment of Building Permits (001-012090-*

5804). Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.

*After consideration, the Budget Committee recommendation PASSED by the following vote:*

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


*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

Mr. Utt added that he and Jeff Richardson, Commissioner of Revenue visited the 20 plus businesses that will be affected by the new Meal's Tax Implementation as of October 1, 2021. Mr. Utt noted that overall that they did not receive much pushback on the new tax but did field many questions. Mr. Utt advised he made sure those businesses understood that the Meal's Tax had passed, but the implementation was pushed back to October 1, 2021 and that the Board does want to hear from the public regarding the Meal's Tax at the Community Input Meeting to be held on August 16, 2021 at the Smyth County Technology Center located at 147 Fox Valley Road, Marion at 6:00 p.m.

Mr. Utt also discussed the American Rescue Plan Act (ARPA) Committee and what that committee is expected to look like. Mr. Utt added that the committee members discussed having each Board member appoint a member of their respective district to serve as part of this committee.

 8/10/2021 5:35 PM Chilhowie District Supervisor Michael Sturgill read the minutes from the Personnel Committee Meeting held on August 2, 2021 and presented the following committee recommendations:

- *After discussion, Atkins District Supervisor Charles Atkins made a motion to recommend that the proposed Memorandum of Understanding (MOU) with the Tourism Board be approved pending the Tourism Board's final acceptance and authorizing the County Administrator to execute the final document on behalf of the County. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved.*

*After consideration, the Personnel Committee recommendation PASSED by the following vote:*

*AYES: Vice Chair, Rye Valley District Supervisor Lori Deel,*



*Park District Supervisor Kris Ratliff,  
Chilhowie District Supervisor Michael Sturgill,  
Royal Oak District Supervisor Judy Wyant, and  
Saltville District Supervisor Roscoe Call*

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

- *Following discussion, Atkins District Supervisor Charles Atkins made a motion to direct the County Administrator to update the current County Attorney job description and to begin a recruitment process with the Personnel Committee with any potential hiring subject to the Board of Supervisor's final approval. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved.*


*After consideration, the Personnel Committee recommendation PASSED by the following vote:*

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

 *8/10/2021 5:39 PM Committee Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Public Safety Committee meeting held on August 3, 2021 and presented the following committee recommendation:*

- *After discussion, Chilhowie District Supervisor Michael Sturgill made a motion to move forward and ratify the agreement with APCO International Systems as the vendor for the Smyth County Emergency Medical Dispatch. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.*

*After consideration, the Public Safety Committee recommendation PASSED by the following vote:*


*AYES: Vice Chair, Rye Valley District Supervisor Lori Deel,  
Park District Supervisor Kris Ratliff,  
Chilhowie District Supervisor Michael Sturgill,  
Royal Oak District Supervisor Judy Wyant, and*

*Saltville District Supervisor Roscoe Call*

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

 8/10/2021 5:46 PM Committee Chair, Saltville District Supervisor Roscoe Call read the minutes from the Solid Waste Committee meeting held on August 2, 2021 and presented the following committee recommendations:

- *Atkins District Supervisor Charles Atkins made a motion to recommend moving forward with changing the hours of operation for the County Convenience Stations to be implemented effective September 1, 2021 for most stations and no later than October 1, 2021 for all stations. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved.*

*After consideration, the Solid Waste Committee recommendation PASSED by the following vote:*

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

- *Chilhowie District Supervisor Michael Sturgill made a motion to authorize the County Administrator to move forward with the contract with R.A.M. Paving at the cost of \$25,500.00 for the repairs at the McMullin Convenience Station. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*


*After consideration, the Solid Waste Committee recommendation PASSED by the following vote:*

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

 8/10/2021 5:54 PM Committee Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Water & Sewer Committee meeting held on August 3, 2021 and presented the following committee recommendation:

- *Following discussion, Atkins District Supervisor Charles Atkins made a motion to authorize the County Administrator to move forward with the process for the Request for Proposal Architectural/Engineering Services Comprehensive Water Study. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.*


*After consideration, the Water and Sewer Committee recommendation PASSED by the following vote:*

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


*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*


 8/10/2021 5:56 PM County Administrator, Shawn Utt reviewed the newly implemented After School Child Care program for the 2021-2022 school year for Smyth County students ages PreK-5<sup>th</sup> grade. Mr. Utt added that Ms. Paige Wright who is currently a teacher at Sugar Grove Elementary has been hired as the Coordinator for the After School Program. Mr. Utt said that as soon as the staff is hired the program will begin. He also noted that he will be inviting Ms. Wright to provide a report to the Board at one of the September meetings.

 8/10/2021 6:01 PM County Administrator, Shawn Utt referenced the Meal's Tax as already discussed in the Budget Committee report.

 8/10/2021 6:04 PM County Administrator Report – Mr. Utt presented an update from the surveyors currently working near Saltville to determine the official County boundary. Mr. Utt noted that there are a few challenges they are working through but anticipated having a final survey in the coming weeks. Mr. Utt also informed the Board that the Town of Marion will be holding their annual 9/11 Commemoration Ceremony at the Marion Fire Department



on Saturday, September 11, 2021 beginning at noon and hopes they can plan accordingly to attend.

 8/10/2021 6:07 PM Vice Chair, Rye Valley District Supervisor Lori Deel opened Supervisor comment time.


Park District Supervisor Kris Ratliff noted his concerns on the unvaccinated population and addressed concerns with the new Covid Delta variant and encouraged everyone to get vaccinated. Dr. Ratliff added that he recently had an encounter with a patient and because of our local Rescue that person was alive and he wanted to commend them for a job well done. Dr. Ratliff also thanked the Board for continuing to work together during a difficult process.

Royal Oak District Supervisor Judy Wyant commended the work of the school system and wished the teachers and students a happy, healthy and successful year. Ms. Wyant also appreciated the accounts payable information being included in her packet and thanked the staff for their work.

Chilhowie District Supervisor Michael Sturgill noted that today was the first day of school and overall it was a good day. Mr. Sturgill said he visited 8 schools and added there are a few challenges with traffic but that they are working with local law enforcement on those issues and thanked them for their work.

Saltville District Supervisor Roscoe Call thanked everyone for being here and noted that Mrs. Deel did a great job filling in as the chair.

Vice Chair, Rye Valley District Supervisor Lori Deel reminded everyone that Konnarock started their 2<sup>nd</sup> Saturday of the month breakfast back up and encouraged everyone to try it out. Mrs. Deel also commended everyone for their hard work and wished everyone a happy 1<sup>st</sup> day back to school. Mrs. Deel added that she was very excited for the new convenience station hours and was happy to see that the McMullin Station would be getting the much needed repairs. Mrs. Deel reminded everyone of the Blood Drive being held at the County Office Building on Tuesday, August 17, 2021 and encouraged attendance and for everyone to please pass on the word. Mrs. Deel said she wished to give a shout out to the Smyth County Fire Academy class that will be starting and was happy to see the diversity and that she is excited and thinks that it will be a game changer for the County. Mrs. Deel wanted to encourage everyone to come out to the Meal's Tax Community Input meeting that will be held on August 16, 2021 at the Smyth County Career Center starting at 6:00 p.m. Mrs. Deel noted that Smyth County has a substantially higher property tax than those of surrounding counties and encouraged everyone to do their homework. Mrs. Deel also said she appreciates all the businesses and looks forward to hearing their input.

 8/10/2021 6:15 Chilhowie District Supervisor Michael Sturgill indicated that he had a nomination for the Chilhowie District opening for the Economic Development Authority. Mr. Sturgill added that Mr. Tom Bishop, from Chilhowie has agreed to serve and noted that Mr. Bishop will bring a wealth of experience to the group.

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to appoint Mr. Tom Bishop to the Economic Development Authority to fill the unexpired term of Chris Brewer, Chilhowie District Representative ending on 06-30-2022. Saltville District Supervisor Roscoe Call seconded the motion.*


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

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

 8/10/2021 6:16 PM A motion was made by Royal Oak District Supervisor Judy Wyant to enter into closed session under Code of Virginia, Section 2.2-3711 A.3 Discussion or consideration of the acquisition of real property for public purpose, or the disposition of publicly held real property concerning the Discussion of Pathway Park development options.

*Saltville District Supervisor Roscoe Call seconded the motion.*


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

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

 8/10/2021 6:30 PM A motion was made by Royal Oak District Supervisor Judy Wyant, 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: Vice Chair, Rye Valley District Supervisor Lori Deel,  
Park District Supervisor Kris Ratliff,  
Chilhowie District Supervisor Michael Sturgill,  
Royal Oak District Supervisor Judy Wyant, and  
Saltville District Supervisor Roscoe Call*

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

 8/10/2021 6:31 PM A motion was made by Park District Supervisor Kris Ratliff to authorize County Administrator, Shawn Utt, to explore options for the creation of a Regional Industrial Facilities Authority (RIFA) in partnership with other communities within in the Mount Rogers Planning District Region for the proposed redevelopment of Pathway Park.

*Chilhowie District Supervisor Michael Sturgill seconded the motion.*


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

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

 8/10/2021 6:32 A motion was made Chilhowie District Supervisor Michael Sturgill to authorize County Administrator, Shawn Utt, to develop a letter of support on behalf of the Board of Supervisors for the Smyth County Economic Development Authority (EDA) grant application for GOVirginia funding for infrastructure improvements at Pathway Park.

*Saltville District Supervisor Roscoe Call seconded the motion.*

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

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: Chair, Atkins District Supervisor Charles Atkins  
North Fork District Supervisor Phil Stevenson*

 8/10/2021 6:32 PM With no further business to discuss, the meeting was adjourned until the next meeting scheduled for August 26, 2021 at 5:00 PM.



A Community Input meeting was held at the Smyth County Career and Technology Center on August 16, 2021 at 6:00 P.M.

**Board Members Present:**

Atkins District Supervisor, Charles Atkins  
Rye Valley District Supervisor, Lori Deel  
Saltville District Supervisor, Roscoe Call

Chilhowie District Supervisor, Mike Sturgill  
Royal Oak District Supervisor, Judy Wyant  
Park District Supervisor, Kris Ratliff

**Board Members Absent:**

North Fork District Supervisor, Phil Stevenson

**Staff Members Present:**

County Administrator, Shawn Utt  
Assistant County Administrator, Lisa Richardson  
Economic Development Assistant, Kendra Hayden

Chairman, Atkins District Supervisor, Charles Atkins called the meeting to order at 6:01 P.M. and welcomed the constituents in attendance.

County Administrator, Shawn Utt proceeded with the reading of the rules and procedures, noting the meeting was informational only and no action would be taken. Mr. Utt referenced the information on the back of the agenda and offered a brief explanation for the County's consideration and the Board of Supervisor's approval the meals tax.

Mr. Utt reviewed meals tax data from neighboring localities and the associated revenue. Additionally, Mr. Utt identified tax increases the County would need to consider in order to receive that level of revenue without the implementation of a meals tax. Additionally, Mr. Utt explained the importance of fiscal responsibility with the rising public safety costs, which represent an increase of approximately 200% over the previous fiscal year. Mr. Utt further explained that with the implementation of a meals tax and the anticipated revenue in this year and in future years; will bring Smyth County closer to the goal of providing County-wide EMS services.

Royal Oak District Supervisor, Judy Wyant expressed her concerns in regard to accurate EMS cost estimations and revenue associated with a meals tax.

Chairman, Atkins District Supervisor, Charles Atkins read aloud an email into the record from Bobby Harden, who requested on behalf of small businesses, not to implement a meals tax.

Chairman, Atkins District Supervisor, Charles Atkins opened the floor to public comment.

The following people spoke in opposition of the meals tax:

- Bob Myers, 753 Porter Valley Road in Marion, Virginia
- Greg Pratt, a Marion resident and owner of Crabtree Convenience Store in Rich Valley
- Justin Hall, 162 Old Mill Road in Chilhowie, Virginia
- Grant Hall, 152 Old Mill Road in Chilhowie, Virginia and owner of Dip Dog in Marion, Virginia
- Pam Hall, 152 Old Mill Road in Chilhowie, Virginia and owner of Dip Dog in Marion
- Gary Ashby

- Crystal Hall
- Bobby Mullins, owner of Shirley's Market in Sugar Grove, Virginia
- Tammy Pennington, 3545 Whitetop Road in Chilhowie, Virginia
- Charles Wassum, Jr., 321 Wassona Marion, Virginia

The following spoke in favor of the meals tax:

- John Clark

Royal Oak District Supervisor, Judy Wyant stated that Smyth County is a poverty-stricken area and requested the Board put the County's demographics into perspective. Ms. Wyant further noted the citizens who would be paying this tax do not have the income to support additional taxes.

Jeff Richardson, Smyth County Commissioner of Revenue: 737 Lincoln Ave in Marion, Virginia. Mr. Richardson clarified his reasoning for visitation to all of the businesses affected, stating his office will administer the ordinance and he wanted to ensure communication to each business. Mr. Richardson further explained that he did this on his own accord in order to gain feedback and address any concerns in an effort to better serve the businesses and citizens of the County.

Saltville District Supervisor, Roscoe Call expressed his appreciation of all present and to all his constituents. Mr. Call stated that he voted against the meals tax and he does not believe this to be the right time for this tax.

Royal Oak District Supervisor, Judy Wyant requested consideration to leverage the recently allotted ARPA funds for fire and EMS in lieu of a meals tax.

With no other citizens wishing to speak, Chairman and Atkins District Supervisor, Charles Atkins, closed public comments.

County Administrator Shawn Utt explained he will provide a report with summary of public comments to the Board members and further determinations will be discussed at the Board's discretion.

The community input meeting ended at 7:04 P.M.

**-NOTICE OF PUBLIC HEARING-****Smyth County Board of Supervisors  
BUDGET AMENDMENT FOR FISCAL YEAR 2021-2022**

Pursuant to Section 15.2-2507 of the Code of Virginia, notice is hereby given that the Board of Supervisors of Smyth County, Virginia, will hold a public hearing in the Boardroom of the Smyth County Administration Building at 121 Bagley Circle, Marion, Virginia, on Thursday, August 26, 2021 at 5:00 p.m. or soon thereafter, to receive comments on proposed amendments of the budget for fiscal year 2021-2022.

This amendment will increase the Fiscal Year 2021-2022 adopted budget by \$5,330,083 for additional School Board funds, Emergency Management grant funds, Solid Waste funds, EDA funds, Grant funds for projects, and American Rescue Plan Act (ARPA) funding. The new total budget amount will be \$100,246,861.

All interested persons may express their views by emailing [sutt@smythcounty.org](mailto:sutt@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 Thursday, August 26, 2021. A copy of the proposed budget amendment is available for public review 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  
Shawn Utt, County Administrator**



# ***SMYTH COUNTY BOARD OF SUPERVISORS***

## **RESOLUTION SMYTH COUNTY BUDGET FISCAL YEAR 2021-2022 – AMENDMENT #1**

**WHEREAS**, the Smyth County Board of Supervisors, on June 8, 2021 adopted the Fiscal Year 2021-2022 Budget in the original amount of \$94,916,778; and

**WHEREAS**, the Smyth County Board of Supervisors was presented with budget amendment #1 for Fiscal Year 2021-22 in the aggregate amount of \$5,330,083 consisting largely of roll-over funds from the previous fiscal year as well as COVID-related stimulus funding; and

**WHEREAS**, the Smyth County Board of Supervisors has properly advertised a public hearing for August 26, 2021 as required by §15.2-2503 of the Code of Virginia, 1950, as amended; and

**WHEREAS**, the aggregate amount of budget amendment #1 is \$5,330,083 which would increase the Fiscal Year 2021-22 budget to a total of \$100,246,861 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 2021-22 in the amount of \$100,246,861.

**BE IT FURTHER RESOLVED**, the approval of this budget amendment #1 shall indeed constitute an appropriation of the same funds.

Adopted this the \_\_\_\_ day of August, 2021

**ATTEST:**

**SMYTH COUNTY  
BOARD OF SUPERVISORS**

\_\_\_\_\_  
Shawn M. Utt, Clerk

\_\_\_\_\_  
Charles Atkins, Chair



Exhibit A  
FY 2021-22  
Budget Amendment #1

Part 1. REVENUES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Budget with Amendment	Notes
FUND 001	State Grant Money	001-021100-0015	VDEM Active Threat Response Grant	\$ -	\$ (27,973)	\$ (27,973)	Roll-over of unspent grant funding for Emergency Management
FUND 001	State Grant Money	001-021100-0016	VDEM LEMPG-S Grant	\$ -	\$ (11,630)	\$ (11,630)	Roll-over of unspent grant funding for Emergency Management
FUND 001	Local Funds Transfer	001-040000-0005	Local Funds Transfer	\$ -	\$ (210,678)	\$ (210,678)	Roll-over of unspent funding from FY21 for SCSB
FUND 001	Local Funds Transfer	001-040000-0005	Local Funds Transfer	\$ -	\$ (50,000)	\$ (50,000)	Roll-over of proceeds from CARES Act Funding for Emer. Mgt.
FUND 001	Expenditure Refunds	001-018030-0050	Southwest Va. Regional Jail Refund	\$ (280,000)	\$ (15,000)	\$ (295,000)	Funding toward Convenience Station hours of operation
FUND 001	Expenditure Refunds	001-018030-0063	Broadband Grant	\$ -	\$ (40,000)	\$ (40,000)	Roll-over of Grant Funding
FUND 001	Expenditure Refunds	001-018030-0051	Smyth County Explorer's Fee	\$ -	\$ (100,000)	\$ (100,000)	New After-School Program partnership with School Board
FUND 004	EDA Fund Revenue	004-010000-0012	Proceeds from Land Sales	\$ -	\$ (450,000)	\$ (450,000)	Mulberry Lane & Cornerstone Building land sales
FUND 009	County School Operations	009-021010-0230	ESSER II Grant Funding	\$ -	\$ (973,911)	\$ (973,911)	Grant funding from ESSER II (COVID Stimulus Funding)
FUND 303	CDBG Grant - Food Pantry	303-012010-0001	Revenues from Commonwealth	\$ -	\$ (130,776)	\$ (130,776)	Remaining unspent balance of CDBG grant funding
FUND 502	Grant Revenues for Projects	502-012010-0143	MRPDC-Atkins Source TA	\$ -	\$ (45,000)	\$ (45,000)	Roll-over of Grant Funding
FUND 502	Grant Revenues for Projects	502-012010-0144	MRPDC-Ebenezer Well	\$ -	\$ (25,000)	\$ (25,000)	Roll-over of Grant Funding
FUND 502	Grant Revenues for Projects	502-012010-0146	Back of the Dragon Proj-Tobacco	\$ -	\$ (160,000)	\$ (160,000)	Roll-over of Grant Funding
FUND 502	Grant Revenues for Projects	502-012010-0147	Back of the Dragon Proj-VDOT	\$ -	\$ (165,000)	\$ (165,000)	Roll-over of Grant Funding
FUND 749	Recovery Court	749-010000-0001	Recovery Court Grant Funding	\$ (169,685)	\$ (1,440)	\$ (171,125)	Budget correction/oversight
FUND 775	ARPA - Round 1 Funding	775-010001-0004	Public Infrastructure and Support	\$ -	\$ (2,923,675)	\$ (2,923,675)	Roll-over from May 2021 Disbursement
<b>Total Revenues With Amendment</b>				<b>\$ (94,916,778)</b>	<b>\$ (5,330,083)</b>	<b>\$ (100,246,861)</b>	

Part 2. EXPENDITURES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Amended Budget Amount	Notes
FUND 001	Emergency Management	001-035050-7001	Machinery & Equipment	\$ 5,000	\$ 50,000	\$ 55,000	Use proceeds of CARES Act for Emer. Response Vehicle
FUND 001	Emergency Management	001-035050-7012	VDEM Active Threat Response Grant	\$ -	\$ 27,973	\$ 27,973	Roll-over of Grant Funding
FUND 001	Emergency Management	001-035050-7013	VDEM LEMPG-S Grant	\$ -	\$ 11,630	\$ 11,630	Roll-over of Grant Funding
FUND 001	Solid Waste Collection & Disposal	001-042050-1003	Wages- Part Time	\$ 330,000	\$ 15,000	\$ 345,000	Increase hours of operation at Convenience Stations
FUND 001	Explorers After School Program	001-072000-1003	Part-Time Salaries	\$ -	\$ 90,000	\$ 90,000	New After-School Program partnership with School Board
FUND 001	Explorers After School Program	001-072000-2001	FICA Insurance	\$ -	\$ 7,500	\$ 7,500	New After-School Program partnership with School Board
FUND 001	Explorers After School Program	001-072000-5501	Travel (Mileage)	\$ -	\$ 2,500	\$ 2,500	New After-School Program partnership with School Board
FUND 004	General EDA Expenses	004-012010-5600	Economic Development Activities	\$ -	\$ 450,000	\$ 450,000	Proceeds from land sales
FUND 009	County School Operations	009-099990-5804	Facilities	\$ 4,788,627	\$ 1,184,589	\$ 5,973,216	Roll-over (\$210,678) and ESSER II stimulus grant (\$973,911)
FUND 303	CDBG Grant - Food Pantry	303-012010-0001	CDBG Grant Expenses	\$ -	\$ 130,776	\$ 130,776	Roll-over of Grant Funding
FUND 501	Capital Projects	502-012010-0253	Broadband Project Grant	\$ -	\$ 40,000	\$ 40,000	Roll-over of Grant Funding
FUND 502	Capital Projects	502-012010-0241-1	MRPDC-Atkins Source TA	\$ -	\$ 45,000	\$ 45,000	Roll-over of Grant Funding
FUND 502	Capital Projects	502-012010-0241-2	MRPDC-Ebenezer Well/Pathway Park	\$ -	\$ 25,000	\$ 25,000	Roll-over of Grant Funding
FUND 502	Capital Projects	502-012010-0242	Back of the Dragon Overlook	\$ -	\$ 325,000	\$ 325,000	Roll-over of Grant Funding
FUND 749	Recovery Court	749-010000-5203	Cell Phone	\$ -	\$ 1,440	\$ 1,440	Budget correction/oversight
FUND 775	ARPA - Round 1 Funding	775-030000-0001	Public Infrastructure and Support	\$ -	\$ 2,923,675	\$ 2,923,675	ARPA Stimulus Funding
<b>Total Expenditures With Amendment</b>				<b>\$ 94,916,778</b>	<b>\$ 5,330,083</b>	<b>\$ 100,246,861</b>	

<b>Revenues</b>	\$ (94,916,778)	\$ (5,330,083)	\$ (100,246,861)
<b>Expenditures</b>	\$ 94,916,778	\$ 5,330,083	\$ 100,246,861
<b>Difference</b>	\$ -	\$ -	\$ -

# SMYTH COUNTY SCHOOL BOARD

DR. DENNIS G. CARTER, DIVISION SUPERINTENDENT

121 BAGLEY CIRCLE, SUITE 300

MARION, VIRGINIA 24354-3140

PHONE: 276-783-3791

FAX: 276-783-3291

JESSE CHOATE, CHAIRMAN

SUSAN B. WILLIAMS, VICE-CHAIRPERSON

TARA E. FRENCH, CLERK

CHARLES M. BUCHANAN, JR.

ROGER L. FRYE

DR. PAUL L. GRINSTEAD

DR. KYLE N. RHODES

TODD WILLIAMS

To: Smyth County Board of Supervisors  
From: Dennis Carter  
Date: August 10, 2021  
Re: Budget Amendment and Appropriation

We would like to request a Maintenance budget amendment of \$973,911. The funds will be reimbursable through the ESSER II grant. The projects included are:

Rich Valley Elementary – New Roof	\$219,461
Northwood High School – Roofing	\$45,000
Northwood Middle School – Roofing	\$56,700
Sugar Grove Elementary – New Roof	\$150,000
Marion Senior High School	
Asbestos Abatement	\$100,000
New Tile Replacement	\$90,000
Glass Replacement	\$23,000
HVAC Gymnasium	\$249,750
Smyth Career and Technology Center	
HVAC (2 Rooms)	\$40,000

Additionally, we would request a Maintenance budget appropriation of \$973,911.

Thank you for your consideration.



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

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

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

August 23, 2021

To: Members, Smyth County Board of Supervisors  
CC: Smyth County Leadership Team  
From: Shawn M. Utt, Smyth County Administrator  
RE: Staff report from Meals Tax Public Input meeting

Below is a report that was compiled following the community input meeting regarding Meals Tax that was held on Monday, August 16<sup>th</sup> at the Smyth Career & Technical Center. What I've tried to do was to identify the top issues that were brought up and provide feedback or options to mitigate those concerns:

- **Concern #1:** *"Funding from the Back of the Dragon project could have been used to fund what the Meals Tax is anticipated to cover"* – this was a concern from Mr. Pratt (owner of Crabtree's Convenience Store in Rich Valley). As the Board may remember, the Back of the Dragon project is fully funded by grant funds from VDOT (\$640,000) and the Tobacco Commission (\$160,000) and did not require County funding (other than the initial expense of \$4,100 that was deemed to be ineligible for grant reimbursement in FY19/20). There is no mitigation available for this concern other than working to provide better education and public outreach regarding grant-funded projects.
- **Concern #2:** *"The bill (ie, Meals Tax Ordinance) only penalizes small businesses."* – this concern was also brought up by Mr. Pratt. After hearing much of the conversations and concerns, this one included, it is possible that the business owners that are collecting the tax may not understand the entire process. It sounds as though they are worried that the business owner him/herself will be required to pay the 6% out of his/her own pocket. However, all the business owner does is collect the tax from the customers, much like their current practice for sales tax collections. Again, we need to develop a training program of sorts that can be shared with each and every affected business to better explain the process.
- **Concern #3:** *"Why not use the CARES Act funding or other stimulus funding to fund County operational needs instead of the Meals Tax? Why don't we simply collect the past due taxes and water/sewer fees?"* – this concern was expressed by a few of the individuals that spoke. Sadly, the CARES Act funding was provided to the County with several stipulations and requirements. The most important prohibition from the US Department of Treasury was a restriction against supplanting local funding or using the CARES Act to recoup lost revenues. A similar issue is present with the ARPA funding that was recently awarded with an anticipated set of limitations to be issued by the US Department of Treasury within the next few weeks. These funds may be more flexible but are still one-time revenues, the use of which should focus on one-time expenses rather than recurring operational ones. Simply put, I would strongly discourage using "one-time revenues" toward ongoing operational costs.
- **Concern #4:** *"With the Meals Tax supposed to pay for 2 new positions in the County Administrator's office, why does he need more help to do what he was hired to do?"* – this was expressed by separate individuals who received some information in preparation for the meeting. As the Board knows and

as I reiterated at the community meeting, the only new position that has been associated with the Meals Tax has been the proposed Director of Finance position. Our current budget includes a total of \$103,369 for the position, which includes an anticipated hiring salary of \$75,000 and \$28,369 in benefit costs. Depending on the health insurance chosen, the benefit costs could decrease as much as \$9,366. As a County with a budget that is approaching \$100m (versus the \$28m figure quoted later in the meeting), we are approaching a point that having a single point of contact and someone with day-to-day operational control of the budget would best serve the County. However, those plans have been placed on hold as you know and may end up moving to a lower priority should the BOS choose to move forward with an on-staff County Attorney rather than Director of Finance. The current budget does not include any additional staff in the County Administrator's office other than the proposed Finance Director position.

- **Concern #5** - *"When this was on the ballot last, the people in Towns voted for taxes and we didn't".* After conferring with each of the Towns, I found that all three have had a meals tax since the early 1990's. The last time a meals tax was proposed for the County and on the full ballot, it was the November 2008 election where the measure failed. Prior to July 1<sup>st</sup>, Counties were treated far differently than Towns and Cities when it comes to revenues. Since the 1970's, Towns and Cities were allowed to have a meals tax without referendum. As of July 1<sup>st</sup>, the General Assembly placed Counties on an even footing with Towns and Cities for several revenue streams, one of which being the meals tax.





## Appendix 1: Expenditure Categories

The Expenditure Categories (EC) listed below must be used to categorize each project as noted in Part 2 above. The term "Expenditure Category" refers to the detailed level (e.g., 1.1 COVID-10 Vaccination). When referred to as a category (e.g., EC 1) it includes all Expenditure Categories within that level.

<b>1: Public Health</b>	
1.1	COVID-19 Vaccination ^
1.2	COVID-19 Testing ^
1.3	COVID-19 Contact Tracing
1.4	Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)*
1.5	Personal Protective Equipment
1.6	Medical Expenses (including Alternative Care Facilities)
1.7	Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency
1.8	Other COVID-19 Public Health Expenses (including Communications, Enforcement, Isolation/Quarantine)
1.9	Payroll Costs for Public Health, Safety, and Other Public Sector Staff Responding to COVID-19
1.10	Mental Health Services*
1.11	Substance Use Services*
1.12	Other Public Health Services
<b>2: Negative Economic Impacts</b>	
2.1	Household Assistance: Food Programs* ^
2.2	Household Assistance: Rent, Mortgage, and Utility Aid* ^
2.3	Household Assistance: Cash Transfers* ^
2.4	Household Assistance: Internet Access Programs* ^
2.5	Household Assistance: Eviction Prevention* ^
2.6	Unemployment Benefits or Cash Assistance to Unemployed Workers*
2.7	Job Training Assistance (e.g., Sectoral job-training, Subsidized Employment, Employment Supports or Incentives)* ^
2.8	Contributions to UI Trust Funds
2.9	Small Business Economic Assistance (General)* ^
2.10	Aid to Nonprofit Organizations*
2.11	Aid to Tourism, Travel, or Hospitality
2.12	Aid to Other Impacted Industries
2.13	Other Economic Support* ^
2.14	Rehiring Public Sector Staff
<b>3: Services to Disproportionately Impacted Communities</b>	
3.1	Education Assistance: Early Learning* ^
3.2	Education Assistance: Aid to High-Poverty Districts ^
3.3	Education Assistance: Academic Services* ^
3.4	Education Assistance: Social, Emotional, and Mental Health Services* ^
3.5	Education Assistance: Other* ^
3.6	Healthy Childhood Environments: Child Care* ^
3.7	Healthy Childhood Environments: Home Visiting* ^
3.8	Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System* ^



3.9	Healthy Childhood Environments: Other* ^
3.10	Housing Support: Affordable Housing* ^
3.11	Housing Support: Services for Unhoused Persons* ^
3.12	Housing Support: Other Housing Assistance* ^
3.13	Social Determinants of Health: Other* ^
3.14	Social Determinants of Health: Community Health Workers or Benefits Navigators* ^
3.15	Social Determinants of Health: Lead Remediation ^
3.16	Social Determinants of Health: Community Violence Interventions* ^
<b>4: Premium Pay</b>	
4.1	Public Sector Employees
4.2	Private Sector: Grants to Other Employers
<b>5: Infrastructure<sup>27</sup></b>	
5.1	Clean Water: Centralized Wastewater Treatment
5.2	Clean Water: Centralized Wastewater Collection and Conveyance
5.3	Clean Water: Decentralized Wastewater
5.4	Clean Water: Combined Sewer Overflows
5.5	Clean Water: Other Sewer Infrastructure
5.6	Clean Water: Stormwater
5.7	Clean Water: Energy Conservation
5.8	Clean Water: Water Conservation
5.9	Clean Water: Nonpoint Source
5.10	Drinking water: Treatment
5.11	Drinking water: Transmission & Distribution
5.12	Drinking water: Transmission & Distribution: Lead Remediation
5.13	Drinking water: Source
5.14	Drinking water: Storage
5.15	Drinking water: Other water infrastructure
5.16	Broadband: "Last Mile" projects
5.17	Broadband: Other projects
<b>6: Revenue Replacement</b>	
6.1	Provision of Government Services
<b>7: Administrative</b>	
7.1	Administrative Expenses
7.2	Evaluation and Data Analysis
7.3	Transfers to Other Units of Government
7.4	Transfers to Non-entitlement Units (States and territories only)

\*Denotes areas where recipients must identify the amount of the total funds that are allocated to evidence-based interventions (see Use of Evidence section above for details)

^Denotes areas where recipients must report on whether projects are primarily serving disadvantaged communities (see Project Demographic Distribution section above for details)

<sup>27</sup> Definitions for water and sewer Expenditure Categories can be found in the EPA's handbooks. For "clean water" expenditure category definitions, please see:

<https://www.epa.gov/sites/production/files/2018-03/documents/cwdefinitions.pdf>. For "drinking water" expenditure category definitions, please see: <https://www.epa.gov/dwsrf/drinking-water-state-revolving-fund-national-information-management-system-reports>.